



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

ITEM DATE: 8/23/2021	ITEM TIME: 11:00 am
----------------------	---------------------

FROM:	Scott Cowman
TODAY'S DATE:	8/22/2021
AGENDA TITLE:	Review of State Regulation 86 for Graywater
CHECK ONE THAT APPLIES TO YOUR ITEM:	
<input type="checkbox"/> ACTION ITEM	
<input checked="" type="checkbox"/> DIRECTION	
<input checked="" type="checkbox"/> INFORMATION	
I. DESCRIBE THE REQUEST OR ISSUE:	
Review of graywater systems, process for adopting State Regulation 86 for Graywater, forthcoming revisions to the regulation (State triennial review), and potential implications of adoption in Routt County.	
II. RECOMMENDED ACTION (<i>motion</i>):	
Work session - no action recommended at this time; only information and direction	
III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):	
PROPOSED REVENUE (<i>if applicable</i>): Permitting fee	
CURRENT BUDGETED AMOUNT: N/A	
PROPOSED EXPENDITURE: None	
FUNDING SOURCE: N/A	
SUPPLEMENTAL BUDGET NEEDED: No	
IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):	
To date four other jurisdictions have adopted Regulation 86 for Graywater: Pitkin County, Denver, Golden, and Castle Rock, however, no permits have been issued.	



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

V. BACKGROUND INFORMATION:

As a result of 2013 legislation, the Water Quality Control Commission adopted Regulation 86: Graywater Control Regulation on November 9, 2015. Graywater is a part of the water used in a residential, commercial, or industrial building that may be collected after the first use and put to a second beneficial use. Regulation 86 outlines requirements, prohibitions, and standards for graywater use for non-drinking purposes.

- Graywater sources **may** include water discharged from: bathroom and laundry-room sinks, bathtubs, showers, and laundry machines.
- Graywater **may not** include water discharged from: toilets, urinals, kitchen sinks, dishwashers, non-laundry utility sinks.

Regulation 86 is only one component of a larger legal framework that all must be in place for graywater to be used legally in Colorado. In addition to Regulation 86, the Colorado Plumbing Board will also need to adopt a Colorado Plumbing Code version that allows for graywater piping within structures. There is no estimated date or assurance that the Colorado Plumbing Board will take action to allow graywater plumbing. Any graywater use also will need to be in conformance with Colorado water rights, which is regulated by the Department of Natural Resources, Division of Water Resource.

The statute made graywater an "opt-in" program for local jurisdictions and not a statewide program. To allow graywater use, a city, city and county, or county will have to adopt an ordinance or resolution to allow graywater use within its jurisdiction by developing a graywater control program that meets the requirements of Regulation 86. Please contact your local city or county to see if a local graywater program is in place.

VI. LEGAL ISSUES:

Water rights

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

Risk of groundwater and drinking water source contamination vs water conservation and long-term cost savings from using less water

VIII. SUMMARY AND OTHER OPTIONS:

1. Move forward with setting up administration and adopting Regulation 86
2. Wait for triennial review and potential changes to regulations before deciding how to proceed

IX. LIST OF ATTACHMENTS:

1. Presentation