

Attachment 1



Authority Board Chair: Lora Thomas
Authority Board Vice-Chair: Laura Cavey
TAC Chair: Weston Martin
TAC Vice-Chair: Ryan Adrian

CHATFIELD WATERSHED AUTHORITY TAC MINUTES

**Chatfield Watershed Authority TAC Meeting
Tuesday, January 3, 2023
2:00 p. m. – 4:00 p. m.**

Virtual

Member Attendees:

Weston Martin (PCWRA) Chair
Patrick O’Connell (Jefferson County)
Ryan Adrian (Douglas County) Vice-Chair
David Van Dellen (Town of Castle Rock)
Kirby Clark (Plum Creek WRA)
Alison Witheridge (Denver Water)
Brent Soderlin (City of Littleton, Board)
Carolyn Roan (City of Littleton)
Julie Tinetti (Centennial WSD)
Josh Shackelford (Castle Pines Metro)
Sean Hogan (Town of Larkspur)

Alternate Members, Other Associate Agencies & Attendees:

Alan Leak (RESPEC)
Michael Daugherty (Somach Simmons and Dunn)
Kris Wahlers (DNR/CPW)
Kevin Bierlein (Hydros Consulting)
Diane Kielty (CWA)
Jim Walker (Pine Canyon)
Kurt Walker (Pine Canyon)
Cathy Begej (JCD)
Charly Hoehn (CRMCM)
Jon Erickson (DNR)
Maylee

2:00 pm

Call to Order

The regular TAC meeting was called to order at 2:02 pm by TAC Chair Weston Martin. There were no disclosures.

ACTION/APPROVAL ITEMS (2:05 P.M. – 2:20 P.M.)

A. APPROVAL OF AGENDA

A motion was made by Ryan Adrian to approve the Chatfield TAC January 3, 2023, Agenda and seconded by Patrick O’Connell. Motion carried unanimously.

B. APPROVAL OF MEETING MINUTES

Approval of Chatfield TAC December 6, 2022, Meeting Minutes

A motion was made by Patrick O’Connell to approve the Chatfield TAC December 6, 2022, meeting minutes and seconded by Ryan Adrian. Motion carried unanimously.



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CHATFIELD WATERSHED AUTHORITY TAC MINUTES

C. APPROVAL/RATIFICATION OF INVOICES

The table summarizes the invoices included in the meeting packet.

Total amount of invoices approved by CWA Manager \$22,958.55

Invoices < \$5,000 and within Budget and Scope (Manager’s Approval)	
Lobbyist Attwood Public Relations_ Chatfield November 2022 Invoice #22-01	\$3,000.00
Lobbyist Balcerovich_ Chatfield December 2022 Invoice #22-02	\$3,000.00
Lynker_11 30 22 ChatfieldWatershed_ Invoice	\$2,960.00
SSD General Chatfield Invoice 3015833_ November 2022	\$1,793.80
SSD Pine Canyon Chatfield Invoice 3015835_ November 2022	\$390.00
SSD 2022 Lakes Nutrients Chatfield Invoice 3015693_ November 2022	\$4,876.00
RESPEC_3970.02-Pine Canyon_ CWA-INV-30NOV22	\$102.50
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
RESPEC_W0035.22002-General_ CWA-INV-30NOV22	\$6,836.25
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	

A motion was made by Patrick O’Connell to approve the RESPEC invoice for \$6,836.25 and ratify the remaining invoices and seconded by Carolyn Roan. Motion carried unanimously.

D. VOTE FOR TAC VICE-CHAIR (WES MARTIN)

A motion was made by David Van Dellen to nominate Matt Collitt as CWA TAC Vice-Chair and seconded by Ryan Adrian. Motion carried unanimously.

DISCUSSION ITEMS (2:20 P.M. – 2:45 P.M.)

A. CWA HISTORICAL NUTRIENT TRENDS (ALAN LEAK & MICHAEL DAUGHERTY)

A graph of Chatfield historic nutrient trends was presented. It showed there is not good relationship with Total Nitrogen and Chlorophyll *a*. There has been low Phosphorus and Chlorophyll *a*, yet shows exceedances would have happened for Total Nitrogen had the CDPHE proposed standard been in place. If temperature was brought in as a factor it would have an impact on Chlorophyll *a* production. The temperature of Chatfield is right at the border of a cold and warm water body. The nutrient trend chart was included in the CWA response hearing statement.



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B. CDPHE SEP ENFORCEMENT ACTION EAST PLUM CREEK (RYAN ADRIAN)

Douglas County applied to CDPHE in the Supplemental Environmental Program. This program is associated with enforcement actions. Douglas County is receiving \$805,231.00 from an enforcement action penalty option of compliance on consent. This is the value of having shovel-ready projects ready to submit.

UPDATES (2:45 P.M. – 3:55 P.M.)

A. TECHNICAL (ALAN LEAK)

1. Response actions to Sun Jelly WWTD wasteload allocation violations update – The status request has not been provided. There may be a fine that could be applied to a project. RESPEC will reach out to the Division again.
2. Pine Canyon Response Letter – The letter was in the meeting packet. It reiterates the Authority concerns with the LAMP. The letter asked that CWA concerns be addressed in the final permit.
3. Sellars Gulch Coliform Speciation Analysis Update – RESPEC has not heard back from CSM or GEI.
4. Lynker Modeling Update – The goal is to get the model wrapped up in the next month.
5. Chatfield Reservoir Mitigation Company Update – No update.
6. Other Member – When TAC sends out formal correspondence to CDPHE it would make sense for one point of contact to sign the letters. There will be an administrative change so that the Program Manager will be the single point of contact for official correspondence from the Authority.

B. LEGAL (MICHAEL DAUGHERTY)

1. Lakes Nutrients Criteria Rulemaking Update (links provided)
<https://www.chatfieldwatershedauthority.org/s/13-12212022-CWAs-Responsive-Prehearing-Statement-with-Exs-A-C.PDF>
https://www.chatfieldwatershedauthority.org/s/14-Report-revised_22-08-4_CWWUC_221219.pdf
 - a. All Responsive Prehearing Statements have been [posted online](#)
 - b. Upcoming deadline is on [February 15, 2023 when rebuttals are due](#).

The reports in the packet were summarized. Part B of the legal report addressed specific concerns to Chatfield. The deadline for motions is February 22nd. EPA did request CDPHE



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revisit the standard calculated for Chatfield because the site-specific standard for Chatfield was not used in developed in the proposed nutrient standard.

C. MANAGER (DIANE KIELTY)

1. Possible Time Change for 2023 Board Meetings – Awaiting the Board appointments to determine the Board meetings start time.
2. CWA dues invoicing to begin January 2023. Members will see dues emails arriving in the next two weeks.

D. FINANCIAL (DIANE KIELTY)

1. October 2022 Financial Summary was provided.

E. EXECUTIVE SESSION

24-6-402(4)(b) C.R.S. Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. No session.

UPCOMING MEETINGS (3:55 P.M. – 4:00 P.M.)

A. *Next Scheduled TAC Meetings:*

- a) Tuesday, February 1st, 2023: 2:00 – 4:00 p.m., Google Meet Online

B. *Next Scheduled Board Meeting:*

- a) Monday, January 23, 2023: **TIME TBD**, Hybrid Live & Online

Hybrid | Live & Virtual

LIVE:

**Douglas County Sheriff Substation, Community Room
9250 Zotos Drive, Highlands Ranch, CO 80129**

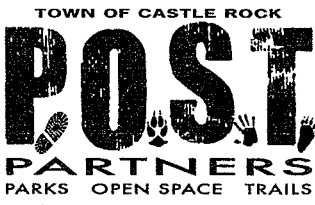
VIRTUAL:

Virtual Links Sent to Members and Consultants via Douglas County Virtual Meeting System

4:00 p.m.

Adjournment

Attachment 2



Pet Waste Station Program

Sponsoring a Dog Waste Station includes
refill bags for an entire year!

Desired Adoption Location(s):

RENEWAL NEW

Hangman's Gulch Scott Blvd/DC #5
East Plum Creek Trail/Safeway

Business Name: Chatfield Watershed Authority

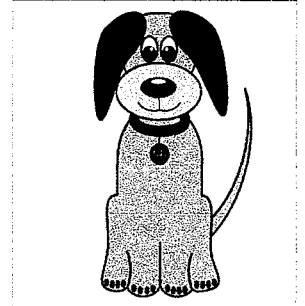
Contact Person: Diane Kietty

Address: P.O. Box 4607316

City: Glendale State: CO Zip: 80246

Email address: diane@coloradowater.org

Work Phone: 303-916-4645 Cell Phone: same



Sign Sponsorship Verbiage: Send text including logo, phone, Web site to Coordinator.

Current sponsors are given first right of renewal for each consecutive year.

FEES	2023
\$50	New signage for existing station
<i>\$250</i> \$125 X 2	Renewal of your existing location – with existing signage
\$175	New sponsorship of an Existing Location – Including a new sign
\$275	New Sponsorship of a New Location - Includes New Dog Waste Station and Signage

Dog Waste Station Sponsorship Policy and Procedure

In exchange for a monetary sponsorship, your business name and reference information will be posted on a 6" x 12" metal sign at the adopted site marked above for a period of one year starting February. It is expected that you assist our staff in making sure that the station remains stocked with waste removal bags and remains in good condition. The Sponsor shall help inform your POST Partners coordinator of any problems.

Sponsor's signature: [Signature] Date: 2/7/2023

BILLING INFORMATION

Credit Card Number: _____ CVV: _____ Billing Zip Code: _____

Expiration Date: ____/____/____ Name on Credit Card: _____

Check #: _____ Total Sponsorship Amount: \$ _____



2023 Pet Waste Station Sponsorship Sites

Town of Castle Rock Parks and Recreation

Federal Tax ID Number: 846000640

Bison Park Blue Spruce Animal Clinic	Gemstone Park Brooklyn Veterinary Clinic	Philip S Miller Park Between parking lot & Core Plaza Animal Care & Rehab Center
Bison Park Starry Night Loop Blue Spruce Animal Clinic	Hangman's Gulch Scott Blvd / DCHS Chatfield Watershed Authority	Philip S Miller Park Mill House / Amphitheater Plum Creek Water Reclamation Authority
Castle North Park AVAILABLE	Hier and Gannon Open Space Property entrance Castle Rock Water	Philip S Miller Park Adventure Playground & Epic Tower Blue Spruce Animal Clinic
Park View Street Plum Creek Veterinary Services	Matney Park Deanna Wolfe - Realtor	Philip S Miller Park Challenge Hill Blue Spruce Animal Clinic
Centennial Park Douglas County Libraries	Memmen Ridge Open Space Trailhead Parking Lot Preston Designs Photography	Rhyolite Regional Park Blue Spruce Animal Clinic
East Plum Creek Trail Sellar's Gulch West of Festival Park Animal Care & Rehab Center	Metzler Ranch Park Douglas County Libraries	Ridgeline Open Space Coachline Trailhead Animal Care & Rehab Center
East Plum Creek Trail Trailhead at Kinner Street Plum Creek Veterinary Services	Mitchell Creek Canyon Trailhead Mitchell Creek Trail Blue Spruce Animal Clinic	Ridgeline Open Space Avery Trailhead Animal Care & Rehab Center
East Plum Creek Trail Meadows Trailhead Parking Lot Brooklyn Veterinary Clinic	Mitchell Gulch Park Mitchell Creek Trail Plum Creek Veterinary Services	Ridgeline Open Space Paved trail off of Candleglow Animal Care & Rehab Center
East Plum Creek Trail Safeway Chatfield Watershed Authority	Parrish Park 1 Meadows Brooklyn Veterinary Clinic	Founders Trail by Matney Park Power Line Trail Deanna Wolfe - Realtor
East Plum Creek Trail Trailhead at Crystal Valley Pkwy Douglas County Libraries	Parrish Park 2 Meadows Douglas County Libraries	Rock Park Canyon Drive Trailhead Animal Care & Rehab Center
Festival Park Inside Park Spring Up The Creek	Plum Creek Park Mt Royal Drive AVAILABLE	Rock Park Sunset Drive Trailhead Blue Spruce Animal Clinic
Founders Park Blue Spruce Animal Clinic	Plum Creek Park Plum Creek Blvd/Mt Royal Plum Creek Veterinary Services	Rock Park Main Trailhead Parking Lot Project Green

Gateway Mesa Open Space Main Trailhead Parking Lot Animal Care & Rehab Center	Philip S Miller Park Between MAC and Field Brooklyn Veterinary Clinic	Valley Drive Blue Spruce Animal Clinic
Native Legend Trail Meadows AVAILABLE	South Street Open Space Park AVAILABLE	Metzler Family Open Space #1 Rotary Club - CR
Metzler Family Open Space #2 Rotary Club - CR	Cobblestone Ranch Park #1 AVAILABLE	Cobblestone Ranch Park #2 AVAILABLE
Town Hall / Encore AVAILABLE		

7 available dog waste stations as of 1/1/2023

Attachment 3



Bill To:

Chatfield Watershed Authority
Attn: Diane Keilty
P.O. Box 460736
Denver, CO 80246

Remit Payment To:

RESPEC
Attn: Accounts Receivable
P.O. Box 725
Rapid City, SD 57709-0725
(605) 394-6400, (605) 394-6514 (FAX)

RESPEC Project Number : W0035.22002
Client Contract No.
Client Purchase Order
Invoice Period : 12/01/2022 - 12/31/2022
Project Description :

Invoice No : INV-1222-1205
Invoice Date : 12/31/22
Payments Terms : NET 30
Contract Value : \$77,695.00

June 2022 - May 2023 Contract

Cost Category	Current Dollars	Dollars Billed to Date
Labor	\$8,622.50	\$44,730.00
Travel		\$35.00
Total Costs	\$8,622.50	\$44,765.00
Total Amount Due in US Dollars	\$8,622.50	\$44,765.00



Invoice Supporting Information

Cost Category	PLC Desc	RESPEC Project No.	Name	Week Ending Date	Hours	Billing Rate	Amount To Bill	Reference #	Description
Labor	Wastewater Engineer	W0035.22002.002	Gilley, Alicia D	12/03/22	1.00	\$190.00	\$190.00		Labor Hours
						1.00	\$190.00		
	Hydrologist	W0035.22002.002	Hassel, Willow R	12/03/22	9.00	\$120.00	\$1,080.00		Labor Hours
	Hydrologist	W0035.22002.002		12/10/22	8.00	\$120.00	\$960.00		Labor Hours
	Hydrologist	W0035.22002.002		12/17/22	3.50	\$120.00	\$420.00		Labor Hours
	Hydrologist	W0035.22002.002		12/24/22	0.50	\$120.00	\$60.00		Labor Hours
						21.00	\$2,520.00		
	Principal	W0035.22002.004	Leak, Alan J	12/03/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.001		12/10/22	4.00	\$205.00	\$820.00		Labor Hours
	Principal	W0035.22002.003		12/10/22	2.00	\$205.00	\$410.00		Labor Hours
	Principal	W0035.22002.003		12/17/22	6.50	\$205.00	\$1,332.50		Labor Hours
	Principal	W0035.22002.004		12/17/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.001		12/24/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.003		12/24/22	8.00	\$205.00	\$1,640.00		Labor Hours
	Principal	W0035.22002.004		12/24/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.001		12/31/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.003		12/31/22	1.00	\$205.00	\$205.00		Labor Hours
						26.50	\$5,432.50		
	Project Engineer	W0035.22002.003	Lohmann, Jenna E	12/10/22	4.00	\$120.00	\$480.00		Labor Hours
						4.00	\$480.00		
Labor					52.50		\$8,622.50		
Total					52.50		\$8,622.50		



Task Summary

RESPEC Project ID & Description	Current Hours	Current Dollars	Hours Billed to Date	Dollars Billed to Date
W0035.22002.000 - Direct Expenses				\$28.75
W0035.22002.001 - Board & Committee Support	6.00	\$1,230.00	59.00	\$12,101.25
W0035.22002.002 - Water Quality Monitoring Data	22.00	\$2,710.00	90.50	\$10,770.00
W0035.22002.003 - Regulatory Technical Support	21.50	\$4,067.50	99.50	\$19,302.50
W0035.22002.004 - Advancing Strategic Initiatives	3.00	\$615.00	12.50	\$2,562.50
Overall - Total	52.50	\$8,622.50	261.50	\$44,765.00

Attachment 4

Invoice to: Chatfield Watershed Authority
P.O. Box 460736
Denver, CO 80246

Project Name

Grantee: Colorado Watershed Assembly

CWA Chatfield 2022 030

Address: P.O. Box 460736
Denver, CO 80246

4th Quarter

Phone No.: (303)345-1675

Contract or Purchase
Order No.:

Contract Amount:

Date of Invoice: January 23, 2023

Task	Description	Total	Previously	Current	Remaining	Percent
1	Chatfield Management	\$36,050	\$25,710	\$10,340	\$0	100.0%
2	Chatfield Website Management	\$3,708	\$3,708		\$0	100.0%
	TOTALS	\$39,758	\$29,418	\$10,340	\$0	

Submitted by: Casey Davenhill

Title: Executive Director, Colorado Watershed Assembly

Signature: 

Attachment 5

WATER QUALITY CONTROL COMMISSION
STATE OF COLORADO

REBUTTAL STATEMENT OF
CHATFIELD WATERSHED AUTHORITY

IN THE MATTER OF PROPOSED ADOPTION OF REVISIONS TO THE BASIC STANDARDS AND METHODOLOGIES FOR SURFACE WATER (REGULATION NO. 31); REVISIONS TO CLASSIFICATIONS AND NUMERIC STANDARDS FOR ARKANSAS RIVER BASIN (REGULATION NO. 32), UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 12) (REGULATION NO. 33), SAN JUAN RIVER AND DOLORES RIVER BASINS (REGULATION NO. 34), GUNNISON AND LOWER DOLORES RIVER BASINS (REGULATION NO. 35), RIO GRANDE BASIN (REGULATION NO. 36), LOWER COLORADO RIVER BASIN (REGULATION NO. 37), AND SOUTH PLATTE RIVER BASIN, LARAMIE RIVER BASIN, REPUBLICAN RIVER BASIN, SMOKY HILL RIVER BASIN (REGULATION NO. 38); REVISIONS TO NUTRIENTS MANAGEMENT CONTROL REGULATION (REGULATION NO. 85)

Chatfield Watershed Authority (“CWA”), by and through its undersigned counsel, Somach Simmons & Dunn, P.C., submits this Rebuttal Statement (“Rebuttal”) for the above captioned matter to the Colorado Water Quality Control Commission (the “Commission”).

I. Introduction

As described in CWA’s responsive prehearing statement (“RPHS”), CWA opposes the Colorado Water Quality Control Division’s (the “Division”) plan to apply the proposed cold-water reservoir table value standard for total nitrogen (“TN”) of 380 ug/L to Chatfield Reservoir beginning in 2023. Alternatively, CWA respectfully requests to develop a site-specific TN standard for Chatfield Reservoir pursuant to Section 31.7(1)(b)(iii) of Regulation No. 31. CWA proposes to develop the site-specific standard once CWA has completed work on its revised total maximum daily load (“TMAL”), which is expected to occur in 2026. CWA further requests that the Commission refrain from imposing any TN standard on Chatfield Reservoir prior to the development of an appropriate site-specific standard.

This Rebuttal also responds to responsive prehearing statements filed by the U.S. Environmental Protection Agency (“EPA”) and the Plum Creek Water Reclamation Authority (“PCWRA”), both of which address the Division’s proposal as it relates to Chatfield Reservoir.

II. Response to EPA

EPA specifically discusses in its responsive prehearing statement (“EPA’s RPHS”) the Division’s proposal for Chatfield Reservoir and requests that the Division reevaluate the

proposed TN standard because the cold-water reservoir table value TN standard was not calculated from the site-specific chlorophyll a standard currently in place for Chatfield Reservoir. EPA's RPHS, pgs. 4, 21. CWA appreciates EPA pointing out that Chatfield Reservoir already has approved site-specific numeric standards for both chlorophyll a and phosphorus. CWA alleges that the unique conditions of Chatfield Reservoir that supported the development of site-specific standards in 2009 continue to this day and further support CWA's request for a site-specific TN standard for Chatfield Reservoir rather than the Division's proposal to impose a table value standard on Chatfield Reservoir.

EPA also asserts that "[a]ny standard that is adopted as a result of this rulemaking action would be subject to the triennial review requirement," which means that "fine-tuning changes can be made to the standards over time as new scientific information becomes available." EPA's RPHS, pg. 21. However, CWA alleges that it is better to enact a nutrient standard that is supported by the science and data and is realistically attainable while still protective of water quality, even if that means delaying imposition of the standard, rather than imposing a standard that is not scientifically supported, not realistically attainable, and not proven necessary to protect water quality and public uses. CWA is concerned about the public perception of increasing Chatfield Reservoir's TN standard in the future, even if the science and data support such a change, and about imposing significant cost on wastewater providers upstream of Chatfield Reservoir in order to attempt to comply with nutrient standards that may increase in the future.

III. Response to PCWRA

PCWRA alleges in its responsive prehearing statement ("PCWRA's RPHS") that the Division's proposed nitrogen standard for Chatfield Reservoir is unnecessary "because Chatfield Reservoir attains the site-specific chlorophyll a standard, indicating that the aquatic life and recreation uses are currently attained as a result of phosphorus control under Regulation 73." PCWRA's RPHS, pg. 1. PCWRA argues that "the Commission should allow time for stakeholders to propose a site-specific standard." *Id.* at 2. CWA agrees with PCWRA in this regard.

PCWRA recommends deferring "consideration of the Division's proposed total nitrogen standard for Chatfield Reservoir until the next basin hearing in 2025," at which point "the Commission would be in a position to review a site-specific proposal for nitrogen for Chatfield Reservoir." *Id.* at 7. CWA appreciates PCWRA's request for a delayed imposition of a TN standard on Chatfield Reservoir. However, as indicated in CWA's RPHS, CWA has limited resources and is currently tasked with revising its TMAL, which is expected to be completed in 2026. Accordingly, CWA reiterates its request that the Commission delay imposition of a TN standard on Chatfield Reservoir until CWA has the resources to complete its revised TMAL and calculate a site-specific TN standard for Chatfield Reservoir that is supported by available data.

In addition, PCWRA is a dues-paying member of CWA, and CWA relies on member dues to support its operations and water quality improvement projects. As such, the enormous cost that PCWRA estimates it would incur to comply with the Division's proposal to implement the cold-water reservoir table value standard on Chatfield Reservoir is of particular concern to CWA. Specifically, PCWRA estimates that compliance with the Division's proposed TN standard for Chatfield Reservoir would cost "nearly \$207 million in capital costs and over \$7.7 million per year in operational costs." *Id.* at 1. CWA agrees with PCWRA that "the current phosphorus standard and chlorophyll a standard for Chatfield Reservoir protect the aquatic life and recreation uses, including the public swim beach" and that the voluntary incentive program described in PCWRA's RPHS provides an existing mechanism to "prevent increases in nitrogen to Chatfield Reservoir between now and the development of an appropriate site-specific standard for nitrogen." *Id.* at 7. As such, CWA appreciates and joins PCWRA's request that the Commission refrain from imposing a TN standard on Chatfield Reservoir until CWA has the resources to develop an appropriate site-specific standard.

IV. Conclusion

CWA continues to request that the Commission reject the Division's proposal to impose the proposed cold-water table value TN standard on Chatfield Reservoir beginning in 2023 and instead allow CWA to develop a site-specific TN standard once CWA has completed work on its revised TMAL. CWA reiterates the concern discussed in CWA's RPHS that Chatfield Reservoir does not fit neatly into the Division's proposed categorization of the state's reservoirs as either warm water or cold water and asserts that the existing site-specific standards for chlorophyll a and phosphorus for Chatfield Reservoir support CWA's request for a delayed site-specific TN standard and also are sufficiently protective of water quality to protect the public uses of the reservoir, as evidenced by CWA's ongoing compliance with its chlorophyll a standard.

Respectfully submitted this ____ day of February, 2023.

SOMACH SIMMONS & DUNN, P.C.

Michael W. Daugherty, #49074
Sarah A. Klahn, #28706
SOMACH SIMMONS & DUNN, P.C.
1155 Canyon Blvd, Suite 110
Boulder, CO 80302
Telephone: (303) 449-2834
mdaugherty@somachlaw.com
sklahn@somachlaw.com

*ATTORNEYS FOR CHATFIELD WATERSHED
AUTHORITY*

Attachment 6

ACTION MEMORANDUM CHATFIELD WATERSHED AUTHORITY

Date: February 7, 2023

TO: CWA TAC

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

SUBJECT: Budgets for Lake/Nutrients Rulemaking Process.

SUMMARY OF ACTION REQUESTED: Approve an internal reallocation of RESPEC's and Somach Simmons & Dunn's (SSD) internal contract budget allocations to accommodate continued participation in the Water Quality Control Commission's (WQCC) Lakes/Nutrients rulemaking process.

RECOMMENDED EFFECTIVE DATE: February 7, 2023

COST IMPACTS: The CWA 2023 budgets for RESPEC and SSD would not be currently changed with the proposed action recommendation, only the internal budget allocation for each contract. If the decision of the TAC on the extent of participation of RESPEC and SSD in the Lakes/Nutrients Rulemaking process is increased over that which can currently be accommodated in the current RESPEC and SSD budgets, a future budget amendment to the Authority's budget may be necessary.

PURPOSE / BACKGROUND: In July of 2023, the CWA Board approved a budget amendment increase to RESPEC's and SSD's budgets for the purpose of participation in the WQCC's Lakes/Nutrients rulemaking process with an expected rulemaking hearing in November 2022. The budget increases authorized were \$10,000 for RESPEC and \$25,000 for SSD. Over the past seven months since that budget amendment, RESPEC and SSD have participated in numerous meetings with stakeholders and the Water Quality Control Division (Division), participated in meetings with the Authority's TAC Lakes/Nutrients sub-committee, conducted internal coordination and review meetings, and have prepared both a pre-hearing statement and a proposed rebuttal statement. In addition, RESPEC has been tasked with reviewing and editing the Division's nutrient data for total nitrogen and has held several discussions with the Division over data quality and options for application of the Division's proposed total nitrogen standard to Chatfield Reservoir. RESPEC has also performed data analysis on the Authority's historical chlorophyll *a*, total phosphorus, and total nitrogen data to inform the Authority on the potential effects of the Division's proposed total nitrogen standard and what may be the results of a site-specific total nitrogen standard analysis.

Currently, SSD has about \$6,800 left in its Lakes Nutrients budget which will allow for about 26 hours of SSD's time to complete and submit a rebuttal statement (if approved by the TAC), participate in the mandatory pre-hearing meeting, and participate in CWA's portion of the rulemaking hearing. Currently, RESPEC's expenditures have exceeded the \$10,000 budget allocated for RESPEC by about \$5,200. Further participation by RESPEC in the rulemaking process will incur further expenditures by RESPEC. RESPEC anticipates that, following the same participation level as presented above for SSD, RESPEC will incur

about \$5000 in additional expenditures for the Lakes/Nutrients rulemaking process. A \$5000 increase in expenditures by RESPEC can be accommodated within RESPEC's remaining four months of its annual technical consulting contract by reallocation budgeted funding from other areas of RESPEC's contract. Specifically, RESPEC would anticipate expending less effort on non-point source project work in the next four months than is currently budgeted for that time frame.

If the TAC desires for SSD and/or RESPEC to participate at a higher level in the Lakes/Nutrients rulemaking process than is outlined above, either some of RESPEC's and SSD's services contemplated under their respective annual contracts may need to be reduced or the Authority Board would need to approve a budget amendment to increase RESPEC's and/or SSD's budgets, accordingly.

PROPOSED MOTION: Approve an internal reallocation of RESPEC's and Somach Simmons & Dunn's (SSD) internal contract budget allocations as needed and as directed by the TAC to accommodate continued participation in the WQCC Lakes/Nutrients rulemaking process.

Attachment 7

Chatfield Watershed Authority

Financial Recap

December 31, 2022

Current Month:

1. In kind membership dues recorded from Denver Water in the amount of \$ 2,125.00, Plum Creek in the amount of \$ 1666.67, Roxborough Water and Sanitation in the amount of \$ 266.67 and Centennial in the amount of \$ 1953.83 for monitoring services.
2. TWS Financial billed \$ 750 for December 2022 accounting expenses.
3. Somach Simmons and Dunn billed \$ 6,314 for December 2022 legal fees
4. Lobbyists billed \$ 3000 for December 2022.
5. Lynker billed \$ 3990.00 for December 2022
6. Colorado Watershed Assembly billed \$ 10,340 for 4th quarter management fees.
7. Cash in bank as of 12/31/22- \$ 315,337.24
8. Accounts payable as of 12/31/2022 - \$ 39,102.55
9. Net income for the year was \$ 60,749 in excess of budgeted net income.

Chatfield Watershed Authority
Interim Financial Statements
Substantially all Disclosures Omitted
December 31, 2022

Chatfield Watershed Authority
Balance Sheet
As of December 31, 2022

	Dec 31, 22
ASSETS	
Current Assets	
Checking/Savings	
1000 · 1st Bank	315,337.24
Total Checking/Savings	315,337.24
Total Current Assets	315,337.24
TOTAL ASSETS	315,337.24
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	39,102.55
Total Accounts Payable	39,102.55
Total Current Liabilities	39,102.55
Total Liabilities	39,102.55
Equity	
32000 · Retained Earnings	302,018.77
Net Income	-25,784.08
Total Equity	276,234.69
TOTAL LIABILITIES & EQUITY	315,337.24

Chatfield Watershed Authority
Profit & Loss
December 2022

	Dec 22	Jan - Dec 22
Income		
4000 · Operating Revenues - Membership		
Other Income	0.00	4,246.00
4001 · Jefferson County	0.00	28,986.00
4002 · Douglas County	0.00	75,510.00
4004 · Town of Castle Rock	0.00	75,510.00
4005 · Plum Creek Wastewater	0.00	2,400.00
4006 · Roxborough Park	0.00	2,400.00
4007 · Castle Pines Metro District	0.00	2,400.00
4008 · Perry Park W&S District	0.00	2,400.00
4009 · Denver Water Department	0.00	2,400.00
4010 · City of Littleton	0.00	2,400.00
4011 · Centennial W&S District	0.00	2,400.00
4012 · Town of Larkspur	0.00	2,400.00
4014 · Louviers Water & San. District	0.00	2,400.00
4016 · Sacred Heart Retreat House	0.00	2,000.00
4019 · Dominion W&S District	0.00	2,400.00
4038 · Denver Water- In Kind	2,125.00	25,500.00
4039 · Plum Creek - In Kind	1,666.67	20,000.04
4040 · Centennial - In Kind	1,953.83	23,445.96
4045 · Roxborough In Kind	266.67	3,200.04
Total 4000 · Operating Revenues - Membership	6,012.17	282,398.04
4103 · Interest Income	84.72	278.49
Total Income	6,096.89	282,676.53
Expense		
5000 · Expenditures - Operational		
5001 · Management Fees Technical	0.00	82,347.86
5002 · Management Fees- Authority	10,340.00	36,050.00
5003 · Website Hosting/Maint	0.00	6,556.00
5004 · NPS projects and Consultants	6,990.00	28,615.00
5005 · Legal - Admin	6,314.00	73,295.71
5007 · Professional Fees-Financial	750.00	9,000.00
Total 5000 · Expenditures - Operational	24,394.00	235,864.57
5100 · Expenditures - Contractual		
5111 · Monitoring- in Kind	6,012.17	72,146.04
5117 · Public Outreach Sponsorships	0.00	450.00
Total 5100 · Expenditures - Contractual	6,012.17	72,596.04
Total Expense	30,406.17	308,460.61
Net Income	-24,309.28	-25,784.08

Chatfield Watershed Authority
Profit & Loss Budget vs. Actual
 January through December 2022

	Jan - Dec 22	Budget	\$ Over Budget	% of Budget
Income				
4000 · Operating Revenues - Membership				
Other Income	4,246.00			
Voluntary Dues	0.00	0.00	0.00	0.0%
4001 · Jefferson County	28,986.00	28,986.00	0.00	100.0%
4002 · Douglas County	75,510.00	75,510.00	0.00	100.0%
4004 · Town of Castle Rock	75,510.00	75,510.00	0.00	100.0%
4005 · Plum Creek Wastewater	2,400.00	2,400.00	0.00	100.0%
4006 · Roxborough Park	2,400.00	2,400.00	0.00	100.0%
4007 · Castle Pines Metro District	2,400.00	2,400.00	0.00	100.0%
4008 · Perry Park W&S District	2,400.00	2,400.00	0.00	100.0%
4009 · Denver Water Department	2,400.00	2,400.00	0.00	100.0%
4010 · City of Littleton	2,400.00	2,400.00	0.00	100.0%
4011 · Centennial W&S District	2,400.00	2,400.00	0.00	100.0%
4012 · Town of Larkspur	2,400.00	2,400.00	0.00	100.0%
4014 · Louviers Water & San. District	2,400.00	2,400.00	0.00	100.0%
4016 · Sacred Heart Retreat House	2,000.00	2,400.00	-400.00	83.33%
4017 · Ponderosa Center	0.00	0.00	0.00	0.0%
4019 · Dominion W&S District	2,400.00	2,400.00	0.00	100.0%
4038 · Denver Water- In Kind	25,500.00	25,500.00	0.00	100.0%
4039 · Plum Creek - In Kind	20,000.04	20,000.00	0.04	100.0%
4040 · Centennial - In Kind	23,445.96	23,446.00	-0.04	100.0%
4045 · Roxborough In Kind	3,200.04	3,200.00	0.04	100.0%
Total 4000 · Operating Revenues - Membership	282,398.04	278,552.00	3,846.04	101.38%
4103 · Interest Income	278.49			
Total Income	282,676.53	278,552.00	4,124.53	101.48%
Expense				
5000 · Expenditures - Operational				
5001 · Management Fees Technical	82,347.86	87,100.00	-4,752.14	94.54%
5002 · Management Fees- Authority	36,050.00	36,050.00	0.00	100.0%
5003 · Website Hosting/Maint	6,556.00	6,906.00	-350.00	94.93%
5004 · NPS projects and Consultants	28,615.00	62,713.00	-34,098.00	45.63%
5005 · Legal - Admin	73,295.71	84,240.00	-10,944.29	87.01%
5006 · Misc. Admin.	0.00	515.00	-515.00	0.0%
5007 · Professional Fees-Financial	9,000.00	9,750.00	-750.00	92.31%
5009 · Legal Admin	0.00	0.00	0.00	0.0%
Total 5000 · Expenditures - Operational	235,864.57	287,274.00	-51,409.43	82.1%
5100 · Expenditures - Contractual				
5103 · Monitoring	0.00	5,150.00	-5,150.00	0.0%
5111 · Monitoring- in Kind	72,146.04	72,146.00	0.04	100.0%
5115 · Public Outreach Consultants	0.00	0.00	0.00	0.0%
5117 · Public Outreach Sponsorships	450.00	515.00	-65.00	87.38%
Total 5100 · Expenditures - Contractual	72,596.04	77,811.00	-5,214.96	93.3%
Total Expense	308,460.61	365,085.00	-56,624.39	84.49%
Net Income	-25,784.08	-86,533.00	60,748.92	29.8%

**Chatfield Watershed Authority
Transaction Detail By Account**

December 2022

Type	Date	Num	Adj	Name	Memo	Class	Clr	Split	Debit	Credit	Balance
4000 - Operating Revenues - Membership											
4038 - Denver Water- In Kind											
General Journal	12/22/2022	Ted-Aj...	*					5111 - Monitorin...		2,125.00	2,125.00
Total 4038 - Denver Water- In Kind									0.00	2,125.00	2,125.00
4039 - Plum Creek - In Kind											
General Journal	12/08/2022	Ted-Aj...	*					5111 - Monitorin...		1,666.67	1,666.67
Total 4039 - Plum Creek - In Kind									0.00	1,666.67	1,666.67
4040 - Centennial - In Kind											
General Journal	12/08/2022	Ted-Aj...	*							1,953.83	1,953.83
Total 4040 - Centennial - In Kind									0.00	1,953.83	1,953.83
4045 - Roxborough In Kind											
General Journal	12/16/2022	Ted-Aj...	*					5111 - Monitorin...		266.67	266.67
Total 4045 - Roxborough In Kind									0.00	266.67	266.67
Total 4000 - Operating Revenues - Membership									0.00	6,012.17	6,012.17
4103 - Interest Income											
Deposit	12/31/2022				Interest			1000 - 1st Bank		84.72	84.72
Total 4103 - Interest Income									0.00	84.72	84.72
5000 - Expenditures - Operational											
5002 - Management Fees- Authority											
Bill	12/31/2022			Colorado Watershed A...	CWA Chatfield ...			2000 - Accounts ...	10,340.00		-10,340.00
Total 5002 - Management Fees- Authority									10,340.00	0.00	-10,340.00
5004 - NPS projects and Consultants											
Bill	12/31/2022	Invoice ...		Steve Balcerovich	December 202...			2000 - Accounts ...	1,500.00		-1,500.00
Bill	12/31/2022	Invoice ...		Altwood Public Affairs	December 202...			2000 - Accounts ...	1,500.00		-3,000.00
Bill	12/31/2022	SI0108 ...		Lynker	December Billing			2000 - Accounts ...	3,990.00		-6,990.00
Total 5004 - NPS projects and Consultants									6,990.00	0.00	-6,990.00
5006 - Legal - Admin											
Bill	12/31/2022	301822...		Somach Simmons & D...	Legal			2000 - Accounts ...	6,314.00		-6,314.00
Total 5006 - Legal - Admin									6,314.00	0.00	-6,314.00
5007 - Professional Fees-Financial											
Bill	12/31/2022			TWS Financial Inc.	December 2022			2000 - Accounts ...	750.00		-750.00
Total 5007 - Professional Fees-Financial									750.00	0.00	-750.00
Total 5000 - Expenditures - Operational									24,394.00	0.00	-24,394.00
5100 - Expenditures - Contractual											
5111 - Monitoring- in Kind											
General Journal	12/08/2022	Ted-Aj...	*						1,953.83		-1,953.83
General Journal	12/08/2022	Ted-Aj...	*					4039 - Plum Cre...	1,666.67		-3,620.50
General Journal	12/16/2022	Ted-Aj...	*					4045 - Roxborou...	266.67		-3,887.17
General Journal	12/22/2022	Ted-Aj...	*					4038 - Denver ...	2,125.00		-6,012.17
Total 5111 - Monitoring- in Kind									6,012.17	0.00	-6,012.17
Total 5100 - Expenditures - Contractuel									6,012.17	0.00	-6,012.17
TOTAL									30,406.17	6,096.89	-24,309.26



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6500 0100 OO RP 30 12312022 NNNNNN 01 002582 0006
 CHATFIELD WATERSHED AUTHORITY
 C/O TWS FINANCIAL INC
 6901 S PIERCE ST STE 200
 LITTLETON CO 80128-4557

ACCOUNT NUMBER	XXX-XXX-1336
STATEMENT DATE	12-30-2022
INTEREST EARNED THIS YEAR	278.49



ACCOUNT SUMMARY -- MONEY MARKET CHECKING ACCOUNT - SAFEKEEPING \$5,000 MINIMUM

CLOSING BALANCE FROM PREVIOUS STATEMENT	DATE:	11-30-2022	356,507.14
1 DEPOSITS AND OTHER ADDITIONS TOTALING			84.72+
5 CHECKS AND OTHER WITHDRAWALS TOTALING			35,254.62-
CLOSING BALANCE FOR THIS STATEMENT	DATE:	12-30-2022	321,337.24
MINIMUM BALANCE OF	321,252.52	ON	12-28-2022
NUMBER OF DAYS IN PERIOD			30
INTEREST EARNED			84.72

CHECKS AND OTHER WITHDRAWALS * SHOWS BREAK IN CHECK NUMBER # SHOWS NOT MACHINE READABLE

CHECK#.....AMOUNT....DATE	CHECK#.....AMOUNT....DATE	CHECK#.....AMOUNT....DATE
5751 11,598.00 12-14	5753 8,751.25 12-27	5755 750.00 12-16
5752 5,665.00 12-28	5754 8,490.37 12-16	

DEPOSITS AND OTHER ADDITIONS

DATE.....TYPE.....AMOUNT	DATE.....TYPE.....AMOUNT	DATE.....TYPE.....AMOUNT
12-30 INTEREST 84.72		

DAILY BALANCE SUMMARY

DATE.....BALANCE	DATE.....BALANCE	DATE.....BALANCE
12-01 356,507.14	12-16 335,668.77	12-28 321,252.52
12-14 344,909.14	12-27 326,917.52	12-30 321,337.24

RATE DISCLOSURE -- RATE BASED ON AVERAGE COLLECTED BALANCE

EFFECTIVE DATES	\$500 UP TO \$20,000 RATE	\$20,000 AND ABOVE RATE
12/01 THROUGH 12/30	0.15%	0.30%

EARNINGS AND ACTIVITY CHARGE SUMMARY

INTEREST PAID CALCULATION			
DATES	AVERAGE COLLECTED BALANCE	RATE	INTEREST EARNED
12/01 THROUGH 12/30	343,581	.300%	84.72
TOTAL INTEREST FOR 30 DAYS			84.72
ACTIVITY CHARGES (FIRST 150 ITEMS FREE)			
NUMBER	DESCRIPTION	COST	CHARGE
5	DEBITS	.50	2.50
TOTAL ACTIVITY CHARGES			.00

ACCOUNT NUMBER	XXX-XXX-1336	DATE	12-30-2022
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HOW ARE WE DOING?

We are working very hard to maintain the highest level of customer service possible. But if we make a mistake, or you receive poor service from any of our employees, we want you to let us know. Please call one of our customer representatives at 303-231-2000 (outside metro Denver: 1-800-230-1060) with any question or complaint. We will do our best to solve your problem. If our service was especially good, we'd like to hear about that too. We welcome any suggestions you might have about new products or ways we could improve our service to you. Thank you for banking with us!

HOW TO BALANCE YOUR CHECKBOOK

Enter Checkbook Balance:	\$ _____
ADD: Deposits Not Entered in Checkbook	\$ _____
Subtotal:	\$ _____
SUBTRACT: Deductions Not Entered in Checkbook	\$ _____
EQUALS: Revised Checkbook Balance*	\$ _____ *
Enter Bank Balance from Statement	\$ _____
ADD: Deposits Not Included in This Statement	\$ _____
Subtotal:	\$ _____
SUBTRACT: Outstanding Checks	\$ _____ **
EQUALS Revised Bank Balance*	\$ _____ *

*These totals should agree

Outstanding Checks

NUMBER	AMOUNT
** TOTAL	\$ _____

