



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

CHATFIELD WATERSHED AUTHORITY TAC MINUTES

**Chatfield Watershed Authority TAC Meeting
Tuesday, November 1, 2022
2:00 p. m. – 4:00 p. m.**

Member Attendees:

Weston Martin (PCWRA) Chair
Patrick O’Connell (Jefferson County)
Ryan Adrian (Douglas County) Vice-Chair
David Van Dellen (Town of Castle Rock)

Alternate Members, Other Associate Agencies & Attendees:

Alan Leak (RESPEC)
Michael Daugherty (Somach Simmons and Dunn)
Kirby Clark (PCWRA)
Kris Wahlers (DNR/CPW)
Diane Kielty (CWA)
Bill Szafranski (Lynker)
Kurt Walker (Pine Canyon)
Kevin Bierlein (Hydros)
Joni Nuttle (CDPHE)
Cathy Begij (JCD)

2:00 pm

Call to Order

The regular TAC meeting was called to order at 2:03 pm by TAC Chair Wes Martin. There were no disclosures.

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

A. APPROVAL OF AGENDA

A motion was made by Ryan Adrian to approve the Chatfield TAC November 1, 2022, Agenda and seconded by Patrick O’Connell. Motion carried unanimously.

B. APPROVAL OF MEETING MINUTES

Approval of Chatfield TAC October 4, 2022, Meeting Minutes

A motion was made by Patrick O’Connell to approve the Chatfield TAC October 4, 2022, meeting minutes and seconded by Ryan Adrian. Motion carried unanimously.

C. APPROVAL/RATIFICATION OF INVOICES

The table summarizes the invoices included in the meeting packet.



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Total amount of invoices approved by CWA Manager was \$11,068.03.

Invoices < \$5,000 and within Budget and Scope (Manager’s Approval)	
SSD General Chatfield Invoice 3015374_September 2022	\$2,834.00
SSD WQCD-WQCC Chatfield Invoice 3015375_September 2022	\$442.00
SSD Pine Canyon Chatfield Invoice 3015376_September 2022	\$156.00
SSD Reg 73 Chatfield Invoice 3015377_September 2022	\$52.00
SSD Lakes Nutrients 2022 Chatfield Invoice 3015378_September 2022	\$2,119.03
RESPEC_W0035.22002-CWA-INV-30SEP22	\$4,715.00
TWS Sept 2022 Inv_22033_from_TWS_FINANCIAL_INC._13420	\$750.00
Credit_ Lynker_09 30 22 Chatfield_Watershed_Invoice	\$1,450.00
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
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	

D. RECOMMEND 2023 CWA BUDGET TO BOARD FOR APPROVAL

Sacred Heart has been moved from member dues status to voluntary dues status.

The Lobbyist budget estimate is at \$35,000. The lobbyist proposal selected is \$24,000. Recommend the Board keep the budget at \$35,000 for now and make adjustments if needed.

The number of TAC meetings allocated for the legal consultant is 4 hours per month. The Board did not provide additional comments.

A motion was made by David Van Dellen to recommend adopting the CWA 2023 budget as presented and seconded by Ryan Adrian. Motion carried unanimously.

E. RECOMMEND CHATFIELD 2023 MEETING SCHEDULE FOR APPROVAL (DIANE KIELTY)

A motion was made by Patrick O’Connell to approve the 2023 meeting schedule as presented and second by David Van Dellen. Motion carried unanimously.

DISCUSSION ITEMS (2:30 P.M. – 3:15 P.M.)

A. IDENTIFYING SOURCE OF TOTAL COLIFORM IN SELLERS GULCH (ALAN LEAK)



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There was a significant reduction in total coliform between 2021 and 2022. There was no determination of illicit discharge. Ryan Adrian has done additional research. The claim that it could be coming from the Fairgrounds was a concern. The facilities were investigated. No source was identified.

There is a trail near the confluence of Sellars Gulch and East Plum Creek where there is a beaver dam with a strong odor. This may be a place to conduct additional sampling. There are also two high rise apartments without common areas. Animals had been defecating in the area for a long time. There is signage to keep people out. Unsure if this has been helpful. Please prompt CSM to bring issues to TAC to resolve before they are presented to the Board.

The town did investigate the sewage manholes and found nothing at that time. The town may need to respond formally on this issue. The main sewer interceptor runs along the corridor. It is a difficult live line to video. They do intend to perform this service. There is also a discharge from the County detention pond. The town ran samples in the same location as CSM and have found positives. They did not run values. If there is an opportunity for speciation it would be useful. There is an additional line item for monitoring in the budget that could be used for speciation in that area.

Action: RESPEC will get a cost estimate for a speciation study in the Sellars Gulch location

B. LAKES NUTRIENTS CRITERIA RULEMAKING (MICHAEL DAUGHERTY & ALAN LEAK)

CWA's pre-hearing statement is due on December 23rd. A summary of possible actions that could be taken by the Authority was provided by SSD in the meeting packet. CDPHE provided a spreadsheet showing Chatfield's nitrogen levels over the past 17 years, but there is no total nitrogen number for Chatfield. The average over 11 years for Chatfield is a total nitrogen of 537. The proposed standard for Chatfield is 380. If this number is adopted, Chatfield would not be in compliance. Cherry Creek's cost estimate to develop a site-specific value is approximately \$90,000 - \$100,000.

TAC consensus is to not support the Division's proposed TN standard for Chatfield. The burden of proof is in the data and procedure in determining the standard. The TAC recommendation is to pursue a site-specific standard without having a specific date identified to establish that standard. The current budget does not allocate money toward creating a site-specific standard. CWA has been working on finalizing the TMDL, which has a target for completion of 2026. The goal after this is complete could be to identify a site-specific TN standard around 2027, if Chatfield receives a funding source. Chatfield has unique characteristics involved in meeting a site-specific standard, given it has both cold and warm water sources. Chatfield is classified as a cold-water reservoir. Chatfield is in compliance now and plans to move forward in a sequence. Request no standard until Chatfield develops a site-specific standard.

A motion was made by David Van Dellen and seconded by Patrick O'Connell to direct SSD to draft a prehearing statement for the WQCC's Lakes Nutrients rulemaking that indicates CWA takes the following position regarding the Division's proposed TN standard for Chatfield Reservoir: Request a site-specific standard for Chatfield that will be developed after other Chatfield modeling is finalized around



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2026-2027. Recommend the CWA Board of Directors vote at the November 14, 2022, Board of Directors meeting in support of CWA's position as determined by TAC.

UPDATES (3:15 P.M. – 3:55 P.M.)

A. TECHNICAL (ALAN LEAK)

1. Response actions to Sun Jelly WWTD wasteload allocation violations update – No update.
2. Lynker Modeling Update - A draft memo was included in the TAC packet. The model was built to simulate total phosphorus loading in the Chatfield watershed. The point source model results may or may not impact CWA's final position in the Lakes Nutrients Criteria hearing. RESPEC asked TAC to review the memo and make comments with the goal to have a final technical memo prepared for approval at the December TAC meeting.
3. Chatfield Reservoir Mitigation Company Update – No update.
4. Other Member – There was discussion regarding a letter from CPW for support of a perpetual water lease that is completely voluntary. A Letter of Concurrence was sent to the impacted counties, Jefferson and Douglas. This would be to fill existing CPW storage. It would support the fishery source in the South Platte during low-flow periods and hatcheries. CPW has ability to store water, but they have very junior water rights. Goal is to maintain steady flows and support hatchery development. CPW would like to have this letter finalized by the end of 2022. In the long-term this could be beneficial to Chatfield as well.

B. LEGAL (MICHAEL DAUGHERTY)

- A. Regulatory Update – Regulation #73 is postponed.
- B. Lobbyist Update – The RFQ was included in the TAC meeting packet. Steve Balcerovich and Amy Attwood is the lobbyist group chosen to represent CWA for seeking a dedicated revenue source for the Authority. A meeting was held on Monday with this group to develop a scope of work. The contract is in draft form. The lobbyists are going to refine the scope and bring it to the next Board meeting.

Action: Manager contact Steve Balcerovich to get list together for the scope prior to the November board meeting and move forward on contracting. There is a suggested 5-year limit on the funding for this contract.

C. MANAGER (DIANE KIELTY)

1. Chatfield Board W&S and Other Elections Update – Request made to W&S members and Other members to return your ballots. We need a quorum.



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D. FINANCIAL (DIANE KIELTY)

1. August Financial Summary – Summary provided in the meeting packet.

E. EXECUTIVE SESSION

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

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

A. *Next Scheduled TAC Meetings:*

- a) Tuesday, December 6th, 2022: 2:00 – 4:00 p.m., Google Meet Online

B. *Next Scheduled Board Meeting:*

- a) Monday, November 14, 2022: 3:00 – 5:00 p.m., Hybrid Live & Online

Hybrid | Live & Virtual

A WebEx link to the virtual room will be sent to you individually before the meeting. The link will come from Douglas County.

Live at Highland Heritage Park Administration Building, 9651 S Quebec St.,
Highlands Ranch, CO 80130 80129

3:29 p.m.

Adjournment

CHATFIELD WATERSHED AUTHORITY WATER QUALITY PROJECTS : 2024 - 2028									
11/10/2022 DRAFT									
PROJECT CATEGORY	DESCRIPTION	ACTIVITY	2024	2025	2026	2027	2028	TOTAL COST	PRIORITY
WATER QUALITY PROTECTION									
1	TMAL Allocation Development	Perform calculations and analysis needed to establish revised total annual maximum loads (TMAL) for all point source dischargers in the watershed.		\$50,000	\$50,000			\$100,000	1
2	Site-Specific Nitrogen Standard Development	Perform calculations and analysis needed to establish a site specific standard for total nitrogen in the reservoir.			\$35,000	\$35,000	\$35,000	\$105,000	1
3	Watershed Modeling	Use and upgrade the existing watershed model to: 1. Keep model current; 2. Predict the effectiveness and potential changes in stream and reservoir inflow pollutant loads and concentrations from proposed water quality improvements; and 3. Support regulatory compliance.	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000	1
4	Reservoir Modeling	Contract with the CRMC to use and upgrade the existing reservoir model to: 1. Predict the effectiveness and potential changes in reservoir water quality from constructed and proposed water quality improvements; 2. Understand the role of each pollutant source (i.e. internal loading, stream inflow loading, etc.) on reservoir water quality; 3. Understand how the reallocation project may change the needed site specific standards, and 4. Support regulatory compliance.	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$175,000	1
5	Wildfire Mitigation	Participate in wildfire mitigation projects to minimize and mitigate the risk and effect on water quality of future wildfires in the watershed.	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$75,000	3
6	Watershed Plan Update	Continue to document the progress made in improving watershed and reservoir water quality and develop and prioritize future watershed programs and projects.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	3
7	Reservoir Beneficial Use Monitoring	Support CPW in collecting, monitoring, and documenting, as applicable, the quantity and quality of reservoir beneficial uses (i.e. fishery biodiversity, swimmer satisfaction, etc.) over time.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	3
8	Stream Management Planning	Participate in stream management plans to identify opportunities for water quality improvement projects.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	2
9	Landowner Engagement	Continue engagement efforts with landowners abutting and/or crossing watershed streams to educate on best management practices for stream interaction and protection.	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$10,000	3
SUB-TOTAL			\$97,000	\$147,000	\$182,000	\$132,000	\$132,000	\$690,000	
WATER QUALITY MONITORING									
1	Chatfield Reservoir Monitoring	Collect water quality data in the reservoir to support water quality protection measures.	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$175,000	1
2	Watershed Streams Monitoring	Collect water quality data in the tributary watershed streams (both base flows and storm flows) to understand existing sources and magnitudes of pollutant loads and concentrations.	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$225,000	1
3	Water Quality Improvement Project Monitoring	Collect pre-project and post-project water quality data upstream and downstream of water quality projects to document their effectiveness over time in improving water	\$2,000	\$3,000	\$4,000	\$5,000	\$6,000	\$20,000	2
4	Sediment Sampling and Testing	Perform watershed wide sediment testing to map and pinpoint hotspots of phosphorus rich soils for future project identification and prioritization.	\$20,000					\$20,000	3
SUB-TOTAL			\$102,000	\$83,000	\$84,000	\$85,000	\$86,000	\$440,000	
WATER QUALITY IMPROVEMENTS									
1	Wastewater Treatment Improvements	Engage with wastewater treatment providers to assist in promoting improved treatment for continued nutrient reduction.	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$10,000	3
2	Agricultural Mitigation	1. Participate in the implementation of agricultural best management practices (BMPs) and demonstrations at Colorado Agricultural Leadership Foundation (CALF) at Lowell Ranch to educate members of the public that visit the working ranch on the water quality and cost efficiencies associated with implementing various agricultural management practices; and 2. Participate with the Douglas County Conservation District to educate agricultural users on state-of-the-art practices to reduce pollutant impacts from agricultural activities.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	3
3	Septic Systems Mitigation	Contribute to and participate in the implementation of a rebate program for septic system upgrades that use new technology to reduce pollutant loads in critical stream	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$20,000	3
4	Non-point Source Mitigation Projects	Contribute to and participate in the construction of retrofits to existing detention ponds and other stormwater facilities to improve nutrient and pollutant reduction efficiencies.	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$75,000	2
5	Stream Improvements	Contribute to and participate in the implementation of stream improvements identified in stream management plans that improve water quality in the streams tributary to the reservoir.	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000	1
6	Erosion Mitigation	Contribute to and participate in the construction of stream reclamation along critical degraded watershed stream reaches to enhance water quality and reduce streambank erosion.	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$225,000	1
7	Grant Funding Opportunities	Partner with government and non-profit agencies to identify and apply for grant funding for implementation of water quality improvement projects and programs.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	1
SUB-TOTAL			\$106,000	\$106,000	\$106,000	\$106,000	\$106,000	\$530,000	
GRAND TOTAL			\$305,000	\$336,000	\$372,000	\$323,000	\$324,000	\$1,660,000	
								PRIORITY 1	\$1,330,000
								PRIORITY 2	\$120,000
								PRIORITY 3	\$210,000