



Authority Board Chair: Lora Thomas
Authority Board Vice-Chair: Laura Cavey
TAC Chair: David Van Dellen
TAC Vice-Chair: Weston Martin

TAC MINUTES

Chatfield Watershed Authority Technical Advisory Committee (TAC) Meeting

March 2, 2021

2:00 p. m. – 4:00 p. m.

Member

Attendees:

David Van Dellen (Town of Castle Rock)
Jim Dederick (Douglas County)
Patrick O'Connell (Jefferson County)
Weston Martin (Plum Creek)
Bob Neal (Dominion Water & Sanitation District)
Alison Witheridge (Denver Water)(CWA Board)
Barbara Horton (Town of Castle Rock)
Matt Collitt (Louviers)
Carolyn Roan (City of Littleton)

Alternate Members, Other Associate Agencies and Attendees:

Bill Szafranski (Lynker)
Alan Leak (RESPEC)
Bill Ruzzo (CRMC)
Joni Nuttle (CDPHE)
Cathy Begej (JCD)
Kris Wahlers (Chatfield State Park)
Diane Kielty (CO Watershed Assembly)
Jim Walker (Pine Canyon Representative)
Barbara Horton (Town of Castle Rock)
Sarak Klahn (Somach Simmons and Dunn)
Kurt Walker (Pine Canyon Representative)
Jennifer Charles (Tri-County Health)

2:00 p.m. Authority TAC Call to Order

- Introductions
- TAC Member disclosures

A regular meeting of the Chatfield Watershed Authority TAC was called to order at 2:02 p.m. by Weston Martin, Vice-Chair. A quorum was declared established. There were no disclosures.

Action Items/Recommendation to Board (Time 2:05 pm – 2:10 pm)

David Van Dellen & Weston Martin

A. Approval of Agenda

It was moved by Jim Dederick and seconded by Bob Neal to approve the agenda; motion carried unanimously.

B. Approval of February 2, 2021 TAC Meeting Minutes

It was moved by Jim Dederick and seconded by Bob Neal to approve the February 2, 2021 TAC meeting minutes as presented; motion carried unanimously.

C. Review/Approval of Invoices for Payment - The table below summarizes the invoices included in the TAC packet. Presenting 4 invoices for review for a total of \$6,090.00.

Invoices < \$5,000 and within Budget and Scope (Manager's Approval)	
RESPEC_3970.02_Chatfield-Pine Canyon_INV-30JAN21	\$200.00
Somach Invoice_Jan 2021_3009762	\$157.50
TWS_January 2021_Inv_19998_from_TWS_FINANCIAL_INC._21304	\$1,000.00
RESPEC_Invoice January_3867-Chatfield-INV-30JAN21	\$4,732.50
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
Invoices > \$15,000 and/or any Amount not within Budget or Scope (Board Approval)	
*Also requires post-payment Board ratification at next quarterly Board Meeting	

Discussion Items (Time 2:10 pm – 2:50 pm)

- A.** 2020 Annual WQCC Report (Alan Leak) – Changes were proposed for the Annual Report to allow for additional information. A section on climate circumstances that may account for the increase in phosphorus and chlorophyll a. Explanations on graphs going into greater detail. A table will be added to address the Commission request to provide monthly maximum phosphorus loads. The Jellystone and Pine Canyon applications will be discussed. This year will emphasize MS4s in controlling NPS and how this reduces nutrients coming out of new development to highlight the type of work the member agencies are undertaking to protect the watershed. Other additions include CSM field study results from 2020, award of WQ Initiative Grant through NRCS, budget as it ties to the regulations for the watershed, and additional modeling from the Lynker study. A 1st draft of the WQCC Annual Report will be available at the April TAC meeting. Final review will take place during the May TAC meeting before submission.
- B.** Discussion on Proposed Projects Policy (Alan Leak & Sarah Klahn)
 Cornerstone Insight asked CWA for a recommendation and or comments on their proposed project. The current Cost of Review policy items that are required actions were reviewed. Referral reviews by land use agencies are exempt from the policy. CWA has not responded to referrals from land use agencies. This was determined to be a duplicate effort and was removed from review. What is not clear is the policy when an applicant comes directly through CWA rather than an agency. Does TAC want time and money spent on direct referrals? If so, this would involve a change to the policy. CWA would need to determine charges for this service. How would referrals be funded to review and provide comments on proposed projects? This could be part of a larger effort to bring all CWA documents into alignment. This would require a scope of work that would need to be evaluated for the CWA budget.

Action: Approach Board for approval to put together a scope of work identifying costs on aligning all CWA guiding and policy documents including review policy that assigns costs of referrals to the entity seeking the referral.

Technical Updates (Time 2:50 pm – 3:55 pm)

A. Technical Member Updates

- a)** RESPEC (Alan Leak)
- i) Triennial Review Committee Update – Letter provided in meeting packet was sent to the WQCC on behalf of TAC for the informational hearing. We suggested that a rulemaking hearing was not necessary and provided the reasons for CWA's position. The Divisions comments were similar to CWA's. The Division recommended going forward with a rulemaking hearing but asked that it not occur until the fall of 2022. Pine Canyon submitted a memo. CWA can request all stakeholder memorandum for the Triennial Review. The informational hearing takes place next Monday. We will have slides prepared for the hearing. Sarah Klahn and Diane Kielty will attend with Alan Leak.

- ii) Rulemaking Hearing for Regulation 31 – There will be a basic standards and nutrients hearing on June 14th. Statements are due March 10th. Requests for party status are due on March 17th. RESPEC will inform CWA if the Authority may need to file to become a party. A recommendation memo would be sent out to membership if there is need to consider party status.
 - iii) Pine Canyon Status
 - February 10, 2021 MS4 / Trade Meeting Outcome – Letter was sent to the Division on the final decision by TAC on the Pine Canyon application. On February 10th there was a meeting with the Division, Pine Canyon, and CWA to discuss issues and concerns.
 - iv) 208 One-on-One Invitation CDPHE – CWA has been invited to meet with the CDPHE contractor, CDR, requesting input on how 208 planning is functioning and recommendations on how to move forward on a formal 208 plan.
 - v) CSM 2021 Field Session Update – CSM is prepared to do another field session with CWA. This year samples will focus along East Plum Creek and its tributaries. RESPEC has provided a map of recommendations for the 1-day field session site locations. They found water quality elements of interest from the 2020 field session on West Plum Creek that may be considered to return to this year. TAC is in favor of returning to Willow Creek. The other two sites from last year do not require additional sampling. Use the 2021 sampling effort on new areas. Downstream sampling of agricultural areas may be helpful input for the NRCS NWQI planning grant. The sampling field session is scheduled for May.
 - vi) Chatfield Reservoir 2020 Standards Comparison – There is nothing significantly different in these findings than the findings we will be including in the CWA Annual Report.
- b) Chatfield Reservoir Mitigation Company
They are in process of preparing their annual monitoring and modeling report. Had they stored water there would have been actions. No action this year. The reporting is no impact for 2020.
 - c) Other Member
There will be a request for CWA sponsorship for Clean Up the Creek to take place on May 1st.

B. Manager's Update (Diane Kielty)

- a) Chatfield Watershed Authority Dues Billing Status. We anticipate dues payments to begin arriving in February.
- b) 2021 Board and TAC Representatives Update - Manager will begin a second effort to reach out to inactive members and update contact information on other participating entities.
- c) New Member Welcome Packet - The packet was reviewed. Recommended revisions will be made, and the Manager will distribute the final packet to the CWA Board and TAC.

C. Legal Consultant Update (Sarah Klahn)

- a) Pine Canyon Invoice Dispute Status

D. Motion to enter into Executive Session Pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice regarding the Pine Canyon Water and Sanitation District Invoice Dispute.

Motion made to enter executive session for legal advice by Pat O'Connell and seconded by Jim Dederick; motion carried unanimously.

During the Executive Session TAC heard recommendations on steps to take regarding the Pine Canyon application invoice dispute. After coming out of Executive Session, a decision was made to have the Manager and Legal Consultant contact the Board Chair to determine a timeline on processing the dispute.

E. Financial Recap

- a) Chatfield December 2020 Financial Summary provided.
- b) Chatfield January 2021 Financial Summary provided.

Upcoming Meetings (Time 3:55 pm – 4:00 pm)

A. Next Scheduled TAC Meetings:

- a) Tuesday, April 6, 2021: 2:00 – 4:00 p.m., GoToMeeting Online

B. Next Scheduled Board Meeting:

- a) Monday, April 19, 2021: 3:00 – 5:00 p.m., GoToMeeting Online

3:53 p.m.

Adjournment of Meeting

Attachments

Attachment 1 – February 2, 2021 TAC Meeting Minutes

Attachment 2 - RESPEC_3970.02_Chatfield-Pine Canyon_INV-30JAN21

Attachment 3 - Somach Invoice_Jan 2021_3009762

Attachment 4 - TWS_January 2021_Inv_19998_from_TWS_FINANCIAL_INC._21304

Attachment 5 - RESPEC_Invoice January_3867-Chatfield-INV-30JAN21

Attachment 6 - Cost-of-Review-Policy_Final 9_21_2020

Attachment 7 - CWA letter to WQCD re Regulation 73 Triennial Review Informational Hearing_Signatures

Attachment 8 - WQCC Correspondence 2021 Reg 73 TRIH Memo

Attachment 9 - CWA letter to WQCD re PC phosphorus trade application_Signed

Attachment 10 - Map_CSM Possible 2021 Sampling Sites

Attachment 11 - Chatfield Reservoir 2020 Standards Comparison Memo 2-5-21

Attachment 12 - CWA Member+Other_Entity_2021_appointments_2_11_2021

Attachment 13 - Chatfield WA_New Member Welcome Letter_v1

Attachment 14 - Chatfield Watershed Authority_New Member Intro Information_v1

Attachment 15 - Chatfield December 2020 Financial Summary_20210211094544

Attachment 16 - Chatfield January 2021 Financial Summary_20210224124823