

ACTION MEMORANDUM CHATFIELD WATERSHED AUTHORITY

Date: November 20, 2023

TO: CWA Board of Directors

FROM: Alan J. Leak, P.E., Technical Consultant

SUBJECT: Site-Specific Nitrogen Standard Development Proposal from James H. McCutchan, Jr., University of Colorado, Boulder.

SUMMARY OF ACTION REQUESTED: Review and approve the CWA entering into a contract with the University of Colorado for Development of the Site-Specific Nitrogen Standard for Chatfield Reservoir.

RECOMMENDED EFFECTIVE DATE: December 1, 2023

COST IMPACTS: The proposal from James McCutchan provides an estimated budget for the proposed project of \$53,300. This funding amount has been included in the draft 2024 CWA budget. There is also budget remaining in the 2023 NPS and Consultants budget which would allow the project to start in December 2023.

PURPOSE / BACKGROUND: The Water Quality Control Commission adopted table value nutrient standards for lakes and reservoirs in Colorado at the rulemaking hearing in April 2023. The WQCD currently plans to implement its table value standards in the next basin-wide rulemaking hearing for Regulations 31, 32-38, and 85, in 2027. As part of the April 2023 hearing the CWA concluded that the table value standard for nitrogen adopted by the WQCC is not representative of the standard needed in Chatfield Reservoir to meet the current chlorophyll *a* standard. Thus, the CWA concluded that a site-specific standard for nitrogen should be developed for Chatfield Reservoir in lieu of accepting the table value standard at the 2027 rulemaking hearing. The site-specific standards subcommittee of the TAC was formed to provide guidance on development of the site-specific standard for nitrogen. After several discussions on selecting a consultant to perform this work, the sub-committee proceeded to request and obtain a proposal for development of a site-specific nitrogen standard from James McCutchan at the University of Colorado, Boulder. In response, Mr. McCutchan provided the attached proposal dated October 2, 2023, for consideration by the CWA.

Mr. McCutchan's proposal is very thorough and provides a recommendation on the minimum analysis needed to develop the nitrogen standard for Chatfield Reservoir. Mr. McCutchan also suggests that, if the minimum analysis doesn't provide sufficient evidence to support the calculated nitrogen site-specific value, there are optional supplementary analyses that can be undertaken to further support the site-specific nitrogen value. The supplementary analysis will only be conducted upon approval of the CWA with a specific budget (to be determined if and when needed). The deliverables for the proposed work will include historical monitoring data in spreadsheet form, a report that describes the approach for development of the proposed numeric value, and presentations at meetings. Ultimately, the report can

serve as part of the written testimony in support of a Chatfield Reservoir site-specific nitrogen standard for consideration by the WQCC. The sub-committee reviewed the proposal and recommended approval of the proposal by the CWA TAC.

TAC RECOMMENDATION: The TAC recommends that the CWA contract with the University of Colorado for Development of the Site-Specific Nitrogen Standard for Chatfield Reservoir for the scope of work provided in Mr. McCutchan's proposal dated October 2, 2023, and direct that such work be completed by end of 2024.

PROPOSED BOARD MOTION: I move to approve the CWA entering into a contract with the University of Colorado for Development of the Site-Specific Nitrogen Standard for Chatfield Reservoir for the scope of work provided in Mr. McCutchan's proposal dated October 2, 2023, and direct that such work be completed by end of 2024.

Attachment: Proposal for Development of a Site-Specific Nitrogen Standard for Chatfield Reservoir from James H. McCutchan, Jr., dated October 2, 2023.