



Draft Meeting Minutes
Wednesday, October 11th, 2023

Attendees: See the table at the end of the minutes.

Blair got the meeting going and Amy forgot to record it! Argh! Apologies! Blair welcomed everyone and went over the agenda.

Nathan Moore, CDPHE staff – Nathan reported that the fee setting process is ongoing. They're building a framework for how the fees are structured including inflationary considerations. The next meeting is Thursday. They will start considering 2025 fees and current needs which should inform how the fees are spent. They will be looking at efficiencies for the permitting processes. They're forming another subgroup to dig into the budgeting. There will be a rulemaking hearing in 2024 on drinking water and commerce and industry fees. The 2025 rulemaking will cover the rest of the fees. Nathan encouraged everyone to get involved.

Staffing level updates include an adjustment in 2023 of additional general funds of 12 new FTE for permitting shortfalls as well as some for other sections. They're working on filling those positions. 75% of permits are backlogged currently. It's going to take a while to catch up. Some of the funding is not permanent which makes it harder to get fully staffed. It may be possible to outsource some of the permits but that tends to be more expensive because Colorado permits are developed with a lot of flexibility. However, contract resources can be considered for specific needs.

Andrew reminded the group that the next permits Webinar will be Wednesday, October 11, 2023 beginning at 11 am. An agenda will be sent soon. The construction and stormwater permit is out for public notice with a November deadline.

Discussion Items

Regulatory Updates –

Gabe reported that the Water Quality Control Division (WQCD) reported to the Water Quality Control Commission (WQCC) with a rosy picture of stakeholder engagement. Jesse thinks that the WQCD approach is OK at this point but we all need to pay attention to the process. Phase 2 of the fee process is where it will be particularly important for CWWUC to contribute. Advocating what we want may be a great approach for contributing to the Stakeholder groups. The Phase 2 clean water stakeholder groups will start in December.

The WQCC denied the petition for reconsideration for the temperature issue from the Town of Eagle. The warming event definition has been rendered meaningless even though it was an important part of the regulation. A judicial appeal is unlikely, but it may be important to figure out next steps.

Stephan Wilson added that the WQCD indicated there may be an opportunity through the stakeholder process to address the temperature issue. It seems that the WQCC is starting to hear the concerns about the temperature issue and, specifically, feasibility issue. The WQCD also called Blair because the CWWUC sent a letter of support for the Town of Eagle. It's unclear what getting listed on the 303 D list will have on implementation of the standards to effluent limits. If the listing methodology is changed, it could have statewide impacts. A listing on the 303 D list could reduce or eliminate any calculations of assimilative capacity of the receiving waters. Do we need to spend some resources to evaluate the impact of the latest interpretation? The feasibility work group is being tasked with a lot of different issues.

Gabe reported that the 10-year roadmap group had a meeting and he's unclear if the roadmap has changed. It appears that 2027 is the year when everything is supposed to happen on nutrients. There hasn't even been a Technical Advisory Committee formed. Gabe suggested that he call WQCD and voice our concerns about the speed of the issue given that there isn't a TAC and meaningful engagement. There was no response to previous grievances with process. The water quality forum November meeting may be where the past problems with the technical processes for nutrients will be discussed. Patti added that there may be an opportunity to comment on the TAC Fact Sheet where issues could be re-iterated, <https://drive.google.com/file/d/1uNf-mpz9TJAQsF1n9gASvPFtJ0pIBSU3/view>.

Gabe reported that there was a meeting on Regulation 22. There was a lot of discussion on construction flexibility and discussion about shunting some of the work to the feasibility group. They also wanted to restart the discussion on the historical infrastructure issue. He'll keep track of the issue.

Patti reported that it takes about 6 months for an email about adding chemicals to the processes to be reviewed. Minnesota has published a document that lists pre-approved chemicals along with a calculator, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm2-12.pdf>. It's a streamlined process. She thinks we should consider sharing the Minnesota approach with the state and advocate for it. The CWWUC subcommittee is doing good work and she encourages everyone to leverage that research. John added that the subcommittee has been trying to meet and encouraged everyone to reach out if they're dealing with a chemical evaluation issue. The timeline and the technical components are both of concern. It takes a long time to get chemicals evaluated. The issue will be on a permits webinar, particularly the toxicity component. Minnesota has a 7-day pilot period that could be really helpful. Removal efficiencies were also included in

the Minnesota document as well as wet testing that could replace numeric limits on some of the chemicals. It may be more efficient to request a permit modification to move the process along because they have to review the request within 6 months. It may be worth asking the question as part of the fee setting process why the chemical evaluations are prioritized over permit renewals.

Katie asked about recent experiences with inspections. Several members reported that recent inspections seemed to focus on stormwater containment and nothing about chemicals onsite.

Dan reported on recent PFAS settlements. Dupont and 3 M have reached settlements. Utilities have until December to decide if they want to be part of the settlement. If they do participate it relieves Dupont and 3 M from future liability. Gabe added that his understanding that the release of liability is only for the drinking water sector. It's unclear who is really impacted. Dan is interested in what other utilities are doing in regards to the PFAS settlements. Most utilities may defer to their attorneys' recommendations.

Chemical Form Evaluation Subcommittee – John reported earlier.

Board Officer Elections – Katie Koplitz presented the slate of Board Officers:

Chair – Julie Tinetti

Vice Chair – John Gage

Treasurer – Blair Corning

Secretary – Katie Koplitz

Director – Wes Martin

Katie encouraged any of the members to reach out at any time to the Officers about Board direction or inclusion. Jim Heckman moved and Jesse Schlam seconded a motion to elect to elect the slate as proposed. The vote was unanimous.

Water Quality Forum Updates – **Meghan Wilson** – Meghan reported earlier.

Drinking Water Council Updates – **Cynthia Lane** – Cynthia didn't have anything more to report separate from the PFAS issue. Lead and Copper Rule action is coming up as is cybersecurity rules. Whatever happens with cybersecurity regarding drinking water will likely apply to wastewater.

Barbara Biggs Memorial – Blair expressed his sadness on her passing. There was consensus to send flowers to her service. The drinking water council would like to work with us on the memorial. Roy suggested we consider funding for operator certifications for smaller utilities. Colorado Rural Water may be a group we could work with. The topic can be kept on future agendas until we find an appropriate way to honor her legacy. Cynthia will bring it up to the Metro Basin Roundtable tomorrow.

Board Action Items –

Approval of invoices for payment –

October Checks for approval		
2370 - Amy Conklin	\$ 1,120.00	August coordinating
2371 - Alliance Member Services	\$ 118.43	Insurance
2372 - Vranesh and Raisch	\$ 1,584.00	Legal Services, Inv. 45332
2373 - Amy Conklin	\$ 878.75	September coordinating
2374 - Applewood Bookkeeping	\$ 75.00	3rd Quarter bookkeeping

Jesse moved, Andra seconded approval for payment of all invoices. The vote was unanimous.

Approval of August 9th, 2023 minutes. Jim Heckman moved; Jesse Schlam seconded a motion to approve the minutes. The motion passed unanimously.

Next Meeting – Wednesday, November 8th at 1:00 pm with Julie as Chair

Attendance

- Amy Conklin, Coordinator
- Nathan Moore
- Andrew Sayers-Fay
- Gabe Racz

Member	Last	First	email	
Peublo	Ahrens	Andra		X
Longmont	Bilgin	Azra		X
Roxborough	Biggs	Barb	Gone but not forgotten. RIP dear friend	
Greeley	Johnson	Ben		X
South Platte Renew	Corning	Blair		X
Security	Bernard	Brandon		X
Mount Crested Butte	Burks	Bryan		X
Pinyon Environmental	Byus	Carolyn	byus@pinyon-env.com	X
Boulder	Sigmon	Cole		X
South Platte Renew	DeLaughter	Dan		X
City of Broomfield	Cowell	Dawn	dcowell@broomfield.org	X
Blackhawk	Trejo	Diana		X
Dominion	Bahn	Evan		X

Clifton	Jennings	Eli		X
Mott Macdonalds	Farias	Elizabeth		X
Silverthorne	Kruckeberg	Jason		X
Fort Collins	Schlam	Jesse		X
Fountain	Heckman	Jim		X
Monument	Kendrick	Jim	jfkendrick@q.com	X
Greeley	Kunovic	Joe		X
Metro Water Recovery	Dorsch	Jim	jdorsch@mwr.dst.co.us	X
City of Longmont	Gage	John	John.Gage@LongmontColorado.gov	X
Aurora Centennial	Handzo Tinetti	John Julie		X X
Metro NFRWQPA	Koplitz Thomas	Katie Mark	mthomas@nfrwqpa.org	X X
Boulder	Wilson	Meghan	wilsonm@bouldercolorado.gov	X
Mount Crested Butte	Fabbre	Mike		X
Centennial	George	Nic		X
C. Springs Utility	Zeitlow	Patti	pzeitlow@csu.org	X
St. Vrain	Fleck	Rob	Rob@stsan.com	X
Security Northglenn Eagle River	Heald Stanley Roman	Roy Shelley Siri	r.heald@securitywsd.com sstanley@northglenn.org	X X X
Town of Eagle	Wilson	Stephan	stephan.wilson@townofeagle.org	X
Loveland	Jurgens	Tad		X
City of Westminster	Wilson	Tara		X
Fremont	Ormandy	Toby	tormandy@fsd.co	X
Plum Creek	Martin	Wes	wesmartin@pcwra.org	X