



CHATFIELD WATERSHED AUTHORITY

Board Meeting Minutes January 28th, 2009

Member
ATTENDEES:

Larry Moore (Roxborough)	Steve Koster (Douglas County)
Ronda Sandquist (Dominion, Jackson Kelly)	David Van Dellen (Castle Rock)
Tim Friday (Castle Rock)	Matt Krimmer (Town of Larkspur)
Steve Boand (Douglas County)	Bob Deeds (City of Littleton)
Lissa Oelkers (PCWA, Castle Pines)	Paul Grundemann (CWSD)
Diana Miller (Louviere, Perry Park)	Penny Wilkinson (Lockheed Martin)
Robert Estes (Sedalia)	Martha Hahn (PCWA)

OTHER ATTENDEES: Karen Sitoski (US ACE)
Paul Winkle (Division of Wildlife)
Amy Conklin (CWA Management Team)
Julie Vlier (CWA Management Team)
Fernando Del Monte (CWA Management Team)

Call to Order:

The meeting was called to order at 2:00 p.m. It was determined that there was a quorum.

Approval of December 17, 2008 Meeting Summary – Larry Moore moved and Tim Friday seconded approval of the meeting summary. The board requested revisions prior to approval:

- Ronda Sandquist had three (3) revision requests which was provided electronically to Ms. Conklin:
 - The PCWA auditor is Trish Muller, not Trish Culp. Global changes should be made accordingly.
 - Clarify that the Board directed the Management Team to draft a letter to Steve Gunderson opposing the fee increases.
 - Clarify budget discussion to reflect that the Authority filed an annual request for audit exemption but it remains unclear whether the Authority, because of its composition, is required to comply with such local governmental budget and accounting rules.
 - Clarify the last paragraph to reflect two action items as follows: (i) authorize Jackson Kelly and Tetra Tech to proceed with preparing the Authority's proposal for the South Platte rulemaking hearings, specifically proposals regarding temperature standards, and (ii) appoint Martha Hahn as the liaison to the Board for the South Platte hearing.

Ronda Sandquist moved and Paul Grundemann seconded approval of the proposed revisions. The vote was unanimous.

Approval of Invoices and Payments: The management Team moved that \$59,074.12 be paid on the outstanding invoices leaving \$12,605.57 still outstanding. Larry Moore moved and Diana Miller seconded approval of the invoiced amounts shown below. Ronda Sandquist abstained from voting.

Invoices to be Paid

Contractor/Vendor	Services Provided	To Be Paid	Invoice Date
Jackson Kelly	Legal	\$25,222.18	11/08
		\$20,000.00	12/08
Tetra Tech	Management & Technical Support	\$6,726.88	12/08
		\$1,441.25	12/08
Commodore Advanced Science	Water Quality Monitoring	\$891.00	12/08
GEI	Technical Support	\$4,492.81	12/08
Hughes & Stuart	Web page management	\$300	01/09
Total		\$59,074.12	

Outstanding Invoices

Contractor/Vendor	Services Provided	To Be Paid	Invoice Date
Jackson Kelly	Legal	\$5,230.57	12/08
Tetra Tech	Management & Technical Support	\$6,775.00	01/09
Hughes & Stuart	Web Page Support for 6 Months	\$600.00	01/09
Total		\$12,605.57	

Lissa Oelkers mentioned that \$63,637.06 was available to pay the outstanding invoices. 2008 invoices had priority in payment over 2009 invoices.

Martha Hahn questioned why some invoices were not posted on the web page. The Management Team responded that the missing invoices were covered under attorney-client privilege and therefore not appropriate for posting in a public format. However, the Management Team will make contractor invoices available to Board members at their request. Ms. Hahn requested to review the missing invoices.

New Business:

Election of Authority Officers: Ronda Sandquist moved and Bob Deeds seconded to retain Tim Friday as one of the Co-chairs for a one-year term. The vote was unanimous. Ronda Sandquist moved and Larry Moore seconded nominating Paul Grundemann as the other Co-chair. The vote was unanimous. Larry Moore moved and Paul Grundemann seconded nominating Martha Hahn to continue as the TRC Co-chair. The vote was unanimous. Larry Moore moved and Tim Friday seconded nominating David Van Dellen as the other TRC Co-chair. The vote was unanimous.

Update on Proposal for Rulemaking Hearing in November – The Management Team reported that the Commission had concluded its deliberations on the Rulemaking for Regulations #38 and #73 on January 12, 2009. These regulations set the standards for Chatfield Reservoir and the TMAL for the watershed. The Water Quality Control Commission (WQCC) decided to adopt a Total Phosphorus standard of 30 ug/L, a chlorophyll standard of 10 ug/L with an exceedance standard of 1 in 5 years, and a TMAL of 19,600 pounds/yr at a median flow of 100,860 AF/yr. A new concept, referred to as an “assessment threshold” (a.k.a

attainment criteria), was also identified. The WQCC set the assessment threshold at 35 ug/L for phosphorus and 11.2 ug/L for chlorophyll. The WQCC adopted language about supporting development of a TMAL and that existing (waste) loads would be in place until there is development of the revised TMAL. Activities to support the TMAL development would be based on the availability of time and funds.

Following the update on the outcome of the rulemaking hearing, the Board had a lengthy discussion about how the WQCD came up with the new standards and expressed concern on how the TMAL was going to factor in the individual allocations and total loads the Authority has historically measured in the Reservoir. In the past, the point sources have met their wasteload allocation. If these allocations are reduced, there might be exceedances. Steve Board recommended an alternative for funding meeting more restrictive water quality requirements was to charge \$2-3 per vehicle entering the Chatfield Reservoir Park.

The Board directed the TRC to develop a list of next step actions needed to support TMAL development and implementation, including necessary projects, data collection, modeling and funding. The Board also directed the TRC to evaluate the new TMAL in comparison to historic data from the last 23 years.

Budget–

- A. Special Assessment–** The Management Team and Treasurer, Lissa Oelkers, reported on the amount collected from the special assessment request.
- a. Lissa Oelkers reported missing payments from the following entities
 1. Jefferson County
 2. Douglas County
 3. Town of Larkspur
 4. South Santa Fe Metro District
 5. Dominion Water and Sanitation District
 6. Sedalia Water and Sanitation District

At the request of Patrick O’Connell, Jefferson County, the Management Team has been requested to attend a meeting before County Commissioners to address questions regarding the Special Assessment. Castle Rock and Douglas County Board members requested a similar presentation be made to their respective elected officials regarding the 2008 budget exceedance and special assessment. These presentations will be scheduled to include the Manager and Co-Chairs.

- B. 2009 Budget –** The Management Team distributed copies of draft graphic displays of budget information for the Board’s review. The Board decided that the graphs and the table went well together. The only suggestions the Board had were to add total invoicing for each month and the total YTD invoiced amount.

Diana Miller recommended in 2009 that member dues assessments be sent in September/October timeframe. Estimated fees are required early on for each entity to budget accordingly for proposed expenditures the following year.

- C. Referral Letters –** The Management Team reported on several outstanding referral issues. The Management Team is recommending a TRC meeting on February 12th to discuss the following topics and issues.
- a. **Sacred Heart -** Wasteload allocation status and monitoring proposal

- b. **Law Enforcement** – ISDS usage and wasteload allocation
- c. **Bell Mountain Ranch** – Report on remedies to address phosphorus discharge.

Ms. Conklin reiterated all technical materials will be presented and vetted before TRC meetings and recommended action presented at the following Board meeting. The Board recommended giving entities deadlines to submit background materials one week prior to the TRC meeting. Also, since the TRC does not meet monthly, it will be important to let entities know of the restricted schedule. The Board directed the Management Team to send a letter to the WQCD, informing them of potential discharge issues.

- D. Monitoring Report** - Final sampling by CAS was done on December 23rd. No measurements were taken in the reservoir due to ice. It was not possible to coordinate with DWD to show them the sampling sites in December. Sampling with DWD will be performed on January 29th and Ms. Conklin will attend to show DWD the sampling sites. The Board recommended split samples be taken initially as sampling locations and analytical laboratory are being modified. A thank you letter will be sent to Denver Water thanking them for conducting monitoring and analysis efforts.

Old Business:

- A. Updates from Water Quality Control Division Staff:** No representative from the WQCD was in attendance to provide an update.
- B. Update from the Colorado Division of Wildlife (DOW) Staff:**
 - a. Paul Winkle is a fisheries biologist working for the DOW. Mr. Winkle expressed that the water quality specialist of DOW is Jamie Anthony and he might be a better contact for water quality issues. The CWA expressed thanks to Mr. Winkle for attending and expressed that they would like to see other governmental entities attending the Board meetings on a monthly basis as well.
 - b. Mr. Winkle reported on the current conditions of the fishery at Chatfield Reservoir.
 - 1. Overall the reservoir's fishery is in good condition. The Chatfield Reservoir is one of three reservoirs where walleye's eggs are harvested. It serves as one of the sources of walleye for the state. Mr. Winkle also shared that the small mouth bass is naturally reproducing in the reservoir. There are also rainbow trout, but they are not naturally reproducing.
 - 2. Mr. Winkle mentioned that the reservoir supports cool-water and cold-water fish.
 - 3. Mr. Winkle said that in 2007 many fish went out of the reservoir through the spillway because of heavy runoff and reservoir releases. Because of this, the number of walleye has decreased in the reservoir.
 - 4. Mr. Winkle concluded by saying that the reservoir maintains a good fishery environment for certain species. He also mentioned that he would be glad to present the next fishery population data and provide figures showing the fish species found in the Chatfield Reservoir to the CWA.
 - c. Mr. Winkle requested that the CWA email him and Jamie Anthony with the monthly meeting schedule and a description of how DOW can be of help to the CWA.
- C. Update on Massey Draw Sampling Efforts** – Results of recent sampling were included in the packet. It is too early to make any conclusions with the available data. Plum

Creek Wastewater Authority and the Centennial Water and Sanitation District were thanked for their support in analysis of samples.

Management Team – The Management Team reported on their activities. For the reporting period, the bulk of the effort involved developing budget solutions and options for the Board to consider and temperature data analysis to support the upcoming Regulation 38 hearing in June.

2009 Schedule - The next Authority Board meeting is scheduled for February 25 at PCWA at 2:00 p.m. The TRC meeting is scheduled for February 12.

Financial Matters – Information from the Bookkeeper was prepared and distributed.

Other –

- The Board discussed different issues that have come up lately:
 - Economic stimulus package and potential funding for the CWA. The 2009 Eligibility List will be updated and approved by the WQCC in March 2009. The SRF will be the funding vehicle for Economic Stimulus related projects.
 - Robert Estes mentioned that Sedalia may be exploring wastewater treatment and collection options as new development could facilitate new opportunity. Mr. Estes asked for advice from the Board to get further wastewater knowledge. Paul Grundemann let Robert Estes know that the wastewater utility council has a mentoring program.
- Ronda Sandquist presented to the Board the contract agreement between Tetra Tech and the CWA. The contract agreement for services coincides with the scope of work and is divided into two tasks, Management Services, with a budget of \$49,900 and Regulatory Support Services, with a budget of \$17,500.
 - The Board expressed that “not to exceed” language be set in the contract agreement with all contractors performing work for the CWA.
 - Paul Grundemann moved and Martha Hahn seconded approval of the written letter of engagement. Steve Boand abstained and wants to review the letter of agreement prior to approving it.

Executive Session: A motion to go into Executive Session pursuant to C.R.S. 24-6-402(3)(a) to develop strategy for the upcoming Rulemaking Hearing before the WQCC was made by Bob Deeds and seconded by Larry Moore. The vote was unanimous. Paul Grundemann moved to come out of executive session. Penny Wilkinson seconded the motion. No one objected that anything discussed during the executive session was not pursuant to developing a strategy for the upcoming Rulemaking Hearing. The vote was unanimous.

Adjournment – A motion to adjourn the meeting was made by Paul Grundemann and seconded by Tim Friday. The vote was unanimous and the meeting was adjourned at 4:30 p.m.