



CHATFIELD WATERSHED AUTHORITY

Board Meeting Minutes September 23, 2009

**MEMBER
ATTENDEES:**

Tim Friday (Castle Rock)
Lissa Oelkers (PCWA, Castle Pines)
Bob Deeds (City of Littleton)
Diana Miller (Perry Park, Louviers)
Paul Grundemann (Centennial)
David Van Dellen (Castle Rock)
Robert Estes (Sedalia)
Andy Hough (Douglas County)
Steve Board (Douglas County)

Kevin Urie (Denver Water)
Steve Miller (HRLETF)
Patrick O'Connell (Jefferson County)
Sherilynn West (Larkspur)
Ronda Sandquist (Dominion, Jackson Creek, Roxborough)
Martha Hahn (Plum Creek, Castle Pines)

OTHER ATTENDEES: Amy Conklin (CWA Management Team)
Julie Vlier (CWA Management Team)

Call to Order:

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

Approval of July 22, 2009 Meeting Summary – Kevin Urie moved and Patrick O'Connell seconded approval of the meeting summary. The vote to approve was unanimous. Ronda Sandquist and Paul Grundemann abstained.

Approval of Invoices and Payments: Tim Friday moved and Bob Deeds seconded that the invoices be paid as presented. The vote was unanimous.

Financial Matters – The most current copies of the Bank Statement & Financial Report from the Bookkeeper were distributed. Tim Friday asked about outstanding member dues. Ronda Sandquist reported that she was following up with Jackson Creek. Julie Vlier reported that Dominion has contacted Tetra Tech and their invoice has been sent to them again. Payments should be coming shortly from both Dominion and Roxborough.

New Business:

- A. Conference Presentation** – Amy Conklin gave the “dry-run” presentation to the Board that she intends to make at the Colorado Watershed Assembly conference in October. As part of that effort, the Management Team requests \$700 to update the Authority handout and print out color brochures to accompany the presentation and for the display table. Ronda Sandquist moved and Martha Hahn seconded taking the \$700 out of the

Rulemaking line item for the expense of preparing the handouts. The vote was unanimous.

The group commented that the presentation needs to include discussion of the link between chlorophyll and algae; that fish need algae. An explanation about what ug/L and ppb needs to be included. Addition of reference lines for old standards on appropriate graphs was recommended as was explanation that all testimony at the triennial hearing stated that existing water quality in the reservoir was fine. Addition of a few bullets about Dr. Lewis's qualifications was also suggested. Inclusion of a comment that Chatfield is one of the top revenue generators, if not the top, for the Department of Parks was recommended. It was also recommended to add a few slides to discuss what projects the Authority is working on and a 'What you can do' slide to leave people with a positive message about what's in it for them.

- B. 2010 Expenditures** – On September 10th the budget subcommittee met to develop a recommendation to the Board about 2010 expenditures. The Board agreed that public outreach and communication, capital improvements, and data collection were budget priorities. There was discussion about how the budget should be presented to reflect the priorities. The Board concluded that a second sheet of 'budget notes' should be developed to illustrate more detail for each of the budget priorities. The Management Team will work on the budget presentation and bring it back for Board consideration in October. The Board also wants to discuss potential capital improvement projects to try to prioritize them.

The topic of how legal services are provided was discussed by the budget subcommittee. Paul Grundemann suggested that a small group meet with Ronda Sandquist to discuss issues and bring back their recommendations to the Board. The Board agreed with this plan to ensure that attorney-client privilege is protected.

The budget subcommittee recommended that there be continuing meetings to develop a strategy for sustainable funding for the Authority and the Board agreed. **The next meeting of the budget subcommittee is set for Thursday, November 12th.** The Board suggested that we consider sending a letter to legislators introducing the concept of a user fee for Chatfield and potential development fees.

- C. Policy for Review of Spill/Emergency Plans** – At the July Board meeting the Board requested that the Management Team propose a policy for reviewing Spill/Emergency Plans. On September 10th the TRC met and recommended that the Board adopt the plan included in the packet with changes to make it specific to Chatfield including:
- A call down list for private land owners who may be impacted by spills; and
 - A sampling plan in the event of a spill.

The Board agreed with the TRC recommendations and thought our plan should also include specifications for containment time and a mutual aid section. Significant resources exist in the basin for emergency response. The plan should list what the resources are or links to access the resources. They further suggested that the call down list prioritize utilities first.

- D. Public Outreach – Amendment to Hughes & Stuart Scope, Proposed Fundraising Letters and Scope for Chatfield Summit** – A proposed amended Scope of Work for Hughes & Stuart to change their involvement in the Spill/Emergency Plan to assistance with the conference presentation was approved by acclamation. Hughes & Stuart has prepared letters for the Board's consideration to solicit funds from CWCB and CDPHE (requesting a mini grant). Letters, when approved, will also be sent to State Parks and the Division of Wildlife to encourage their participation and any in-kind support they may be able to provide. The Board approved the letters with a change to specify that the Summit would be on June 16th, instead of just 'in June'.

The Management Team has also prepared a preliminary draft of the Scope of Work for the June 16, 2010 Chatfield Summit. The Board agreed that they wanted to pursue organizing the Summit but had different ideas about the agenda. Instead of trying to get a National speaker, like Ken Salazar, it may be better to bring in the Greenway Foundation and have them talk about what they've done to protect the river. Other groups should also have a few minutes to talk about the work they're doing, including Authority members. Groups may include EPA, Region 8, Trout Unlimited, Sierra Club, Colorado Environmental Coalition and others. The Board would like panels and break out sessions with a focus on working together to protect water quality. The proposed conference date should be confirmed so that there are not any conflicts with other regularly scheduled meetings from organizations like the WQCC, CLRMA and CWA. The agenda will be a work in progress for a while and should be included on the agenda for the next several Board meetings.

- E. Update on Regulatory Activities** – Paul Grundemann reported that the WQCD will be recommending to the WQCC to postpone development of statewide nutrient criteria from June 2010 to June 2011. The latest guidance from EPA about establishing nutrient criteria was widely panned by the Science Advisory Board. The WQCD was planning to use the EPA guidance. Objections by the Science Advisory Board included that correlation does not necessarily show causation and that nutrients were treated as toxicants when they aren't. The Colorado Environmental Coalition agreed with the decision to delay nutrient criteria development.

Paul reported that there are new dissolved oxygen compliance criteria that take lake depth into consideration. There is no fee bill proposed for 2010 but the CDPHE is organizing a work group to discuss the issue and consider a fee bill for 2011. He also reported that Wild Earth Guardians is objecting to recently passed standards in Regulation #38, including 'trash in the South Platte River'. They are requesting that EPA veto the standards.

Andy Hough reported that there is an effort to put the Leopard Frog on the Endangered Species List which may have a huge impact on land uses in Colorado. Unlike the endangered Preble's Jumping Mouse, the Leopard Frog habitat includes aquatic habitats.

- F. Monitoring, Report or Updates of Monitoring Activities** – Sampling was completed on July 27th, August 10th, August 24th and August 25th by Denver Water staff. Graphical representations of the data are included with the packet. Julie Vlier reported that, with the growing season almost finished, both phosphorus and chlorophyll are below their standards. Julie reported that while there are differences in the split samples, that variability is within range and expected from analyses between laboratories.

Old Business:

- A. **Updates from Agency Staff** – No agency staff was available to report.
- B. **Updates on the Massey Draw Sampling** – The Massey Draw sampling will be ending after October. Paul Grundemann and Martha Hahn will urge their staffs to forward all available information to the management team so an evaluation and decision can be made in October about continuing the sampling.

Management Team's Report

The Management Team provided a summary of activities in the meeting packet.

A. Meeting Schedule

1. The next **Authority Board meeting is on October 28, 2009**, 2:00 p.m. at PCWA.
2. **WQCC Annual Report presentation is scheduled for Oct 13th at 11 am at the CDPHE**. All Board members are encouraged to attend. The Board discussed that the presentation should include the message that the new standards may not be achievable and introduce the concept that the Commission may be asked to regulate ISDS's in the floodplains of the Chatfield Basin. Watershed studies will be needed in the future and funding will be needed for the studies. The presentation should be short and allow for a dialogue with the Commission.
3. The next meeting of the **budget subcommittee is Thursday, November 12th**.
4. Consolidation of November and December Board meetings scheduled for **December 9, 2009**.

Other:

1. **WRV Grant** – Amy Conklin met with Alan Carpenter from Wildlands Restoration Volunteers on September 22nd in regards to the grant the Authority submitted. She will keep the Board informed as the grant application moves through the process.
2. **Update on Larkspur Annexation**– Mayor Sherilynn West reported on the proposed annexation of the Bear View PD. Larkspur's Planning Commission voted 4 to 1 to deny the annexation application which includes a flagpole annexation along railroad right of way of 104 acres where there is currently a KOA Campground. City council is reviewing and may reach a decision as soon as February. The Mayor reported that there would be no change in wastewater service provision. The area is mostly on private wells and septic systems, but as the area develops there may be a package plant for wastewater treatment. Thirty five acres of the area are currently on Perry Park's service area and will receive treatment from Perry Park.
3. **Sedalia recycling** – The TRC reviewed an application for expansion of the Sedalia landfill. The Board recommended that the comment letter include reference to exceeding 2,000 gallons per day design capacity would trigger the need for a site application per Regulation #22. In addition, the comment letter should mention the work of the US 85 wastewater group and the desire to prevent proliferation of ISDS's.

2. **Adjournment of Regular Meeting** – The meeting was adjourned at 4:30 by acclamation.