



Authority Board Chair: Lesley Dahlkemper
Authority Board Vice-Chair: Lora Thomas
TAC Chair: Mary Kay Provaznik
TAC Vice-Chair: David Van Dellen

TAC Meeting Minutes

Chatfield Watershed Authority Technical Advisory Committee (TAC) Meeting

N o v e m b e r 1 0 , 2 0 2 0

2:00 p. m. – 4:00 p. m.

GoToMeeting

Member Attendees:

David Van Dellen (Town of Castle Rock)
Jim Dederick (Douglas County)
Patrick O'Connell (Jefferson County)
Weston Martin (Plum Creek)
Barbara Biggs (Roxborough W&S) (Director CWA Board)
Bob Neal (Dominion Water & Sanitation District)
Alison Witheridge (Denver Water) (Director CWA Board)

Alternate Members, Other Associate Agencies and Attendees:

Alan Leak (RESPEC)
Laura Chartrand (Chartrand Law, LLC)
Bill Szafranski (Lynker)
Joni Nuttle (CDPHE)
Jennifer Charles (TCHD)
Cathy Begej (JCD)
Kris Wahlers (Chatfield State Park)
Chuck Reid (Cherry Creek Basin WQ Authority)
Diane Kielty (CO Watershed Assembly)
Mallory Hiss (CO Watershed Assembly)
Jim Walker (Pine Canyon Representative)

Call to Order

A regular meeting of the Chatfield Watershed Authority TAC was called to order at 2:00 p.m. by David Van Dellen, Vice-Chair. A quorum was declared established. There were no disclosures.

Action Items/Recommendation to Board

Mary Kay Provaznik & David Van Dellen

A. Approval of Agenda

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

B. Approval of October 6, 2020 TAC Meeting Minutes

It was moved by Patrick O'Connell and seconded by Jim Dederick to approve the October 6, 2020 TAC meeting minutes as presented; motion carried unanimously.

C. Review/Approval of Invoices for Payment - The table summarizes the invoices included in the TAC packet.

a) Hughes & Stuart Budget Exceedance

Hughes & Stuart exceeded the website budget by \$565.00. Their overage shall be applied to the Public Participation and Outreach line item of the budget.

b) Colorado Watershed Assembly at 81% 3rd Q

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Colorado Watershed Assembly will work to stay within budget. A predicted overage will be communicated immediately to the TAC Chair and Vice-Chair,

and the state of the budget will be reassessed at the end of November.

Action Item: Report state of budget at the end of November.

Invoices < \$5,000 and within Budget and Scope (Manager's Approval)	
Hughes & Stuart Inv# 2020058, 11/15/2020 – CWA Web Maintenance	\$625.00
Chartrand Law Invoice #CWA-0005, October 2020	\$750.00
TWS Financial Inc., Inv# 19747, September	\$1,000.00
Chartrand Law Inv# Pine Canyon-0002, October	\$1,050.00
Chartrand Law Invoice #CWA-0004, September 2020	\$1,225.00
RESPEC Inv# 0920-237, September	\$2,550.00
RESPEC Inv# 0920-240, Pine Canyon, September	\$3,920.00
Lynker Inv# S1005858, 09/30/20 Chatfield Watershed	\$4,720.00
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
Chartrand Law Inv# Pine Canyon-0001, September	\$6,625.00
CO Watershed Assembly, Chatfield 3Q Inv# 2020_2020 016	\$10,445.00
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	

It was moved by Weston Martin and seconded by Jim Dederick to approve the two invoices requiring TAC approval; motion carried unanimously.

D. Action Memorandum - Proposed 2021 Chatfield Watershed Authority Budget

Expenditures will increase in 2021 to continue watershed modeling, provide additional NPS project funding, and prepare for the WQCC triennial review. The net change in the reserve shall be \$-41,595.00 with an ending balance of \$250,933.00. The CWA financial advisor has confirmed that amount is a healthy reserve and advises against taking the reserve below \$100,000.00. All dues have been approved. It was moved by Weston Martin and seconded by Patrick O'Connell to bring the 2021 expenditures before the Board and recommend approval of budget as presented; motion carried unanimously.

Discussion Items

A. Watershed Modeling Presentation – Lynker

This draft memo shows Task 2: testing model response to a scenario and a BMP in the watershed, plus the magnitude of N & P going into reservoir from those changes.

Scenario 1: Undeveloped land is converted to low density urban development

- Lynker's tables and graphs show total phosphorus, total nitrogen, total sediment, and total flow for the E. Plum Creek reaches close to the modeled development. High flow years typically push load values into the higher ranges.
- The modeled development is 4.5 miles south of Larkspur in the E. Plum Creek watershed. The modelers settled on the size and location as a reasonable scenario, based on a master plan and without being specific about which communities are growing.

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- The model does not explicitly account for any controls like detention basins or MS4 regulations put in place. For this initial calibration of the model to show this type of development and its associated WQ controls, conditions of old development and new development were averaged. Additional WQ controls will be required on new development.
- Simplistically the closer development is to the reservoir, the more impact load will show up in the reservoir. Unless the receiving water body is larger—then development will have a smaller effect. The fate of the nutrient and the size of the receiving water body both come into play.

Scenario 2: Degraded, scoured stretch of river undergoes riverbed stabilization BMP

- An accumulated benefit from restoration happens at the site, then downstream nutrient & sediment loads return to normal. Moving further from source of change, the benefit diminishes over time.
- Lynker's analysis reveals that the stabilization BMP in Scenario 2 provides more benefit locally and further downstream.

Action Item: In the final memo, TAC members would like to see numeric value (lbs. of P).

Action Item: TAC members would like to see a statement or paragraph in the final study that discusses the additive effects of combining scenarios.

Scenario 3: Wildfire Burn in the Upper Watershed

Lynker anticipates presenting Scenario 3 at next TAC meeting. Denver Water has been paying for this scenario run.

B. 2021 CWA Meeting Schedule

TAC members supported the Manager's recommendation to space out TAC and Board meetings and have no joint meetings in 2021.

Action Item: Bring a draft 2021 schedule to the November Board meeting.

Technical Updates

A. Technical Member Updates

a) RESPEC (Alan Leak)

i) Pine Canyon Water and Sanitation District – Phosphorus Trade Application and Pine Canyon Water Reclamation Facility Site Application - Status Report

The State sent a request for information on the site application. Pine Canyon sent an email requesting the application review be put on hold while they work to respond to comments from CDPHE and CWA. Joni Nuttle with CDPHE helped Douglas County determine that this area is within the Douglas County MS4 boundary.

ii) WQ Update

Although there was less TP and less phosphorus loading flowing in from rivers, the reservoir will show an exceedance this year. Chatfield Reservoir is allowed one exceedance in five years. The reservoir will likely have two exceedances in five years. RESPEC can speculate the high Chla and TP resulted from low, stagnant water level for much of the 2020 summer, high temperatures, and lack of storm events. There was not much opportunity to allow the reservoir to fill this year after the reallocation project. Cherry Creek Basin Water Quality Authority attributes their high nutrient and Chla numbers to low precipitation, high temperatures, few storms, and little wind. In March at the triennial review, RESPEC will report what is happening in the Chatfield Reservoir.

b) Other Member

- Plum Creek Water Reclamation District wonders if N&P projects need to be considered in 2021 to

address an upcoming 2022 N&P assessment of Chatfield and Rueter-Hess, which have swim beaches. A Reg. 73 update may bring a N requirement to reservoirs, which may impact wastewater providers.

- Roxborough has had a subterranean dewatering general permit near the mouth of Waterton Canyon since the 1970s. At the WQCD's request, Roxborough sampled groundwater discharge, and must now operate under a remediation activities permit for naturally occurring contaminants

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(Fe, Mn, As) and ubiquitous, trace PFAs.

B. Manager's Update (Diane Kielty)

a) Contract Extensions

- i) Colorado Watershed Assembly Contract
- ii) Chartrand Law, LLC Contract
Extension to align Chartrand's contract aligned with fiscal year.
- iii) TWS Contract

b) Hughes & Stuart Contract Status

Hughes & Stuart is releasing their role in hosting the CWA website. They have offered to help with the transition. The Manager will notify Hughes & Stuart of the new host platform before December 15, 2020. i) Website Hosting Options Committee

Website hosting shall be transferred to Flywheel or Dotster under the 2020 public education & outreach budget line. Going into 2021, the Manager proposes that CWA keep the website maintenance line item of \$3,600.00 and that Colorado Watershed Assembly manages occasional uploads of materials. The TAC members were supportive of the Manager's proposed interim plan. A Board director stated she has had trouble accessing reports and entire pages on the website. **c) Lynker Contract Extension**

The contract and budget are the same. The extension is through the end of 2020 to allow completion of the modeling.

d) Board Election Update

By late January, Director Teal will no longer sit on the CWA Board.

Action Item: Member entities shall submit ballots by November 30, 2020.

e) TAC Representative Forms Request

The Manager plans to update and/or confirm the representatives in early 2021.

C. Regulatory / Legal (Laura Chartrand)

a) Chartrand Law Scope of Work Update

Chartrand Law provided a scope of work update in response to the Pine Canyon application. It is available in the Executive Session packet.

b) Reg. 22 and Reg. 73 Update / Triennial Review Update

- Chartrand Law and RESPEC met with the CDPHE permitting section and Joni Nuttle of the WQCD. In control regulation review, there is a public hearing and solicitation of comments from the public. Then the WQCD will choose to retain, repeal, or revise the control regulation. Should changes be made, CWA will be involved in the rulemaking process. The hearing will take place in March 2021.
- Pine Canyon may seek to use the pool of emergency credits to support their site application. • For modeling and monitoring, lysimeters are not producing any results. The WQCD wonders how to monitor alternatively. RESPEC asked about the costs and timeframe to implement changes in monitoring P concentrations.
- Reg. 22, 85, 31, & 84 are also being revised.
- How would the TAC like to be involved in directing RESPEC and Chartrand Law for the informational public hearing: regular TAC meetings, additional TAC meetings, or a subcommittee format?
- Should permitting issues be addressed in the Reg. 73 hearing or should the issues be addressed through another process? The Reg. 73 discussion will be limited. CWA shall be ready for proposed revisions. When does CWA want to bring up its own issues with Reg. 73?
- While the WQCD did bring up the issue of reappropriating P load allocations, they did not identify that current allocations need to be reappropriated at this time. Regulations direct CWA to conduct studies and projects "as budget allows". RESPEC advises waiting on the Chatfield Reallocation Project to potentially set a new conditions baseline in the next 2-3 years. For next year's work, link the watershed and reservoir models before seeking to reallocate effluent (P) limits.
- A change may be needed in Reg. 73 to align with new TMAL partitions between basins (So. Platte & Plum Creek) and permit allocations within each basin. With trade proposals coming in, knowing the correct, existing standards informs if there is room for trading.

- RESPEC and Chartrand Law will use a 3-step approach to present to Division at the informational hearing:
 1. What is the Division wanting to change in the regulations?
 2. What things may CWA want to change in the regulation, and what is the appropriate time? 3.
 - Review progress toward new allocations. Ensure good documentation on how CWA has done over the past 10 years and what it is planned in the coming 3 years.

Action Item: RESPEC and Chartrand Law will present findings and suggest TAC involvement at the December TAC meeting.

D. Financial Recap

- a) September 2020 Financial Summary

E. 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 Phosphorus Trade and Site Application for the Pine Canyon Water Reclamation Facility.

No formal decisions were made, and no further action is needed while the Pine Canyon application is on hold.

Upcoming Meetings

A. Next Scheduled TAC Meetings:

- a) Tuesday, December 1st, 2020: 2:00 – 4:00 p.m., GoToMeeting Virtual

B. Next Scheduled Board Meeting:

- a) Monday, November 16th, 2020: 3:00-5:00 p.m., GoToMeeting Virtual

4:57 p.m. Adjournment of Meeting