



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

BOARD MINUTES

Chatfield Watershed Authority Board Meeting - October 18, 2021

3:00 p. m. – 5:00 p. m.

Hybrid | Live & Virtual

LIVE:

**Highland Heritage Park
Administration Building, 9651 S
Quebec St., Highlands Ranch, CO
80130 80129**

Board of Directors:

Director Andy Kerr – Jefferson County
Director Lora Thomas (Chair) – Douglas County
Director Barbara Biggs – Water and Sanitation Districts
Director Alison Witheridge – Other Districts
Director Laura Cavey (Vice-Chair) – Town of Castle Rock

Alan Leak (RESPEC)
Matt Collitt (Louviers WSD)
Ted Snailum (TWS Financial)
Dan McCarl (SSD)
Wes Martin (Plum Creek WSD)
Bill Szafranski (Lynker Technologies)
Cathy Begej (Jefferson Conservation District)
John Erickson (Colorado Parks & Wildlife)

Others Present:

Pat O'Connell (Jefferson County)
Ryan Adrian (Douglas County)
Josh Baile (Dominion WSD)
Diane Kielty (Colorado Watershed Assembly)
David Van Dellen (Town of Castle Rock)

3:04 p.m.

CWA Board Call to Order

A regular meeting of the Chatfield Watershed Authority was called to order at 3:04 p.m. by Director Thomas. A quorum was declared established. There were no disclosures.

Board Action Items (3:05 – 3:35 p.m.)

A. Approval of Agenda

It was moved by Director Biggs to approve the agenda with request to move Item A4 informational item to Item F board action item and seconded by Director Witheridge; motion carried unanimously.

B. Approval of July 19, 2021 Board Meeting Minutes

- *Draft Chatfield Watershed Authority, July 19, 2021 Board Meeting Minutes*
- *Electronic Vote on 20% Dues Increase in 2022 Approved*

It was moved by Director Biggs to approve the July 19, 2021 board meeting minutes as presented and seconded by Director Witheridge; 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 18 invoices to be ratified for a total of \$51,219.55

Invoices < \$5,000 and within Budget and Scope (Manager's Approval)	
Somach_MultipleInvoices_June2021_General	\$3,004.00
Somach_MultipleInvoices_June2021_WQCD-WQCC	\$208.00
Somach_MultipleInvoices_June2021_Policy Revision Project	\$3,424.00
TWS_June Inv_20572_from_TWS_FINANCIAL_INC._11168	\$750.00
RESPEC_W0035.21001-CWA-INV-30JUN21	\$3,945.00
Somach MCB Online Legal Research	\$516.59
Somach_Policy Revision Project Invoice 3011207 July 2021	\$660.00
Somach_WQCD-WQCC Invoice 3011206 July 2021	\$1,536.00
Somach_General Invoice 3011205 July 2021	\$3,552.50
TWS July 2021_Inv_20633_TWS_FINANCIAL_INC._21436	\$750.00
SSD_000001 General 3011454_August 2021	\$962.00
SSD_000002 WQCD-WQCC 3011455_August 2021	\$2,236.00
SSD_000005 Policy Revision Project 3011456_August 2021	\$312.00
RESPEC_W0035-Chatfield-INV-31AUG21	\$3,862.50
TWS_Inv_20646_from_TWS_FINANCIAL_INC._22440	\$750.00
Notchcode_CHA-001.1 invoice	\$475.00
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
RESPEC_W0035-Chatfield-INV-31JULY21	\$7,386.96
Invoices > \$15,000 and/or any Amount not within Budget or Scope (Board Approval)	
CO Watershed Assembly_Chatfield Invoice 2021 015_3Q	\$16,889.00
*Also requires post-payment Board ratification at next quarterly Board Meeting	

It was moved to approve the Colorado Watershed Assembly invoice for \$16,889.00 by Director Witheridge and seconded by Director Biggs; motion carried unanimously.

It was moved to ratify all invoices for a total of \$51,219.55 by Director Biggs and seconded by Director Kerr; motion carried unanimously.

- D. Recommendations Legal Services Budget Remaining (Dan McCarl)** The legal budget has been spent for 2021. Three options were provided to address continued legal services through the end of 2021. A combination of actions was recommended that involved placing the Policy Review project on hold until 2022, canceling the December TAC meeting, and CWA could

reallocate \$5,000 from line item 5103 Monitoring into the legal budget to allow for general legal services through the end of the year. If a Regulation 73 meeting is called by CDPHE, SSD estimates participation would cost approximately \$1,000. CWA could address this should it arise.

It was moved by Director Biggs to reallocate within the 2021 budget \$5,000 from line item 5103 Monitoring to 5005 Legal admin and cancel the December TAC meeting. If CDPHE calls any Regulation 73 meetings, SSD will attend, and CWA will manage the payment. Director Cavey seconded the motion; motion carried unanimously.

E. Approval of CWA 2022 Budget Recommendation (David Van Dellen / Alan Leak)

There was a review of the proposed 2022 budget. The budget reflects the 20% dues increase approved in July. There are increases in the budget due to various efforts anticipated in 2022. TAC recommends approval.

It was moved by Director Biggs to approve the proposed 2022 CWA Budget as presented and seconded by Director Cavey; motion carried unanimously.

F. West Plum Creek (WPC) Stream Management Plan Financial Commitment

A meeting was held with River Network and Colorado Parks and Wildlife. They will apply for a grant to CWCB on November 4th requesting funds for a Stream Management Plan (SMP). CPW would like to protect a fishery in West Plum Creek from environmental pollutants. They believe an SMP would address this issue. Funding this could help CWA achieve goals of water quality improvements in the Chatfield reservoir. This request is for funding to do study to determine if water quality projects could be done. Funding would be applied to the 2022 CWA budget. The CWA Board could take no action, support with a not to exceed amount, or provide guidance to TAC to make a review and act with a not to exceed amount. An SMP would benefit Chatfield, but more than \$5,000 is not recommended for this initial study. How far they can expand the study depends on how much funding they get to leverage in the CWCB grant application. This is a planning effort, not implementation. \$5,000 seems appropriate and include the suggestion that we would be interested in implementation phases.

It was moved by Director Biggs to ask TAC to make a review of the funding elements in the WPC SMP proposal and make a recommendation that the authority commit CWA funds not to exceed \$5,000 and seconded by Director Witheridge, motion carried unanimously.

Discussion Items (3:35 p.m. – 4:20 p.m.)

A. Policy Revision Recommendations - Review and Comment (Dan McCarl / Alan Leak)

One set of public comments were received. No comments were received at the September TAC meeting. TAC determined revisions need additional review. Asked that the Board go into executive session at the end of the meeting to provide council on the recommendations. CWA will need the Division to approve and accept any changes to the trading guidelines.

B. Documenting Wasteload Allocations (Alan Leak)

A wasteload allocation review was conducted regarding minor trade allocations that have occurred over the years. The allocation information has been ambiguous. Some question arose regarding three trades that used the emergency pool. Sacred Heart numbers correlate. The Highlands Ranch, Ponderosa, and Jackson Creek allocations all came from trades. Two of the three trades have been confirmed. We could not locate documentation on the Jackson Ranch trade. Sacred Heart is operating with the understanding that their allocation is temporary. No action is needed at this time. The information will go to the Division for their review. The documents will then go into the CWA records for reference.

Informational Items (4:20 – 4:55 p.m.)

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

- i) Lynker Modeling Update. A letter has been sent to CRMC to discuss potential collaboration on reservoir and stream modeling. Lynker's contract includes possible meetings with CRMC.
- ii) 208 CDPHE Planning Status update was provided.
- iii) CRMC Modeling Request Status was provided above.
- iv) Water Quality Control Commission Annual Report Memo. A letter was provided from the Commission with recommendations. The Commission asked that when resources allow, to have some allocated to identify future NPS projects.

B. Other Board and Other Agency/Member Updates

Chatfield Program Manager was asked to add numbers to each attachment in the print version of the meeting packets.

C. Financial Update

- a) August 2021 Financial Summary was presented.

D. Manager's Update

- a) Notchcode Creative Website Upgrade Project Status was provided. The project has advanced to phase II.
- b) Draft CWA 2022 Meeting Schedule was discussed. Hybrid is the preferred format. The meetings will be rotated between Douglas and Jefferson Counties.

E. Legal Services Update

- a) Triennial Review Update
There have been two stakeholder meetings to identify the issues the Commission will take up in 2022 and reach consensus with the stakeholders. The only item where consensus has not been reached is regarding MS4 permitting. Recommended this be discussed in executive session today. There may be an additional stakeholder meeting, but it is not clear if the Division will hold this meeting this year.
- b) Lakes Nutrient Criteria Rulemaking Update
This rulemaking could impact the control regulation. Recommended legal and technical staff monitor the rulemaking and flag issues.
- c) Update RE: JRW Site Application
The TAC at May meeting determined to decline the trade application under procedural grounds.

F. Motion to enter into Executive Session to discuss MS4 issue and Regulation 73 rulemaking per CR2464024B and 2464024E.

Recommend board members go into executive session and if Board pleases recommend staff and or TAC members who they may want to be present. Board asked that TAC Chair, Co-Chair, Douglas County TAC representative, and Jefferson County TAC representative be allowed in executive session. It was also asked that the CWA technical consultant be in the session.

No decisions were made in Executive Session and no decisions were made after the session.

Upcoming Meetings (4:55 – 5:00 p.m.)

A. Next Scheduled TAC Meetings:

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

B. Next Scheduled Board Meeting:

- a) Monday, November 15th, 2021: 3:00 – 5:00 p.m., **This Meeting will be Hybrid Live & Virtual |LIVE: Highland Heritage Park Administration Building, 9651 S Quebec St., Highlands Ranch, CO 80130 80129 |**

4:57 p.m. Adjournment of Regular Meeting

- Attachment 1 - Draft Chatfield Watershed Authority, July 19, 2021 Board Meeting Minutes*
- Attachment 2 - Electronic Vote on 20% 2022 Dues Increase Approved*
- Attachment 3 - Somach_MultipleInvoices_June2021*
- Attachment 4 - TWS_June Inv_20572_from_TWS_FINANCIAL_INC._11168*
- Attachment 5 - RESPEC_W0035.21001-CWA-INV-30JUN21*
- Attachment 6 - Somach_July_MultipleInvoices*
- Attachment 7 - TWS_July 2021_Inv_20633_TWS_FINANCIAL_INC._21436*
- Attachment 8 - SSD_MultipleInvoices August 2021*
- Attachment 9 - RESPEC_W0035-Chatfield-INV-31AUG21*
- Attachment 10 - TWS_August Inv_20646_from_TWS_FINANCIAL_INC._22440*
- Attachment 11 - RESPEC_W0035-Chatfield-INV-31JUL21%*
- Attachment 12 - Notchcode_CHA-001.1 invoice*
- Attachment 13 - CO Watershed Assembly_Chatfield Invoice 2021 015_3Q*
- Attachment 14 - Chatfield Legal Budget 092821*
- Attachment 15 - SSD Legal Budget Update - CWA (Oct. 11, 2021)*
- Attachment 16 - Chatfield Watershed Authority 2022 Budget_ ACTION MEMORANDUM*
- Attachment 17 - Chatfield Watershed Authority Budget Planning Workbook 2022-2024 Version 8-30-2021*
- Attachment 18 - Public SSD Update RE Policy Review Project - CWA (Oct. 13, 2021)*
- Attachment 19 - Recommended Policy Revisions (Oct. 13, 2021)*
- Attachment 20 - CWA Application Review Requirements*
- Attachment 21 - Wasteload Allocation Review Memorandum*
- Attachment 22 - Wasteload Allocation Trade Summary*
- Attachment 23 - CWA Watershed Model CRMC Reservoir Model coordination*
- Attachment 24 - West Plum Creek_desiredoutcomes_Aug 2021*
- Attachment 25 - WQCC Correspondence CWA 2020AR_072821*
- Attachment 26 - Financial Summary_August_20211001151154*
- Attachment 27 - CWA Website Upgrade Project Update_10_5_2021*
- Attachment 28 - Chatfield Watershed Authority Schedule 2022_v1*
- Attachment 29 - SSD Public Legal Report - CWA (Oct. 13, 2021)*
- Attachment 30 - Revised Draft Regulation 73 TRIH Scoping Issues Table for December 2021_post-August*