



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

CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

Chatfield Watershed Authority Board Meeting
Monday, July 25, 2022
3:00 p. m. – 5:00 p. m.

Board of Directors:

Director Lora Thomas (Chair) – Douglas County
Director Lesley Dahlkemper – Jefferson County
Director Alison Witheridge – Other Districts
Director Laura Cavey (Vice-Chair) – Town of Castle Rock

Alan Leak (RESPEC)
Michael Daugherty (SSD)
Sarah Klahn(SSD)
Kris Wahlers (Chatfield State Park)
Kevin Bierlein (Hydros Consulting)
Ted Snailum (TWS Financial)
Charly Hoehn (Chatfield Reservoir Mitigation Company)
Josh Baile (Dominion WSD)
Kirby Clark (Plum Creek WSD)
Dru Campbell (Douglas County)
Andy Kerr (Jefferson County)
Cathy Begej (Jeffco Conservation District)

Others Present:

Patrick O’Connell (Jefferson County)
Ryan Adrian (Douglas County)
Weston Martin (Plum Creek WSD)
Diane Kielty (Colorado Watershed Assembly)
David Van Dellen (Town of Castle Rock)

3:00 pm

Call to Order

A regular meeting of the Chatfield Watershed Authority was called to order at 3:00 p.m. by Director Thomas. A quorum was declared established. There were no disclosures.

ACTION/APPROVAL ITEMS (3:05 P.M. – 3:30 P.M.)

A. APPROVAL OF AGENDA

It was moved to approve the agenda as presented by Director Dahlkemper and seconded by Director Witheridge; motion carried unanimously.

B. APPROVAL OF MEETING MINUTES

Approval of Chatfield Board April 18, 2022, Meeting Minutes

It was moved by Director Cavey to approve the April 18, 2022 Board meeting minutes and seconded by Director Witheridge; motion carried unanimously.



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C. APPROVAL/RATIFICATION OF INVOICES

The table summarizes the invoices included in the meeting packet.

Total amount of invoices for approval \$68,935.39

Invoices < \$5,000 and within Budget and Scope (Manager's Approval)	
Lynker_Credit applied to Balance_03 31 22 Chatfield_Watershed_Invoice	\$180.00
Lynker_Credit applied to Balance_04_01_22 to 04_30_22_Chatfield_Invoice_SI009337	\$120.00
Lynker_Credit applied to Balance_05 31 22 Chatfield_Watershed_Invoice	\$300.00
Lynker Credit applied to balance_06 30 22 Chatfield_Watershed_Invoice	\$300.00
TWS_April Inv_21384_from_TWS_FINANCIAL_INC._7856	\$750.00
TWS_Inv May 2022_21824_from_TWS_FINANCIAL_INC._36760	\$750.00
TWS_June Inv_21870_from_TWS_FINANCIAL_INC._15000	\$750.00
Notchcode_CHA-001.3 invoice-Final Invoice	\$1,648.00
RESPEC_W0035-Chatfield-INV-28FEB22	\$4,917.50
RESPEC_Pine Canyon_3970.02-CWA-INV-31MAY22	\$3,137.50
SSD Invoice 3013463_March 31 2022	\$1,197.00
SSD General Chatfield Invoice 3013770_April 2022	\$3,350.50
SSD WQCC-WQCD Chatfield Invoice 3013753_April 2022	\$180.00
SSD Pine Canyon Chatfield Invoice 3013771_April 2022	\$1,905.50
SSD WQCC-WQCD Chatfield Invoice 3014067_May 2022	\$2,491.54
SSD Pine Canyon Chatfield Invoice 3014068_May 2022	\$872.00
SSD General Chatfield Invoice 3014308_June 2022	\$3,689.50
SSD WQCC-WQCD Chatfield Invoice 3014309_June 2022	\$1,331.84
SSD Reg 73 Chatfield Invoice 3014311_June 2022	\$40.00
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
CO Watershed Assembly_Invoice 2022 005 1st Q_Chatfield 2022 005	\$9,450.00
RESPEC_W0035-Chatfield-INV-31MAR22_INV-0322-1246 Revised	\$11,312.50
RESPEC_W0035-Chatfield-INV-30APR22_INV-0422-711	\$14,147.50
RESPEC_W0035-Chatfield-INV-0522_686_31MAY22	\$7,014.51



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CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

Invoices > \$15,000 and/or any Amount not within Budget or Scope (Board Approval)	
*Also requires post-payment Board ratification at next quarterly Board Meeting	

It was moved to approve and ratify the invoices by Director Cavey and seconded by Director Dahlkemper; motion carried unanimously.

**D. AUTHORIZATIONS AND RECOMMENDATIONS: WATER QUALITY CONTROL COMMISSION
 RULEMAKING HEARINGS (ALAN LEAK & MICHAEL DAUGHERTY)**

1. LEGAL STATUS REGULATION 73 (MICHAEL DAUGHERTY)

CDPHE will reach out to all the stakeholders. The Division is in favor of postponement. TAC voted in favor of postponing the Regulation 73 rulemaking hearing.

2. LEGAL STATUS REGULATION 38 (ALAN LEAK)

Legal actions have budgetary impacts. We are on pace for the rulemaking hearing in November. New table values for nitrogen are being introduced because Chatfield reservoir has a swim beach. The proposed new standards would likely go into place in 2023. They propose to change total phosphorus and chlorophyll a. If these changes go into effect it will impact CWA’s ability to meet these standards. The Division has been helping CWA determine historic nitrogen standards. TAC is recommending to the Board financially committing to a joint effort to review the technical consultants’ results that determined the new lake nutrient standard recommendations.

The lake nutrients criteria rulemaking hearing is scheduled for November 14, 2022; prehearing statements are due on August 3, 2022, and party status requests must be filed by August 17, 2022. The Commission released the notice of public rulemaking hearing on July 14, 2022. The cost impact considerations of CWA participation in this rulemaking are in the action memo in the board packet.

[Pages 1-58 Notice 85 31-38-LakesNutrients](#)

[Pages 604-616 Notice 85 31-38-LakesNutrients-2](#)

- a. RECOMMENDATION TO APPROVE CWA FINANCIAL COMMITMENT TO TECHNICAL REVIEW OF REVISED NUTRIENT CRITERIA FOR COLORADO LAKES LEAD BY COLORADO WASTEWATER UTILITY COUNCIL (CWUC) (ALAN LEAK & MICHAEL DAUGHERTY)



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CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

It was moved by Director Dahlkemper to ratify the \$5,000 expenditure to fund the Colorado Wastewater Utility Council Lakes Nutrients study review effort and seconded by Director Witheridge. Three votes yes, one abstention by Director Witheridge. Motion passed.

It was moved by Director Cavey to recommend that TAC approve the Authority obtaining party status in the November 2022 Lakes Nutrients Rulemaking Hearing process and seconded by Director Witheridge; motion carried unanimously.

b. 2022 BUDGET AMENDMENT FOR REGULATION 38 REVISED NUTRIENT CRITERIA FOR COLORADO LAKES HEARING IN NOVEMBER (ALAN LEAK & MICHAEL DAUGHERTY)

It was moved to approve an amendment to the 2022 budget to increase line item 5001 – Management Fees – Technical from \$77,100 to \$87,100 for an additional \$10,000 made by Director Dahlkemper and second by Director Cavey; motion carried unanimously.

It was moved to approve an amendment to the 2022 budget to increase line item 5005 - Legal – Administrative from \$59,240 to \$84,240 for an additional \$25,000 made by Director Dahlkemper and second by Director Cavey; motion carried unanimously.

Directors are comfortable with decreasing line item 5004 – NPS Projects and Consultants from \$64,000 to \$62,713, adding the Lynker and Notchcode carryovers from the 2021 contracts, and subtract the \$35,000 reallocation from the planned additional watershed modeling and work to link the watershed model with the reservoir model to RESPEC and SSD for the Lakes Nutrients Rulemaking Hearing process. These changes will permit CWA to remain within the total 2022 budget.

Action: Consultants will discuss with TAC outcomes from this meeting and prepare to move forward Lakes Nutrients Criteria party status and continue discussions with the Division about the standards and the possibility of a site-specific approach.

PRESENTATION (3:30 P.M. - 3:50 P.M.)

Chatfield Reservoir 2021 Annual Water Quality Report (Charly Hoehn, Chatfield Reservoir Mitigation Company & Kevin Bierlein, Hydros Consulting) ([Link to Attachment 28](#)) The report may suggest that the reallocation has improved water quality. CRMC will investigate historic nitrogen data. There has been no native storage in the storage pool. Overall, the reservoir can hold 48,000-acre feet. Dam goes up to approximately 55,000 with additional flood storage space. The reservoir is approximately 50% full currently. Presentation available by request.



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DISCUSSION ITEMS (3:50 P.M. - 4:30 P.M.)

A. BUDGET AND REVENUE FORECAST (ALAN LEAK & MICHAEL DAUGHERTY)

An update was provided with worksheet as backup to reflect changes in forecast.

B. ANNUAL PRESENTATION TO THE WATER QUALITY CONTROL COMMISSION SEPTEMBER 12-13, 2022 (ALAN LEAK)

There was a preview of the draft presentation. RESPEC will provide updates to TAC. A draft final will go to the TAC and Board in September.

UPDATES (4:30 P.M. – 4:55 P.M.)

A. TECHNICAL (ALAN LEAK)

1. CWA Letter to the WQCD regarding the April 6, 2022 Pine Canyon Site Application - Letters included in packet that went to the Division requesting the application not be approved and, if approved, conditions to be placed on it. Given that we have reservoir regulations, a LAMP has greater implications. CWA does not have latitude to allow phosphorus into the system. The letter was submitted on June 8th. The Division has not made a decision.
2. Response actions to Jellystone wasteload allocation violations update - The Division is working on Jellystone compliance issues. RESPEC will be following up with the Division.
3. West Plum Creek Stream Management Plan Update ([Link to 35](#))
<https://sites.google.com/peakfacilitation.com/westplumcreek/home> The plan is underway. The biggest issue has been the lack of rainfall. It is difficult to assess fish in a dry stream. Some activities have been postponed. They have had mixed response from landowners. In October River Network will present update to the TAC.
4. CSM 2022 Field Session Update
 - a. On CWA Website Projects page ([Projects — Chatfield Watershed Authority](#)) The 2022 field session is complete. Six groups were in the field. A deeper study was done at Sterling Ranch and Sellars Gulch. This has been helpful to the Authority for collecting data.

B. MANAGER (DIANE KIELTY)

1. RESPEC contract has been renewed for 2022 / 2023.
2. Lynker Contract Extension to end of 2022 in progress
3. Application Review Request Form is live on website ([Review Request Form — Chatfield Watershed Authority](#))



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CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

- Minutes from 2020 – 2022 are available on website
([Meeting Minutes – Chatfield Watershed Authority](#))
- Phosphorus Free Initiative Materials on Website
([Education – Chatfield Watershed Authority](#))

Douglas County has made a change in household waste disposal county wide. Any resident can contact waste management, pay a \$30 co-pay, and their waste can be picked up, including electronics for now. Residents can sign-up for a time in the schedule for a pick-up. This program will eventually be administered by the Environmental Health Department in December 2022.

Action: Write up will be provided by Douglas County to include on the CWA website.

C. FINANCIAL (DIANE KIELTY)

- June 2022 Financial Summary - A review was provided.

D. EXECUTIVE SESSION

24-6-402(4)(b) C.R.S. Conferences with an attorney for the purpose of receiving legal advice on specific legal questions.

UPCOMING MEETINGS (4:55 P.M. – 5:00 P.M.)

A. Next Scheduled TAC Meeting:

- Tuesday, August 2, 2022: 2:00 – 4:00 p.m., Google Meet Online

B. Next Scheduled Board Meeting:

- Monday, October 17, 2022: 3:00 – 5:00 p.m., Hybrid Live & Online

Virtual - Google Meet

Live Address - 100 Jefferson County Parkway
Golden, CO 80419

Directions for Chatfield Hybrid Meeting in Jefferson County

Directions and parking details
<https://www.jeffco.us/2051/Driving-Directions>



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- Parking – once through the roundabout, head toward the building, guests can park in either of the top-level parking areas to the left or right
- Enter the building and go to your left (unsecured side)
- Once at elevators, head to your right and look for signs for Chatfield Watershed Authority/Faye Griffin Room (just pass Hearing Room 1)

4:30 p.m.

Adjournment

ATTACHMENTS

Attachment 1 – Chatfield WA Board Minutes April 18, 2022_v1
Attachment 2- Lynker_Credit on Balance_03 31 22 Chatfield_Watershed_Invoice
Attachment 3- Lynker_04 30 22 Chatfield_Watershed_Invoice
Attachment 4- Lynker_05 31 22 Chatfield_Watershed_Invoice
Attachment 5- Lynker_06 30 22 Chatfield_Watershed_Invoice
Attachment 6- TWS_April Inv_21384_from_TWS_FINANCIAL_INC._7856
Attachment 7- TWS_Inv May 2022_21824_from_TWS_FINANCIAL_INC._36760
Attachment 8- TWS_June Inv_21870_from_TWS_FINANCIAL_INC._15000
Attachment 9- Notchcode_CHA-001.3 invoice-Final Invoice
Attachment 10- Respec_W0035-Chatfield-INV-28FEB22
Attachment 11- RESPEC_Pine Canyon_3970.02-CWA-INV-31MAY22
Attachment 12- SSD Invoice 3013463_March 31 2022
Attachment 13- SSD_CHATFIELD APRIL 2022 INVOICES
Attachment 14- SSD_CHATFIELD INVOICE LISTING 2022 SERVICES TOTALS 05172022
Attachment 15- SSD_CHATFIELD INVOICE LISTING 2022 SERVICES TOTALS 06172022
Attachment 16- SSD_CHATFIELD INVOICE LISTING 2022 SERVICES TOTALS 07132022
Attachment 17- SSD_MultipleInvoices_June 30 2022
Attachment 18- CO Watershed Assembly Invoice 2022 005 1st Q_Chatfield 2022 005
Attachment 19- RESPEC_W0035-Chatfield-INV-31MAR22-Revised
Attachment 20- RESPEC_W0035-Chatfield-INV-30APR22
Attachment 21- RESPEC_W0035-Chatfield-INV-31MAY22
Attachment 22- 07192022 Legal Report for July 2022 Board Meeting (00133783xD2C75)
Attachment 23- Chatfield Watershed Authority Budget Amendment_ ACTION MEMORANDUM_Final



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- Attachment 24- Technical Review Partnering_Revised Nutrient Criteria for Colorado Lakes hearing*
- Attachment 25- CEAE_CESA_220630_Quotation*
- Attachment 26 -CWWUC_SOW_220623*
- Attachment 27- CEAE_CESA_220628_Attachment_A*
- Attachment 28- [Link provided](#) - CRMC 2021 Annual Water Quality Monitoring Report 04.28.22*
- Attachment 29- Chatfield Watershed Authority Budget Planning Workbook 2023-2028 Version 7-5-2022*
- Attachment 30- CWA Letter to the WQCD regarding the April 6 2022 Pine Canyon Site Application*
- Attachment 31- Jellystone Enforcement Email with Nuttle*
- Attachment 32- RESPEC Pine Canyon Site Application and Phosphorus Trade Review Memo 6_8_2022*
- Attachment 33 -SMP_West Plum_Committee Agreements_FINAL*
- Attachment 34 -SMP_West Plum_Final Engagement Plan*
- Attachment 35- [Link Provided](#) - WPC_SHA_dft_20220628*
- Attachment 36- CWA June 2022 Financial Summary_20220719124216*