

## 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, December 6, 2022 2:00 p. m. – 4:00 p. m.

#### Member Attendees:

Weston Martin (PCWRA) Chair  
Patrick O'Connell (Jefferson County)  
Ryan Adrian (Douglas County) Vice-Chair  
David Van Dellen (Town of Castle Rock)  
Josh Baile (Dominion W&SD)  
Matthew Collitt (Louviers W&SD)  
Kirby Clark (PCWRA)

#### Alternate Members, Other Associate Agencies & Attendees:

Brent Soderlin (In-coming CWA Board/City of Littleton)  
Alan Leak (RESPEC)  
Michael Daugherty (Somach Simmons and Dunn)  
Kris Wahlers (DNR/CPW)  
Jon Erickson (DNR)  
Diane Kielty (CWA)  
Bill Szafranski (Lynker)  
Jim Walker (Pine Canyon)  
Kurt Walker (Pine Canyon)  
Cathy Begij (JCD)  
Charly Hoehn (CRMC)

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#### 2:00 pm Call to Order

The regular TAC meeting was called to order at 2:04 pm by TAC Chair Weston Martin. There were no disclosures.

#### ACTION/APPROVAL ITEMS (2:05 P.M. – 2:30 P.M.)

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##### A. APPROVAL OF AGENDA

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

##### B. APPROVAL OF MEETING MINUTES

Approval of Chatfield TAC November 1, 2022, Meeting Minutes



Authority Board Chair: Lora Thomas  
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**CHATFIELD WATERSHED AUTHORITY TAC MINUTES**

A motion was made by Patrick O’Connell to approve the Chatfield TAC November 1, 2022, meeting minutes and seconded by David Van Dellen. Motion carried unanimously.

**C. APPROVAL/RATIFICATION OF INVOICES**

The table summarizes the invoices included in the meeting packet.

Total amount of invoices approved by CWA Manager \$35,254.62

<b>Invoices &lt; \$5,000 and within Budget and Scope (Manager’s Approval)</b>	
SSD Reg 73 Chatfield Invoice 3015596_October 2022	\$182.00
TWS_October Inv_22114_from_TWS_FINANCIAL_INC._13776	\$750.00
SSD Lakes Nutrients 2022 Chatfield Invoice 3015597_October 2022	\$2,308.00
<b>Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)</b>	
SSD General Chatfield Invoice 3015693_October 2022	\$6,000.37
Lynker_11 15 22 Chatfield_Watershed_October Invoice SI010430	\$5,665.00
RESPEC_W0035.22002-CWA-INV-31OCT22	\$8,751.25
CO Watershed Assembly_Chatfield 2022 016_3Q Invoice	\$11,598.00
<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	

A motion was made by Ryan Adrian to approve the invoices as presented and seconded by Patrick O’Connell. Motion carried unanimously.

**D. APPROVE RESPONSE TO CDPHE PINE CANYON DECISION LETTER (ALAN LEAK)**

The Division found the site application is in conformance and has approved it. The approval letter was supplied in the meeting packet. They are granting variances. The applicant must control the rate of application at agronomic rates. The site application and permit are different items requiring separate approvals. The site requirements were highlighted. Recommended CWA communicate with CDPHE to ensure plant can meet requirements. The applicant is required to provide an annual report with eight specified pieces of information. The approval is subject to appeal. Possible actions include CWA:

- make an appeal stating the application doesn’t meet LAMP requirements,
- take no action,
- provide a letter of concern to ensure CWA questions of concern are included in the permit review,



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- wait for the permit decision to consider action.

An administrative appeal would go to the Commission. An estimated cost for an appeal \$12,000 - \$15,000 depending on how contentious the process.

255.5 acres will be irrigated. In the winter when the soil is impermeable to infiltration they intend to put in treated effluent ponds to be stored and used in the warmer months. The amount of storage being adequate is a concern for the Authority.

CWA would need to file an appeal by the end of month. If a letter is written to the Division, ensure they know CWA has concerns we would like to be considered in the final permit.

A motion was made by David Van Dellen to have RESPEC draft a letter to convey CWA concerns and seconded by Pat O'Connell. Motion carried unanimously.

**Action:** RESPEC will send letter to TAC Chair and Co-Chair for final review.

### DISCUSSION ITEMS (2:30 P.M. – 2:45 P.M.)

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#### A. PERRY PARK WAUCONDAH APPLICATION AMENDMENT (ALAN LEAK)

The proposed site application meets the Authority's Review Criteria for Site Location and Design Approvals. It is recommended that the Authority approve the site application to the Division. The response approval letter was provided in the meeting packet. Perry Park is a CWA member. The review was within the fee equivalent to fifteen hours of non-charge time to members for review and formulation of recommendations. The letter will be sent to the Division.

### UPDATES (2:45 P.M. – 3:55 P.M.)

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#### A. TECHNICAL (ALAN LEAK)

1. Response actions to Sun Jelly WWTD wasteload allocation violations update. There has been no additional correspondence. RESPEC will reach out this month and bring a report to the January TAC meeting.
2. Sellars Gulch Coliform Speciation Analysis. GEI responded with a proposal to perform a microbial tracking service collecting samples at 4 different locations on Sellars Gulch to characterize the source of the e Coli and coliform levels. This would track targeted DNA markers. The estimated costs for 2 samples is \$4,920. There is CWA budget line item 5103 allowing \$5,150 for additional monitoring. If TAC chooses to go ahead with sampling it is recommended this line item is used and ensure beaver is included in the analysis. These costs appear to be within range for this type of work. CWA would want to determine when



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## CHATFIELD WATERSHED AUTHORITY TAC MINUTES

we would want the sampling to be performed. GEI would need support in locating appropriate sampling sites.

There have been digital inspections. A sewage manhole was discovered as displaced. No leaks have been located. This is a major sewer interceptor that requires special video equipment. There was sampling performed in Sellars Gulch in October performed by the Town of Castle Rock. They can share these sample results.

A motion was made by Ryan Adrian to have RESPEC reach out to CSM to determine if they have the equipment to perform speciation analysis and approach GEI on when this type of testing could be performed. RESPEC is given notice to proceed and contract with GEI based on this information and seconded by Patrick O'Connell. Motion carried unanimously.

3. Lynker Modeling Update – Alan Leak will reach out to Lynker to finalize this work.
4. Water Quality Update – Total phosphorus and chlorophyll *a* has been below our standard threshold and we will be in compliance in 2022.
5. Chatfield Reservoir Mitigation Company Update
6. Other Member

### B. LEGAL (MICHAEL DAUGHERTY)

1. Lakes Nutrients Criteria Rulemaking Prehearing Statement – The draft prehearing statement was in the meeting packet. If the standard were to be applied as currently proposed, Chatfield would not be in compliance with the recommended Nitrogen standard. A site-specific standard is deemed more appropriate. The Board approved taking this direction at the November Board meeting.

### C. MANAGER (DIANE KIELTY)

1. Chatfield Board W&S and Other Elections Update - Brent Soderlin, City of Littleton won the "Other" member appointment and Weston Martin, Plum Creek Water Reclamation Authority, won the W&SD election. The Town of Castle Rock will be selecting new boards on January 3<sup>rd</sup>. We will know their appointment at that time. David Van Dellen will inquire if the CWA appointment can be learned earlier to inform time of board meeting and securing 2023 meeting space to move forward. There may be a time change on the board meetings.
2. Consultants 2023 contracts and extensions are executed. The Lobbyists will be presenting updates during the CWA Board meetings.

### D. FINANCIAL (DIANE KIELTY)

1. September Financial Summary – A summary was provided in the meeting packet.



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## CHATFIELD WATERSHED AUTHORITY TAC MINUTES

### 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.

TAC is looking for a member to stand for the TAC Vice-Chair position. Matt Collitt expressed interest.

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

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#### A. *Next Scheduled TAC Meetings:*

a) Tuesday, January 3rd, 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**

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3:18 p.m.

Adjournment

## Attachment 2

**Invoice to Chatfield Watershed Authority  
from  
Steve Balcerovich & Amy Attwood**

**Invoice #22-02: December 2022 Professional Governmental Affairs  
Services**

**TOTAL DUE: \$3,000**

**Note: Please send \$1500 to Steve Balcerovich:  
2441 N. Broadway  
Unit 218  
Denver, CO 80205**

**Please send \$1500 to Amy Attwood:  
9224 West Berry Place  
Littleton, CO 80123**



## Attachment 3

**Invoice to Chatfield Watershed Authority  
from  
Steve Balcerovich & Amy Attwood**

**Invoice #22-01: November 2022 Professional Governmental Affairs  
services**

**TOTAL DUE: \$3,000**

**Note: Please send \$1500 to Steve Balcerovich:  
2441 N. Broadway  
Unit 218  
Denver, CO 80205**

**Please send \$1500 to Amy Attwood:  
9224 West Berry Place  
Littleton, CO 80123**

## Attachment 4



Lynker Corporation  
 338 E Market Street  
 Suite 100  
 Leesburg, VA 20176

# Invoice

**Date** 12/15/22 **No.** SI010620

Billing Period 11/01/22 to 11/30/22  
 Period of Perf. 07/01/21 to 12/31/22

**Bill To**  
 Chatfield Watershed Authority  
 PO Box 460736  
 Glendale, Colorado 80246  
 USA

Prime Cont. No.	Contract Type	Funded	Funded Fee	% Rem.	Fund. Rem.	Project No.	Due Date
	TM	29,360		47.67	13,995.00	10112-001	01/14/23

Description	Current		ITD			
	Rate	Hrs	Billing	Hrs	Billing	
<b>Labor</b>						
TASK 1 Model Discussions						
Joshua Sturtevant (Water Resource Scientist)	100.00			1.00	100.00	
William Szafranski (Water Resource Scientist)	120.00			0.25	30.00	
TASK 2 Simulate Watershed wo Discharges						
Cameron Wobus (Climate Change Project Lead)	180.00			1.25	225.00	
William Szafranski (Water Resource Scientist)	120.00			28.50	3,420.00	
TASK 3 Simultate Wasteload Allocation						
Nayoung Hur (Junior Water Resource Engineer)	100.00	20.00	2,000.00	55.00	5,500.00	
William Szafranski (Water Resource Scientist)	120.00	8.00	960.00	50.75	6,090.00	
		<b>Labor Subtotal</b>	<b>28.00</b>	<b>2,960.00</b>	<b>136.75</b>	<b>15,365.00</b>
		<b>Withholding</b>		<b>0.00</b>		<b>0.00</b>
		<b>Invoice Subtotal</b>	<b>28.00</b>	<b>2,960.00</b>	<b>136.75</b>	<b>15,365.00</b>
		Sales Tax		0.00		
		<b>Invoice Total</b>		<b>2,960.00</b>		

Attachment 5



**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)

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**RESPEC Project Number :** 03970.0002

**Client Contract No.**

**Client Purchase Order**

**Invoice Period :**

11/01/2022 - 11/30/2022

**Project Description :**

2022 - Pine Canyon

**Invoice No :**

**INV-1122-1053**

**Invoice Date :**

11/30/22

**Payments Terms :**

NET 30

**Contract Value :**

\$14,510.00

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<b>Cost Category</b>	<b>Current Dollars</b>	<b>Dollars Billed to Date</b>
Labor	\$102.50	\$13,057.50
<b>Total Costs</b>	<b>\$102.50</b>	<b>\$13,057.50</b>
<b>Total Amount Due in US Dollars</b>	<b>\$102.50</b>	<b>\$13,057.50</b>



### Invoice Supporting Information

Cost Category	PLC Desc	RESPEC Project No.	Name	Week Ending Date	Hours	Billing Rate	Amount To Bill	Reference #	Description
Labor	Principal	03970.0002	Leak, Alan J	11/30/22	0.50	\$205.00	\$102.50		Labor Hours
					<b>0.50</b>		<b>\$102.50</b>		
<b>Labor</b>					<b>0.50</b>		<b>\$102.50</b>		
<b>Total</b>					<b>0.50</b>		<b>\$102.50</b>		



### Task Summary

RESPEC Project ID & Description	Current Hours	Current Dollars	Hours Billed to Date	Dollars Billed to Date
03970.0002 - 2022 - Pine Canyon	0.50	\$102.50	80.25	\$13,057.50
<b>Overall - Total</b>	<b>0.50</b>	<b>\$102.50</b>	<b>80.25</b>	<b>\$13,057.50</b>



## Attachment 6

**Somach Simmons & Dunn**

Attorneys at Law

500 Capitol Mall, Suite 1000

Sacramento, California 95814

Federal Tax I.D. No.: 68-0261618

[somalchlaw.com](http://somalchlaw.com)

Telephone: (916) 446-7979

Fax: (916) 446-8199

*COVER SHEET*

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

**Attention: Diane Kielty, Program Manager**

December 13, 2022

Client: 002051

Page: 1

For Professional Services Rendered Through November 30, 2022

*ACCOUNT SUMMARY*

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3015833	\$1,768.00	\$0.00	\$25.80	\$0.00	\$1,793.80
000002	WQCD-WQCC	3015834	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
000003	Pine Canyon Application	3015835	\$390.00	\$0.00	\$0.00	\$0.00	\$390.00
000006	2022 Lakes Nutrients Rulemal	3015836	\$4,876.00	\$0.00	\$0.00	\$0.00	\$4,876.00
Total Current Charges							\$7,059.80
Previous Balance							\$8,464.37
<i>Less Payments</i>							(\$156.00)
<b>PAY THIS AMOUNT</b>							<b>\$15,368.17</b>

**Remittance Advice**

**Check Payable To:**

Somach Simmons & Dunn  
Attn.: Accounts Receivable  
500 Capitol Mall, Suite 1000  
Sacramento, California 95814

**Somach Simmons & Dunn**

Attorneys at Law

500 Capitol Mall, Suite 1000

Sacramento, California 95814

Federal Tax I.D. No.: 68-0261618

[somalaw.com](http://somalaw.com)

Telephone: (916) 446-7979

Fax: (916) 446-8199

*REMITTANCE COPY*

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

**Attention: Diane Kiely, Program Manager**

December 13, 2022

Client: 002051

Page: 1

For Professional Services Rendered Through November 30, 2022

*ACCOUNT SUMMARY*

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3015833	\$1,768.00	\$0.00	\$25.80	\$0.00	\$1,793.80
000002	WQCD-WQCC	3015834	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
000003	Pine Canyon Application	3015835	\$390.00	\$0.00	\$0.00	\$0.00	\$390.00
000006	2022 Lakes Nutrients Rulemal	3015836	\$4,876.00	\$0.00	\$0.00	\$0.00	\$4,876.00
Total Current Charges							\$7,059.80
Previous Balance							\$8,464.37
<i>Less Payments</i>							(\$156.00)
<b>PAY THIS AMOUNT</b>							<b>\$15,368.17</b>

**Remittance Advice**

**Check Payable To:**

Somach Simmons & Dunn  
Attn.: Accounts Receivable  
500 Capitol Mall, Suite 1000  
Sacramento, California 95814

## Invoice Listing

**Sort Order:** Client-Matter

**Invoices Sorted by:** Invoice Number

**Selection:** Chatfield Watershed Authority - All Matters

Posted Invoices

**Invoices Dated:** 2/1/2022 - 12/13/2022

Matter Name	Matter Code	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Total	2022 Totals
General	1	3015833	12/13/2022	1,768.00	-	25.80	-	1,793.80	32,563.30
WQCD-WQCC	2		*	*	*	*	* *		4,519.38
Pine Canyon Application	3	3015838	12/13/2022	390.00	-	-	-	390.00	3,323.50
Reg. 73 Triennial Review	4		*	*	*	*	*	*	1,454.00
Policy Revision Project	5		*	*	*	*	*	*	1,512.00
2022 Lakes Nutrients Rulemaking Hearing	6	3015836	12/13/2022	4,876.00	-	-	-	4,876.00	23,609.53
<b>Client Year Totals</b>				<b>\$ 7,034.00</b>	<b>\$ -</b>	<b>\$ 25.80</b>	<b>\$ -</b>	<b>\$ 7,059.80</b>	<b>\$ 66,981.71</b>

\* No Invoice This Month

2022 Budget	\$ 84,240.00	
Amount Billed	\$ 66,981.71	79.5%
Budget Remaining	\$ 17,258.29	20.5%

# Invoice Listing

Sort Order: Department

Selection: Filters Set (1)

Invoices Dated: 2/1/2022 - 12/13/2022

Invoices Sorted by: Client-Mater

- Posted Invoices
- Void Invoices
- Unposted Invoices

Client	Matter	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Tax	Total
<b>Default Department</b>									
002051 CHATFIELD WATERSHED AUTHORITY									
	000001	3012879	02/14/2022	\$5,958.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,958.00
	000001	3013172	03/15/2022	\$2,508.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,508.00
	000001	3013463	04/20/2022	\$1,197.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,197.00
	000001	3013770	05/17/2022	\$3,350.50	\$0.00	\$0.00	\$0.00	\$0.00	\$3,350.50
	000001	3014308	07/13/2022	\$3,633.50	\$0.00	\$56.00	\$0.00	\$0.00	\$3,689.50
	000001	3014636	08/12/2022	\$3,518.50	\$0.00	\$140.63	\$0.00	\$0.00	\$3,659.13
	000001	3014848	09/15/2022	\$1,573.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,573.00
	000001	3015374	10/13/2022	\$2,834.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,834.00
	000001	3015693	11/09/2022	\$5,988.50	\$0.00	\$11.87	\$0.00	\$0.00	\$6,000.37
	000001	3015833	12/13/2022	\$1,768.00	\$0.00	\$25.80	\$0.00	\$0.00	\$1,793.80
				<b>\$32,329.00</b>	<b>\$0.00</b>	<b>\$234.30</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$32,563.30</b>
	000002	3012880	02/14/2022	\$520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$520.00
	000002	3013753	05/17/2022	\$180.00	\$0.00	\$0.00	\$0.00	\$0.00	\$180.00
	000002	3014067	06/17/2022	\$2,353.00	\$0.00	\$138.54	\$0.00	\$0.00	\$2,491.54
	000002	3014417	07/13/2022	\$650.00	\$0.00	\$57.84	\$0.00	\$0.00	\$707.84
	000002	3014637	08/12/2022	\$52.00	\$0.00	\$0.00	\$0.00	\$0.00	\$52.00
	000002	3014849	09/15/2022	\$126.00	\$0.00	\$0.00	\$0.00	\$0.00	\$126.00
	000002	3015375	10/13/2022	\$442.00	\$0.00	\$0.00	\$0.00	\$0.00	\$442.00
				<b>\$4,323.00</b>	<b>\$0.00</b>	<b>\$196.38</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$4,519.38</b>
	000003	3013771	05/17/2022	\$1,905.50	\$0.00	\$0.00	\$0.00	\$0.00	\$1,905.50
	000003	3014068	06/17/2022	\$872.00	\$0.00	\$0.00	\$0.00	\$0.00	\$872.00
	000003	3015376	10/13/2022	\$156.00	\$0.00	\$0.00	\$0.00	\$0.00	\$156.00
	000003	3015835	12/13/2022	\$390.00	\$0.00	\$0.00	\$0.00	\$0.00	\$390.00
				<b>\$3,323.50</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$3,323.50</b>
	000004	3012881	02/14/2022	\$598.00	\$0.00	\$0.00	\$0.00	\$0.00	\$598.00
	000004	3013173	03/15/2022	\$504.00	\$0.00	\$0.00	\$0.00	\$0.00	\$504.00
	000004	3014311	07/13/2022	\$40.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00
	000004	3014850	09/15/2022	\$78.00	\$0.00	\$0.00	\$0.00	\$0.00	\$78.00
	000004	3015377	10/13/2022	\$52.00	\$0.00	\$0.00	\$0.00	\$0.00	\$52.00
	000004	3015596	11/09/2022	\$182.00	\$0.00	\$0.00	\$0.00	\$0.00	\$182.00
				<b>\$1,454.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,454.00</b>

# Invoice Listing

Sort Order: Department

Selection: Filters Set (1)

Invoices Dated: 2/1/2022 - 12/13/2022

Invoices Sorted by: Client-Mater

- Posted Invoices
- Void Invoices
- Unposted Invoices

Client	Matter	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Tax	Total
<b>Default Department</b>									
002051 CHATFIELD WATERSHED AUTHORITY									
	000005	3012882	02/14/2022	\$1,380.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,380.00
	000005	3013174	03/15/2022	\$132.00	\$0.00	\$0.00	\$0.00	\$0.00	\$132.00
				<b>\$1,512.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,512.00</b>
	000006	3014418	07/13/2022	\$624.00	\$0.00	\$0.00	\$0.00	\$0.00	\$624.00
	000006	3014638	08/12/2022	\$1,817.50	\$0.00	\$0.00	\$0.00	\$0.00	\$1,817.50
	000006	3014851	09/15/2022	\$11,865.00	\$0.00	\$0.00	\$0.00	\$0.00	\$11,865.00
	000006	3015378	10/13/2022	\$2,092.00	\$0.00	\$27.03	\$0.00	\$0.00	\$2,119.03
	000006	3015597	11/09/2022	\$2,308.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,308.00
	000006	3015836	12/13/2022	\$4,876.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,876.00
				<b>\$23,582.50</b>	<b>\$0.00</b>	<b>\$27.03</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$23,609.53</b>
				<b>\$66,524.00</b>	<b>\$0.00</b>	<b>\$457.71</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$66,981.71</b>
	<b>Department Total:</b>			<b>\$66,524.00</b>	<b>\$0.00</b>	<b>\$457.71</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$66,981.71</b>
	<b>Report Total:</b>			<b>\$66,524.00</b>	<b>\$0.00</b>	<b>\$457.71</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$66,981.71</b>

Attachment 7



**Bill To:**

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

**Remit To:**

RESPEC  
 Attn: Accounts Receivable  
 P.O. Box 725  
 Rapid City, SD 57709-0725

Phone (605) 394-6400, FAX (605) 394-6514

Contract Number :	Invoice Date	11/30/22
Purchase Order No.	Payment Terms :	NET 30
RESPEC Project Number :	Invoice No.	INV-1122-1062
W0035.22002	Invoice Period:	11/01/2022 - 11/30/2022

**June 2021 - May 2022 Contract**

Description	Budget	Previous Billings	Current Billings	Billed to Date	Amount Remaining	Percent Complete	Amount Due This Invoice
Board & Committee Support	\$21,190.00	\$9,122.50	\$1,748.75	\$10,871.25	\$10,318.75	51.30%	\$1,748.75
Water Quality Monitoring Data	\$9,410.00	\$8,060.00		\$8,060.00	\$1,350.00	85.65%	
Regulatory Technical Support	\$18,975.00	\$10,455.00	\$4,780.00	\$15,235.00	\$3,740.00	80.29%	\$4,780.00
Advancing Strategic Initiatives	\$27,760.00	\$1,640.00	\$307.50	\$1,947.50	\$25,812.50	7.02%	\$307.50
Direct Expenses	\$360.00	\$28.75		\$28.75	\$331.25	7.99%	
<b>Grand Total</b>	<b>\$77,695.00</b>	<b>\$29,306.25</b>	<b>\$6,836.25</b>	<b>\$36,142.50</b>	<b>\$41,552.50</b>	<b>46.518%</b>	<b>\$6,836.25</b>
<b>AMOUNT DUE THIS INVOICE</b>							<b>\$6,836.25</b>





### 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	W0035.22002.003	Gilley, Alicia D	11/19/22	2.00	\$190.00	\$380.00		Labor Hours	
	Wastewater Engineer	W0035.22002.003		11/30/22	3.00	\$190.00	\$570.00		Labor Hours	
						<b>5.00</b>		<b>\$950.00</b>		
	Principal	W0035.22002.001	Leak, Alan J	11/05/22	3.00	\$205.00	\$615.00		Labor Hours	
	Principal	W0035.22002.001		11/12/22	1.00	\$205.00	\$205.00		Labor Hours	
	Principal	W0035.22002.003		11/12/22	8.00	\$205.00	\$1,640.00		Labor Hours	
	Principal	W0035.22002.001		11/19/22	2.50	\$205.00	\$512.50		Labor Hours	
	Principal	W0035.22002.004		11/19/22	1.50	\$205.00	\$307.50		Labor Hours	
	Principal	W0035.22002.001		11/26/22	1.00	\$205.00	\$205.00		Labor Hours	
	Principal	W0035.22002.003		11/26/22	0.50	\$205.00	\$102.50		Labor Hours	
	Principal	W0035.22002.001		11/30/22	1.00	\$205.00	\$205.00		Labor Hours	
	Principal	W0035.22002.003		11/30/22	5.50	\$205.00	\$1,127.50		Labor Hours	
						<b>24.00</b>		<b>\$4,920.00</b>		
	Project Engineer	W0035.22002.003	Lohmann, Jenna E	11/12/22	2.50	\$120.00	\$300.00		Labor Hours	
	Project Engineer	W0035.22002.003		11/19/22	5.50	\$120.00	\$660.00		Labor Hours	
					<b>8.00</b>		<b>\$960.00</b>			
<b>Labor</b>					<b>37.00</b>		<b>\$6,830.00</b>			
Travel		W0035.22002.001	Alan J. Leak				\$6.25	231764	11/14 CWA Board mtg 10mi	
								<b>\$6.25</b>		
<b>Travel</b>								<b>\$6.25</b>		
<b>Total</b>					<b>37.00</b>		<b>\$6,836.25</b>			

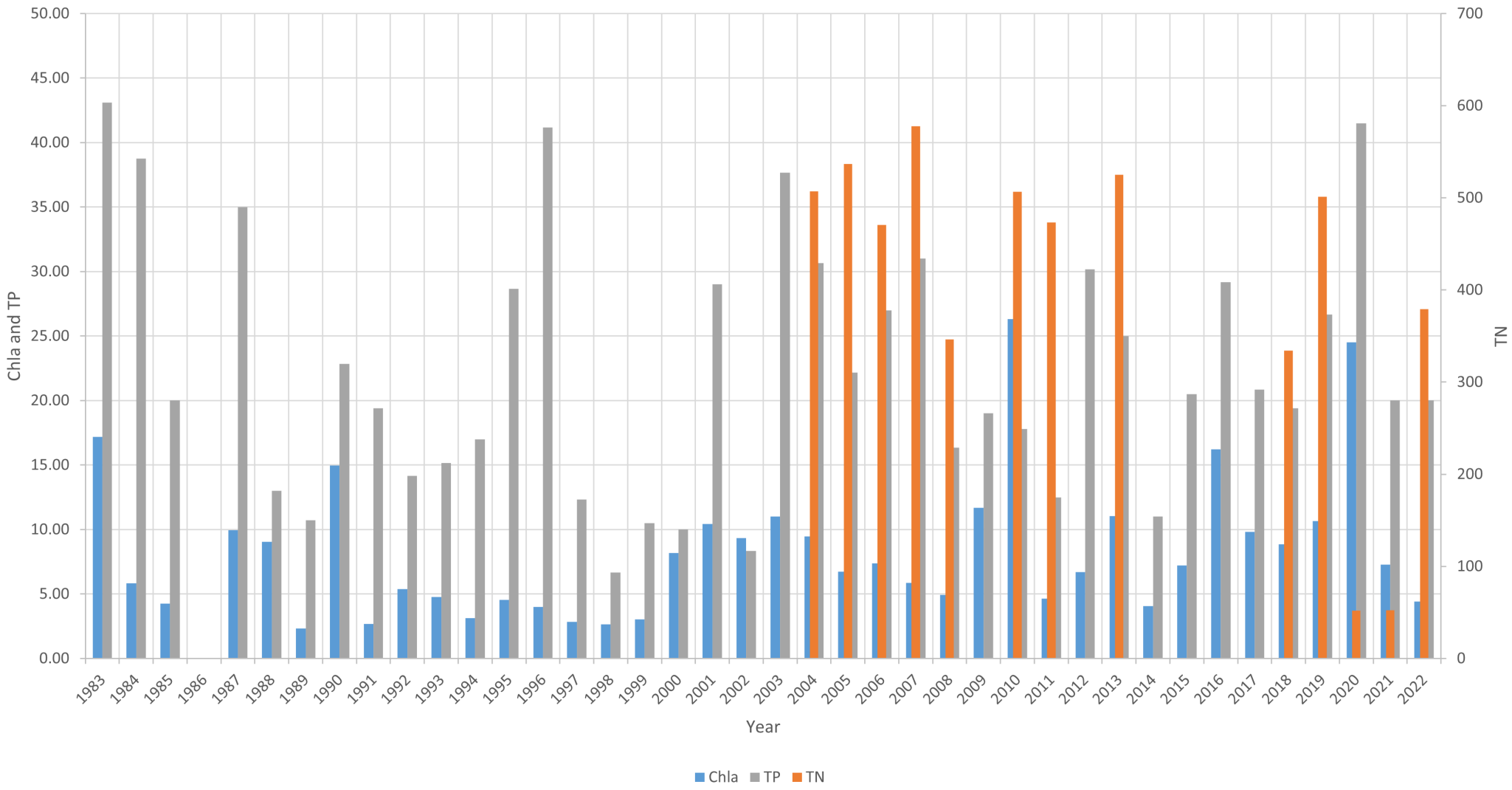


### Task Summary

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	8.50	\$1,748.75	53.00	\$10,871.25
W0035.22002.002 - Water Quality Monitoring Data			68.50	\$8,060.00
W0035.22002.003 - Regulatory Technical Support	27.00	\$4,780.00	78.00	\$15,235.00
W0035.22002.004 - Advancing Strategic Initiatives	1.50	\$307.50	9.50	\$1,947.50
<b>Overall - Total</b>	<b>37.00</b>	<b>\$6,836.25</b>	<b>209.00</b>	<b>\$36,142.50</b>

Attachment 8

### Chatfield Historic Nutrient Trends



Attachment 9

5-year Chatfield Reservoir Nutrients Growing Season

Year	Chla ug/L	TN ug/L	TP ug/L
2017	9.82	-	21
2018	8.86	334	19
2019	10.66	501	27
2020	24.52	52	42
2021	7.28	53	20
2022	4.4	379	20

Long Term Chatfield Reservoir Nutrients Growing Season

Year	Chla mg/l	TN mg/l	TP mg/l
1983	17.19		0.043 Not QA/QC'd
1984	5.83		0.039 Not QA/QC'd
1985	4.25		0.020 Not QA/QC'd
1986			Not QA/QC'd
1987	9.95		0.035 Not QA/QC'd
1988	9.03		0.013 Not QA/QC'd
1989	2.31		0.011 Not QA/QC'd
1990	14.97		0.023 Not QA/QC'd
1991	2.68		0.019 Not QA/QC'd
1992	5.37		0.014 Not QA/QC'd
1993	4.77		0.015 Not QA/QC'd
1994	3.12		0.017 Not QA/QC'd
1995	4.53		0.029 Not QA/QC'd
1996	3.98		0.041 Not QA/QC'd
1997	2.83		0.012 Not QA/QC'd
1998	2.64		0.007 Not QA/QC'd
1999	3.02		0.011 Not QA/QC'd
2000	8.18		0.010 Not QA/QC'd
2001	10.42		0.029
2002	9.32		0.008
2003	11.00		0.038
2004	9.47	0.507	0.031
2005	6.72	0.537	0.022
2006	7.36	0.471	0.027
2007	5.87	0.578	0.031
2008	4.92	0.346	0.016
2009	11.67		0.019
2010	26.30	0.507	0.018
2011	4.65	0.473	0.013
2012	6.71		0.030
2013	11.03	0.525	0.025
2014	4.06		0.011
2015	7.20		0.021
2016	16.23		0.029
2017	9.82		0.021
2018	8.86	0.334	0.019
2019	10.66	0.501	0.027
2020	24.52	0.052	0.042
2021	7.28	0.053	0.020
2022	4.40	0.379	0.020

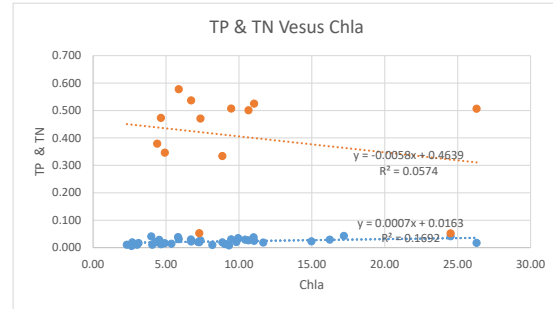
Attachment 10

5-year Chatfield Reservoir Nutrients Growing Season

Year	Chla ug/L	TN ug/L	TP ug/L
2017	9.82	-	21
2018	8.86	334	19
2019	10.66	501	27
2020	24.52	52	42
2021	7.28	53	20
2022			

Long Term Chatfield Reservoir Nutrients Growing Season

Year	Chla mg/l	TN mg/l	TP mg/l	Chla>10	TN>.38	TP>.03
1983	17.19	0.043	Not QA/QC'd	1	0	1
1984	5.83	0.039	Not QA/QC'd	0	0	1
1985	4.25	0.020	Not QA/QC'd	0	0	0
1986			Not QA/QC'd	0	0	0
1987	9.95	0.035	Not QA/QC'd	0	0	1
1988	9.03	0.013	Not QA/QC'd	0	0	0
1989	2.31	0.011	Not QA/QC'd	0	0	0
1990	14.97	0.023	Not QA/QC'd	1	0	0
1991	2.68	0.019	Not QA/QC'd	0	0	0
1992	5.37	0.014	Not QA/QC'd	0	0	0
1993	4.77	0.015	Not QA/QC'd	0	0	0
1994	3.12	0.017	Not QA/QC'd	0	0	0
1995	4.53	0.029	Not QA/QC'd	0	0	0
1996	3.98	0.041	Not QA/QC'd	0	0	1
1997	2.83	0.012	Not QA/QC'd	0	0	0
1998	2.64	0.007	Not QA/QC'd	0	0	0
1999	3.02	0.011	Not QA/QC'd	0	0	0
2000	8.18	0.010	Not QA/QC'd	0	0	0
2001	10.42	0.029		1	0	0
2002	9.32	0.008		0	0	0
2003	11.00	0.038		1	0	1
2004	9.47	0.507	0.031	0	1	1
2005	6.72	0.537	0.022	0	1	0
2006	7.36	0.471	0.027	0	1	0
2007	5.87	0.578	0.031	0	1	1
2008	4.92	0.346	0.016	0	0	0
2009	11.67		0.019	1	0	0
2010	26.30	0.507	0.018	1	1	0
2011	4.65	0.473	0.013	0	1	0
2012	6.71		0.030	0	0	1
2013	11.03	0.525	0.025	1	1	0
2014	4.06		0.011	0	0	0
2015	7.20		0.021	0	0	0
2016	16.23		0.029	1	0	0
2017	9.82		0.021	0	0	0
2018	8.86	0.334	0.019	0	0	0
2019	10.66	0.501	0.027	1	1	0
2020	24.52	0.052	0.042	1	0	1
2021	7.28	0.053	0.020	0	0	0
2022	4.40	0.379	0.020	0	0	0



Equations:	Chla	TP or TN
TP= .0007(Chla)+.0163	10	0.0233
TN= -.0058(Chla)+.4639	10	0.4059

Observations:

1. Lowest TN when Chla>10 = .501 (Ignoring 2020)
2. Years when TN>380 and Chla<10 = 5
3. Total years with paired TN /Chla Data = 13
4. Years where Chla>10 and TN>380 = 3
5. Years where TN<380 = 5
6. Years where TN>380 = 8
7. Years where TN< .501 and Chla<10 = 6
8. Years where TN>=.501 and Chla <10 = 3
9. Years where TN>=.501 and Chla >10 = 3
10. 2004 - 2022, If assessment TN=380, # years out of compliance = 8 (53%)

Note: This assumes years with missing TN data are below 380



## Attachment 11



Chatfield  
Watershed Authority

Chatfield Watershed Authority  
Diane Kielty, Authority Manager  
Douglas County Public Works Engineering Department  
3030 N. Industrial Way  
Castle Rock, CO 80109  
303-916-4645 | [info@coloradowater.org](mailto:info@coloradowater.org)

December 27, 2022

Joni Nuttle, Senior TMDL Specialist  
Watershed Section  
Water Quality Control Division  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

Bret Icenogle, P.E.  
Engineering Section Manager  
Water Quality Control Division  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

**Re: JRW/ Pine Canyon Site Application Approval No. ES.20.SA.05399**

Dear Ms. Nuttle and Mr. Icenogle,

On December 1, 2022, notice was provided in the December 2022 Water Quality Bulletin that the site location application for the Pine Canyon Water and Sanitation District's Pine Canyon Water Reclamation Facility (WRF) was found by the Water Quality Control Division (Division) to be in conformance with the Water Quality Control Commission's Site Location and Design Regulations for Domestic Wastewater Treatment Works, 5 CCR 1002-22 (Regulation 22) and was approved (Regulation 22 Site Location Approval No. ES.20.SA.05399). The conditions of approval were provided in the letter dated November 16, 2022, from the Division to Jim Walker regarding the subject application.

The approval of the site application was discussed with the Chatfield Watershed Authority's (Authority) Technical Advisory Committee (TAC) at the TAC's December 6, 2022, meeting.



After discussion, the TAC decided not to appeal the issuance of the site application approval but instead decided to formally remind the Division of the Authority's opposition with the Division's finding that the proposed WRF would be able to operate using a land application management plan (LAMP) without the requirement of a wasteload allocation under the requirements of Regulation #93. These concerns were addressed to the Division in the Authority's June 8, 2022, review letter regarding the subject site application and in the Authority's technical consultant's (RESPEC Company LLC.) review status memorandum dated June 7, 2022 (both attached). In the June 8, 2022, letter the Authority requested that, if the Division were to approve the site application, there be eight conditions applied as conditions of approval of a National Pollution Discharge Permit Elimination System (NDPES) permit for the WRF. Although the Authority believes these same conditions would be applicable to the site application approval, it does not appear that any of those conditions were included in the Division's approval of the site application.

The Authority strongly believes that the LAMP, as approved by the Division on March 7, 2022, does not contain terms and conditions strict enough to prevent the discharge of phosphorus into the streams and groundwater of the Chatfield watershed. Other dischargers in the Chatfield watershed, who deliver treated effluent for landscape irrigation under the requirements of the Water Quality Control Commission's (WQCC) Regulation #84, must control the amount of phosphorus in their effluent used for irrigation under almost the identical terms as the proposed LAMP but are required to report the portion of phosphorus in their decreed irrigation return flow as a portion of their annual phosphorus wasteload allocation. In contrast, the LAMP approval presumes, and specifically states, that all return flows, whether by surface runoff or groundwater infiltration, is presumed and shall contain no phosphorus, and thus allows such to occur without a wasteload allocation. This is the main concern of the Authority with this approved application.

In conclusion, the Authority understands that the WRF must still obtain a permit prior to operation of the WRF. The Authority thus again recommends and requests that the eight conditions of approval presented in the Authority's June 8, 2022, letter, as repeated below, be applied as conditions on the permit for this WRF.

1. Require all irrigated landscapes be designed and stamped by a licensed landscape architect with certification that, if the irrigation system is operated as designed, that it will have a minimum irrigation efficiency of 85%.
2. Require all irrigation systems to have soil moisture sensors.
3. Require all irrigation systems have precipitation sensors and shut-off controls,
4. Require the treater to provide all users a weekly ET irrigation requirement based on the then existing climate and expected weather conditions,
5. Require the treater to conduct annual irrigation audits of all irrigation systems.



6. Require residential irrigation to only occur between the hours of 8 pm to 8 am for constancy with the Town of Castle Rock's watering hours to avoid confusion between residents of Pine Canyon and the Town of Castle Rock.
7. Require the treater to conduct regular drive-by inspections and enforcement of irrigation system users during the allowed daily irrigation time frame (i.e., 8 pm to 8 am),
8. Require that the requirements of the LAMP and Regulation 84 be included in the covenants of the development and recorded to put future buyers on notice of the specific rules, requirements, and limitations associated with irrigation in the Pine Canyon development.

The Authority appreciates the opportunity to provide comments to the Division as it processes the NDPEs permit for this WRF and would be happy to provide further input if requested.

Respectfully,

*Wes Martin*

Wes Martin

TAC Chair

*Ryan Adrian*

Ryan Adrian

TAC Vice-Chair

cc: Chatfield Watershed Authority Board Members

Attachment 12



1155 CANYON BOULEVARD, SUITE 110, BOULDER, CO 80302  
OFFICE: 303-449-2834 FAX: 720-535-4921  
SOMACHLAW.COM

## MEMORANDUM

TO: Chatfield Watershed Authority (“CWA”) Technical Advisory Committee (“TAC”)  
FROM: Michael Daugherty, Somach Simmons & Dunn (“SSD”)  
SUBJECT: Legal Report – January 3, 2023, TAC Meeting  
DATE: December 27, 2022

---

### I. Lakes Reservoirs Nutrients Criteria Rulemaking Update

CWA filed its responsive prehearing statement (“RPHS”) in the Colorado Water Quality Control Commission’s (the “Commission”) ongoing rulemaking proceeding for revised nutrients criteria for the state’s lakes and reservoirs (Regulations 85 and 31-38) on December 21, 2022.

#### A. CWA Requests a Delayed Site-Specific Standard for Chatfield Reservoir

As approved by both TAC and the CWA Board of Directors, CWA’s RPHS requested that the Commission:

- Decline to impose the Colorado Water Quality Control Division’s (the “Division”) proposed cold-water table value total nitrogen (“TN”) standard on Chatfield Reservoir in 2023;
- Allow for the development of a site-specific TN standard for Chatfield Reservoir once CWA has completed work on its revised TMAL (expected in 2026); and
- Refrain from imposing any TN standard on Chatfield Reservoir until a site-specific standard is in place.

CWA’s RPHS laid out concerns with the Division’s method of categorizing the state’s lakes and reservoirs into two categories based on aquatic life use, which placed Chatfield Reservoir in the cold-water reservoir category, despite receiving flow from both cold-water (South Platte) and warm-water (Plum Creek) sources. A technical report completed by James McCutchan, Ph.D., and to which CWA contributed funding, indicated that there are likely better ways to categorize the state’s reservoirs, such as by water temperature. CWA’s RPHS also laid out its concern with the Division’s decision to allow a sample size of one to be used in the calculation of the appropriate standard and in future compliance determinations.

B. The Responsive Prehearing Statements of Other Parties That May Prove Relevant to CWA’s Request(s)

Numerous other parties filed responsive prehearing statements with the Commission. Of particular interest are those filed by the Northern Colorado Water Conservancy District (“Northern”) and Arapahoe County Water and Wastewater Authority, East Cherry Creek Valley Water and Sanitation District, and United Water and Sanitation District (the “Water Suppliers”), which many parties cite and consent to in their own prehearing statements; the United States Environmental Protection Agency (“EPA”), which specifically requests that the Division recalculate its proposed TN standard for Chatfield Reservoir; and the Plum Creek Water Reclamation Authority (“PCWRA”), which requests a delayed site-specific standard for Chatfield Reservoir. The Cherry Creek Basin Water Quality Authority (“CCBWQA”) requests a delayed effective date of December 31, 2025, for the warm water table value TN and TP standards to apply to Cherry Creek Reservoir, to provide additional time for CCBWQA to develop site-specific standards for the reservoir.

i. Northern Colorado Water Conservancy District

Northern, which was particularly aggressive in its earlier request to delay the rulemaking proceeding by at least one year, reiterates its request for a delay throughout its RPHS. Northern also alleges that the Division’s proposal is unwarranted because the proposed nitrogen and phosphorus standards are based on a dataset that continues to be modified but that continues to include erroneous and misapplied data. Northern also alleges that the proposed standards are overly broad and go beyond EPA’s initial recommendations by applying to all lakes rather than just to high-yield lakes.

Northern also compares the proposed standards to regulations in other states and alleges that no other state regulates nutrients in the manner proposed by the Division; South Carolina has the most similar regulatory structure but differentiates lakes based on eco-region, and only one small eco-region in the state regulates nutrients similarly to how the Division proposes to regulate the entire State of Colorado.

Northern includes with its RPHS an alternative proposal “that addresses the data and scientific deficiencies of the Division’s proposal for the Commission’s consideration.” Northern RPHS, pg. 15. The alternative proposes the following standards (in ug/L):

For high-yield cold lakes:	TP, 25; TN, 400
For non-high-yield cold lakes:	TP, 44; TN, 650
For high-yield warm lakes:	TP, 59; TN 690
For non-high-yield warm lakes:	TP, 109; TN 1,300

ii. Arapahoe County Water and Wastewater Authority, East Cherry Creek Valley Water and Sanitation District, and United Water and Sanitation District

The Water Suppliers allege that the Division proposes “infeasible water quality standards for most reservoirs that divert from the South Platte River north of Denver” and that the Commission “should not adopt water quality standards that cannot be met.” Water Suppliers’ RPHS, pgs. 2, 16. The Water Suppliers primary concern is that the proposed standards will negatively impact decreed water rights, but creating the possibility that the State Engineer will have the authority to deny the operation of exchanges and augmentation plans due to water quality concerns. The Water Suppliers request the Commission to insert specific language in the regulations that prevents this from happening and argue that without such language, even if the State Engineer assures parties that it will not exercise its authority in such a manner, concerns with future administration remain.

The Water Suppliers also respond to the Division’s recommendation that certain parties concerned with the table value standards “should request variances from the nutrient standards.” Water Suppliers’ RPHS, pg. 16. The Water Suppliers argue that the “proposed approach by the Division (every user obtaining a variance) is cumbersome, expensive, and from a policy perspective, irrational.” *Id.* Instead, the Division should adopt realistic water quality standards that can generally be met by the regulated entities. Numerous parties, including cities and towns with decreed water rights, joined the Water Suppliers’ RPHS, and we expect these entities to continue negotiating with the State Engineer and the Division regarding revised language that is protective of water rights.

iii. U.S. Environmental Protection Agency

Overall, EPA strongly supports adoption of the Division’s proposed standards. However, EPA does explicitly “ask the Division to reevaluate the proposed standards for Chatfield Reservoir (TN) and Cherry Creek Reservoir (TN and TP)” because “the proposed values were not calculated from the chl-a standards that have been established as goals for these two water bodies. EPA’s RPHS, pg. 2. For Chatfield, EPA “strongly support[s] the Division’s proposed approach of applying a TN standard to be paired with the TP standard.” *Id.* at 21. However, EPA expresses concern with the proposed TN standard for Chatfield Reservoir, which “is calculated from the cold lakes TVS for chlorophyll-a . . . even though site-specific chlorophyll-a standard for this particular lake is 10 ug/L.” *Id.* EPA requests that the Division respond to this comment in its rebuttal statement.

In response to concerns that the proposed standards are unrealistic and will prove difficult for most parties to meet, EPA provides that “any 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.” *Id.* EPA does not address the concern of many parties that it



is often difficult to reduce standards once implemented due to public concern that this constitutes a weakening of water quality efforts.

We considered including in the RPHS CWA’s concern that the proposed TN standard for Chatfield Reservoir was not calculated using the existing site-specific standard for chlorophyll a, but decided to focus on the request for a site-specific standard, given that our internal calculations using the site-specific standard and the Division’s method of calculating a TN standard resulted in a negligible change from the Division’s proposed table value TN standard. However, EPA’s inclusion of a request to recalculate the proposed TN standard for Chatfield Reservoir will allow us to evaluate what the Division determines is the appropriate standard based on the reservoir’s site-specific chlorophyll a standard.

iv. Plum Creek Water Reclamation Authority

PCWRA’s RPHS specifically requests the Commission to delay the adoption of a total nitrogen standard for Chatfield Reservoir due to concerns that the proposed nitrogen standard would be applied as an end-of-pipe limit in PCWRA’s renewal permit. PCWRA alleges that the proposed standards would result in costs of \$207 million for treatment improvements and an increase of \$7.7 million in operational costs. PCWRA’s RPHS, pg. 6. PCWRA further alleges that “these enormous costs are entirely unnecessary and would not result in water quality benefits for Chatfield Reservoir,” as “nitrogen and phosphorus are only regulated to ensure that the underlying chlorophyll a standard is achieved.” *Id.* PCWRA claims that “the Division appears to have lost sight of the purpose of the nutrient regulations and ignores the relationship between chlorophyll a, nitrogen, and phosphorus.” *Id.*

Persuasively, PCWRA argues that “because the chlorophyll a standard is attained in Chatfield Reservoir, there would be no benefit to requiring expensive and infeasible reductions of nitrogen by point source discharges including PCWRA.” *Id.* at 6-7. We coordinated with PCWRA in the drafting of our prehearing statement. CWA also considered requesting that the Commission refrain from imposing any TN standard to Chatfield Reservoir, but after significant discussion, CWA’s TAC and Board of Directors determined to request time to develop a site specific standard instead.

v. Cherry Creek Basin Water Quality Authority

CCBWQA takes a similar approach to CWA by requesting additional time to develop and implement a site-specific TN standard for Cherry Creek Reservoir. The Division is also proposing a table value TP standard for Cherry Creek Reservoir, however, and CCBWQA requests additional time to develop a site-specific TP standard as well. CCBWQA also proposes a delayed effective date of December 31, 2025, for the warm water table value TP and TN standards to apply to Cherry Creek Reservoir, so presumably CCBWQA would accept the proposed table value standards for both TP and TN in the event that site-specific standards are not developed prior to 2026.

### **C. Procedural Timeline**

Based on the Commission's revised timeline laid out in its September 19, 2022, Procedural Order Regarding Revised Hearing Deadlines and Status Conference, the next deadline in the rulemaking proceeding is for rebuttal statements, which are due February 15, 2023. The Division will likely file a rebuttal statement that hopefully addresses some or all of the concerns provided in CWA's RPHS.

The last day for submittal of motions is February 22, 2023. We expect several parties to file additional motions that request to further delay the rulemaking proceeding. SSD supports further delays to provide the Division time to address concerns raised regarding the dataset used to calculate the proposed standards and to provide CWA with additional time to assess nitrogen levels in Chatfield Reservoir and the potential effects of the Division's proposed standards.

A mandatory prehearing conference is scheduled for March 7, 2023, the negotiations cutoff deadline is March 16, 2023, and the rulemaking hearing is currently scheduled for April 10, 2023. SSD will provide an update if the Commission makes any further modifications to the rulemaking timeline and schedule of deadlines.

Attachment 13

# Chatfield Watershed Authority

## Financial Recap

### October 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 October 2022 accounting expenses.
3. Somach Simmons and Dunn billed \$ 8,490.37 for October legal fees
4. RESPEC billed \$ 8,751.25 for October fees.
5. Colorado Watershed billed \$ 11,598.00 for Authority Management Fees
6. Cash in bank as of 10/31/2022- \$ 356,447.553
7. Accounts payable as of 10/31/2022 - \$ 35,254.62

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

**Chatfield Watershed Authority**  
**Balance Sheet**  
As of October 31, 2022

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	<u>Oct 31, 22</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
1000 · 1st Bank	356,447.53
<b>Total Checking/Savings</b>	<u>356,447.53</u>
<b>Total Current Assets</b>	<u>356,447.53</u>
<b>TOTAL ASSETS</b>	<u><u>356,447.53</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
2000 · Accounts Payable	35,254.62
<b>Total Accounts Payable</b>	<u>35,254.62</u>
<b>Total Current Liabilities</b>	<u>35,254.62</u>
<b>Total Liabilities</b>	35,254.62
<b>Equity</b>	
32000 · Retained Earnings	302,018.77
Net Income	<u>19,174.14</u>
<b>Total Equity</b>	<u>321,192.91</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>356,447.53</u></u>

**Chatfield Watershed Authority**  
**Profit & Loss**  
October 2022

	Oct 22	Jan - Oct 22
<b>Income</b>		
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	21,250.00
4039 · Plum Creek - In Kind	1,666.67	16,666.70
4040 · Centennial - In Kind	1,953.83	19,538.30
4045 · Roxborough In Kind	266.67	2,666.70
<b>Total 4000 · Operating Revenues - Membership</b>	<b>6,012.17</b>	<b>270,373.70</b>
4103 · Interest Income	48.93	134.16
<b>Total Income</b>	<b>6,061.10</b>	<b>270,507.86</b>
<b>Expense</b>		
5000 · Expenditures - Operational		
5001 · Management Fees Technical	8,751.25	75,409.11
5002 · Management Fees- Authority	11,598.00	29,418.00
5003 · Website Hosting/Maint	0.00	2,848.00
5004 · NPS projects and Consultants	5,665.00	15,665.00
5005 · Legal - Admin	8,490.37	59,921.91
5007 · Professional Fees-Financial	750.00	7,500.00
<b>Total 5000 · Expenditures - Operational</b>	<b>35,254.62</b>	<b>190,762.02</b>
5100 · Expenditures - Contractual		
5111 · Monitoring- in Kind	6,012.17	60,121.70
5117 · Public Outreach Sponsorships	0.00	450.00
<b>Total 5100 · Expenditures - Contractual</b>	<b>6,012.17</b>	<b>60,571.70</b>
<b>Total Expense</b>	<b>41,266.79</b>	<b>251,333.72</b>
<b>Net Income</b>	<b>-35,205.69</b>	<b>19,174.14</b>

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

	Jan - Oct 22	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
<b>4000 · Operating Revenues - Membership</b>				
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	83.3%
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	21,250.00	25,500.00	-4,250.00	83.3%
4039 · Plum Creek - In Kind	16,666.70	20,000.00	-3,333.30	83.3%
4040 · Centennial - In Kind	19,538.30	23,446.00	-3,907.70	83.3%
4045 · Roxborough In Kind	2,666.70	3,200.00	-533.30	83.3%
<b>Total 4000 · Operating Revenues - Membership</b>	<b>270,373.70</b>	<b>278,552.00</b>	<b>-8,178.30</b>	<b>97.1%</b>
<b>4103 · Interest Income</b>	<b>134.16</b>			
<b>Total Income</b>	<b>270,507.86</b>	<b>278,552.00</b>	<b>-8,044.14</b>	<b>97.1%</b>
<b>Expense</b>				
<b>5000 · Expenditures - Operational</b>				
5001 · Management Fees Technical	75,409.11	87,100.00	-11,690.89	86.6%
5002 · Management Fees- Authority	29,418.00	36,050.00	-6,632.00	81.6%
5003 · Website Hosting/Maint	2,848.00	6,906.00	-4,058.00	41.2%
5004 · NPS projects and Consultants	15,665.00	62,713.00	-47,048.00	25.0%
5005 · Legal - Admin	59,921.91	84,240.00	-24,318.09	71.1%
5006 · Misc. Admin.	0.00	515.00	-515.00	0.0%
5007 · Professional Fees-Financial	7,500.00	9,750.00	-2,250.00	76.9%
5009 · Legal Admin	0.00	0.00	0.00	0.0%
<b>Total 5000 · Expenditures - Operational</b>	<b>190,762.02</b>	<b>287,274.00</b>	<b>-96,511.98</b>	<b>66.4%</b>
<b>5100 · Expenditures - Contractual</b>				
5103 · Monitoring	0.00	5,150.00	-5,150.00	0.0%
5111 · Monitoring- in Kind	60,121.70	72,146.00	-12,024.30	83.3%
5115 · Public Outreach Consultants	0.00	0.00	0.00	0.0%
5117 · Public Outreach Sponsorships	450.00	515.00	-65.00	87.4%
<b>Total 5100 · Expenditures - Contractual</b>	<b>60,571.70</b>	<b>77,811.00</b>	<b>-17,239.30</b>	<b>77.8%</b>
<b>Total Expense</b>	<b>251,333.72</b>	<b>365,085.00</b>	<b>-113,751.28</b>	<b>68.8%</b>
<b>Net Income</b>	<b>19,174.14</b>	<b>-86,533.00</b>	<b>105,707.14</b>	<b>-22.2%</b>



**Chatfield Watershed Authority  
Transaction Detail By Account**

October 2022

Type	Date	Num	Adj	Name	Memo	Class	Clr	Split	Debit	Credit	Balance
<b>4000 · Operating Revenues - Membership</b>											
<b>4038 · Denver Water- In Kind</b>											
General Journal	10/01/2022	Ted-Aj...	*					5111 - Monitorin...		2,125.00	2,125.00
Total 4038 · Denver Water- In Kind									0.00	2,125.00	2,125.00
<b>4039 · Plum Creek - In Kind</b>											
General Journal	10/09/2022	Ted-Aj...	*					5111 - Monitorin...		1,666.67	1,666.67
Total 4039 · Plum Creek - In Kind									0.00	1,666.67	1,666.67
<b>4040 · Centennial - In Kind</b>											
General Journal	10/08/2022	Ted-Aj...	*							1,953.83	1,953.83
Total 4040 · Centennial - In Kind									0.00	1,953.83	1,953.83
<b>4045 · Roxborough In Kind</b>											
General Journal	10/16/2022	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
<b>4103 · Interest Income</b>											
Deposit	10/31/2022				Interest			1000 - 1st Bank		48.93	48.93
Total 4103 · Interest Income									0.00	48.93	48.93
<b>5000 · Expenditures - Operational</b>											
<b>5001 · Management Fees Technical</b>											
Bill	10/31/2022	INV-10...		RESPEC	October 2022 C...			2000 - Accounts ...	8,751.25		-8,751.25
Total 5001 · Management Fees Technical									8,751.25	0.00	-8,751.25
<b>5002 · Management Fees- Authority</b>											
Bill	10/31/2022	CWA ...		Colorado Watershed A...	CWA Chatfield ...			2000 - Accounts ...	11,598.00		-11,598.00
Total 5002 · Management Fees- Authority									11,598.00	0.00	-11,598.00
<b>5004 · NPS projects and Consultants</b>											
Bill	10/31/2022	SI0104...		Lynker	December Billing			2000 - Accounts ...	5,665.00		-5,665.00
Total 5004 · NPS projects and Consultants									5,665.00	0.00	-5,665.00
<b>5005 · Legal - Admin</b>											
Bill	10/31/2022	3015693		Somach Simmons & D...	Legal			2000 - Accounts ...	6,000.37		-6,000.37
Bill	10/31/2022	3015596		Somach Simmons & D...	Legal			2000 - Accounts ...	182.00		-6,182.37
Bill	10/31/2022	3015597		Somach Simmons & D...	Legal			2000 - Accounts ...	2,308.00		-8,490.37
Total 5005 · Legal - Admin									8,490.37	0.00	-8,490.37
<b>5007 · Professional Fees-Financial</b>											
Bill	10/31/2022	22114		TWS Financial Inc.	October 2022			2000 - Accounts ...	750.00		-750.00
Total 5007 · Professional Fees-Financial									750.00	0.00	-750.00
Total 5000 · Expenditures - Operational									35,254.62	0.00	-35,254.62
<b>5100 · Expenditures - Contractual</b>											
<b>5111 · Monitoring- in Kind</b>											
General Journal	10/01/2022	Ted-Aj...	*					4038 - Denver ...	2,125.00		-2,125.00
General Journal	10/08/2022	Ted-Aj...	*						1,953.83		-4,078.83
General Journal	10/08/2022	Ted-Aj...	*					4039 - Plum Cre...	1,666.67		-5,745.50
General Journal	10/16/2022	Ted-Aj...	*					4045 - Roxborou...	266.67		-6,012.17
Total 5111 · Monitoring- in Kind									6,012.17	0.00	-6,012.17
Total 5100 · Expenditures - Contractual									6,012.17	0.00	-6,012.17
<b>TOTAL</b>									<b>41,266.79</b>	<b>6,061.10</b>	<b>-35,205.69</b>



FIRSTBANK  
PO BOX 150097  
LAKEWOOD CO 80215-0097

24-Hour Customer Service: 303-237-5000  
or 800-964-3444 outside Denver Metro  
New Account or Loan: 303-238-9000  
or 877-933-9800 outside Denver Metro  
[www.efirstbank.com](http://www.efirstbank.com)

2-0951

CHATFIELD WATERSHED AUTHORITY  
C/O TWS FINANCIAL INC  
7345 S PIERCE ST STE 205  
LITTLETON CO 80128-4592

ACCOUNT NUMBER	XXX-XXX-1336
STATEMENT DATE	10-31-2022
INTEREST EARNED THIS YEAR	134.16

ACCOUNT SUMMARY -- MONEY MARKET CHECKING ACCOUNT - SAFEKEEPING	\$5,000 MINIMUM
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CLOSING BALANCE FROM PREVIOUS STATEMENT	DATE: 9-30-2022	390,388.63
1 DEPOSITS AND OTHER ADDITIONS TOTALING		48.93+
2 CHECKS AND OTHER WITHDRAWALS TOTALING		22,922.00-
CLOSING BALANCE FOR THIS STATEMENT	DATE: 10-31-2022	367,515.56
MINIMUM BALANCE OF	367,466.63	ON 10-25-2022
NUMBER OF DAYS IN PERIOD		31
INTEREST EARNED		48.93

CHECKS AND OTHER WITHDRAWALS	SHOWS BREAK IN CHECK NUMBER	SHOWS NOT MACHINE READABLE
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CHECK#	AMOUNT	DATE	CHECK#	AMOUNT	DATE	CHECK#	AMOUNT	DATE
5746	9,280.00	10-21	5747	13,642.00	10-25			

DEPOSITS AND OTHER ADDITIONS
------------------------------

DATE	TYPE	AMOUNT	DATE	TYPE	AMOUNT	DATE	TYPE	AMOUNT
10-31	INTEREST	48.93						

DAILY BALANCE SUMMARY
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DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
10-03	390,388.63	10-25	367,466.63		
10-21	381,108.63	10-31	367,515.56		

RATE DISCLOSURE -- RATE BASED ON AVERAGE COLLECTED BALANCE
--

EFFECTIVE DATES	---	\$500 UP TO \$20,000	----	\$20,000 AND UP	-----
10/01 THROUGH 10/31		RATE 0.100%		RATE 0.150%	

EARNINGS AND ACTIVITY CHARGE SUMMARY
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INTEREST PAID CALCULATION				
DATES	AVERAGE COLLECTED BALANCE	RATE	INTEREST EARNED	
10/01 THROUGH 10/31	384,015	.150%	48.93	
TOTAL INTEREST FOR 31 DAYS			48.93	
ACTIVITY CHARGES (FIRST 150 ITEMS FREE)				
NUMBER	DESCRIPTION	COST	CHARGE	
2	DEBITS	.50	1.00	WAIVED
	TOTAL ACTIVITY CHARGES		.00	

HOW ARE WE DOING?
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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!