



**Draft Meeting Minutes  
Wednesday, December 13th, 2023**

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

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Julie got the meeting going and a copy of the recording can be found [here](#). Julie welcomed everyone and went over the agenda.

Nathan Moore, CDPHE staff – Nathan was not available to report this month.

**Discussion Items**

**Regulatory Updates** – Julie updated the group on the Arsenic (As) issue. The National Association of Clean Water Agencies (NACWA) is preparing a letter on the implications of lowering the As level. The letter is due this Friday. Discussion of the warming event issue will happen in January. Julie was unable to make comments at a recent Water Quality Control Commission (WQCC) hearing because her computer died. She read the comments to the group and Justine read them to the WQCC. They were in regard to standard setting.

Gabe reported that the Water Quality Control Division (WQCD) will be looking at the timing in the Water Quality Road Map again. They may not meet any of the goals for the year laid out in the Road Map. That means they would be delaying the standards on As, ammonia (NH<sub>3</sub>) and nutrients. Gabe is recommending that the council consider some technical expertise in developing realistic nutrient standards recommendation. As standard development is probably going to be delayed to 2029. NH<sub>3</sub> standard development may be delayed past 2027.

The regulation 22 workgroup discussed construction flexibility. Construction could be phased in based on current flows. The WQCD engineering staff thinks the changes could be implemented through policy rather than having a regulation revision. They also discussed lift stations that are old enough their approvals have been lost. When organizations take over defunct districts is where the problems often occur. The workgroup asked for clarification on what the problem is that they want to solve. It seems as though the WQCD may be focusing on lift stations where there are problems. If a lift station is removed, no one needs to be notified. Their next meeting is in January.

Meaghan asked about the Feasibility Work group. Can the council afford to send someone to represent the council? There would be 4 meetings of the workgroup. Under

feasibility, it is unclear what constituents would be included. Julie could try to get a scope of work from appropriate firms. Jim Dorsch reported that Metro will be hiring their own experts. Meghan noted that engaging with some CSU and Mines professors may be an option. **Julie** will use a \$10,000 budget in discussions with consultants and come back to the group with some research on potential options.

**Fee Setting Workgroup** – Justine updated the group on the fee setting workgroup progress. There will be a rule making in 2024 for commercial and drinking water fees. They are starting conversations about fees for the clean water program. They have been asking for input on what the regulated community is looking for. Site visits for individual permit holders are a component that is being considered. It could be very useful in the process. Pre-public notice draft review is done in other states and is now being discussed here. The pre-public notice gives the permittee a chance to correct any errors before the permits are put out for notice. The WQCD has been discussing options for reducing the permit backlog and is predicting 12 to 15 years to get caught up. There is a lot missing from the discussion including efficiencies. They have only issued one permit this year and want to be at the point where they issue 64 per year. Time tracking is another topic being discussed. The WQCD so far is unwilling to track their time. They haven't developed or shared fee increases they plan to propose for the clean water program. It's hard to evaluate how many FTEs will be required when there is not time tracking.

Katie Koplitz has been the member most closely following the issue. Gabe thinks the Legislative Joint Budget Committee (JBC) may be interested in a letter Katie might draft especially if it describes the lack of time tracking. Does the CWWUC want to form a position on the fee setting process? It might be good to discuss the issue with Nicole Rowan before going to the JBC. Jesse agreed that the WQCD is trying to avoid tracking their time even though only one permit was issued last year. They also seem to have trouble finding qualified permit writers even if they are authorized. Justine encouraged everyone who can come to attend the next fee setting workgroup meeting. <https://cdphe.colorado.gov/water-quality/water-quality-engagement/water-quality-fee-setting-rule> The WQCD interprets lack of participation to mean there are no issues.

It is unclear what their time is being spent on if only one permit has been issued during the year. They acknowledged that chemical evaluation forms take up some time as do permit variations. Julie may reach out to the meeting facilitators and Nicole Rowan. Katie is drafting a letter and she hoped that the CWWUC would weigh in and include every member's logo. **Julie** will circle back with Katie.

**Chemical Form Evaluation Subcommittee** – John reported that he and Dan DeLaughter had met with Andrew Sayers-Faye. John will try to attend the fee setting workgroup meeting. He thinks they are getting some traction. There may be a permits webinar. They will meet Andrew next week. Dan has highlighted that the request for

chemical evaluation forms after permit renewals is happening frequently. The requirement needs to be made clear during the permit renewal process. The expected effluent concentrations for the chemicals are required but there is no protocol for doing that. Such a requirement needs to be better defined. Wet testing is another requirement that has become onerous. They are trying to find some other options that could streamline the chemical evaluation process. Using applicable aquatic criteria instead of wet tests is another option being discussed. The severity of the impacts is being heard.

**Water Quality Forum Updates – Meghan Wilson** – Meghan reported that there will be no new Technical Advisory Committees (TACs) next year. The Arkansas Fountain Coalition for Urban and River Evaluation (AFCURE) submitted comments related to the TACs. The WQCD will be working through the comments before the next TACs start. However, everyone is invited into the sediment TAC. Feedback from the retreat was reviewed. They aren't clear what the next steps are to address the feedback. The plan is for Lisa Carlson's role to change from managing the every other month membership meetings to managing some of the workgroups. It might change.

**Drinking Water Council Updates – Cynthia Lane** – Cynthia reported that lead and copper rule improvements draft was released. There is only a 60-day comment period including through the holidays. The Drinking Water council will be working through that and draft PFAS regulations. The PFAS Maximum Contaminant Limits (MCLs) should be out by the end of the year, but it may be next month. The Fly in and water week will be in mid-April. She will be leading the Drinking Water folks and would love to coordinate with the clean water folks. Please reach out to her if anyone is planning to attend. Julie encouraged anyone to go if they can. There may be some funds available to help with costs.

**Barbara Biggs Memorial** – Amy and Julie reported that she and Brandon Bernard had a very productive conversation with Metro State University Foundation staff about what would be required to set up a scholarship at MSU in Barb's name. A better approach may be to set up a scholarship fund through the Greenway Foundation that could be awarded to applicants that met criteria the donors had set. **Evan Bahn** will reach out to Mark Marcum at Roxborough to ask if they want to be involved in conversations. Julie moved and Brandon Bernard seconded a motion to approve a line item in the CWWUC budget for \$1,000 annual to be contributed to the Barbara Biggs fund. The vote was unanimous.

**Trivia Contest** – Each of the Board Officers prepared a trivia question for the group. Every 'winner' would get a fabulous prize. Spoiler alert. Everyone is a winner.

**Board Action Items** – The vote by acclamation was unanimous to approve payment of invoices presented.

December Checks for Signature		
2382 - Amy Conklin	\$ 2,392.36	November Coordinating
2383 - Vranesh and Raisch	\$ 476.00	Invoice 45687
2384 - Rose E. Melville, CPA	\$ 240.00	Tax Preparation

Approval of November 8<sup>th</sup>, 2023 minutes. The vote by acclamation was unanimous to approve the minutes as presented.

The coordinator contract was approved.

Shelley brought up the permit renewal Northglenn is expecting next year. She had invited Michelle DiLaria to tour the plant. She was very interested in being invited and having permit writers attend tours. Maybe members with different treatment streams could reach out to them as well so that some of the permit writers would have seen the types of systems they would be writing permits for. During the fee discussions, they have included the option for plant tours as part of the process. It would be nice if it became part of the process. We could offer a calendar of potential tours on the CWWUC website for CDPHE staff to sign up for tours. The topic will be brought up in future fee setting workgroup meetings.

Next Meeting – Wednesday, January 10<sup>th</sup> at 1:00 pm

**Attendance**

Amy Conklin, Coordinator  
 Gabe Racz  
 719 322 5511  
 720 421 7036  
 Justine Beckstrom

Member	Last	First	email	
Peublo	Ahrens	Andra		x
Security	Mills	Anthony		x
Longmont	Bilgin	Azra		x
Roxborough	Biggs	Barb	<a href="#">Gone but not forgotten. RIP dear friend</a>	
Security	Bernard	Brandon		x
Mount Crested Butte	Burks	Bryan		x
Platte Canyon	Lane	Cynthia		x
City of Broomfield	Cowell	Dawn	<a href="mailto:dcowell@broomfield.org">dcowell@broomfield.org</a>	x
Montrose	Bries	David		x
Mott Macdonalds	Farias	Elizabeth		x
Dominion	Bahn	Evan		x
Silverthorne	Kruckeberg	Jason		x

Fort Collins	Schlam	Jesse		X
Black Hawk	DiToro	Jessica		X
Fountain	Heckman	Jim		X
Monument	Kendrick	Jim	jfkendrick@q.com	X
Loveland	Creaghe	Joe		X
Metro Water Recovery	Dorsch	Jim	jdorsch@mwr.dst.co.us	X
City of Longmont	Gage	John	John.Gage@LongmontColorado.gov	X
Aurora	Handzo	John		X
Centennial	Tinetti	Julie		X
Northglenn	Freyer	Manuel		X
Monument	Parker	Mark		X
NFRWQPA	Thomas	Mark	mthomas@nfrwqpa.org	X
Boulder	Wilson	Meghan	<a href="mailto:wilsonm@bouldercolorado.gov">wilsonm@bouldercolorado.gov</a>	X
Widefield	Morgan	Mike		X
Aurora	Harmon	Nick		X
St. Vrain	Fleck	Robert		X
Security	Heald	Roy		X
Northglenn	Stanley	Shelley	<a href="mailto:sstanley@northglenn.org">sstanley@northglenn.org</a>	X
Fremont	Ormandy	Toby	tormandy@fsd.co	X