



## Meeting Minutes

Wednesday, April 12th, 2023

Attendees:

See the table at the end of the minutes.

---

Blair got the meeting going and Amy recorded it [here](#).

**Nathan Moore, CDPHE staff** – The Water Quality Control Division (WQCD) staff was not available to share information at this meeting.

## Discussion Items

**Lake Nutrients Criteria** – Gabe was attending the hearing that is still ongoing. We hope he'll be able to provide a summary that **Amy** will forward before the May 10<sup>th</sup> meeting.

**TMDL Legislation** – Amy reported that Alan Searcy, Lakewood, Bear Creek Watershed Association, and Colorado Stormwater Council had shared with her that the Bear Creek Watershed Association is supporting the legislation. He stated that there will be more opportunities to comment on the bill as it moves through the house. Gabe and Alan testified on the bill in the Senate Energy and Environment Committee where it passed 8-1. It now goes on to the Appropriations Committee.

Alan wrote:

*"The impetus for this bill was the identification of a complete lack of **ANY** requirements for data used in TMDL creation and implementation. As you know, the biannually updated 303d listing methodology is very prescriptive and specific regarding what data may or may not be used to list a waterbody for an impairment. Unfortunately, TMDLs are **not required** to use the same data (used in the 303d listing) or any collection methodology/data usage during the TMDL process. As we know, different data requirements (flow data, etc) and modeling are often needed to appropriately and accurately complete a TMDL. Nowhere in the 303d listing methodology, the federal CWA or the Colorado Water Quality Control Act, is the TMDL process or the data required for it even defined. This should be concerning to all of us. It could be argued that CDPHE has no regulatory authority to even write TMDLs let alone implement them. This bill is simply one small step in the right direction to allow the division and Colorado residents to uniformly and transparently meet statewide water quality goals using good science. That's it."*

Amy asked if the Council wants to take a position on the bill. Barb Biggs reported that the WQCD said that they needed two (2) years to implement the bill. The Water Congress committee thought that was an unreasonable position. Barb thought the council would want to support the bill and moved that the council should support the bill. She would go to the Capitol and testify on the bill or ask Gabe to go. Jim Heckman seconded. Jason raised a concern about the 5-year duration of the data. Barb reported that there was an amendment to use historical data as appropriate. The motion passed unanimously.

#### CWWUC Member Survey Questions

**Budget** – Amy reported that she met with Julie Tinetti and Katie Koplitz to develop a budget for the organization for both the current fiscal year and looking forward. The key item to budget for is legal services. For that, we need input from the membership on what they would like the Council to fund. Blair sent out a 5 question survey that was also included in the agenda.

1. CWWUC collects about \$50,000 in revenue. Essential funding to keep the organization running are about \$35,000, leaving about \$15,000 for legal, technical and regulatory activities. Is this enough?
2. Do you support a voluntary assessment model to collect funding for legal, technical and regulatory activities or would you prefer to increase membership dues for everyone?
3. The 2027 WQCC hearing will be an important hearing for POTWs. At what level should the CWWUC participate?
  - a. Not at all
  - b. With available resources only from voluntary assessments
  - c. Start now to raise fund for very active participation
4. Of these upcoming regulatory issues, which ones are most important to your organization? Rank them 1 – 6.
  - a. 2027 Nutrient Hearing
  - b. 303 d list
  - c. PFAS
  - d. Basin Regulations – 31 through 38, 10-year road map, anti-degradation
  - e. Regulation 22 – construction timing
  - f. Chemical Evaluation Forms
5. What other thoughts do you have about keeping CWWUC a vital organization?

Blair reported that the results of the survey showed that only 15 people have responded.

On question number 1, 14 said no, 0 said yes. On question number 2, 3 voted for the voluntary assessment model, 12 voted to increase dues. For question number 3, 14 voted to start now to raise funds. On question number 4, nutrients and PFAS were the top vote getters. On question number 5, there were a number of thoughtful comments including: that the council helps keep the smaller utilities informed on issues that impact them; historically council membership dues have been too cheap; and it would be good to recruit new members.

Blair thanked everyone who participated and noted that the survey would remain open.

**Please fill out the survey if you haven't -**

[https://forms.office.com/Pages/ResponsePage.aspx?id=BNaIBTOXLuY0\\_z6\\_zxu8acJLlxdifB9NI6V-RnESJLIUQzk2UFo4MDVVQIZZQIVUUFZaTDYzVIBIRC4u](https://forms.office.com/Pages/ResponsePage.aspx?id=BNaIBTOXLuY0_z6_zxu8acJLlxdifB9NI6V-RnESJLIUQzk2UFo4MDVVQIZZQIVUUFZaTDYzVIBIRC4u)

It will be on the agenda again in May.

**Chemical Form Evaluation Subcommittee – John Gage** - John reported that he and Nicole Poncelet Johnson were meeting with WQCD staff.

**Water Quality Forum Updates – Meghan Wilson** – Meghan reported that the annual retreat is July 13 -14, 2023 at CSU's SPUR Campus in Denver (no more details yet). The next membership meeting is May 15 at 12:30. I'm not sure what the topics are for this one – the agenda will be posted about a week prior at

<http://colowqforum.com/cleanWater/meetings/>

**Drinking Water Council Updates – Cynthia Lane** – Cynthia reported that things being discussed at Drinking Water Utility Council include PFAS regulations that are problematic especially the cost benefit ratio used which underestimates costs to drinking water utilities. Cyber security proposals are also problematic. CDPHE can issue insufficiencies during a sanitary survey that become public notice, indicating that utilities have insecure systems. Such a public listing could cause them to be more vulnerable to hackers. They have talked to Ron Falco about how EPAs cyber security protocols would be implemented since the WQCD has no cyber security experts on staff and it needs to be implemented as soon as possible. The soonest we will see a cyber security system is 2024 and there is litigation to stop the process. The requirements will be coming to wastewater treatment plants soon. EPA is asking for things that are more stringent than the insurers require.

The drinking water group had their fly in to meet with congressional representatives in Washington, D.C.. They met with 9 of the 10 offices and had good meetings with many, especially with Rep. Pederson. She is looking to build relationships with drinking water and wastewater utilities. Rep. Caraveo’s office also had a good meeting. The wastewater fly is coming up and drinking water is happy to help them.

**Other** – Amy reported that she has been talking with the folks from Steamboat about the presentation they are making next month regarding water quality trading. Amy wanted to confirm that the key talking points the council is interested in are:

- How exactly does the water quality trading work?
- How can it work for other organizations?

Amy has been proposing 15 minutes of presentation with 15 minutes of questions. Does that sound about right? The group thought 15 minutes for questions may be too long but to leave it as is for now.

**Board Action Items –**

Approval of invoices for payment – Cynthia moved, Jim Heckman seconded approval for payment of all invoices. The vote was unanimous.

Checks for Signature in April 2023		
2351 - AMS	\$ 132.80	Insurance
2352 - Amy Conklin	\$ 2,537.50	Coordinator
2353 - Vranesh & Raisch	\$ 6,716.50	Inv. 44276 Legal Svcs
2354 - Studio 4130	\$ 440.00	website services, invoice 297136
2355 - Applewood Bookkeeping	\$ 212.50	Invoice 766

Approval of March 8<sup>th</sup>, 2023 minutes. Cynthia moved, Barb seconded a motion to approve the minutes. The motion passed unanimously.

**Other –**

Hopefully Gabe will provide a summary of the hearing before the May meeting.

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

**Attendance**

Amy Conklin, Coordinator  
719-322-5511

<b>Member</b>	<b>Last</b>	<b>First</b>	<b>email</b>	
City of Longmont	Noble	Anne	Annie.Noble@longmontcolorado.gov	x
City of Longmont	Bilgin	Azra	<a href="mailto:azra.bilgin@longmontcolorado.gov">azra.bilgin@longmontcolorado.gov</a>	x
Roxborough	Biggs	Barb	<a href="mailto:barbara@roxwater.org">barbara@roxwater.org</a>	x
City of Aurora	Green	Bethany	<a href="mailto:begreen@auroragov.org">begreen@auroragov.org</a>	x
South Platte Renew	Corning	Blair	bcorning@englewoodco.gov	x
City of Lafayette	Hansen	Bob	robertha@cityoflafayette.com	x
Town of Erie	Chameroy	Bruce	<a href="mailto:bchameroy@erieco.gov">bchameroy@erieco.gov</a>	x
Mount Crested Butte	Burks	Bryan	<a href="mailto:bburks@mcbwsd.com">bburks@mcbwsd.com</a>	x
City of Boulder	Sigmon	Cole	<a href="mailto:sigmonc@bouldercolorado.gov">sigmonc@bouldercolorado.gov</a>	x
Platte Canyon	Lane	Cynthia	calane@plattecanyon.org	x
City of Montrose	Bries	David	<a href="mailto:dbries@ci.montrose.co.us">dbries@ci.montrose.co.us</a>	x
City of Broomfield	Cowell	Dawn	dcowell@broomfield.org	x
Black Hawk	Trejo	Diana	<a href="mailto:diana.trejo@lrewater.com">diana.trejo@lrewater.com</a>	x
Silverthorne	Kruckeberg	Jason	jkruckeberg@silverthorne.org	x
Black Hawk	DiToro	Jessica	jessica.ditoro@lrewater.com	x
Monument	Kendrick	Jim	jfkendrick@q.com	x
Fountain	Heckman	Jim	fsdmanager@fsd901.org	x
City of Greeley	Kunovic	Joe	<a href="mailto:Joe.kunovic@greeleygov.com">Joe.kunovic@greeleygov.com</a>	x
City of Aurora	Handzo	John	jhandzo@auroragov.org	x
City of Longmont	Gage	John	John.Gage@LongmontColorado.gov	x
Dominion	Baile	Josh	<a href="mailto:Josh.Baile@dominionwsd.com">Josh.Baile@dominionwsd.com</a>	x
City of Longmont	Paterniti	Mary	<a href="mailto:Mary.Paterniti@longmontcolorado.gov">Mary.Paterniti@longmontcolorado.gov</a>	x
City of Aurora	Kelley	Meghan	<a href="mailto:Mkkelley@auroragov.org">Mkkelley@auroragov.org</a>	x

Mount Crested Butte	Fabbre	Mike	<a href="mailto:mfabbre@mcbwsd.com">mfabbre@mcbwsd.com</a>	x
Centennial	Marusin	Nicholas	<a href="mailto:nmarusin@CWSDHRMD.ORG">nmarusin@CWSDHRMD.ORG</a>	x
City of Aurora	Harmon	Nick	<a href="mailto:nharmon@auroragov.org">nharmon@auroragov.org</a>	x
St. Vrain	Fleck	Rob	Rob@stsan.com	x
Security	Heald	Roy	r.heald@securitywsd.com	x
Centennial	Calkins	Samuel	<a href="mailto:SCalkins@cwsdhrmd.org">SCalkins@cwsdhrmd.org</a>	x
Town of Eagle	Wilson	Stephan	<a href="mailto:stephan.wilson@townofeagle.org">stephan.wilson@townofeagle.org</a>	x
City of Westminster	Wilson	Tara	twilson@cityofwestminster.us	x
Fremont	Ormandy	Toby	tormandy@fsd.co	x
Plum Creek	Martin	Wes	wesmartin@pcwra.org	x