



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

## BOARD MINUTES

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### Chatfield Watershed Authority Board Meeting, July 19, 2021

**3:00 p. m. – 5:00 p. m.**

**Board of Directors:**

Director Dahlkemper – Jefferson County  
Director Thomas (Chair) – Douglas County  
Director Biggs – Water & Sanitation Districts  
Director Witheridge – Other Districts  
Director Cavey (Vice-Chair)– Town of Castle Rock  
Desiree LaFleur – Alt. Town of Castle Rock

**Others Present:**

Jim Walker (Pine Canyon WSD)  
Bill Ruzzo (CRMC)  
Mark Marlowe (Town of Castle Rock)  
Pat O'Connell (Jefferson County)  
Ryan Adrian (Douglas County)

Diane Kielty (Colorado Watershed Assembly)  
David Van Dellen (Town of Castle Rock)  
Alan Leak (RESPEC)  
Sarah Klahn (Somach Simmons Dunn)  
Joni Nuttle (CDPHE)  
Ted Snailum (TWS Financial)  
Dan McCarl (SSD)  
Christine Holly (Hydros Consulting)  
Chris Hollis (Chatfield State Park)  
Jon Erikson (CPW)  
Elena Smith (Colorado Watershed Assembly)  
Matt Collitt (Louviers WSD)

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**3:03 p.m.**

#### **CWA Board Call to Order**

A regular meeting of the Chatfield Watershed Authority was called to order at 3:03 p.m. by Director Thomas. A quorum was declared established. There were no disclosures.

#### **Board Action Items (3:05 – 3:50 p.m.)**

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**A. Approval of Agenda**

It was moved by Director Biggs and second by Director Dahlkemper to approve the agenda as presented; motion carried unanimously.

**B. Approval of April 19, 2021 Board Meeting Minutes**

It was moved by Director Biggs and second by Director Dahlkemper to approve the April 19, 2021 Board Meeting Minutes; motion carried unanimously.

**C. Approval or Ratification of Invoices for Payment**

The table summarizes the invoices included in the Board packet that were approved by the Manager and/or TAC. Board ratification is required at quarterly Board meetings.

- Presenting 13 invoices to be ratified for a total of \$54,429.70.

<b>Invoices &lt; \$5,000 and within Budget and Scope (Manager's Approval)</b>	
Somach_MultipleInvoices_5_13_2021_disbursements	\$213.68
Pet Waste Station Town of Castle Rock	\$200.00
TWS_Inv_20496_April_from_TWS_FINANCIAL_INC._10836	\$750.00
TWS_Inv_20553_from_TWS_FINANCIAL_INC._13848	\$750.00
Somach_000005 Policy Revision Project 3010461	\$988.00
Somach Simmons & Dunn General Invoice #3010683_May 2021	\$1,835.50
Somach_000001 General April 3010459	\$3,948.02
RESPEC_3867-Chatfield-INV-31MAY21	\$4,970.00
<b>Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)</b>	
Somach_Pine Canyon Application 3010460	\$5,456.00
RESPEC_3867-Chatfield-INV-30APR21	\$6,435.00
Somach Simmons & Dunn Policy Revision Project Invoice #3010684_May 2021	\$6,571.00
Colorado Watershed Assembly_Chatfield 2021 001_1st Q	\$10,410.00
RESPEC_3867-Chatfield-INV-31MAR21	\$11,902.50
<b>Invoices &gt; \$15,000 and/or any Amount not within Budget or Scope (Board Approval)</b>	
*Also requires post-payment Board ratification at next quarterly Board Meeting	

Ted Snailum has agreed to lower price of TWS Financial services from \$1,000 to \$750.00 per month.

It was moved by Director Dahlkemper and second by Director Biggs to approve the invoices as presented; motion carried unanimously.

**D. Approval of CWA 2022 Dues Recommendation**

CWA bylaws require dues to be set by July 31<sup>st</sup>. TAC set up a Budget Committee to look at different dues scenarios. Maintaining current dues/budget is not sustainable. TAC considered increasing dues by 15-20% or maintaining dues and decreasing services. TAC felt vital services are necessary. Committee recommended to TAC 20% dues increase which was approved by the TAC to recommend to the Board. A large financial increase is likely in the next 6 years due to work on TMAL reallocation and to sustain the current momentum in modeling and project funding, legal advice for Regulation 73, and continued policy revisions. The goal is to maintain a \$100,000 fund balance at the end of each year. TAC will finalize the 2022 budget recommendation at the next TAC meeting. The 20% dues increase recommendation proposes an adjustment for all members. Other funding options are currently being pursued to bring in more revenue to pay for additional services and requirements.

20% is a large dues increase. Dues are starting at \$170,000-\$206,000 per year. Voluntary dues are set by the bylaws. Dues have not been increased for 5 years. A 20% increase equates to 3.5% per year for the past 5 years. TAC looked at upcoming requirements and felt it was appropriate to do this at this time. There is the potential for another proposed dues increase in the next 2-3 years depending on the 2022 Rule Making Hearing and reallocation requirements. Total Maximum Annual Load (TMAL) is the allocation of phosphorus to each of the wastewater providers. Regulation 73 has identified that during the last rule making period, the total amount of allowable phosphorus was lowered for the Chatfield reservoir. TAC anticipates that future rule making hearings will require TMAL revisions and there will be substantial modeling work and discussions about scenarios looking at who will receive how much allocation. This effort will require additional funding.

A board vote will be set up by email on this recommended 2022 dues 20% increase. Directors will return to their Boards to share reasons for CWA dues increase. RESPEC will put together a document outlining the reasoning for the increase to be sent out by July 20<sup>th</sup>. Board members will vote by July 26<sup>th</sup>. This information will be put in the next meeting packet materials.

It was moved Director Dahlkemper and seconded by Director Cavey to move this decision to a vote by July 26<sup>th</sup> via email; motion carried unanimously.

#### **E. Approval of CWA 2021 Budget Reallocation**

The 2021 Budget was set last fall. After that date specific items were determined in need of revision. TAC felt it appropriate to revisit the budget to reallocate funds for additional items. The budget change recommendation includes additional legal services. Due to work on Pine Canyon, Regulation 73 stakeholder meetings and other legal requirements there is a need to increase the legal budget. Requesting an adjustment from a current \$19,100 remaining up to \$51,000. This consists of work required for stakeholder meetings, Pine Canyon application responses, and review of Water Quality Bulletin which identifies upcoming rule making hearings and requirements. Website updates are needed due to security concerns and to improve the user experience. This upgrade will cost \$3,500. In total these changes require a reallocation of \$22,600. CWA can maintain the approved budget for 2021 by reallocating funds within the current budget. Reallocated funds would come from the Nonpoint Source and Consultant budget line item. Recommend that a portion of this line item be reallocated to legal services and website budget items. If CWA moves forward without a reallocation, the current budget would be \$5,000 - \$6,000 short at year end. The TAC recommendation is to work within the 2021 budget. Nonpoint Source projects and Consultant budget is the largest budget item CWA has yet to spend and is currently not anticipated to be spent this year. It is easier to take from one line item than multiple.

TAC recommends a motion to reallocate \$22,600 from the 2021 Nonpoint Source and Consultant budget line item; \$19,100 of funds to be reallocated to Legal Administration budget and \$3,500 to the Website Hosting and Maintenance budget.

It was moved by Director Biggs and second by Director Dahlkemper to approve the CWA 2021 Budget Reallocation as presented; motion carried unanimously.

#### **F. Approval of Lynker Modeling Scope of Work**

TAC discussed additional watershed modeling work to expand work done by Lynker in 2020. This would involve looking at a few different scenarios for the TMAL. The Lynker proposal includes 3 tasks. 1) Meet with Chatfield Reservoir modeling team to discuss how the watershed and reservoir models could be linked. Additional funding may be required in next year's budget for additional model runs or analysis of this work, 2) Accumulate the watershed without point-source discharges, and 3) Add to each discharge the amount of their waste load allocations and discuss various changes to nutrient levels in the Chatfield Reservoir. This scenario modeling will be used to help determine how different discharge levels will affect the Chatfield TMAL and guide CWA going into TMAL discussions. The total proposed fee for this scope of work is \$29,360. This is within the current budget.

Motion made by Director Biggs and second by Director Cavey to approve the Lynker Modeling Scope of Work; motion carried unanimously.

#### **G. Approval of Hilldale Pines Fire Mitigation Project Funding**

CWA was approached by Hilldale Pines to help contribute funds to a fire mitigation project. 40% of the project area is within the Chatfield Watershed. The project will construct a fire break to help minimize the movement of fire across the project area near urban development. \$79,009 is the total project cost. TAC reviewed the project and recommended CWA pledge \$5,000 towards the project. The project would be paid only if it is fully funded.

RESPEC compared this project to benefits of stream reclamation projects. It would provide an estimated \$45,000 worth of benefit. The benefit is temporary and would only occur if a fire were to occur. Although it is a small project and a small portion of watershed, any fire would have an impact on water quality in the Watershed. This would be a modest investment but very important for wildfire mitigation. Jefferson County ranks number 1 in potential property loss due to potential wildfires.

Moved by Director Dahlkemper and second by Director Cavey to approve \$5,000 pledge to the Hilldale Pines Fire Mitigation Project; motion carried unanimously.

### Discussion Items (3:50 p.m. – 4:05 p.m.)

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#### **A. Hydros Chatfield 2020 Data Update**

The goals of data review include understanding water quality in 2020, determining what drove response, and comparing data to previous years. Focus was in 2020, with comparisons from 2009-2019. Best data set in Chatfield Reservoir is from 2014 to present. 2020 was highest temperature ever recorded for July-September. Low inflow and outflow volumes. Not out of range of what has been seen in past. 2020 was first year water was stored in reallocation pool. Due to low spring runoff, there was no inundation of new area. Inflow concentrations from South Platte and Plum Creek were within normal range. Higher ammonia concentrations than in other years but does not have much influence on Reservoir due to low flows. Higher ammonia concentrations may reflect less dissolution from Plum Creek point sources. Bottom hypoxia was seen in summer (July-Aug). Important to note this was only seen at lowest sampling site.

Water Quality Model Update: 3 phase project, phase 1 completed in 2018, phase 2 completed in 2020, phase 3 in progress. Model continues to meet original calibration targets. Use model to understand role of reallocation project in 2021 water quality response. Important to understand how Reservoir responds to outside nutrients and what are drivers of algae blooms and bacteria.

#### **B. Draft WQCC Presentation**

PDF of presentation will be sent out to Board for comments. Board will need to provide comments within 2 weeks. Final draft will be presented at the next TAC meeting before Water Quality Control Commission Hearing on August 9<sup>th</sup>. Presentation will include information about CWA membership, reservoir regulatory compliance summary for Phosphorus and *Chl-a* values: total phosphorus loading, flow vs total Phosphorus, total Phosphorus concentration versus *Chl-a*, total annual Phosphorus versus growing season and possible exceedance explanations. Additional presentation items will include monitoring program, Jellystone project, Pine Canyon site application, watershed modeling, CO School of Mines field study, NRCS grant, and plans for 2021.

#### **C. CWA 2022 Budget Recommendations**

- a) Combined Projects and Modeling  
Modifications to past and future budgets include more legal expenses due to Reg. 73 and maintaining Nonpoint specific projects moving forward.

### Informational Items (4:05 – 4:55 p.m.)

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#### **A. TAC Update to Board (David Van Dellen & Alan Leak)**

- a) Decision Letter Jellystone Park Larkspur  
Facility is operating and has met all 5 conditions necessary to operate. Waiting for annual report due in January 2022 (last condition to be met).
- b) Dominion WSD Phosphorus Waste Load Allocation  
Water Quality Control Commission approved moving the Roxborough Sanitation District waste load allocation to Dominion WSD. Final letter has yet to be sent out.
- c) Chatfield Reservoir Beach Bulletins  
On July 6<sup>th</sup> beach closed due to high *e-coli* levels but was able to reopen next day. High levels were due to employee not following testing protocol, not due to stormwater runoff.

- d) Triennial Review Proposed Stakeholder Meetings  
Information regarding meetings was sent out by Joni Nettle, CDPHE. First meeting will identify large issues, and second meeting will determine resolutions to identified issues.
  - i) July 23, 2021 from 1:00 pm – 3:00 pm
  - ii) August 25, 2021 from 2:00 pm – 4:00 pm
- e) 208 CDPHE Planning  
Effort to decide how to move forward with 208 planning. Any critical items to come out of meetings will be brought back to TAC and Board.
  - i) Joint Meeting with Cherry Creek – July 22, 2021 from 8:30 am – 10:00 am
  - ii) Region 3 Planning Workshop July 28, 2021 from 1:00 pm – 3:00 pm
- f) CSM 2021 Field Session Update  
RESPEC will present formal presentation to TAC in September and then to Board members at subsequent Board meeting.

**B. Other Board and Other Agency/Member Updates**  
No member updates.

**C. Financial Update**

- a) May 2021 Financial Summary
  - i) Chatfield Watershed Authority Dues Status  
Normal in-kind dues were recorded. County expenditure for May was \$750, legal fees \$8,406 and \$2,000 outstanding for dues. RESPEC billed \$4,970 for May. CWA ended May 2021 with \$409,000. Accounts payable as of May 31<sup>st</sup> \$14,126.

**D. Legal Services Update**

- a) Pine Canyon Invoice Dispute Status Update
  - i) Payment was collected.
- b) Chatfield Policy Alignment Project
  - i) Executive Session will discuss potential changes to CWA policies.

**E. Motion to enter into Executive Session**

It was moved by Director Dahlkemper and second by Director Cavey to enter into an Executive Session to provide legal advice on revising Authority’s policies; motion carried unanimously.

Executive session will occur at next abord meeting to make decision on policy revisions.

**Upcoming Meetings (4:55 – 5:00 p.m.)**

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**A. Next Scheduled TAC Meetings:**

- a) Tuesday, August 3, 2021: 2:00 – 4:00 p.m., GoToMeeting Online

**B. Next Scheduled Board Meeting:**

- a) Monday, October 18, 2021: 3:00 – 5:00 p.m., TBD – Live/Hybrid

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**5:00 p.m. Adjournment of Regular Meeting**

It was moved by Director Dahlkemper and second by Director Cavey to adjourn the July 16<sup>th</sup> Board meeting; motion carried unanimously.