



Meeting Minutes

Wednesday, March 12th, 2025

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

A copy of the recording can be found [here](#). Dan welcomed everyone and started the meeting.

Nathan Moore, CDPHE – Nathan shared that the US Supreme Court has decided against the EPA regarding the permit conditions used in a permit in San Francisco. Gabe and Justine and others have written a brief on the decision which can be found [here](#).

Other workgroups are continuing. There has been progress on the permit efficiency effort. Andrew shared that there are 3 permit renewals out for notice in addition to the pesticide general permit. <https://cdphe.colorado.gov/water-quality-draft-permit-actions>

Update on PFAS Research – Dr. Ian Pepper was not available to make a presentation.

Discussion Items

Regulatory Updates

New Permits – Gabe explained that it has been a busy week with new permits being issued with a comment period that ends April 13th. The council has an opportunity to provide comments. There are some issues of note including:

- I and I – inflow and infiltration
- Water Quality Control Division (WQCD) process
- Lack of PQUEs – preliminary water quality limits – used in plan updates
- Communication between regulators and permittees

Tresa with the city of Lamar reported that they had recently received a new permit. Shane further described the challenges the community are facing. They have operated with a ground water discharge point since 1995. The WQCD raised concerns about connections to the Arkansas River. Their 3 lagoons are approaching capacity and they hope to move forward with a mechanical plant with a surface water discharge. They reached out to try to get water quality planning goals. They are a disadvantaged community that worked hard to obtain funding. There has been confusing

communication with limited responsiveness from the WQCD. The WQCD issued the draft permit without much communication. There is no compliance schedule and the new permit limits can only be met with mechanical treatment. Part of the permit is to line the lagoons which costs approximately \$14 million. The lagoons are planned to be decommissioned as the mechanical plant comes online. Sampling requirements are very expensive and divert resources from construction of the new plant. There is a long list of objections. Overall, they are looking for a comment letter that states they want the focus to be on constructing the new plant, not the lagoons. Rachel added that Lamarr requested an extension of the comment period and were given a 30 day extension. Alamosa also requested a comment period extension that was granted for 30 days.

The poor communication with WQCD has been a consistent topic in council discussions. That component could also be part of the council comment letter. There is also an argument to be made about the inefficiency of the process. Lamar light and power that has never discharged was given more favorable treatment and a high priority which seems inefficient. Mark Thomas added that he's been working with some legislators who may want to introduce a bill to improve the regulatory process.

Randy Martinez from Alamosa stated that they have an 11-year-old permit and a mechanical plant. They were issued a permit with extremely strict limits, some of which can't be achieved, much less within 5 years. Arsenic, other metals and chloride are particularly problematic as is funding. New parameters were added without any communication and without the option to work on monitoring and a compliance schedule. Sampling requirements are at least \$100,000 per year. The permits are supposed to go into effect this year when the budget has already been set. Communication is also a problem. There are vindictive statements regarding what the cities have not provided, even though they never requested it. In Lamar's case they even asked what the regulators wanted and there was no response.

Wes reported on the meeting on Saturday that the stakeholders had with some legislators in attendance. He thinks it's important for the council to comment. It looks like the WQCD just issued general permits which replaced individual permits. Some of the communities are looking at millions of dollars in construction and thousands of dollars in sampling. It looks like an effort to show they are reducing the permit backload. There are several utilities with only about 200 residents that are looking at millions of dollars in expense. He urged the council to move quickly while there is time in the legislative session.

Some of the communities were told they had no other option than accept a general permit. Mark requested specific examples of inappropriate behavior of the WQCD such as forcing communities to accept general permits. Some states issue general permits that are appropriate in terms of standards and sampling making them reasonable. A boilerplate approach can work, but not the way it's being implemented in Colorado. He

echoed the need to move quickly. He hopes that the council can support the NFRWQPA's efforts without violating the lobbying restrictions. Funding for the treatment upgrades is really problematic.

Melissa called attention to the total inorganic nitrogen (TIN) limits that are particularly strict. Several of the communities were working towards getting VIP credits from Policy 17 through their sampling efforts and none of those credits are being recognized.

Gabe recommended the council provide comments on Lamar and Alamosa permits. There are enough issues of statewide concern and the changes to their permits will likely impact council members' permits. There are other inconsistencies in the permits that could also be included in the comments.

501 c 3 designation – It limits lobbying activities and is very broad. It explains our silence on impending legislation. There are bills that are likely to be introduced. The council is limited in the ability to comment and/or organize members to comment. However, we can act to distribute information to the members. We need to be clear in communications that we are a 501 c 3 and are limited in our lobbying abilities. Historically the council hasn't weighed in on general permits because few members had general permits. Commenting on general permits would be a new level of effort. The council could communicate their concerns about how the general permits section is being implemented especially in regards to small communities and use of chemicals. He could draft a letter for the council to send to the WQCD.

The permit issues dovetail with some of the work groups the WQCD has. He encouraged us to try to help the WQCD while explaining our issues. Gabe encouraged members to reach out to other organizations that can lobby such as the Special Districts Association (SDA) and Colorado Municipal League (CML). He encouraged the council to participate in the succession planning.

Fee Regulation- Nathan addressed the effort. There may still be some issues with how the efficiency effort is being addressed. The lack of budget increases have reduced the immediacy of the issue.

Stormwater permit appeal – in 2023 DIA requested a hearing in front of an administrative law judge with has been granted. The council requested party status that has not yet been granted. The case filings will be due April 16th. The issue of concern for the council is added effluent limits for certain certifications. Monitoring for *e coli* which is likely to lead to numeric limits is of particular concern. The *e coli* comes from geese in most cases. Gabe will send any filing to the Board rather than the general membership.

NWRI Panel Process Update – Amy shared that NWRI has sent us a file of their invoicing and expenses. They only bill quarterly so the records show that they have only spent the \$35,000 CDPHE put in, so far.

Dan added that there were concerns about the lack of communication about the progress. Dan and Julie met with Suzanne Sharkey of NWRI. She said that the group is still trying to determine the scope which is slowing them down. The group reviewed data from CDPHE and some other relevant studies. There may be some scope creep and a need to clarify the scope before the budget is depleted. **Dan** will share the letter to CDPHE from NWRI. The slow progress is concerning and the panel probably needs to hear from the council.

Diana asked about the 3rd party consultant. Dan didn't get clarification from Suzanne because she's not the technical person. It begs the question of how much work they need to do from scratch and how much they can borrow from other studies. There may be a need to hire our own consultant to participate in the effort.

Mark reached out to NWRI directly and asked for engagement because 208 agencies already do a lot of the work they're doing. He didn't get a response. It's important for the council to keep inserting ourselves. **Amy** will distribute the letter for the next meeting.

Regulation 85 Subgroup – Meghan Wilson-Outcalt reported that she'll be organizing the group sending out a doodle poll. VIP credits not getting applied could be one of the issues for the subgroup. Megan added her email for anyone else who wanted to participate. WilsonM@bouldercolorado.gov

RMWEA Government Affairs Liaison – Megan reported on the people who were attending for RMWEA. Please reach out to Megan if you plan to attend and/or want to coordinate visits to congressional offices.

Water Quality Forum Updates - Meghan reported that the Water Quality Forum meeting is Monday. WQF meeting agenda will be posted here for Monday's meeting: <https://colowqforum.com/cleanWater/meetings/> Nicole Rowan will give an update on fee setting rules. Multi discharger variances will also be discussed. The usual working groups will also report. July 31 and August 1 will be the Forum retreat held at the SPUR campus. She hopes there will be an update on NWRI. There will be registration later in the summer.

Drinking Water Forum Updates – Cynthia reported that the water utility council discussed the conflict between water utilities having to post sensitive information on their websites that conflicts with other security issues. Drinking water advocates may be

watching to ensure that the sensitive information is available but it might be difficult for all the utilities to ensure the security of the files. There will be more to come.

Permit Process Efficiency – Dan reported that they are working on improving participation from more utilities.

CMF organizing effort – Dan explained that the Colorado Monitoring Framework (CMF) is another group that is looking at collaborative water quality solutions. They are working to help organize efforts across organizations to leverage resources. Dan committed the council to work on the nutrients and permit renewal communication topics. CMF has provided a template for coordination.

Succession Planning – Amy reported that the Board is going to review a scope of work from a consultant that specializes in succession planning for nonprofit organizations. We'll report back next month with a proposal on how to move forward.

Other – Dan added the communications committee from the Water Quality Forum is trying to meet in May on the 13th in the morning or May 14th in the morning. There will be a prep group on March 28th. Let Dan know if you want to participate. Andrew Neuhart volunteered.

Board Action Items – Jesse moved, and Wes seconded a motion to approve the invoices as presented. The vote was unanimous to approve payment of invoices presented.

Checks for signature end of Feb 2025		
2435 - Alliance Member Services	\$ 1,360.00	Insurance, annual premium
2436 - Clark Hill Legal services	\$ 847.50	
2437 - NWRI	\$ 10,000.00	Pass through from SPR
2438 - Amy Conklin	\$ 3,000.00	Feb. Coordinating
2439 - CMF	\$ 2,600.00	membership dues

Approval of February 12th, 2025, minutes. Andrew moved, and Jesse seconded a motion to approve the minutes. The vote was unanimous to approve the minutes as presented.

Approval to add Dan DeLaughter as a signatory to the CWWUC checking account. Jesse moved and Wes seconded a motion to approve Dan as a signatory. The vote was unanimous to approve him.

Julie was going to check with CDPHE to determine if we funded more of Dr. Pepper work, if CDPHE would use the results. No one knew if that happened.

Next Meeting – Wednesday, April 9th at 1:00 pm

Attendance

Amy Conklin, Coordinator
 Nathan Moore
 Andrew Sayers Fay
 Gabe Racz
 iphone
 hwebb
 jurget
 Randy Martinez, Alamosa
 Daniel Montano, Alamosa
 John McGee, JVA
 Melissa Whitmore, JVA
 Tresa Holbert, Lamar

Michael Katalinich, JVA
 Shane White, JVA Lamarr
 Rache Bolt, DW
 T Giarritano, Alamosa
 Rob Batorf, Alamosa
 Stuart Smith, C Springs
 Jordan Tate, S Adams
 Aaron Ladd, Lamarr
 Mike Rogers
 Harry
 Kayla
 John Patrick McGee

Member	Last	First	
Peublo	Callaghan	Andrew	x
St. Vrain	Arnold	Alex	
Mount Crested Butte	Bembenek	Adam	x
SPR	Stucky Acob	Andrea	
Dominion	Neuhart	Andrew	
	Berlman	Annie	
		Anthony	x
Grand Junction	Firl	Ashley	
Longmont	Bilgin	Azra	
	Johnson	Ben	
	Green	Bethany	
Security	Bernard	Brandon	
Cherokee	Zembles	Brandon	
	Zachman	Brad	
S. Platte Renew	Corning	Blair	x
	Stanfield	Bent	
	Burks	Bryan	
	Icenogle	Bret	
	Z	Brian	
	A	Brianne	
Pinyon	Byus	Caroline	
St. Vrain	Kampman	Chris	

Boulder	Sigmon	Cole	
	Bieker	C	
	Lane	Cynthia	x
South Platte Renew	DeLaughter	Dan	x
	Richardson	Daniel	
Montrose	Bries	David	x
	Louch	Dave	
	Kurz	David	
Lafayette	Jackson	David	
	Bonsall	Desirray	
Broomfield	Trejo	Diana	x
Broomfield	Cowell	Dawn	x
		Dominique	
Metro	Buggraf	Erik	
Mott Macdonalds	Farias	Elizabeth	
Metro	Bertoli	Erin	
Dominion	Bahn	Evan	
		Heather	
C Springs	Greeno	Hunter	
	Smith	Gary	
Louisville	Venette	Greg	
Silverthorne	Kruckeberg	Jason	
	Shivvers	JD	
Fort Collins	Schlam	Jesse	x
Black Hawk	DiToro	Jessica	x
Fountain	Heckman	Jim	
Monument	Kendrick	Jim	x
Metro Water Recovery	Dorsch	Jim	
Gypsum	Hancock	Jim	
Loveland	Creaghe	Joe	x
Greeley	Kunovic	Joe	
	Coyle	Jon	
Longmont	Gage	John	x
	Moore	Jonathan	
	Watkins	Joshua	
Westminster	Nims	Josh	

	Tinetti	Julie	
	Koplitz	Katie	
		Kayla	
	Cline	Kelly	
Grand Junction	Carson	Kurt	
	Swenson	Lauren	
	Haxby	M	
Eagle	Harris	Madeline	x
	Freyre	Manuel	x
	Parker	Mark	
	Christiansen	Mark	x
	Volle	Mark	
Molson Coors	Koch	Mark	
NFRWQPA	Thomas	Mark	x
	Deminski	Mary	
	Paterniti	Mary	
Boulder	Wilson Outcalt	Meghan	
Boulder	Mimna	Melissa	
	Morgan	Mike	
	Fabbre	Mike	x
	Hoffman	Mike	x
C springs	Gustafson	Mike	
	Marcum	Mike	
Broomfeild	Monacelli	Natalie	
Aurora	Harmon	Nick	x
	Marusin	Nick	
C. Springs	Zeitlow	Patti	x
	Heald	Roy	
	Kim	Randi	
	Calkins	Sam	
	Harcus	Scott	
Northglenn	Stanley	Shelley	x
Eagle	Wilson	Stephan	x
Westminster	Wilson	Tara	x
	Good	Tyler	
Fremont	Ormandy	Toby	x
	Kraft	Tanner	

	Eldridge Eaves	Tyler Wally	x x
		Vic	x
Plum Creek	Martin Zachman	Wes Brad	x