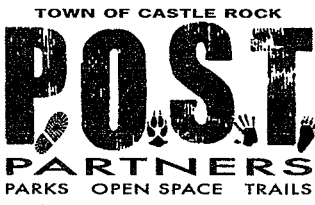


Attachment 1



# 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

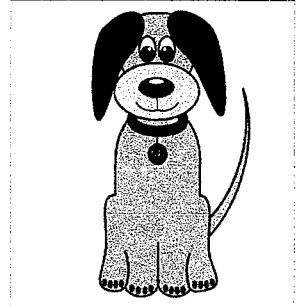
Contact Person: Diane Kietty

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 2

**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**

February 13, 2023

Client: 002051

Page: 1

For Professional Services Rendered Through January 31, 2023

*ACCOUNT SUMMARY*

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3016659	\$2,288.00	\$0.00	\$14.45	\$0.00	\$2,302.45
000006	2022 Lakes Nutrients Rulemal	3016660	\$1,586.00	\$0.00	\$0.00	\$0.00	\$1,586.00
Total Current Charges							\$3,888.45
Previous Balance							\$12,723.80
<i>Less Payments</i>							(\$12,723.80)
<b>PAY THIS AMOUNT</b>							<b>\$3,888.45</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

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

Telephone: (916) 446-7979

Fax: (916) 446-8199

*REMITTANCE COPY*

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

**Attention: Diane Kielty, Program Manager**

February 13, 2023

Client: 002051

Page: 1

For Professional Services Rendered Through January 31, 2023

*ACCOUNT SUMMARY*

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3016659	\$2,288.00	\$0.00	\$14.45	\$0.00	\$2,302.45
000006	2022 Lakes Nutrients Rulemal	3016660	\$1,586.00	\$0.00	\$0.00	\$0.00	\$1,586.00
Total Current Charges							\$3,888.45
Previous Balance							\$12,723.80
Less Payments							(\$12,723.80)
<b>PAY THIS AMOUNT</b>							<b>\$3,888.45</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

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

**Attention: Diane Kielty, Program Manager**

February 13, 2023

Client: 002051

Matter: 000001

Invoice #: 3016659

Resp. Atty: SAK

Page: 1

RE: General

For Professional Services Rendered Through January 31, 2023

---

Total Services	\$2,288.00
Total Disbursements	\$14.45
Total Current Charges	\$2,302.45
Previous Balance	\$3,535.80
<i>Less Payments</i>	<i>(\$3,535.80)</i>
<b>PAY THIS AMOUNT</b>	<b>\$2,302.45</b>

---

**Remittance Advice**

**Check Payable To:**

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

Please return this remittance page with your payment. Thank you.



## Attachment 3



**Bill To:**

Chatfield Watershed Authority  
 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	01/31/2023
Purchase Order No.	Payment Terms :	NET 30
RESPEC Project Number : W0035.22002	Invoice No.	INV-0123-1607
	Invoice Period:	01/01/2023 - 01/31/2023

**June 2022 - May 2023 Contract**

Description	Budget	Previous Billings	Current Billings	Billed to Date	Amount Remaining	Percent Complete	Amount Due This Invoice
Board & Committee Support	\$21,950.00	\$12,101.25	\$1,462.50	\$13,563.75	\$8,386.25	61.79%	\$1,462.50
Water Quality Monitoring Data	\$9,410.00	\$10,770.00	\$945.00	\$11,715.00	(\$2,305.00)	124.50%	\$945.00
Regulatory Technical Support	\$28,975.00	\$19,712.50	\$1,575.00	\$21,287.50	\$7,687.50	73.47%	\$1,575.00
Advancing Strategic Initiatives	\$27,760.00	\$2,562.50	\$562.50	\$3,125.00	\$24,635.00	11.26%	\$562.50
Direct Expenses	\$360.00	\$28.75	\$7.86	\$36.61	\$323.39	10.17%	\$7.86
<b>Grand Total</b>	<b>\$88,455.00</b>	<b>\$45,175.00</b>	<b>\$4,552.86</b>	<b>\$49,727.86</b>	<b>\$38,727.14</b>	<b>56%</b>	<b>\$4,552.86</b>



### Invoice Supporting Information

Cost Category	PLC Desc	RESPEC Project No.	Name	Week Ending Date	Hours	Billing Rate	Amount To Bill	Reference #	Description	
Labor	Hydrologist	W0035.22002.002	Hassel, Willow R	01/07/23	2.00	\$120.00	\$240.00		Labor Hours	
	Hydrologist	W0035.22002.002		01/14/23	4.00	\$120.00	\$480.00		Labor Hours	
						<b>6.00</b>		<b>\$720.00</b>		
	Principal	W0035.22002.001	Leak, Alan J	01/07/23	3.00	\$225.00	\$675.00		Labor Hours	
	Principal	W0035.22002.002		01/07/23	1.00	\$225.00	\$225.00		Labor Hours	
	Principal	W0035.22002.003		01/07/23	3.00	\$225.00	\$675.00		Labor Hours	
	Principal	W0035.22002.001		01/14/23	0.50	\$225.00	\$112.50		Labor Hours	
	Principal	W0035.22002.003		01/14/23	2.50	\$225.00	\$562.50		Labor Hours	
	Principal	W0035.22002.004		01/14/23	1.00	\$225.00	\$225.00		Labor Hours	
	Principal	W0035.22002.001		01/21/23	2.50	\$225.00	\$562.50		Labor Hours	
	Principal	W0035.22002.004		01/21/23	0.50	\$225.00	\$112.50		Labor Hours	
	Principal	W0035.22002.001		01/28/23	0.50	\$225.00	\$112.50		Labor Hours	
	Principal	W0035.22002.003		01/31/23	1.50	\$225.00	\$337.50		Labor Hours	
	Principal	W0035.22002.004		01/31/23	1.00	\$225.00	\$225.00		Labor Hours	
					<b>17.00</b>		<b>\$3,825.00</b>			
<b>Labor</b>					<b>23.00</b>		<b>\$4,545.00</b>			
Travel		W0035.22002.000		Alan J. Leak				\$7.86	234652	1/23 Board Mtg 12mi*\$0.655
								<b>\$7.86</b>		
<b>Travel</b>							<b>\$7.86</b>			
<b>Total</b>					<b>23.00</b>		<b>\$4,552.86</b>			



### Task Summary

RESPEC Project ID & Description	Current Hours	Current Dollars	Hours Billed to Date	Dollars Billed to Date
W0035.22002.000 - Direct Expenses		\$7.86		\$36.61
W0035.22002.001 - Board & Committee Support	6.50	\$1,462.50	65.50	\$13,563.75
W0035.22002.002 - Water Quality Monitoring Data	7.00	\$945.00	97.50	\$11,715.00
W0035.22002.003 - Regulatory Technical Support	7.00	\$1,575.00	106.50	\$20,877.50
W0035.22002.004 - Advancing Strategic Initiatives	2.50	\$562.50	15.00	\$3,125.00
<b>Overall - Total</b>	<b>23.00</b>	<b>\$4,552.86</b>	<b>284.50</b>	<b>\$49,317.86</b>

## Attachment 4

INVOICE

March 7, 2023

Bill to: Chatfield Watershed Authority  
Attn: Diane Keilty  
info@coloradowater.org

Spring Up the Creek Sponsorship

DESCRIPTION	AMOUNT
<u>Item Description</u>	
2023 Spring up the Creek Sponsorship	\$250.00
<b>TOTAL</b>	<b>\$250.00</b>

Please remit payment to: Town of Castle Rock  
Attn: Sandi Sandman  
175 Kellogg Ct.  
Castle Rock, CO 80109

## Attachment 5

**Invoice to Chatfield Watershed Authority  
from  
Steve Balcerovich & Attwood Public Affairs**

**Invoice #22-04: February 2023 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 Attwood Public Affairs:  
9224 West Berry Place  
Littleton, CO 80123**



Attachment 6

**Invoice to Chatfield Watershed Authority  
from  
Steve Balcerovich & Attwood Public Affairs**

**Invoice #22-05: March 2023 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 Attwood Public Affairs:  
9224 West Berry Place  
Littleton, CO 80123**

## Attachment 7

**Invoice to Chatfield Watershed Authority  
from  
Steve Balcerovich & Attwood Public Affairs**

**Invoice #22-06: April 2023 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 Attwood Public Affairs:  
9224 West Berry Place  
Littleton, CO 80123**

Attachment 8

TWS FINANCIAL INC.

CERTIFIED PUBLIC ACCOUNTANTS  
6901 S. Pierce St. #200  
LITTLETON CO. 80128  
(303) 933-4207

# Invoice

Date	Invoice #
3/14/2023	23057

Bill To
Chatfield Watershed Authority 4255 N. US Highway 85 Castle Rock, Co 80108

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Feb. 2023 Financial Statement Prep.	750.00	750.00
Thank you for your business.		<b>Total</b>	\$750.00

Attachment 9

TWS FINANCIAL INC.

CERTIFIED PUBLIC ACCOUNTANTS  
6901 S. Pierce St. #200  
LITTLETON CO. 80128  
(303) 933-4207

# Invoice

Date	Invoice #
3/14/2023	23056

Bill To
Chatfield Watershed Authority 4255 N. US Highway 85 Castle Rock, Co 80108

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	January 31, 2023 Financial Statement Prep.	750.00	750.00
Thank you for your business.		<b>Total</b>	\$750.00



Attachment 10

**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

*COVER SHEET*

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

**Attention: Diane Kielty, Program Manager**

March 13, 2023

Client: 002051

Page: 1

For Professional Services Rendered Through February 28, 2023

*ACCOUNT SUMMARY*

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3016957	\$1,274.00	\$0.00	\$0.00	\$0.00	\$1,274.00
000002	WQCD-WQCC	3016958	\$416.00	\$0.00	\$0.00	\$0.00	\$416.00
000006	2022 Lakes Nutrients Rulemal	3016959	\$2,440.00	\$0.00	\$0.00	\$0.00	\$2,440.00
Total Current Charges							\$4,130.00
Previous Balance							\$3,888.45
<i>Less Payments</i>							(\$3,888.45)
<b>PAY THIS AMOUNT</b>							<b>\$4,130.00</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

somachlaw.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**

March 13, 2023

Client: 002051

Page: 1

For Professional Services Rendered Through February 28, 2023

*ACCOUNT SUMMARY*

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3016957	\$1,274.00	\$0.00	\$0.00	\$0.00	\$1,274.00
000002	WQCD-WQCC	3016958	\$416.00	\$0.00	\$0.00	\$0.00	\$416.00
000006	2022 Lakes Nutrients Rulemal	3016959	\$2,440.00	\$0.00	\$0.00	\$0.00	\$2,440.00
Total Current Charges							\$4,130.00
Previous Balance							\$3,888.45
<i>Less Payments</i>							(\$3,888.45)
<b>PAY THIS AMOUNT</b>							<b>\$4,130.00</b>

**Remittance Advice**

**Check Payable To:**

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

Attachment 11



**Bill To:**

Chatfield Watershed Authority  
 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	02/28/2023
Purchase Order No.	Payment Terms :	NET 30
RESPEC Project Number : W0035.22002	Invoice No.	INV-0223-979
	Invoice Period:	02/01/2023 - 02/28/2023

**June 2022 - May 2023 Contract**

Description	Budget	Previous Billings	Current Billings	Billed to Date	Amount Remaining	Percent Complete	Amount Due This Invoice
Board & Committee Support	\$21,950.00	\$13,563.75	\$562.50	\$14,126.25	\$7,823.75	64.36%	\$562.50
Water Quality Monitoring Data	\$9,410.00	\$11,715.00	\$1,335.00	\$13,050.00	(\$3,640.00)	138.68%	\$1,335.00
Regulatory Technical Support	\$28,975.00	\$21,287.50	\$1,115.00	\$22,402.50	\$6,572.50	77.32%	\$1,115.00
Advancing Strategic Initiatives	\$27,760.00	\$3,125.00	\$675.00	\$3,800.00	\$23,960.00	13.69%	\$675.00
Direct Expenses	\$360.00	\$36.61	\$0.00	\$36.61	\$323.39	10.17%	\$0.00
<b>Grand Total</b>	<b>\$88,455.00</b>	<b>\$49,727.86</b>	<b>\$3,687.50</b>	<b>\$53,415.36</b>	<b>\$35,039.64</b>	<b>60%</b>	<b>\$3,687.50</b>



### Invoice Supporting Information

Cost Category	PLC Desc	RESPEC Project No.	Name	Week Ending Date	Hours	Billing Rate	Amount To Bill	Reference #	Description	
Labor	Wastewater Engineer	W0035.22002.003	Gilley, Alicia D	02/18/23	0.50	\$205.00	\$102.50		Labor Hours	
	Wastewater Engineer	W0035.22002.002		02/25/23	1.00	\$205.00	\$205.00		Labor Hours	
	Wastewater Engineer	W0035.22002.002		02/28/23	2.00	\$205.00	\$410.00		Labor Hours	
						<b>3.50</b>		<b>\$717.50</b>		
	Hydrologist	W0035.22002.002	Hassel, Willow R	02/11/23	1.00	\$120.00	\$120.00		Labor Hours	
	Hydrologist	W0035.22002.002		02/18/23	1.00	\$120.00	\$120.00		Labor Hours	
	Hydrologist	W0035.22002.002		02/25/23	4.00	\$120.00	\$480.00		Labor Hours	
						<b>6.00</b>		<b>\$720.00</b>		
	Principal	W0035.22002.001	Leak, Alan J	02/04/23	0.50	\$225.00	\$112.50		Labor Hours	
	Principal	W0035.22002.003		02/04/23	2.00	\$225.00	\$450.00		Labor Hours	
	Principal	W0035.22002.004		02/04/23	0.50	\$225.00	\$112.50		Labor Hours	
	Principal	W0035.22002.001		02/11/23	1.50	\$225.00	\$337.50		Labor Hours	
	Principal	W0035.22002.003		02/11/23	2.50	\$225.00	\$562.50		Labor Hours	
	Principal	W0035.22002.004		02/18/23	2.00	\$225.00	\$450.00		Labor Hours	
	Principal	W0035.22002.001		02/25/23	0.50	\$225.00	\$112.50		Labor Hours	
	Principal	W0035.22002.004		02/28/23	0.50	\$225.00	\$112.50		Labor Hours	
						<b>10.00</b>		<b>\$2,250.00</b>		
	<b>Labor</b>					<b>19.50</b>		<b>\$3,687.50</b>		
	<b>Total</b>					<b>19.50</b>		<b>\$3,687.50</b>		



### Task Summary

RESPEC Project ID & Description	Current Hours	Current Dollars	Hours Billed to Date	Dollars Billed to Date
W0035.22002.000 - Direct Expenses				\$36.61
W0035.22002.001 - Board & Committee Support	2.50	\$562.50	68.00	\$14,126.25
W0035.22002.002 - Water Quality Monitoring Data	9.00	\$1,335.00	106.50	\$13,050.00
W0035.22002.003 - Regulatory Technical Support	5.00	\$1,115.00	111.50	\$21,992.50
W0035.22002.004 - Advancing Strategic Initiatives	3.00	\$675.00	18.00	\$3,800.00
<b>Overall - Total</b>	<b>19.50</b>	<b>\$3,687.50</b>	<b>304.00</b>	<b>\$53,005.36</b>

Attachment 12





**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
<b>Total Costs</b>	<b>\$8,622.50</b>	<b>\$44,765.00</b>
<b>Total Amount Due in US Dollars</b>	<b>\$8,622.50</b>	<b>\$44,765.00</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	W0035.22002.002	Gilley, Alicia D	12/03/22	1.00	\$190.00	\$190.00		Labor Hours
						<b>1.00</b>	<b>\$190.00</b>		
	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
						<b>21.00</b>	<b>\$2,520.00</b>		
	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
						<b>26.50</b>	<b>\$5,432.50</b>		
	Project Engineer	W0035.22002.003	Lohmann, Jenna E	12/10/22	4.00	\$120.00	\$480.00		Labor Hours
						<b>4.00</b>	<b>\$480.00</b>		
<b>Labor</b>					<b>52.50</b>		<b>\$8,622.50</b>		
<b>Total</b>					<b>52.50</b>		<b>\$8,622.50</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	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
<b>Overall - Total</b>	<b>52.50</b>	<b>\$8,622.50</b>	<b>261.50</b>	<b>\$44,765.00</b>

Attachment 13



Attachment 14

# CHATFIELD WATERSHED AUTHORITY BOARD ACTION MEMORANDUM

**Date:** April 17, 2023

**TO:** Chatfield Watershed Authority Board

**FROM:** Diane Kielty, Program Manager

**SUBJECT:** Recommend to CWA Board that CWA enter a contract extension for technical services with RESPEC.

**SUMMARY OF ACTION REQUESTED:** Chatfield Watershed Authority enters 1-year contracts with consultants. The technical services contract with RESPEC expires on May 31, 2023. This request is for a contract extension with RESPEC through May 31, 2024.

**RECOMMENDED EFFECTIVE DATE:** June 1, 2023

**COST IMPACTS:** The contract term will be extended for one year for an additional sum of \$81,426.00 for services provided to extend the RESPEC contract through May 31, 2022.

**PURPOSE / BACKGROUND:** Chatfield Watershed Authority is charged with reviewing applications for Clean Water Act compliance and documentation in trade applications pursuant to Regulation 73. It also has a workplan that includes watershed modeling and supporting potential Nonpoint Source projects. RESPEC is the contracted consultant managing the technical elements of this work.

**TAC RECOMMENDATION(S):** CWA extend RESPEC's contract another year for the term of June 1, 2023 through May 31, 2024 at the additional sum of \$81,426.00.

**PROPOSED MOTION to BOARD:** Move to recommend to the Chatfield Watershed Authority Board that the Chatfield Watershed Authority Program Manager enter a contract extension with RESPEC that reflects the funds allocated in the 2023 Approved Chatfield Watershed Authority budget line item and anticipated 2024 budget allocation for technical services.

Enclosure(s) / Attachment(s): RESPEC\_2023-2024 RESPEC Chatfield Budget Estimate

Chatfield Watershed Authority Technical Services  
RESPEC FEE ESTIMATE (June 2023- May 2024)

Task No	Task Description	AL	JN	AG	JL	WH	NA	ADMIN	Total Hours	Total Cost	Budget Notes
		SPM	SE	W/WE	HY	WRE	WQE				
		\$ 225	\$ 190	\$ 205	\$ 130	\$ 120	\$ 145				
<b>1</b>	<b>Board and Committee Support</b>										
1.1	Meeting Attendance	32							32	\$ 7,200	
1.2	Prepare and Present Materials	12		6	4			4	26	\$ 4,750	
1.3	Conduct Follow-up Tasks	12		8	4		2	6	32	\$ 5,600	
1.4	Educate Board and TAC Members	6			4			8	18	\$ 2,470	
<b>Task 1 - Subtotal Hours</b>		<b>62</b>	<b>0</b>	<b>14</b>	<b>12</b>	<b>0</b>	<b>2</b>	<b>18</b>	<b>108</b>		STH
<b>Task 1 - Subtotal Cost</b>		<b>\$ 13,950</b>	<b>\$ -</b>	<b>\$ 2,870</b>	<b>\$ 1,560</b>	<b>\$ -</b>	<b>\$ 290</b>	<b>\$ 1,350</b>		<b>\$ 20,020</b>	STC
<b>2</b>	<b>Water Quality Monitoring Data</b>										
2.1	Coordination	2		2	2				6	\$ 1,120	
2.2	Data Assessments	4		12	30			6	52	\$ 7,710	
2.3	W. Q. Data Recommendations	2		2			4		8	\$ 1,440	
2.4	Review SAP	2					2		4	\$ 740	
<b>Task 2 - Subtotal Hours</b>		<b>10</b>	<b>0</b>	<b>16</b>	<b>32</b>	<b>0</b>	<b>6</b>	<b>6</b>	<b>70</b>		STH
<b>Task 2 - Subtotal Cost</b>		<b>\$ 2,250</b>	<b>\$ -</b>	<b>\$ 3,280</b>	<b>\$ 4,160</b>	<b>\$ -</b>	<b>\$ 870</b>	<b>\$ 450</b>		<b>\$ 11,010</b>	STC
<b>3</b>	<b>Regulatory Technical Support</b>										
3.1	Prepare Annual Report	6		12	12	22		4	56	\$ 8,310	
3.2	Prepare WQCC Presentation	2		4		4		4	14	\$ 2,050	
3.3	Track Water Quality Issues	4		2					6	\$ 1,310	
3.4	Conduct Technical Reviews	3		8				2	13	\$ 2,465	
3.5	Facilitate Authority Responses	6		8		8			22	\$ 3,950	
<b>Task 3 - Subtotal Hours</b>		<b>21</b>	<b>0</b>	<b>34</b>	<b>12</b>	<b>34</b>	<b>0</b>	<b>10</b>	<b>111</b>		STH
<b>Task 3 - Subtotal Cost</b>		<b>\$ 4,725</b>	<b>\$ -</b>	<b>\$ 6,970</b>	<b>\$ 1,560</b>	<b>\$ 4,080</b>	<b>\$ -</b>	<b>\$ 750</b>		<b>\$ 18,085</b>	STC
<b>4</b>	<b>Advancing Strategic Initiatives</b>										
4.1	Chatfield Watershed Planning	16		16			4	9	45	\$ 8,135	
4.2	Watershed Model Coordination	6		8	4		4		22	\$ 4,090	
4.3	Promote NPS Opportunities	6	16					16	38	\$ 5,590	
4.4	Plan for TMAL Next Steps	24		14		12	12		62	\$ 11,450	
<b>Task 4 - Subtotal Hours</b>		<b>52</b>	<b>16</b>	<b>38</b>	<b>4</b>	<b>12</b>	<b>20</b>	<b>25</b>	<b>167</b>		STH
<b>Task 4 - Subtotal Cost</b>		<b>\$ 11,700</b>	<b>\$ 3,040</b>	<b>\$ 7,790</b>	<b>\$ 520</b>	<b>\$ 1,440</b>	<b>\$ 2,900</b>	<b>\$ 1,875</b>		<b>\$ 29,265</b>	STC
<b>Subtotal Hours</b>		<b>145</b>	<b>16</b>	<b>102</b>	<b>60</b>	<b>46</b>	<b>28</b>	<b>59</b>	<b>456</b>		
<b>Subtotal Costs</b>		<b>\$ 32,625</b>	<b>\$ 3,040</b>	<b>\$ 20,910</b>	<b>\$ 7,800</b>	<b>\$ 5,520</b>	<b>\$ 4,060</b>	<b>\$ 4,425</b>		<b>\$ 78,380</b>	
Direct Costs (mileage, printing)										\$ 340	
<b>Total Costs</b>										<b>\$ 78,720</b>	(1)

AL = Alan Leak; JN = Jessica Nolle; AG = Alicia Gilley; JL=Jenna Loeman WH = Willow Hassel; NA = Natalie Acosta

SPM = Senior Project Manager; SE = Stormwater Engineer; W/WE = Water/Wasewater Engineer; WRE = Water Resources Engineer; ADMIN = Administrative Staff

Budget Notes:

(1) Budget projection used in the 3-year budget planning workbook is \$78,719.



Contract Period	RESPEC		RESPEC		RESPEC		RESPEC	
	Actual		Actual		Current		Proposed	
	June 2020-May 2021		June 2021-May 2022		June 2022-February 2023		June 2023-May 2024	
	Budget	Expenditure	Budget	Expenditure	Budget	Expenditure	Budget	Expenditure
Board and Committee Support	\$ 17,990.00	\$ 21,060.00	\$ 20,960.00	\$ 18,907.50	\$ 21,950.00	\$ 14,126.25	\$ 20,020.00	\$ -
Water Quality Monitoring Data	\$ 8,625.00	\$ 10,522.50	\$ 8,700.00	\$ 11,075.00	\$ 9,410.00	\$ 13,050.00	\$ 11,010.00	\$ -
Regulatory Technical Support	\$ 15,455.00	\$ 21,490.00	\$ 13,200.00	\$ 29,002.50	\$ 28,975.00	\$ 21,992.50	\$ 18,085.00	\$ -
Advancing Strategic Initiatives	\$ 22,120.00	\$ 6,695.00	\$ 26,780.00	\$ 10,870.00	\$ 27,760.00	\$ 3,800.00	\$ 29,265.00	\$ -
Sub-Total	\$ 64,190.00	\$ 59,767.50	\$ 69,640.00	\$ 69,855.00	\$ 88,095.00	\$ 52,968.75	\$ 78,380.00	\$ -
Direct Costs (mileage, printing)	\$ 310.00	\$ -	\$ 360.00	\$ 112.66	\$ 360.00	\$ 36.61	\$ 340.00	\$ -
Total Contract	\$ 64,500.00	\$ 59,767.50	\$ 70,000.00	\$ 69,967.66	\$ 88,455.00	\$ 53,005.36	\$ 78,720.00	\$ -

Attachment 15

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 23-0994.01 Richard Sweetman x4333

**SENATE BILL 23-267**

---

**SENATE SPONSORSHIP**

**Van Winkle and Cutter,**

**HOUSE SPONSORSHIP**

**Titone and Bradley,**

---

**Senate Committees**

Agriculture & Natural Resources

**House Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING A WATER QUALITY FEE TO BE PAID FOR ADMISSION TO**  
102            **CHATFIELD STATE PARK, AND, IN CONNECTION THEREWITH,**  
103            **REQUIRING THE DIVISION OF PARKS AND WILDLIFE TO COLLECT**  
104            **THE FEE AND TRANSFER THE AMOUNT OF THE FEE TO THE**  
105            **CHATFIELD WATERSHED AUTHORITY.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires the division of parks and wildlife (division) to require each visitor to Chatfield state park to pay, in addition to any other

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

fee that the division charges for admission to the park, a water quality fee in the following amount:

- For a person who pays the daily fee to enter the park, the amount of the water quality fee is \$1, to be paid for each visit; and
- For a person who uses an annual parks pass or a keep Colorado wild pass to enter the park, the amount of the water quality fee is \$3, to be paid once annually.

Beginning April 1, 2024, and every 3 months thereafter, the division shall pay the total amount of money collected during the preceding 3 months as water quality fees to the Chatfield watershed authority (authority); except that the division may retain up to 3% of the money to pay the division's administrative expenses. The authority is required to expend the money to provide for a regional, coordinated approach to phosphorous and other nonpoint source pollution control in the Chatfield watershed, including providing for the construction, operation, and maintenance of nonpoint source projects, water quality monitoring, and urban runoff and erosion management and control.

The water quality fee and associated requirements are repealed, effective January 1, 2029.

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds that:

4 (a) Chatfield state park is situated in the lower foothills of the  
5 front range on the southwestern edge of Denver, and Chatfield reservoir,  
6 located in Chatfield state park, is a 1,400 surface acre water body at the  
7 confluence of Plum creek and the South Platte river;

8 (b) Chatfield reservoir was constructed in 1970 for the purpose of  
9 providing regional flood control for the Denver metropolitan area and is  
10 a regional water supply source for multiple local and regional water  
11 producers;

12 (c) Chatfield state park is one of the most popular recreation areas  
13 in the Denver metropolitan region and in all of Colorado and offers  
14 numerous recreational activities, including swimming, boating,

1 paddleboarding, fishing, wildlife viewing, biking, camping, and  
2 horseback riding;

3 (d) The Chatfield watershed authority (authority) was established  
4 in 1984 when the governor designated the authority as a 208 management  
5 agency, in accordance with section 208 of the "Federal Water Pollution  
6 Control Act", also known as the federal "Clean Water Act", 33 U.S.C.  
7 sec. 1251 et seq.;

8 (e) The authority includes Jefferson county, Douglas county, the  
9 town of Castle Rock, the city of Littleton, the town of Larkspur, and  
10 water and wastewater providers in the Chatfield watershed;

11 (f) The authority's mission is to promote protection of water  
12 quality in the Chatfield watershed for drinking water supplies, recreation,  
13 fisheries, and other beneficial uses;

14 (g) The authority preserves these beneficial uses in Chatfield  
15 reservoir and in the watershed through the promotion of point source,  
16 nonpoint source, and storm water controls;

17 (h) Under regulation 73 of the water quality control commission,  
18 the authority is required to limit the total maximum annual load of total  
19 phosphorus entering the Chatfield reservoir;

20 (i) The authority continues to implement regulation 73 and  
21 coordinate with state and federal agencies regarding water quality control  
22 measures;

23 (j) The authority is also required to maintain compliance with  
24 chlorophyll-a and phosphorous standards imposed by regulation 38 of the  
25 water quality control commission;

26 (k) Since 1984, the authority and its members have monitored  
27 water quality in the Chatfield reservoir and upstream in the Chatfield

1 watershed and have undertaken measures to protect water quality in the  
2 watershed through voluntary funding contributions and grants;

3 (l) The Chatfield watershed plan identifies opportunities within  
4 the watershed to address the chemical, physical, and biological pollutants  
5 that impact the watershed, including controlling runoff from wildfire burn  
6 areas, reducing phosphorus quantities by stabilizing degraded  
7 streambanks, mitigating runoff from agricultural lands, minimizing  
8 leachate from septic systems, and providing public education for reducing  
9 contamination from the actions of people;

10 (m) The effects of increased floods and wildfires threaten to  
11 increase pollutant loadings to Chatfield reservoir; and

12 (n) The authority is unable to qualify for grant programs, which  
13 typically require a certain level of matching funds.

14 (2) The general assembly declares that it is in the best interests of  
15 the state to:

16 (a) Create a water quality fee to be imposed with the entrance fee  
17 that visitors pay to visit Chatfield state park;

18 (b) Require the division of parks and wildlife to collect the water  
19 quality fee and pay the amounts collected as water quality fees to the  
20 authority; and

21 (c) Require the authority to expend the money to provide for a  
22 regional, coordinated approach to phosphorous and other nonpoint source  
23 pollution control in the Chatfield watershed, including providing for the  
24 construction, operation, and maintenance of nonpoint source projects,  
25 water quality monitoring, and urban runoff and erosion management and  
26 control.

27 **SECTION 2.** In Colorado Revised Statutes, **add** 33-9-114 as

1 follows:

2 **33-9-114. Chatfield state park - water quality fee - Chatfield**  
3 **watershed authority - definition - repeal.** (1) AS USED IN THIS SECTION,  
4 "CHATFIELD WATERSHED AUTHORITY", OR "AUTHORITY", MEANS THE  
5 CHATFIELD WATERSHED AUTHORITY ESTABLISHED BY AN  
6 INTERGOVERNMENTAL AGREEMENT EXECUTED PURSUANT TO SECTIONS  
7 29-1-203 AND 29-1-204.2 AND INCLUDING THE FOLLOWING MEMBERS:

- 8 (a) JEFFERSON COUNTY;
- 9 (b) DOUGLAS COUNTY;
- 10 (c) THE CITY OF LITTLETON;
- 11 (d) THE TOWN OF CASTLE ROCK;
- 12 (e) THE TOWN OF LARKSPUR;
- 13 (f) CASTLE PINES METROPOLITAN DISTRICT;
- 14 (g) CENTENNIAL WATER AND SANITATION DISTRICT;
- 15 (h) DOMINION WATER AND SANITATION DISTRICT;
- 16 (i) LOUVIERS WATER AND SANITATION DISTRICT;
- 17 (j) PERRY PARK WATER AND SANITATION DISTRICT;
- 18 (k) ROXBOROUGH WATER AND SANITATION DISTRICT;
- 19 (l) THE CITY AND COUNTY OF DENVER, ACTING BY AND THROUGH  
20 ITS BOARD OF WATER COMMISSIONERS; AND
- 21 (m) THE PLUM CREEK WATER RECLAMATION AUTHORITY.

22 (2) ON AND AFTER JANUARY 1, 2024, IN ADDITION TO ANY OTHER  
23 FEE THAT THE DIVISION MAY CHARGE VISITORS FOR ADMISSION TO  
24 CHATFIELD STATE PARK, THE DIVISION SHALL REQUIRE EACH VISITOR TO  
25 PAY A WATER QUALITY FEE IN THE FOLLOWING AMOUNT:

- 26 (a) FOR A PERSON WHO PAYS THE DAILY FEE TO ENTER THE PARK,  
27 THE AMOUNT OF THE WATER QUALITY FEE IS ONE DOLLAR, TO BE PAID FOR

1 EACH VISIT; AND

2 (b) FOR A PERSON WHO USES AN ANNUAL PARKS PASS OR A KEEP  
3 COLORADO WILD PASS, AS DESCRIBED IN SECTION 33-12-108, TO ENTER  
4 THE PARK, THE AMOUNT OF THE WATER QUALITY FEE IS THREE DOLLARS,  
5 TO BE PAID ONCE ANNUALLY.

6 (3) BEGINNING APRIL 1, 2024, AND EVERY THREE MONTHS  
7 THEREAFTER, THE DIVISION SHALL PAY THE TOTAL AMOUNT OF MONEY  
8 COLLECTED DURING THE PRECEDING THREE MONTHS AS WATER QUALITY  
9 FEES PURSUANT TO SUBSECTION (2) OF THIS SECTION TO THE CHATFIELD  
10 WATERSHED AUTHORITY; EXCEPT THAT THE DIVISION MAY RETAIN UP TO  
11 THREE PERCENT OF THE MONEY TO PAY THE DIVISION'S ADMINISTRATIVE  
12 EXPENSES.

13 (4) THE AUTHORITY SHALL EXPEND THE MONEY RECEIVED  
14 PURSUANT TO SUBSECTION (3) OF THIS SECTION TO PROVIDE FOR A  
15 REGIONAL, COORDINATED APPROACH TO PHOSPHOROUS AND OTHER  
16 NONPOINT SOURCE POLLUTION CONTROL IN THE CHATFIELD WATERSHED,  
17 INCLUDING PROVIDING FOR THE CONSTRUCTION, OPERATION, AND  
18 MAINTENANCE OF NONPOINT SOURCE PROJECTS, WATER QUALITY  
19 MONITORING, AND URBAN RUNOFF AND EROSION MANAGEMENT AND  
20 CONTROL.

21 (5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2029.

22 **SECTION 3. Act subject to petition - effective date.** This act  
23 takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly; except  
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
26 of the state constitution against this act or an item, section, or part of this  
27 act within such period, then the act, item, section, or part will not take



1 effect unless approved by the people at the general election to be held in  
2 November 2024 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.



**Legislative Council Staff**  
*Nonpartisan Services for Colorado's Legislature*

---

# Fiscal Note

---

**Drafting Number:** LLS 23-0994 **Date:** April 10, 2023  
**Prime Sponsors:** Sen. Van Winkle; Cutter **Bill Status:** Senate Agriculture  
Rep. Titone; Bradley **Fiscal Analyst:** Matt Bishop | 303-866-4796  
matt.bishop@coleg.gov

---

**Bill Topic:** **CHATFIELD STATE PARK WATER QUALITY FEE**

---

**Summary of Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill institutes a fee to support water quality efforts by the Chatfield Watershed Authority. It increases state revenue and expenditures in FY 2023-24 through FY 2028-29.

---

**Appropriation Summary:** For FY 2023-24, the bill requires an appropriation of \$250,000 to the Department of Natural Resources.

---

**Fiscal Note Status:** The fiscal note reflects the introduced bill.

---

**Table 1**  
**State Fiscal Impacts Under SB 23-267**

		<b>Budget Year FY 2023-24</b>	<b>Out Year FY 2024-25</b>
<b>Revenue</b>	Cash Funds	\$250,000	\$500,000
<b>Expenditures</b>	Cash Funds	\$250,000	\$500,000
<b>Transfers</b>		-	-
<b>Other Budget Impacts</b>		-	-

---

**Summary of Legislation**

From 2024 through 2028, the Department of Natural Resources (DNR) must charge a water quality fee to visitors to Chatfield State Park. The fee is \$1 per visit for a daily admission, or \$3 annually for a person who uses certain annual passes. The DNR must pay the total water quality fees collected to the Chatfield Watershed Authority quarterly, less three percent to cover administrative expenses. The authority must use the money to provide for a regional, coordinated approach to pollution control, including water quality monitoring and pollution mitigation projects.

**Background and Assumptions**

The Chatfield Watershed Authority includes Jefferson county, Douglas county, the town of Castle Rock, the city of Littleton, the town of Larkspur, and water and wastewater providers monitor and protect water quality in the Chatfield reservoir and watershed. In FY 2021-22, Chatfield State Park received an estimated 1.82 million visitors. Park entry is \$10 per vehicle for a day pass. Attendance estimates are based on park entry data collected by DNR and uptake of the Keep Colorado Wild pass.

**State Revenue**

The bill increases revenue to the Parks and Recreation Cash Fund in the DNR from the water quality fee by an estimated \$500,000 per year, with half-year impacts in FY 2023-24 and FY 2028-29, based on the assumptions above. Because Colorado Parks and Wildlife has enterprise status, this revenue is not subject to TABOR.

**Fee impact on park visitors.** Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. The table below identifies the fee impact of this bill based on the fee levels in the bill and the assumptions above.

**Table 2  
 Fee Impact on Visitors to Chatfield State Park**

<b>Fiscal Year</b>	<b>Type of Fee</b>	<b>Proposed Fee</b>	<b>Number Affected</b>	<b>Total Fee Impact</b>
<b>FY 2023-24</b>	Water Quality—Daily	\$1.00	13,889	\$13,889
	Water Quality—Annual	\$3.00	78,704	\$236,111
<b>FY 2023-24 Total</b>				<b>\$250,000</b>
<b>FY 2024-25</b>	Water Quality—Daily	\$1.00	27,779	\$27,779
	Water Quality—Annual	\$3.00	157,407	\$472,221
<b>FY 2024-25 Total</b>				<b>\$500,000</b>

## State Expenditures

The bill increases state expenditures in DNR by the same amount as the revenue generated, paid from the Parks and Outdoor Recreation Cash Fund. Less administrative expenses, fees collected are passed through DNR to the Chatfield Watershed Authority. Expenditures are shown in Table 3.

**Table 3**  
**Expenditures Under SB 23-267**

	FY 2023-24	FY 2024-25
<b>Department of Natural Resources</b>		
Payment to Chatfield Watershed Authority	\$242,500	\$485,000
Administrative Costs	\$7,500	\$15,000
<b>Total Cost</b>	<b>\$250,000</b>	<b>\$500,000</b>

## Local Government

The Chatfield Watershed Authority is an intergovernmental agency whose members are counties, municipalities, and certain municipal districts and authorities in the watershed. The bill increases revenue and expenditures in the Chatfield Watershed Authority by the amounts of the payments shown in Table 3.

## Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## State Appropriations

For FY 2023-24, the bill requires an appropriation of \$250,000 from the Parks and Outdoor Recreation Cash Fund to the Department of Natural Resources.

## State and Local Government Contacts

Natural Resources

Attachment 16

**BYLAWS OF THE  
CHATFIELD WATERSHED AUTHORITY**

**ARTICLE I  
PURPOSE**

**1.1 Purpose.** The purpose of the Chatfield Watershed Authority (the “**Authority**”) is to provide for and promote a regional, coordinated approach for the provision of water quality improvements and the protection of water quality in the Chatfield Watershed for recreation, fisheries, drinking water supplies, other beneficial uses, and for the public benefit of the Members of the Authority, their inhabitants, and the People of the State of Colorado, as deemed appropriate by the Board of Directors of the Authority, and may include but is not limited to providing for the construction, operation, and maintenance of point and nonpoint source control projects, monitoring of the Chatfield Reservoir, South Platter River below Strontia Springs Reservoir, and Plum Creek and the water flowing into them, recommending water quality standards therefor, and coordinating with state and federal agencies regarding water quality control measures, pursuant to the Amended and Restated Intergovernmental Agreement Establishing the Chatfield Watershed Authority (the “**Establishing Agreement**”), entered into and effective as of the 26<sup>th</sup> day of April, 2016.

**ARTICLE II  
OFFICES**

**2.1 Principal Office.** The principal office of the Authority shall be located within the State of Colorado at such location as is designated by the Board of Directors from time to time. At the time of execution of these Bylaws, the principal office of the Authority was Douglas County Public Works Engineering Department, 3030 N. Industrial Way, Castle Rock, CO 80109. Written notice of any change in the location of the Authority’s principal office shall be provided in advance to all Members of the Authority.

**2.2 Other Offices.** The Authority may have such other offices and places of business within the State of Colorado as the Board may designate from time to time.

**ARTICLE III  
MEMBERSHIP**

**3.1 Member Entities.** The members of the Authority shall consist of the Permanent General Jurisdiction Members; the Water and Sanitation District (“**W&S**”) Members; the water providers, metropolitan districts and other municipalities’ members (collectively, the “**Other Members**”); as have entered into the Establishing Agreement and as defined below, and such additional parties as may join the Authority from time to time (collectively, “**Members**”).

**3.2 Permanent General Jurisdiction Members.** The Authority shall initially have three (3) Permanent General Jurisdiction Members, including Douglas County, Jefferson County and the Town of Castle Rock. The Permanent General Jurisdiction Members shall be the primary funding members of the Authority. Additional parties will be allowed to join the Authority as Permanent General Jurisdiction Members from time to time, as provided in the Establishing Agreement.

**3.3 W&S Members.** The Authority shall initially have six (6) W&S Members. W&S Members shall include: (i) Centennial Water and Sanitation District, (ii) Dominion Water and Sanitation District, (iii) Louviers Water and Sanitation District, (iv) Perry Park Water and Sanitation District, (v) Roxborough Water and Sanitation District, and (vi) Plum Creek Water Reclamation Authority. Additional parties will be allowed to join the Authority as W&S Members from time to time, as provided in the Establishing Agreement.

**3.4 Other Members.** The Authority shall initially have four (4) Other Members. The Other Members shall include: (i) the Castle Pines Metropolitan District, (ii) the City and County of Denver acting through its Board of Water Commissioners, (iii) Town of Larkspur, and (iv) the City of Littleton. Additional parties will be allowed to join the Authority as Other Members from time to time, as provided in the Establishing Agreement.

**3.5 Ex-Officio Participants.** The Ex-Officio Participants shall include the Colorado Agricultural Leadership Foundation, the Colorado Parks and Wildlife Commission (Chatfield State Park), the Colorado Department of Transportation, the Colorado Water Conservation Board, the Ken Caryl Ranch Master Association, the Law Enforcement Foundation, Ponderosa Retreat, Sacred Heart Retreat, Tri-County Health Department, the U.S. Army Corps of Engineers, the Chatfield Reservoir Mitigation Company, Inc., and the Water Quality Control Division of the Colorado Department of Public Health and Environment. Each Ex-Officio Participant may designate a representative of such party and provide written notice of such representative's name and contact information to the Manager of the Authority to be included on communications related to the Authority. Ex-Officio Participants are not members of the Authority and have no voting rights or other obligations with respect to the Authority, including no obligation to pay dues. Ex-Officio Participants are encouraged to participate in the Authority meetings and provide input on the operations of the Authority at any public meetings of the Authority.

## **ARTICLE IV** **BOARD OF DIRECTORS**

**4.1 Powers and Duties.** The governing body of the Authority shall be a Board of Directors (the "**Board**"). Subject to any limitations of the Establishing Agreement, Sections 29-1-203 and 29-1-204.2 C.R.S., or these Bylaws, all powers of the Authority shall be exercised by, or under the authority of, and the business and affairs of the Authority shall be controlled by, the Board. The Board shall collectively act as is necessary and as is authorized by law and

by these Bylaws to carry out the provisions of the Establishing Agreement to advance the purpose and goals of the Authority. The Authority shall have all powers, privileges, and duties enumerated in the Establishing Agreement and these Bylaws and granted to entities formed pursuant to Sections 29-1-203 and 29-1-204.2 C.R.S., as they now exist or may be amended from time to time.

In addition to the powers, privileges, and duties enumerated in the Establishing Agreement, these Bylaws, and granted to entities formed pursuant to Sections 29-1-203 and 29-1-204.2 C.R.S., the Authority shall have the following powers:

a. To seek legislative action from the Colorado Legislature affecting the Authority, including but not limited to enabling legislation for watershed authorities in the State of Colorado, and legislation authorizing funding and/or revenue generation to support the services, functions, and facilities of the Authority.

b. To establish advisory committees to gather, research, compare, and evaluate information, and advise the Board regarding matters pertaining to the water quality of the Chatfield Watershed or such other matters pertaining to the purpose and goals of the Authority as deemed necessary or advisable by the Board.

**4.2 Number of Directors.** The Authority's Board shall consist of five (5) representatives of the Members (each a "**Director**"). The Board's membership shall consist of three (3) Directors, one of whom is appointed by each Permanent General Jurisdiction Member; one (1) Director selected by the W&S Members; and one (1) Director selected by the Other Members, as described in this Article IV. In the event new Members are added pursuant to Article II, Section 2 of the Establishing Agreement, the Board will amend these Bylaws to appropriately address composition of the Board.

**4.3 Directors Representing the Permanent General Jurisdiction Members.**

**4.3.1 Directors.** Each Permanent General Jurisdiction Member shall appoint one (1) Director to the Board. The Director for each Permanent General Jurisdiction Member must be an elected official of the appointing Member and be qualified, willing, and able to assume and perform the duties and responsibilities required of the directorship. Each Permanent General Jurisdiction Member shall provide written notice of the name and contact information of its appointed Director to the Manager of the Authority.

**4.3.2 Alternate Directors.** Each Permanent General Jurisdiction Member shall be entitled to appoint one alternate representative to serve on the Board in the absence of the Director (the "**Alternate Director**"). Each Permanent General Jurisdiction Alternate Director shall also be an elected official of such Member. If the selected Alternate Director is not an elected official of such Member, such Alternate Director will not be authorized to vote on behalf of such Member at meetings where the Director is absent.



**4.3.3 Term.** There shall be no restriction on the term of a Director for the Permanent General Jurisdiction Members. Each Permanent General Jurisdiction Member shall appoint such Director and Alternate Director as such jurisdiction sees fit who shall serve until a successor is duly appointed as established by such Members' policies and procedures. Any changes in the Permanent General Jurisdiction Member shall be communicated promptly to the Manager of the Authority.

**4.3.4 Removal.** A Permanent General Jurisdiction Member may, in its sole discretion, remove its appointed Director or Alternate Director from the Board at any time and appoint a successor thereto by providing written notice to the Manager of the Authority.

#### **4.4 Director Representing W&S Members.**

**4.4.1 Director.** The W&S Members of the Authority, collectively, shall select one W&S Member to represent all of the W&S Members as a Director on the Board, as provided herein. The Director must be qualified, willing, and able to assume and perform the duties and responsibilities required of the directorships.

**4.4.2 Manner of Selection.** The election of the Director for the W&S Members shall take place in the Fall of each year an election is necessary through a written ballot process as described herein. All W&S Members in good standing with the Authority that have paid all past dues and fees shall be entitled to participate in the election of the W&S Member Director. By the end of September in such year, the Manager shall send out a written notice, electronic mail notice is acceptable, to all W&S Members in good standing requesting the nomination of one Director from such Member's organization. Each W&S Member may, but is not required to, nominate one (1) qualified candidate to serve as Director; no other nominations will be accepted. Each W&S Member shall notify the Manager of its Director nomination on or before October 31<sup>st</sup>. The Manager shall then have one (1) week to prepare and send out, either via prepaid mail or electronic mail, a ballot for the W&S Members to return for the election of the W&S Member Director. Each W&S Member shall have until November 30<sup>th</sup> to return the completed ballot to the Manager. A quorum of W&S Members for an election shall consist of a majority of the W&S Members entitled to cast a vote on the matter. If a quorum does not exist on November 30<sup>th</sup>, the Manager shall solicit additional ballots from the missing W&S Members until a quorum is obtained. Voting by proxy is strictly prohibited. Each W&S Member shall be entitled to cast up to three (3) votes for the nominees; provided, however, the W&S Member is not required to cast all three (3) votes and each vote cast must be for a different candidate (i.e. no cumulative voting is allowed). If only two (2) or fewer nominees are on the ballot, then each W&S Member shall only be entitled to cast one (1) vote in the election. The nominee receiving the most votes shall serve as the Director for the W&S Members. In the event of a tied ranking, a tiebreaking vote or votes, as necessary, shall be conducted. The Manager shall use reasonable efforts to ensure that the W&S Director is known no later than December 15<sup>th</sup>, if any tiebreaking votes are required. The W&S Member whose candidate received

the most votes shall provide written notice of the name and contact information of the Director to the Manager of the Authority.

**4.4.3 Alternate Directors.** The W&S Member that is select to represent all of the W&S Members shall be entitled to appoint one alternate representative to serve on the Board in the absence of the Director (the “**W&S Alternate Director**”). The W&S Members’ Director and Alternate Director may be elected officials or staff of the entity such W&S Member represents.

**4.4.4 Term.** Any Director of the W&S Members shall serve a term of two (2) years from the date of election or until a successor is duly elected. No W&S Member Director shall serve more than two (2) consecutive two-year terms. Fulfilling an incomplete term is not considered part of the term limit.

**4.4.5 Removal.** The W&S Members may, by unanimous approval, remove a Director representing the W&S Members from the Board at any time. If so removed, the W&S Members shall elect a replacement Director to fill the remainder of the removed Director’s term pursuant to the procedures of Section 4.4.2 with the timing of such votes adjusted accordingly. Written notice of the removal and election should be provided to the Manager of the Authority and the Manager will assist with the election process.

#### **4.5 Other Members.**

**4.5.1 Director.** The Other Members of the Authority, collectively, shall select one (1) Other Member to represent all of the Other Members as a Director to serve on the Board, as provided herein. The Director must be qualified, willing, and able to assume and perform the duties and responsibilities required of the directorships.

**4.5.2 Manner of Selection.** The election of the Director for the Other Members shall take place in the Fall of each year an election is necessary through a written ballot process as described herein. All Other Members in good standing with the Authority that have paid all past dues and fees shall be entitled to participate in the election of the Other Member Director. By the end of September in such year, the Manager shall send out a written notice, electronic mail notice is acceptable, to all Other Members in good standing requesting the nomination of one Director from such Member’s organization. Each Other Member may, but is not required to, nominate one (1) qualified candidate to serve as Director; no other nominations will be accepted. Each Other Member shall notify the Manager of its Director nomination on or before October 31<sup>st</sup>. The Manager shall then have one (1) week to prepare and send out, either via prepaid mail or electronic mail, a ballot for the Other Members to return for the election of the Other Member Director. Each Other Member shall have until November 30<sup>th</sup> to return the completed ballot to the Manager. A quorum of Other Members for an election shall consist of a majority of the Other Members entitled to cast a vote on the matter. If a quorum does not exist on November 30<sup>th</sup>, the Manager shall solicit additional ballots from the missing Other Members until a quorum is obtained. Voting by proxy is strictly

prohibited. Each Other Member shall be entitled to cast up to three (3) votes for the nominees; provided, however, the Other Member is not required to cast all three (3) votes and each vote cast must be for a different candidate (i.e. no cumulative voting is allowed). If only two (2) or fewer nominees are on the ballot, then each Other Member shall only be entitled to cast one (1) vote in the election. The nominee receiving the most votes shall serve as the Director for the Other Members. In the event of a tied ranking, a tiebreaking vote or votes, as necessary, shall be conducted. The Manager shall use reasonable efforts to ensure that the Other Member Director is known no later than December 15<sup>th</sup>, if any tiebreaking votes are required. The Other Member whose candidate received the most votes shall provide written notice of the name and contact information of the Director to the Manager of the Authority.

**4.5.3 Alternate Directors.** The Other Member that is selected to represent all of the Other Members shall be entitled to appoint one alternate representative to serve on the Board in the absence of the Director (the “**Other Member Alternate Director**”). The Other Members’ Director and Alternate Director may be elected officials or staff of the entity such Other Member represents.

**4.5.4 Term.** Any Director of the Other Members shall serve a term of two (2) years from the date of election or until a successor is duly elected. No Other Member Director shall serve more than two (2) consecutive two-year terms. Fulfilling an incomplete term is not considered part of the term limit.

**4.5.5 Removal.** The Other Members may, by unanimous approval, remove a Director representing the Other Members from the Board at any time. If so removed, the Other Members shall elect a replacement Director to fill the remainder of the removed Director’s term pursuant to the procedures of Section 4.5.2 with the timing of such votes adjusted accordingly. Written notice of the removal and election should be provided to the Manager of the Authority and the Manager will assist with the election process.

**4.6 Vacancies and Election of Directors.** A vacancy on the Board may occur by reason of death, disability, resignation, removal or otherwise of any Director. For the Permanent General Jurisdiction Members, vacancies shall be filled pursuant to the procedures set forth in Sections 4.3.1 above. For W&S and Other Members, a vacancy caused by any reason, other than removal pursuant to Section 4.4.5 and 4.5.5 hereof, shall be filled by the appointment of a qualified individual of the Member organization represented by the departing Director. Any Director appointed to fill a vacancy on the Board shall serve the remainder of the departing Director’s term.

**4.7 Withdrawal of Members.** In the event a Member organization with a representative on the Board decides to withdraw from the Authority as permitted or required in the Establishing Agreement, then, in the case of a W&S or Other Member, the applicable Members shall hold an election in accordance with the procedures set forth in Sections 4.4.2 and 4.5.2 with the timing of such votes adjusted accordingly. If a Permanent General Jurisdiction

Member withdraws, then the remaining Board of Directors shall amend these Bylaws which vote shall require the unanimous approval of the remaining Directors.

**4.8 Compensation.** The Directors shall not receive any compensation from the Authority for their services to the Authority.

## **ARTICLE V** **OFFICERS**

**5.1 Presiding Officers.** At the first Board meeting of each calendar year, or such other date as mutually agreed upon by the Board, the Board shall elect by a Majority Vote (as defined in Section 8.2 below) from the Directors a Chairman and Vice-Chairman who shall be the presiding officers at Chatfield Watershed Authority meetings (the “**Presiding Officer(s)**”). If the Chairman or Vice-Chairman elects not to preside over a meeting or particular matter, a Majority Vote of the Board present shall then elect a temporary chairman who shall be the Presiding Officer for that particular meeting or particular matter only, as the case may be.

**5.2 Term.** The term of office for the Presiding Officers is one (1) year from the date of election; however, there is no limit on the number of terms a Presiding Officer may serve. Each Presiding Officer shall hold office until his successor is duly elected or until his death, incapacity, resignation, or removal.

**5.3 Resignation and Removal.** A Presiding Officer may resign at any time by giving written notice to the Board and the Authority’s Manager and it shall be effective as of the date stated in the resignation. Any Presiding Officer may be removed with or without cause at any meeting of the Board by Super Majority Vote (as defined in Section 8.3 below) of the Board, provided that the agenda for such meeting lists officer removal as an agenda item. Resignation or removal shall terminate all authority of the officer.

**5.4 Presiding Officer Vacancies.** If the office of Chairman should become vacant during the term of office, the Vice-Chairman shall assume the duties of Chairman. Should the office of Vice-Chairman become vacant, a special election shall be held as soon as possible following the announcement of the vacancy. Nominations from the floor by members of the Board during the election meeting shall be permissible.

**5.5 Authority and Duties of the Chairman and Vice-Chairman.** It shall be the responsibility of the Chairman to preside at all meetings of the Authority, execute documents of behalf of the Authority, ensure that all orders and resolutions of the Board are carried into effect, make appointments to committees, and be the primary liaison between the Board and the Authority Manager. The Vice-Chairman shall perform the duties of the Chairman during the Chairman’s absence. The Presiding Officers of the Authority shall have the authority and exercise the powers and perform the duties as specified herein and as may be additionally specified by the Board, or these Bylaws, and as may be required by law.

**5.6 Authority Manager.** The Authority shall retain a third-party to manage the day-to-day operations of the Authority (the “**Manager**”). The Board shall select the Manager and the Manager shall report to the Board.

**5.6.1 Duties of the Manager.** The Manager shall provide management services for the Authority, including the Board, the Technical Advisory Committee and any other committees formed by the Board. The Manager shall be responsible for coordinating and overseeing the activities of any consultants or contractors engaged by the Authority, including any accountants and legal counsel who shall also report directly to the Board. The Manager shall perform all duties typically performed by the secretary of an organization, including but not limited to, keeping a book of minutes of all meetings of the Board and any committees thereof, ensuring that all notices are duly given in accordance with the provisions of these Bylaws or as required by law, and such other all duties as may from time to time be assigned by the Board or as may be required by these Bylaws or the Board.

**5.7 Authority Accountant.** The Board shall retain a third-party to manage the accounts of the Authority which shall include, but is not limited to, keeping full and accurate accounts of all receipts and disbursements of the Authority, depositing all moneys as may be designated by the Board, disbursing the funds of the Authority as ordered by the Board, preparing and recommending an annual operating budget to the Board by such date as established by the Board each year for the succeeding calendar year, and performing all other duties as may from time to time be assigned by the Board or as may be required by these Bylaws or the Board. The Authority’s accountant shall work closely with the Manager.

## **ARTICLE VI**

### **WRITTEN INSTRUMENTS AND CHECKS**

**6.1 Written Instruments.** The Board of Directors may authorize any officer(s) or agent(s) to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authority may be general or confined to specific instances. The Chairman, and Vice-Chairman in the absence of the Chairman, shall have general authority to execute any contract or execute and deliver any instrument in the name of the Authority, provided such item was properly approved by the Board.

**6.2 Checks.** All checks or demands for money and notes of the Authority shall be signed by two (2) Directors or such other person or persons as the Board of Directors may from time to time designate.

## **ARTICLE VII**

### **MEETINGS**

**7.1 Regular Meetings.** Regular meetings of the Board shall be held quarterly or at such other regular intervals and at such time and place as determined by the Board. The Board may provide by resolution the time and place within the State of Colorado for the holding of regular meetings. In the absence of any such meeting designation, meetings shall be held at the principal office of the Authority.

**7.2 Special Meetings.** Special meetings of the Board for any purpose(s) may be called at any time by the Chairman, by resolution of the Board, or by request of any two Board members then in office.

**7.3 Meeting by Telephone.** Members of the Board or any committee thereof may participate in a meeting of the Board or committee by means of telephone conference or similar communications equipment by which all persons participating in the meeting can hear one another at the same time. Such participation shall constitute presence in person at the meeting, no matter where such person is actually located.

**7.4 Notice of Meetings.** Notice to the public of any regular and special meetings of the Board or any meeting of any advisory, policy-making, rulemaking, or formally constituted body of the Authority to which the Authority has delegated a governmental decision-making function shall be posted as required by the Colorado Open Meetings Law. The Board shall, annually at its first regular meeting of the calendar year, designate a public place for the posting of Authority notices in accordance with C.R.S. 24-6-402(2)(c).

Notice of regular Board meetings shall be personally delivered or sent by first class mail, postage prepaid, facsimile, telephone, e-mail, or other electronic communication to each Director at his or her address as shown on the records of the Authority as soon as reasonably practicable prior to each regular meeting. Notice of special Board meetings shall be given to each Director at least forty-eight (48) hours before the meeting. Notice shall be either oral or written. Oral notice shall be given face-to-face or by telephone. Written notice may be given by mail, personal delivery, facsimile, e-mail, or other electronic communication. The notice shall contain (1) the date, time, and place of the meeting; and (2) the agenda for said meeting, or the purpose or purposes for which a special meeting is called. Special meetings of the full Board shall be limited to the purpose or purposes set forth in the notice of said special meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

All Members shall receive electronic copies of all notices, agendas, and appropriate enclosures at the e-mail address of their designated representative provided to the Manager of the Authority.

**7.5 Public Meetings.** All the meetings of the Board, other than executive sessions, shall be open to the public. No vote or other formal action shall be taken in any session which is closed to the general public. The Manager, or such other officer as the Board may from time to time determine, shall maintain a list of persons who, within the previous two (2) years, have requested notification of all meetings or of meetings when certain specified policies will be discussed and shall provide reasonable advance notification of such meetings; provided, however, that unintentional failure to provide such advance notice will not nullify actions taken at an otherwise properly published meeting.

**7.5.1 Executive Session.** The Board, upon the affirmative vote of two-thirds of the quorum present, may hold an executive session for any of the reasons set forth in C.R.S. 24-6-402(4) as are applicable. No formal action may be taken while in executive session. Prior to convening an executive session, the Chairman shall announce the topic(s) to be discussed, including the specific statutory citation(s), and identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

**7.6 Informal Meetings.** Informal meetings of the Board at which no final decision is made or formal action is taken may be held from time to time and may include study sessions, subcommittee meetings, or any meeting of three or more Board members at which Authority business is to be discussed. Notice of any such meeting shall be given to all Directors at least seventy-two (72) hours in advance of such meeting, unless such informal meeting was set and authorized by the Board at a regular or special meeting. Public notice of the meeting shall be posted in the designated posting place for the Authority at least twenty-four (24) hours prior to such meeting as required by the Colorado Open Meetings Law.

**7.7 Conduct of Meetings.** Unless otherwise agreed to by the Board, Robert's Rules of Order, Revised shall be the parliamentary authority for all meetings of the Board and the rules contained therein shall govern the procedures utilized at such meetings where not inconsistent with the Colorado law. Failure to adhere to Robert's Rules of Order, Revised shall not affect the validity of any Board action.

## **ARTICLE VIII** **VOTING**

**8.1 Quorum for the Board.** A quorum must be present at any Board meeting for business transactions to take place and motions to pass. A quorum of the Board shall be a majority of the members of the Board.

**8.2 Weighted Voting.** Douglas County and Jefferson County, acting through its Director shall each be entitled to two (2) votes on any matter coming before the Board. All other Directors shall be entitled to one (1) vote on any matter coming before the Board. Except as otherwise provided herein, and in Section 8.3 below, all actions of the Board for which a vote is required shall be made and decided by a Majority Vote. For purposes of these Bylaws,

“**Majority Vote**” shall mean a majority of the votes shall be cast in favor of the item coming before a quorum of the Board, committee or Members, as applicable. For example, if all five members of the Board are present, then seven (7) votes would be cast and four (4) votes will be needed to pass the item; those votes may come from only the two county members since they are entitled to two votes each. No Board Member shall abstain from voting unless abstention is required by law.

**8.3 Special Voting Requirements.** Any decision of the Board relating to financial matters including, but not limited to, money, expenditures, changes in the fees or dues structure for the Authority, the issuance of debt, the budget or other finances, shall require a Majority Vote and also the affirmative vote of at least three (3) Directors of the Board (a “**Super Majority Vote**”).

**8.4 Disclosures.** Each Director shall provide such disclosures, including potential conflict of interest disclosures, as may be required by law, including but not limited to Sections 24-18-101 *et seq.*, C.R.S. and Section 18-8-308, C.R.S. Unless otherwise permitted by law, any Director or Alternate Director who has a personal or private interest in any matter proposed or pending before the Board after disclosure thereof shall recuse him or herself from the meeting and shall refrain from attempting to influence the decision of the other members of the Board on such matter.

## **ARTICLE IX** **COMMITTEES**

**9.1 Committees.** The Board may establish by resolution such standing committees or special committees in addition to those specified in this Article as it deems appropriate, with such duties, responsibilities, and members as it may designate. The Board or the Chairman may refer to the proper committee any matter affecting the Authority or any operations needing study, recommendation, or action. The delegation of authority to any committee shall not operate to relieve the Board or any of its members of any legal responsibility.

**9.2 Limitations.** Except in cases where these Bylaws or the Board has by written resolution provided otherwise, the function of any committee is as an advisory body to the Board. No member of any committee, without the prior authorization of the Board or as set forth in these Bylaws, has the authority to purchase, collect funds, implement policy, or bind, or obligate the Authority or the Board in any way or by any means. All such powers are expressly reserved to the Board and the officers of the Authority.

**9.3 Technical Advisory Committee.** The Technical Advisory Committee shall be a standing committee of the Authority which shall report to the Board and shall perform such duties and tasks as the Board shall from time to time direct. To the extent requested by the Board, the Technical Advisory Committee shall consider and report to the Board on all Authority matters of a scientific or technical nature. The Technical Advisory Committee



findings and recommendations on these matters shall be forwarded to the Board for full consideration.

**9.3.1 Membership.** All Members in good standing of the Authority may, but are not required to, appoint one (1) representative to be a member of the Technical Advisory Committee. Directors of the Board shall not serve on the Technical Advisory Committee. The representatives of the Member organizations on the Technical Advisory Committee may be elected officials or staff members of the appointing Member and shall be qualified, willing, and able to assume and perform the duties and responsibilities required of the members of the committee. Each Member shall provide written notice of the name and contact information of its appointed Technical Advisory Committee member to the Manager of the Authority.

**9.3.1.1 Alternate Technical Advisory Committee Members.** Each Member participating on the Technical Advisory Committee shall be entitled to appoint one (1) alternate representative to serve on the committee in the absence of its primary representative.

**9.3.1.2 Term.** There shall be no restriction on the term of a representative on the Technical Advisory Committee. Each participating Member shall appoint such committee members and alternate representative as such entity sees fit who shall serve until a successor is duly appointed as established by such Members' policies and procedures. Any changes in the Technical Advisory Committee membership shall be communicated promptly to the Manager of the Authority.

**9.3.2 Meetings.** The Technical Advisory Committee may hold meetings on a monthly basis at a time and place to be determined by the Technical Advisory Committee. All meetings of the Technical Advisory Committee shall be posted and shall comply with Article VII of these Bylaws.

**9.3.3 Duties.** The Technical Advisory Committee shall have the authority to develop and submit referral comments on behalf of the Authority on various matters including, but not limited to, those associated with the Water Quality Commission Control Regulations. With respect to site applications submitted to the Authority, the Technical Advisory Committee is vested with the authority to review and comment on applications and make recommendations to the Division on behalf of the Authority. With respect to trade applications, the Technical Advisory Committee is vested with the authority to act on behalf of the Authority, including by approving, denying, or conditionally approving trade applications, provided the action is subject to appeal to the Board.

**9.3.4 Referral Approvals and Appeals.** A Technical Advisory Committee recommendation on a site application shall be deemed the recommendation of the Authority. If any applicant on a referral case, whose case was either denied or approved with conditions, desires to appeal the decision of the Technical Advisory Committee, such party shall make such request for an appeal to the Board within thirty (30) days of the decision. Any person or party who is adversely affected or aggrieved by Technical Advisory Committee action on a trade application may appeal the action by filing a notice of appeal letter, not to exceed three (3) pages in length, with the Board within thirty (30) days of the action. The record on appeal before the Board shall be limited to the record before the Technical Advisory Committee. Provided the appeal is filed at least ten (10) days in advance of the meeting, the Board shall hear the appeal at its next regular quarterly meeting. The Board's determination on appeal shall be the final decision of the Authority.

**9.4 Provisions Applicable to All Committees.**

**9.4.1 Committee Membership.** Committee members may include representatives of the Permanent General Jurisdiction Members, W&S Members, Other Members, Ex-Officio Participants, and parties, as determined by the Board. No Director of the Board shall be eligible to serve on the Technical Advisory Committee; however, the Board may appoint a Director or Directors to serve on any other committee or to act as a liaison to any committee, or both, in the Board's discretion. The Board may from time to time appoint to any standing or special committee any individual who is qualified to serve on such committee and who has the requisite expertise and knowledge to supply value thereto, as determined by the Board in its discretion.

**9.4.2 Committee Officers.** Each committee shall select by Majority Vote one of its members to serve as Chairman and one of its members to serve as Vice Chairman. The Chairman of each committee shall preside at all meetings of such committee and shall discharge the duties of presiding officer. The Vice Chairman of each committee shall have such powers and perform such duties as the members of the committee may from time to time prescribe or as the Chairman may from time to time delegate. At the request of the Chairman, or in the event of the Chairman's absence or inability to act, the Vice Chairman shall serve as acting Chairman. If the Chairman or Vice-Chairman elects not to preside over a meeting or particular matter, a Majority Vote of the committee present shall then elect a temporary chairman who shall be the presiding officer for that particular meeting or particular matter only, as the case may be.

**9.4.3 Committee Meetings.** A committee may hold regular meetings at a time and place to be determined by the members of such committee. A quorum must be present at any committee meeting for business to take place and motions to pass. A quorum of a committee shall be a majority of the members of such committee. All committees shall act by Majority Vote, unless otherwise prescribed by the Board. Rules governing procedures for meetings of any committee shall be as established by the Board, or in the absence thereof, the

rules set forth in these Bylaws shall be followed. All meetings of any committee shall be open to the public.

**9.4.4 Resignation.** A member of any committee may resign at any time by giving written notice to the Chairman of the committee and to the Manager of the Authority. Such resignation shall take effect at the time specified therein, and the acceptance of such resignation shall not be necessary to make it effective.

**9.4.5 Vacancies.** Any vacancy occurring on any committee by reason of resignation or otherwise may be filled by action of the Board, unless otherwise provided herein.

**9.4.6 Removal.** At any meeting of the Board duly called and expressly providing for such purpose, any one or more members of any committee may be removed with or without cause by a Super Majority Vote of the Board.

## **ARTICLE X** **FUNDING**

**10.1 Funding.** The Authority shall be funded by a dues structure; by fees, rates, and charges for functions, services, or facilities provided by the Authority as determined by the Board from time to time; and by such other funding sources as may be or become available to the Authority.

**10.2 Member Dues.** The Members, including Permanent General Jurisdiction Members, W&S Members, and Other Members shall pay annual dues to the Authority in an amount to be determined annually by the Board. Douglas County, Jefferson County and the Town of Castle Rock shall be the primary funding Members and shall fund the base budget approved for the Authority.

The initial base budget will be \$150,000.00, and will be split by the Permanent General Jurisdiction Members based on the land area within the watershed for such jurisdiction as follows:

Jefferson County	16.1%	\$24,155.00
Douglas County	41.95%	\$62,925.00
Castle Rock	41.95%	\$62,925.00

The remaining Members will be charged a membership due set annually by the Board. The initial membership dues for W&S and Other Members shall be \$2,000.00 per Member. The Board shall fix the amount of such dues for the ensuing calendar year by no later than July 31 of the then-current calendar year and shall notify all Members thereof. The Members shall have until October 31 of the then-current calendar year to determine to pay annual dues for the

following year to the Authority in the amount fixed by the Board, and the Members shall notify the Manager of the Authority of such determination. The Board shall approve a budget for the ensuing calendar year during the months of November or December, but never later than December 31. The Members shall pay annual dues to the Authority by no later than April 1 of the calendar year for which such dues are required.

**10.3 Fees, Rates, and Charges.** The Board shall fix, maintain, and revise fees, rates, and charges for functions, services, or facilities provided by the Authority, as it deems appropriate from time to time but no more often than annually.

**10.4 Authority to Seek Funds.** To provide for the purposes, powers, and functions of the Authority, the Authority may seek additional funds or funding as may be or become available, including without limitation, moneys from state or federal governments or any political subdivision thereof; grants; legislative appropriations; or legislation authorizing funding of or for the Authority.

**10.5 Bonds.** The Board may authorize issuance of bonds, notes, or other obligations payable solely from the revenues derived from any function, service, system, or facility or the combined functions, services, systems, or facilities of the Authority, or from any other available funds of the Authority, pursuant to the provisions Section 29-1-204.2(7), C.R.S. and applicable law.

## **ARTICLE XI** **PROJECTS**

**11.1 Projects.** The Authority may undertake projects to advance the purpose and goals of the Authority. The Board may consider the amount of a Member's financial or in kind contribution to a project as a factor relevant to its prioritization of projects or its determination to undertake a project or both.

**11.2 Process.** The Board shall approve a project, or conditionally approve a project subject to funding, by resolution. The Board may request financial or in kind contributions from its Members for any project; provided, however, that no Member shall be required to make a financial or in kind contribution to the Authority beyond the amount of the Member's annual dues requirement, and any decision to so contribute shall be in the Member's sole discretion. For projects conditionally approved subject to funding, within forty-five (45) days of the Board's conditional approval of the project, Members must determine whether to contribute to such project and notify the Manager of the Authority of the determination.

For projects funded in whole or in part by Member contributions pursuant to this Section 11.2, the Board may approve, and the Authority and all contributing Members shall execute, a project agreement regarding their participation in the project. The project agreement shall obligate only those Members executing the project agreement, and no other Member shall have rights or obligations with regard to the project.

**ARTICLE XII**  
**MISCELLANEOUS**

**12.1 Amendment.** These Bylaws may be amended or repealed at any regular meeting of the Board or at any special meeting called for that purpose provided that written notice of the proposed amendment or repeal shall have been given at least fourteen (14) days prior to the meeting. Except as provided herein, any such amendment or repeal shall require a Super Majority Vote of the Board at any duly constituted meeting of the Authority.

**12.2 Severability.** The invalidity of any provision of these Bylaws shall not affect the other provisions hereof. In the event any provision of these Bylaws is determined to be invalid, these Bylaws shall be construed in all respects as if such invalid provision were omitted.

**12.3 Headings.** The headings provided throughout these Bylaws are for convenience and reference only and in no way define, limit, or add to the meaning of any provision hereof.

**12.4 Sole Source Contracting.** The Board may authorize by unanimous vote at any regular meeting of the Board or at any special meeting called for that purpose, provided that written notice of the proposed contract shall have been given at least seven (7) days prior to the meeting, contracts for professional services that amount to \$60,000 or less and that will last for one year or less without engaging in a competitive bidding process. Except as provided herein, any such authorization shall require a unanimous vote of the Board This provision is not intended to exclude sole source contracting for other contracts as permitted by applicable state law.

I, Laura Cavey, as Chairman of the Chatfield Watershed Authority, hereby certify that attached hereto are the Bylaws of the Chatfield Watershed Authority, which were duly adopted by the Authority on April 17, 2023, and are of full force and effect as of the date hereof.

Dated: April 17, 2023.

\_\_\_\_\_  
Chairman

Attachment 17



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

## MEMORANDUM

TO: Chatfield Watershed Authority (“CWA”) Board of Directors (“Board”)  
FROM: Michael Daugherty, Somach Simmons & Dunn (“SSD”)  
SUBJECT: Legal Report – April 17, 2023, Board meeting  
DATE: April 10, 2023

---

### **I. Lakes Reservoirs Nutrients Criteria (Regs. 85, 31, and 32-38) Rulemaking Update**

The Colorado Water Quality Control Commission (the “Commission”) began the rulemaking hearing in this proceeding on April 10, 2023. After significant negotiation, the Water Quality Control Division (the “Division”) amended its proposal to not seek a total nitrogen (“TN”) standard for Chatfield Reservoir in this proceeding. This reflects CWA’s requests in its prehearing statement, rebuttal statement (“Rebuttal”), and surrebuttal statement (“Surrebuttal”), and CWA supports the Division’s consolidated proposal as provided to parties on April 3, 2023.

CWA filed a rebuttal statement in this rulemaking proceeding on February 15, 2023, and a surrebuttal statement March 30, 2023. The Surrebuttal responded to the Division’s revised proposal provided to parties on March 10, 2023, and requested the Commission refrain from adding a total nitrogen standard to Chatfield Reservoir in this rulemaking proceeding. As recently as March 16, 2023, the Division was still seeking to impose the table value TN standard for cold water reservoirs on Chatfield Reservoir. However, the Division has since revised its proposal to not seek to add a TN standard to Chatfield Reservoir at this time.

The Division has repeatedly revised its proposal throughout the rulemaking proceeding. First, the Division proposed to add a TN standard of 330 ug/L to Chatfield Reservoir beginning in 2023. Next, the Division proposed to add a TN standard of 380 ug/L to Chatfield Reservoir beginning in 2023. Next, the Division proposed to add a TN standard of 380 ug/L to Chatfield Reservoir with a delayed effective date of December 31, 2027. Most recently, in its consolidated proposal provided to parties on April 3, 2023—one week before the rulemaking hearing—the Division proposed not to add a TN standard to Chatfield Reservoir in this proceeding. CWA supports this revised proposal, which is the result of significant negotiation and discussion with the Division.

As of the drafting of this report, the Commission has not yet concluded the rulemaking hearing in this proceeding, and it is unclear whether the Commission will adopt the Division's proposal. The Commission is scheduled to issue its final decision in this rulemaking proceeding on May 8, 2023, and the revised standards are scheduled to go into effect on September 30, 2023.

i. Application for Reconsideration and Judicial Review

While CWA supports the Division's consolidated proposal as of April 3, 2023, the Commission may reject the Division's proposal or adopt it with amendments. The Commission's final determination with regard to the proposed nutrient standards will be subject to judicial review. Any such proceeding for judicial review must be filed within thirty days after the Commission has made a final determination and shall be filed in the district court for the either Douglas County or Jefferson County. C.R.S. 25-8-404. During the time permitted for seeking judicial review of any final order or determination of the Commission, CWA may also request the Commission reconsider its initial determination. The Commission must either grant or deny the application for a hearing, rehearing, or reconsideration within ten days after receipt of the application. If the application is granted, the initial determination by the Commission will not be considered final, and the Commission may affirm, reverse, or modify the pertinent order or determination. C.R.S. 25-8-403.

Accordingly, if CWA is not satisfied with the Commission's determination at the conclusion of the rulemaking proceeding, CWA may file an application for reconsideration or seek judicial review within thirty days. Assuming the Commission issues a decision on May 8, 2023, as scheduled, CWA would have until June 7, 2023, to file an application for reconsideration or to seek judicial review.

Given the Division's consolidated proposal, which does not seek to add a TN standard to Chatfield Reservoir, conforms with CWA's position, it is unlikely the Commission will issue a decision that CWA will want to appeal. However, CWA has a TAC meeting scheduled for June 6, 2023, during which the opportunity for appeal could be discussed. SSD recommends that the lakes-nutrients subcommittee hold a meeting as soon as possible once the Commission has made a determination to discuss the final result and how it will affect CWA, and whether to recommend TAC discuss the option of appeal.

**II. Regulation No. 93 (Colorado's Section 303(d) List of Impaired Waters) – Rulemaking Hearing**

The Commission submitted a notice of upcoming hearings indicating that a rulemaking hearing regarding Regulation No. 93 (Colorado's Section 303(d) List of Impaired Waters and Monitoring and Evaluation List), 5 C.C.R. 1002-93, is scheduled for May 8, 2023. The list included in the Division's prehearing statement recommends retaining in the 2023 list all of the water bodies and pollutants related to Chatfield Reservoir presented in the 2019 list.



Because CWA determined not to participate in the 2019 rulemaking, SSD and RESPEC recommended against in this 2023 rulemaking proceeding, and TAC agreed.

Attachment 18

WATER QUALITY CONTROL COMMISSION  
STATE OF COLORADO

---

SURREBUTTAL 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, submits this Surrebuttal Statement (“Surrebuttal”) for the above-captioned matter to the Colorado Water Quality Control Commission (the “Commission”) pursuant to the Commission’s Prehearing Order entered on March 10, 2023.

**I. Introduction**

CWA opposes the Water Quality Control Division’s (the “Division”) proposal to apply its cold-water reservoir table value standard for total nitrogen (“TN”) to Chatfield Reservoir. CWA requests the Commission refrain from adopting a TN standard for Chatfield Reservoir in this rulemaking proceeding. In the event that the Commission determines a need to impose a TN standard, however, the Commission should adopt the site-specific TN standard of 530 ug/L calculated for Chatfield Reservoir by the Division in its Rebuttal Statement, with a delayed effective date of December 31, 2027.

Given the ongoing evolution of the Division’s proposal in this matter, which has rendered moot significant portions of CWA’s prior filings, the Commission should consider this Surrebuttal to serve as CWA’s final position in this rulemaking proceeding.

**II. Background**

CWA has been working to improve the water quality of Chatfield Reservoir for over four decades and is tasked with monitoring Chatfield Reservoir’s regulatory compliance with state

nutrient standards. CWA has limited resources,<sup>1</sup> and administrative expenses like participation in this protracted rulemaking proceeding take away from water quality improvement projects within the watershed. The present rulemaking proceeding provides an example of how prolonged and expensive these proceedings can become for parties if proposals are not fully vetted and discussed prior to initiating a formal rulemaking.

As a result of substantial concerns regarding the Division's proposal, many of which likely could have been resolved had the proposal been shared and discussed in more detail prior to notice filing, multiple motions were filed requesting that the hearing in this matter be delayed.<sup>2</sup> In response to these motions and additional issues raised at the prehearing conference, the Commission delayed the hearing by approximately five months,<sup>3</sup> scheduled an additional status conference to discuss the delay,<sup>4</sup> and provided for the submission of additional pleadings not included in the original notice and schedule.<sup>5</sup> CWA has explained its concern with the application of the table value cold-water TN standard on Chatfield Reservoir,<sup>6</sup> and the EPA has indicated that table value standards are not appropriate for Chatfield Reservoir given its existing control regulation.<sup>7</sup> If the Commission adopts the Division's proposal to implement the table value TN standard for cold-water reservoirs on Chatfield Reservoir with a delayed effective date of 2027, CWA will almost certainly need to participate in future proceedings to seek a more appropriate standard or prepare for and develop a site-specific standard. However, if the Commission refrains from adopting a TN standard for Chatfield Reservoir at this time, CWA can continue to work with the Division outside of a formal rulemaking proceeding to further evaluate the need for a TN standard and, if appropriate, determine the correct standard.

### **III. Response to the Division's Modified Proposal**

The Division has continually revised its proposal since the onset of this rulemaking proceeding. Most recently on March 14, 2023—less than one month before the rulemaking hearing in this matter, after the mandatory prehearing conference, and without any plan for parties to submit written responses prior to the hearing—the Division sent a revised proposal recommending a delayed effective date of December 31, 2027, for the proposed nutrient standards.<sup>8</sup> Prior to this modification to its proposal, the Division had advocated for the table value standards to go into effect immediately.<sup>9</sup> Given the uncertainty surrounding the Division's

---

<sup>1</sup> CWA's Responsive Prehearing Statement (Dec. 21, 2022) at 2.

<sup>2</sup> See Joint Motion to Continue Rulemaking Hearing (Aug. 31, 2022); *see also* Joint Motion for (1) Immediate Stay of Responsive Prehearing Statements and (2) Extension of Time of Rulemaking Deadlines and Hearing (Aug. 29, 2022).

<sup>3</sup> Commission's Procedural Order Regarding Joint Motions to Continue Hearing (Sept. 7, 2022) at 1.

<sup>4</sup> *Id.* at 2.

<sup>5</sup> Prehearing Order of the Water Quality Control Commission (Mar. 10, 2023) at 8; *see also* Procedural Order Regarding Revised Hearing Deadlines and Status Conference (Sept. 19, 2022) at 1-2.

<sup>6</sup> See CWA's Responsive Prehearing Statement (Dec. 21, 2022); *see also* CWA's Rebuttal Statement, (Feb. 15, 2023).

<sup>7</sup> EPA's Responsive Prehearing Statement (Dec. 21, 2022) at 21.

<sup>8</sup> Division Revised Lakes Nutrients Proposal Options for Table and Regulation Mark-ups (Mar. 14, 2023) at 1.

<sup>9</sup> Division's Rebuttal Statement (Feb. 15, 2023) at 136.

proposal for Chatfield Reservoir, CWA requests additional time to further review and collect additional TN data prior to imposition of a TN standard.

A. CWA requests that the Commission refrain from imposing a TN standard on Chatfield Reservoir at this time.

While CWA appreciates that the Division's current proposal would provide additional time for the parties to better understand the appropriateness and accuracy of the table value nutrient standards, CWA continues to request that the Commission refrain from imposing the table value TN standard for cold-water reservoirs on Chatfield Reservoir. In fact, Chatfield Reservoir is one of four reservoirs in the state subject to a control regulation promulgated by the Commission pursuant to C.R.S. § 25-8-205.<sup>10</sup> Chatfield Reservoir has a history of regulatory compliance with Regulation 73 and a general lack of issues with toxic algal blooms.<sup>11</sup> Most importantly, CWA has presented evidence that the Division has improperly categorized Chatfield Reservoir as a cold-water reservoir.<sup>12</sup> As such, regulating TN levels in Chatfield with the table value standard for cold-water reservoirs would be improper.

The Division's varied TN calculations and recommendations for Chatfield Reservoir over the course of this rulemaking point to uncertainty regarding the proposed TN standard for Chatfield Reservoir. The Division first proposed a TN standard of 330 ug/L for Chatfield Reservoir in its Prehearing Statement,<sup>13</sup> then increased the proposed standard to 380 ug/L in its Supplemental Prehearing Statement after inclusion of additional Chatfield Reservoir data,<sup>14</sup> and then calculated an alternative TN standard for Chatfield Reservoir of 530 ug/L after the U.S. Environmental Protection Agency (the "EPA") pointed out that the Division's proposed value was not calculated from the chlorophyll a standard that the Commission has already adopted for Chatfield Reservoir.<sup>15</sup> Given this discrepancy, combined with the fact that the Commission has already adopted an alternative regulatory approach for Chatfield Reservoir through promulgation of Regulation 73, CWA requests the Commission refrain from imposing a TN standard on Chatfield Reservoir in the present proceeding. Because Chatfield Reservoir is currently in compliance with its existing nutrient standards, additional regulation at this time with insufficient supportive evidence of the need and accuracy of the proposed TN standard is not necessary to protect the reservoir's public uses.

B. If a TN standard is imposed, CWA requests the Commission adopt the site-specific TN standard for Chatfield Reservoir calculated by the Division.

As explained above, CWA requests that the Commission decline to impose a TN standard on Chatfield Reservoir at this time. In the event the Commission determines a need to impose such a standard, however, CWA requests the Commission adopt the TN standard of 530 ug/L, as

---

<sup>10</sup> See Chatfield Reservoir Control Regulation No. 73, 5 Colo. Code Regs. § 1002-73 ("Regulation 73").

<sup>11</sup> CWA's Responsive Prehearing Statement (Dec. 21, 2022) at 2.

<sup>12</sup> *Id.* at 4-6.

<sup>13</sup> Division's Prehearing Statement (Aug. 3, 2022) at 4.

<sup>14</sup> Division's Supplemental Prehearing Statement (Oct. 5, 2022) at 5.

<sup>15</sup> EPA's Responsive Prehearing Statement (Dec. 21, 2022) at 21-23.

calculated by the Division specifically for Chatfield Reservoir,<sup>16</sup> with a delayed effective date of December 31, 2027.

In its Rebuttal Statement, the Division uses its own recommended methodology for calculating site-specific nutrient standards<sup>17</sup> to calculate a site-specific TN standard for Chatfield Reservoir at the request of the EPA. The Division's calculation resulted in a site-specific TN standard of 530 ug/L for Chatfield Reservoir.<sup>18</sup> The Division opposes adoption of this standard, citing a need to consult with stakeholders first.<sup>19</sup> Based on CWA's review of Chatfield Reservoir's nitrogen data, and without endorsing the proposal, 530 ug/L appears to be a more appropriate TN standard for Chatfield Reservoir than the Division's proposed table value TN standard for cold-water reservoirs.

While CWA requests adoption of a site-specific TN standard for Chatfield Reservoir in the event the Commission determines a need to adopt a TN standard for the reservoir, CWA primarily requests that the Commission refrain from imposing a TN standard on Chatfield Reservoir in the present proceeding. This would provide additional time for the Division to consult with all of the stakeholders and propose an appropriate standard—one that interested parties may understand and support—in a subsequent proceeding.

#### **IV. Response to Other Parties' Rebuttal Statements**

In addition to the Division, the following parties also submitted rebuttal statements that discuss Chatfield Reservoir: the EPA, Colorado Parks and Wildlife ("CPW"), Plum Creek Water Reclamation Authority ("PCWRA"), and Centennial Water and Sanitation District ("CWSD"). CWA provides the following responses to these rebuttal statements.

The EPA "see[s] no compelling reason not to assign a TN standard" and requests "application of a TN standard to Chatfield Reservoir as an outcome of the current rulemaking action with the understanding that, in the future, site-specific standards can be developed and adopted."<sup>20</sup> The EPA also "support[s] the Division's classification approach that derives separate cross-lake relationships for cold and warm lakes," but caveats that "the Division is doing some additional work to evaluate whether classification results are similar using the initial and final versions of the lakes dataset."<sup>21</sup> CWA disagrees that it is preferable to adopt an incorrect standard now and seeks to revise it in the future rather than waiting to adopt a correct standard, and reiterates the argument on this topic contained in CWA's Rebuttal Statement.<sup>22</sup> In addition, CWA asserts that the Division's and EPA's uncertainty regarding the correct method of categorizing the state's lakes and reservoirs supports CWA's position that more work should be

---

<sup>16</sup> Division's Rebuttal Statement (Feb. 15, 2023) at 143-145.

<sup>17</sup> See Division's Prehearing Statement (Aug. 3, 2022), Exhibit C (in which the Division provides "Secchi-based Site-specific Equations" for calculation of site-specific nutrient standards for lakes and reservoirs).

<sup>18</sup> Division's Rebuttal Statement (Feb. 15, 2023) at 143-145.

<sup>19</sup> *Id.* at 144.

<sup>20</sup> EPA's Rebuttal Statement (Feb. 15, 2023) at 30.

<sup>21</sup> *Id.* at 4.

<sup>22</sup> See CWA's Rebuttal Statement (Feb. 15, 2023) at 2.

done prior to imposing the table value TN standard for cold-water reservoirs on Chatfield Reservoir.

CPW confirms that Chatfield Reservoir “has never tested positive for algal toxins.”<sup>23</sup> CPW also indicates concern “that CWA has not shared its most recent TN data with [the Division].”<sup>24</sup> CWA is happy to share all of its data for Chatfield Reservoir with CPW; any failure to share data in the past was unintentional and the result of inadvertence.

CWA agrees with PCWRA that “[r]ushing to adopt an improper standard that is not supported by the scientific evidence or conditions in Chatfield Reservoir, based on the promise of future ‘fine-tuning,’ has serious implications.”<sup>25</sup> PCWRA also points out that “[h]ad the Division more appropriately partitioned the data based on temperature, and had the Division considered other site-specific conditions, it may have significantly altered the proposed total nitrogen limit for Chatfield Reservoir.”<sup>26</sup> CWA supports PCWRA’s request that the Commission refrain from adopting a TN standard for Chatfield Reservoir in the present proceeding.

CWSD points out that Chatfield Reservoir “attains both [its] phosphorous and chlorophyll a standards,” indicating that the reservoir’s water quality and public uses are protected “through the regulation of phosphorus alone.”<sup>27</sup> CWA agrees.

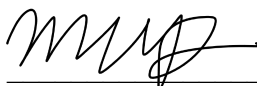
## V. Conclusion

For the reasons stated above, CWA requests that the Commission reject the Division’s proposal to impose the table value TN standard for cold-water reservoirs on Chatfield Reservoir with a delayed effective date. CWA requests that no TN standard be added at this time. However, in the event the Commission determines a need to impose such a standard, CWA requests the Commission adopt the site-specific standard of 530 ug/L calculated by the Division specifically for Chatfield Reservoir.

While this Surrebuttal Statement addresses specifically the Division’s revised proposal, CWA’s request that the Commission refrain from adopting a TN standard for Chatfield Reservoir at this time also applies to all alternate proposals presented in this proceeding.

Dated this 30th day of March, 2023.

SOMACH SIMMONS & DUNN, P.C.



---

Michael Daugherty

*Counsel for Chatfield Watershed Authority*

---

<sup>23</sup> CPW’s Rebuttal Statement (Feb. 15, 2023) at 18.

<sup>24</sup> *Id.* at 19.

<sup>25</sup> PCWRA’s Rebuttal Statement (Feb. 15, 2023) at 8.

<sup>26</sup> *Id.* at 5.

<sup>27</sup> CWSD’s Rebuttal Statement (Feb. 15, 2023) at 5 (emphasis omitted).

Attachment 19



# 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 4<sup>th</sup> 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

---

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

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

	Dec 22	Jan - Dec 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	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
<b>Total 4000 · Operating Revenues - Membership</b>	<b>6,012.17</b>	<b>282,398.04</b>
4103 · Interest Income	84.72	278.49
<b>Total Income</b>	<b>6,096.89</b>	<b>282,676.53</b>
<b>Expense</b>		
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
<b>Total 5000 · Expenditures - Operational</b>	<b>24,394.00</b>	<b>235,864.57</b>
5100 · Expenditures - Contractual		
5111 · Monitoring- in Kind	6,012.17	72,146.04
5117 · Public Outreach Sponsorships	0.00	450.00
<b>Total 5100 · Expenditures - Contractual</b>	<b>6,012.17</b>	<b>72,596.04</b>
<b>Total Expense</b>	<b>30,406.17</b>	<b>308,460.61</b>
<b>Net Income</b>	<b>-24,309.28</b>	<b>-25,784.08</b>

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

	<b>Jan - Dec 22</b>	<b>Budget</b>	<b>\$ Over Budget</b>	<b>% of Budget</b>
<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	83.33%
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%
<b>Total 4000 · Operating Revenues - Membership</b>	<b>282,398.04</b>	<b>278,552.00</b>	<b>3,846.04</b>	<b>101.38%</b>
4103 · Interest Income	278.49			
<b>Total Income</b>	<b>282,676.53</b>	<b>278,552.00</b>	<b>4,124.53</b>	<b>101.48%</b>
<b>Expense</b>				
<b>5000 · Expenditures - Operational</b>				
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%
<b>Total 5000 · Expenditures - Operational</b>	<b>235,864.57</b>	<b>287,274.00</b>	<b>-51,409.43</b>	<b>82.1%</b>
<b>5100 · Expenditures - Contractual</b>				
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%
<b>Total 5100 · Expenditures - Contractual</b>	<b>72,596.04</b>	<b>77,811.00</b>	<b>-5,214.96</b>	<b>93.3%</b>
<b>Total Expense</b>	<b>308,460.61</b>	<b>365,085.00</b>	<b>-56,624.39</b>	<b>84.49%</b>
<b>Net Income</b>	<b>-25,784.08</b>	<b>-86,533.00</b>	<b>60,748.92</b>	<b>29.8%</b>

**Chatfield Watershed Authority  
Transaction Detail By Account**

December 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	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
<b>4039 - Plum Creek - In Kind</b>											
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
<b>4040 - Centennial - In Kind</b>											
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
<b>4045 - Roxborough In Kind</b>											
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
<b>4103 - Interest Income</b>											
Deposit	12/31/2022				Interest			1000 - 1st Bank		84.72	84.72
Total 4103 - Interest Income									0.00	84.72	84.72
<b>5000 - Expenditures - Operational</b>											
<b>5002 - Management Fees- Authority</b>											
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
<b>5004 - NPS projects and Consultants</b>											
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
<b>5006 - Legal - Admin</b>											
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
<b>5007 - Professional Fees-Financial</b>											
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
<b>5100 - Expenditures - Contractual</b>											
<b>5111 - Monitoring- in Kind</b>											
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
<b>TOTAL</b>									<b>30,406.17</b>	<b>6,096.89</b>	<b>-24,309.26</b>



FIRSTBANK  
 PO BOX 150097  
 LAKEWOOD CO 80215-0097

24-Hour Customer Service: 1-800-964-3444  
 New Account or Loan: 1-877-933-9800  
 www.efirstbank.com

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





Attachment 20

# Chatfield Watershed Authority

## Financial Recap

### February 28, 2023

#### 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 February 28, 2023 accounting expenses.
3. Somach Simmons and Dunn billed \$ 4,130 for February 2023 legal fees
4. Lobbyists billed \$ 3000 for February 2023
5. RESPEC billed \$ 3687.50 for February 2023
6. Cash in bank as of 02/28/23- \$ 430,770.60
7. Accounts payable as of 02/28/23 - \$ 17,120.36
8. Outstanding dues as of 02/28/23 \$ 38,586. We have collected \$ 31,386 of that amount to date leaving a balance of unpaid dues at \$ 7200.00.

Chatfield Watershed Authority  
Interim Financial Statements  
Substantially all Disclosures Omitted  
February 28, 2023

**Chatfield Watershed Authority**  
**Balance Sheet**  
As of February 28, 2023

---

	<u>Feb 28, 23</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
1000 · 1st Bank	430,770.60
<b>Total Checking/Savings</b>	<u>430,770.60</u>
<b>Total Current Assets</b>	<u>430,770.60</u>
<b>TOTAL ASSETS</b>	<u><u>430,770.60</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
2000 · Accounts Payable	17,120.36
<b>Total Accounts Payable</b>	<u>17,120.36</u>
<b>Total Current Liabilities</b>	<u>17,120.36</u>
<b>Total Liabilities</b>	17,120.36
<b>Equity</b>	
32000 · Retained Earnings	267,612.19
Net Income	146,038.05
<b>Total Equity</b>	<u>413,650.24</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>430,770.60</u></u>

**Chatfield Watershed Authority**  
**Profit & Loss**  
January through February 2023

	Jan 23	Feb 23	TOTAL
<b>Income</b>			
<b>4000 · Operating Revenues - Membership</b>			
4002 · Douglas County	0.00	75,510.00	75,510.00
4004 · Town of Castle Rock	0.00	75,510.00	75,510.00
4005 · Plum Creek Wastewater	0.00	2,400.00	2,400.00
4006 · Roxborough Park	2,400.00	0.00	2,400.00
4008 · Perry Park W&S District	0.00	2,400.00	2,400.00
4009 · Denver Water Department	0.00	2,400.00	2,400.00
4010 · City of Littleton	0.00	2,400.00	2,400.00
4012 · Town of Larkspur	2,400.00	0.00	2,400.00
4014 · Louviers Water & San. District	2,400.00	0.00	2,400.00
4016 · Sacred Heart Retreat House	0.00	2,400.00	2,400.00
4038 · Denver Water- In Kind	2,125.00	2,125.00	4,250.00
4039 · Plum Creek - In Kind	1,666.67	1,666.67	3,333.34
4040 · Centennial - In Kind	1,953.83	1,953.83	3,907.66
4045 · Roxborough In Kind	266.67	266.67	533.34
<b>Total 4000 · Operating Revenues - Membership</b>	<b>13,212.17</b>	<b>169,032.17</b>	<b>182,244.34</b>
<b>4103 · Interest Income</b>	<b>46.99</b>	<b>29.87</b>	<b>76.86</b>
<b>Total Income</b>	<b>13,259.16</b>	<b>169,062.04</b>	<b>182,321.20</b>
<b>Expense</b>			
<b>5000 · Expenditures - Operational</b>			
5001 · Management Fees Technical	4,552.86	3,687.50	8,240.36
5004 · NPS projects and Consultants	3,000.00	3,000.00	6,000.00
5005 · Legal - Admin	3,888.45	4,130.00	8,018.45
5007 · Professional Fees-Financial	750.00	750.00	1,500.00
<b>Total 5000 · Expenditures - Operational</b>	<b>12,191.31</b>	<b>11,567.50</b>	<b>23,758.81</b>
<b>5100 · Expenditures - Contractual</b>			
5111 · Monitoring- in Kind	6,012.17	6,012.17	12,024.34
5117 · Public Outreach Sponsorships	250.00	250.00	500.00
<b>Total 5100 · Expenditures - Contractual</b>	<b>6,262.17</b>	<b>6,262.17</b>	<b>12,524.34</b>
<b>Total Expense</b>	<b>18,453.48</b>	<b>17,829.67</b>	<b>36,283.15</b>
<b>Net Income</b>	<b>-5,194.32</b>	<b>151,232.37</b>	<b>146,038.05</b>

**Chatfield Watershed Authority**  
**Profit & Loss Budget vs. Actual**  
 January through February 2023

	Jan - Feb 23	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
<b>4000 · Operating Revenues - Membership</b>				
Voluntary Dues	0.00	2,400.00	-2,400.00	0.0%
4001 · Jefferson County	0.00	28,986.00	-28,986.00	0.0%
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	0.00	2,400.00	-2,400.00	0.0%
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	0.00	2,400.00	-2,400.00	0.0%
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	2,400.00	2,400.00	0.00	100.0%
4019 · Dominion W&S District	0.00	2,400.00	-2,400.00	0.0%
4038 · Denver Water- In Kind	4,250.00	25,500.00	-21,250.00	16.7%
4039 · Plum Creek - In Kind	3,333.34	20,000.00	-16,666.66	16.7%
4040 · Centennial - In Kind	3,907.66	23,446.00	-19,538.34	16.7%
4045 · Roxborough In Kind	533.34	3,200.00	-2,666.66	16.7%
<b>Total 4000 · Operating Revenues - Membership</b>	<b>182,244.34</b>	<b>280,952.00</b>	<b>-98,707.66</b>	<b>64.9%</b>
<b>4103 · Interest Income</b>	<b>76.86</b>			
<b>Total Income</b>	<b>182,321.20</b>	<b>280,952.00</b>	<b>-98,630.80</b>	<b>64.9%</b>
<b>Expense</b>				
<b>5000 · Expenditures - Operational</b>				
5001 · Management Fees Technical	8,240.36	81,426.00	-73,185.64	10.1%
5002 · Management Fees- Authority	0.00	39,655.00	-39,655.00	0.0%
5003 · Website Hosting/Maint	0.00	3,930.00	-3,930.00	0.0%
5004 · NPS projects and Consultants	6,000.00	92,000.00	-86,000.00	6.5%
5005 · Legal - Admin	8,018.45	58,640.00	-50,621.55	13.7%
5006 · Misc. Admin.	0.00	546.00	-546.00	0.0%
5007 · Professional Fees-Financial	1,500.00	9,750.00	-8,250.00	15.4%
<b>Total 5000 · Expenditures - Operational</b>	<b>23,758.81</b>	<b>285,947.00</b>	<b>-262,188.19</b>	<b>8.3%</b>
<b>5100 · Expenditures - Contractual</b>				
5103 · Monitoring	0.00	5,459.00	-5,459.00	0.0%
5111 · Monitoring- in Kind	12,024.34	72,146.00	-60,121.66	16.7%
5115 · Public Outreach Consultants	0.00	35,000.00	-35,000.00	0.0%
5117 · Public Outreach Sponsorships	500.00	546.00	-46.00	91.6%
<b>Total 5100 · Expenditures - Contractual</b>	<b>12,524.34</b>	<b>113,151.00</b>	<b>-100,626.66</b>	<b>11.1%</b>
<b>Total Expense</b>	<b>36,283.15</b>	<b>399,098.00</b>	<b>-362,814.85</b>	<b>9.1%</b>
<b>Net Income</b>	<b>146,038.05</b>	<b>-118,146.00</b>	<b>264,184.05</b>	<b>-123.6%</b>

**Chatfield Watershed Authority**  
**Transaction Detail By Account**  
 January through February 2023

Type	Date	Num	Adj	Name	Memo	Class	Cir	Split	Debit	Credit	Balance
<b>4000 - Operating Revenues - Membership</b>											
4002 - Douglas County	Deposit	02/10/2023			Deposit			1000 - 1st Bank		75,510.00	75,510.00
Total 4002 - Douglas County									0.00	75,510.00	75,510.00
4004 - Town of Castle Rock	Deposit	02/10/2023			Deposit			1000 - 1st Bank		75,510.00	75,510.00
Total 4004 - Town of Castle Rock									0.00	75,510.00	75,510.00
4005 - Plum Creek Wastewater	Deposit	02/10/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4005 - Plum Creek Wastewater									0.00	2,400.00	2,400.00
4006 - Roxborough Park	Deposit	01/20/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4006 - Roxborough Park									0.00	2,400.00	2,400.00
4008 - Perry Park W&S District	Deposit	02/03/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4008 - Perry Park W&S District									0.00	2,400.00	2,400.00
4009 - Denver Water Department	Deposit	02/10/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4009 - Denver Water Department									0.00	2,400.00	2,400.00
4010 - City of Littleton	Deposit	02/24/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4010 - City of Littleton									0.00	2,400.00	2,400.00
4012 - Town of Larkspur	Deposit	01/27/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4012 - Town of Larkspur									0.00	2,400.00	2,400.00
4014 - Louviers Water & San. District	Deposit	01/27/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4014 - Louviers Water & San. District									0.00	2,400.00	2,400.00
4015 - Sacred Heart Retreat House	Deposit	02/03/2023			Deposit			1000 - 1st Bank		2,400.00	2,400.00
Total 4015 - Sacred Heart Retreat House									0.00	2,400.00	2,400.00
4038 - Denver Water- In Kind	General Journal	01/01/2023	Ted-Aj	*				5111 - Monitorin...		2,125.00	2,125.00
	General Journal	02/28/2023	Ted-Aj	*				5111 - Monitorin...		2,125.00	4,250.00
Total 4038 - Denver Water- In Kind									0.00	4,250.00	4,250.00
4039 - Plum Creek - In Kind	General Journal	01/08/2023	Ted-Aj	*				5111 - Monitorin...		1,666.67	1,666.67
	General Journal	02/08/2023	Ted-Aj	*				5111 - Monitorin...		1,666.67	3,333.34
Total 4039 - Plum Creek - In Kind									0.00	3,333.34	3,333.34
4040 - Centennial - In Kind	General Journal	01/08/2023	Ted-Aj	*						1,953.83	1,953.83
	General Journal	02/08/2023	Ted-Aj	*						1,953.83	3,907.66
Total 4040 - Centennial - In Kind									0.00	3,907.66	3,907.66
4045 - Roxborough In Kind	General Journal	01/16/2023	Ted-Aj	*				5111 - Monitorin...		266.67	266.67
	General Journal	02/16/2023	Ted-Aj	*				5111 - Monitorin...		266.67	533.34
Total 4045 - Roxborough In Kind									0.00	533.34	533.34
Total 4000 - Operating Revenues - Membership									0.00	182,244.34	182,244.34
<b>4103 - Interest Income</b>											
Deposit	01/31/2023				Interest			1000 - 1st Bank		46.99	46.99
Deposit	02/28/2023				Interest			1000 - 1st Bank		29.87	76.86
Total 4103 - Interest Income									0.00	76.86	76.86
<b>5000 - Expenditures - Operational</b>											
5001 - Management Fees Technical	Bill	01/31/2023	INV-01		RESPEC	January 2023 C...		2000 - Accounts ...	4,552.88		-4,552.88
	Bill	02/28/2023	INV-02		RESPEC	February 2023 ...		2000 - Accounts ...	3,687.50		-8,240.36
Total 5001 - Management Fees Technical									8,240.36	0.00	-8,240.36
5004 - NPS projects and Consultants	Bill	01/31/2023	22-03		Steve Balcerovich	January 2023 P...		2000 - Accounts ...	1,500.00		-1,500.00
	Bill	01/31/2023			Altwood Public Affairs	January 2023 P...		2000 - Accounts ...	1,500.00		-3,000.00
	Bill	02/28/2023	Invoice...		Steve Balcerovich	February 2023 ...		2000 - Accounts ...	1,500.00		-4,500.00
	Bill	02/28/2023	Invoice...		Altwood Public Affairs	February 2023 ...		2000 - Accounts ...	1,500.00		-6,000.00
Total 5004 - NPS projects and Consultants									6,000.00	0.00	-6,000.00
5005 - Legal - Admin	Bill	01/30/2023	301665		Sornach Simmons & D...	Legal		2000 - Accounts ...	3,888.45		-3,888.45
	Bill	02/28/2023	Invoice...		Sornach Simmons & D...	Legal		2000 - Accounts ...	4,130.00		-8,018.45
Total 5005 - Legal - Admin									8,018.45	0.00	-8,018.45
5007 - Professional Fees-Financial	Bill	01/31/2023	23056		TWS Financial Inc.	December 2022		2000 - Accounts ...	750.00		-750.00
	Bill	02/28/2023	23057		TWS Financial Inc.	December 2022		2000 - Accounts ...	750.00		-1,500.00
Total 5007 - Professional Fees-Financial									1,500.00	0.00	-1,500.00
Total 5000 - Expenditures - Operational									23,758.81	0.00	-23,758.81
<b>5100 - Expenditures - Contractual</b>											
5111 - Monitoring- in Kind	General Journal	01/01/2023	Ted-Aj	*				4038 - Denver ...	2,125.00		-2,125.00
	General Journal	01/08/2023	Ted-Aj	*					1,953.83		-4,078.83
	General Journal	01/08/2023	Ted-Aj	*				4039 - Plum Cre...	1,666.67		-5,745.50
	General Journal	01/16/2023	Ted-Aj	*				4045 - Roxborou...	266.67		-6,012.17
	General Journal	02/08/2023	Ted-Aj	*					1,953.83		-7,966.00

**Chatfield Watershed Authority**  
**Transaction Detail By Account**  
 January through February 2023

Type	Date	Num	Adj	Name	Memo	Class	Cir	Split	Debit	Credit	Balance
General Journal	02/08/2023	Ted-AJ	*					4039 Plum Cre...	1,686.67		-9,632.67
General Journal	02/16/2023	Ted-AJ	*					4045 Roxborou...	266.67		-9,899.34
General Journal	02/28/2023	Ted-AJ	*					4038 Denver ...	2,125.00		-12,024.34
Total 5111 Monitoring- in Kind									12,024.34	0.00	-12,024.34
<b>5117 Public Outreach Sponsorships</b>											
Bill	01/31/2023	2023 R...		Town of Castle Rock P...	2023 Renewal			2000 Accounts ...	250.00		-250.00
Bill	02/28/2023	2023 S ...		the Town of Castle Rock	Pet Waste Statl...			2000 Accounts ...	250.00		-500.00
Total 5117 Public Outreach Sponsorships									500.00	0.00	-500.00
Total 5100 Expenditures - Contractual									12,524.34	0.00	-12,524.34
<b>TOTAL</b>									<b>36,283.16</b>	<b>182,321.20</b>	<b>146,038.05</b>





FIRSTBANK  
PO BOX 150097  
LAKEWOOD CO 80215-0097

24-Hour Customer Service: 1-800-964-3444  
New Account or Loan: 1-877-933-9800  
www.efirstbank.com

6500 0100 OO RP 28 03012023 NNNNNN 01 003483 0009  
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	2-28-2023
INTEREST EARNED THIS YEAR	76.86



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

CLOSING BALANCE FROM PREVIOUS STATEMENT .....	DATE:	1-31-2023	307,085.68
4 DEPOSITS AND OTHER ADDITIONS TOTALING .....			163,049.87+
5 CHECKS AND OTHER WITHDRAWALS TOTALING .....			16,264.00-
CLOSING BALANCE FOR THIS STATEMENT .....	DATE:	2-28-2023	453,871.55
MINIMUM BALANCE OF	302,571.68	ON .....	2-08-2023
NUMBER OF DAYS IN PERIOD .....			28
INTEREST EARNED .....			29.87

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

CHECK#.....AMOUNT....DATE	CHECK#.....AMOUNT....DATE	CHECK#.....AMOUNT....DATE
5758 2,960.00 2-10	5764 3,990.00 2-15	5766 1,500.00 2-06
5763* 1,500.00 2-01	5765 6,314.00 2-08	

**DEPOSITS AND OTHER ADDITIONS**

DATE.....TYPE.....AMOUNT	DATE.....TYPE.....AMOUNT	DATE.....TYPE.....AMOUNT
2-03 DEPOSIT 4,800.00	2-24 DEPOSIT 2,400.00	2-28 INTEREST 29.87
2-10 DEPOSIT 155,820.00		

**DAILY BALANCE SUMMARY**

DATE.....BALANCE	DATE.....BALANCE	DATE.....BALANCE
2-01 305,585.68	2-08 302,571.68	2-24 453,841.68
2-03 310,385.68	2-10 455,431.68	2-28 453,871.55
2-06 308,885.68	2-15 451,441.68	

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

EFFECTIVE DATES	\$500 UP TO \$20,000 RATE	\$20,000 AND ABOVE RATE
2/01 THROUGH 2/28	0.05%	0.10%

**SPECIAL MESSAGES AND IMPORTANT NOTICES**

MoneyPass is a fee-free ATM network with access to withdrawals at over 37,000 ATMs nationwide and is now available for FirstBank debit and ATM card holders. With this enhancement, beginning April 1, 2023, FirstBank will no longer have fee-free ATMs in select King Soopers & CVS locations. Customers living outside of Colorado, Arizona and Riverside County, CA will no longer receive fee-free ATM withdrawals or refunds of the ATM owner's fee. Additionally, customers in Riverside, CA will no longer have the non-FirstBank ATM withdrawal fees waived. FirstBank's fee for using an out of network ATM is \$2.50.





FIRSTBANK  
 PO BOX 150097  
 LAKEWOOD CO 80215-0097

24-Hour Customer Service: 1-800-964-3444  
 New Account or Loan: 1-877-933-9800  
 www.efirstbank.com

6500 0100 OO RP 31 02012023 NNNNNN 01 002596 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	1-31-2023
INTEREST EARNED THIS YEAR	46.99



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

CLOSING BALANCE FROM PREVIOUS STATEMENT .....	DATE:	12-30-2022	321,337.24
3 DEPOSITS AND OTHER ADDITIONS TOTALING .....			7,246.99+
6 CHECKS AND OTHER WITHDRAWALS TOTALING .....			21,498.55-
CLOSING BALANCE FOR THIS STATEMENT .....	DATE:	1-31-2023	307,085.68
MINIMUM BALANCE OF	303,738.69	ON	1-26-2023
NUMBER OF DAYS IN PERIOD .....			32
INTEREST EARNED .....			46.99

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

CHECK#.....	AMOUNT.....	DATE.....	CHECK#.....	AMOUNT.....	DATE.....	CHECK#.....	AMOUNT.....	DATE.....
5756	3,000.00	1-03	5759*	6,938.75	1-26	5761	750.00	1-31
5757	3,000.00	1-17	5760	7,059.80	1-25	5762	750.00	1-31

**DEPOSITS AND OTHER ADDITIONS**

DATE.....	TYPE.....	AMOUNT.....	DATE.....	TYPE.....	AMOUNT.....	DATE.....	TYPE.....	AMOUNT.....
1-20	DEPOSIT	2,400.00	1-27	DEPOSIT	4,800.00	1-31	INTEREST	46.99

**DAILY BALANCE SUMMARY**

DATE.....	BALANCE.....	DATE.....	BALANCE.....	DATE.....	BALANCE.....
1-03	318,337.24	1-25	310,677.44	1-27	308,538.69
1-17	315,337.24	1-26	303,738.69	1-31	307,085.68
1-20	317,737.24				

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

EFFECTIVE DATES	\$500 UP TO \$20,000 RATE	\$20,000 AND ABOVE RATE
12/31 THROUGH 1/10	0.15%	0.30%
1/11 THROUGH 1/31	0.05%	0.10%

**EARNINGS AND ACTIVITY CHARGE SUMMARY**

**INTEREST PAID CALCULATION**

DATES	AVERAGE COLLECTED BALANCE	RATE	INTEREST EARNED
12/31 THROUGH 1/10	319,155	.300%	28.85
1/11 THROUGH 1/31	315,295	.100%	18.14
TOTAL INTEREST FOR 32 DAYS			46.99

**ACTIVITY CHARGES (FIRST 150 ITEMS FREE)**

NUMBER	DESCRIPTION	COST	CHARGE	
6	DEBITS	.50	3.00	WAIVED
2	CREDITS	.50	1.00	WAIVED
3	DEPOSITED ITEMS	.50	1.50	WAIVED
TOTAL ACTIVITY CHARGES			.00	

