



Draft Meeting Minutes
Wednesday, June 14th, 2023

Attendees:

See the table at the end of the minutes.

Blair got the meeting going and Amy recorded it [here](#). Blair welcomed everyone and went over the agenda.

Nathan Moore, CDPHE staff – Blair asked about progress on the Chemical Evaluation forms. Water Quality Control Division (WQCD) staff met with John Gage and Nicole Poncelet Johnson. They're still digesting the concerns. They'll need some more time to work through the issues. They were considering a permits webinar that would include the Chemical Evaluation Forms.

Nathan discussed the Coors permit process. There was a third-party request to modify their permit. The concern was that Coors wasn't notified until the change went out for public comment. He clarified that it is their process. He added that they had let Coors know that their permit was posted for public comment.

He reported on the Sackett decision on Waters of the United States (WOTUS). The WQCD posted a proposed policy. They are looking to move as quickly as possible. In the meantime, the Army Corps of Engineers (ACE) has put a hold on issuing dredge and fill permits. The ACE will need to determine how to incorporate the ruling into their procedures. There are likely to be future cases before the Supreme Court. Blair asked how big the decision is for Colorado. It doesn't impact discharge permits much but it does impact dredge and fill permits.

Gabe asked if Nathan had heard about any proposed changes to water quality standard setting and NPDES procedures regarding Colorado issued permits. If the scope of WOTUS is further constrained, how would Colorado's programs to protect water quality be impacted. Nathan said we'll have to wait and see.

The Water Quality (WQ) Forum is coming up. The retreat is in July in Denver at the SPUR campus. Many stakeholder efforts will be discussed at the forum: <http://colowqforum.com/cleanWater/annual-retreat/>. Dan asked about the Reg. 22 work group. The work of the group has been moving slowly but there is interest in continuing the program, in spite of Bret Icenogle's departure from the WQCD.

Andrew added that the Chemical Evaluation Forms will be discussed at the August webinar. People can email him if they have any specific questions.

Link Muller, Metro Water Recovery – A presentation on Metro’s cooling towers at their Northern Treatment Plant was made by Link Muller. The Northern Treatment Plant has tertiary treatment. Temperature standards were adopted in 2007 to protect aquatic life. Plant staff record effluent temperatures. December is the month when they need cooling. CDM Smith conducted an Alternatives Study. The best alternative was determined to be the cooling tower. The concept is similar to air conditioning units but isn’t self-contained. There aren’t a lot of design criteria to refer to. There could be impacts to Air Quality, Receiving Water Quality and Greenhouse Gases. Other concerns included public perception, icing and noise. The pilot went online January 31, 2023. They immediately encountered icing problems. There are procedures that can be used to defrost the towers. They inspected the media in the towers to determine the amount of scaling/bio material that would accumulate. There were different amounts of bio material accumulation in different media weights. They completed the secondary demonstration in May 2023. They’ll begin a tertiary demonstration next winter.

Julie asked them to describe the timing of approval of the pilot process. They had to apply for a site application amendment through Regulation 22. There is a guide in the regulation they followed. It was a little faster than a regular site application, about a month. Blair asked if the temperature requirements at the plant were met. The purpose of the project was to look at the cooling towers operational and maintenance requirements. Achieving the temperature standards was not the goal. Blair was surprised that more material didn’t bioaccumulate.

Blair thanked him for the presentation.

Discussion Items

Regulatory Updates – Gabe reported on the Reg. 22 workgroup. It was beginning to work on historical infrastructure having completed some work on construction flexibility. There’s a draft memo on how to handle historical infrastructure that hasn’t been discussed in depth yet. It would be good for the group to conclude the construction flexibility issues.

Gabe sent out a memo de-briefing the nutrients hearing and potential next steps. There was a Water Quality Roadmap meeting shortly after the nutrient hearing. He shared that there isn’t enough time to complete the items in the road map in the 4 years left. He encouraged members to continue to be active discussing feasibility and implementation before standards development.

The Industrial stormwater permit may have been appealed. There is a lull in Water quality Control Commission (WQCC) hearings in June and July. Blair asked if the CWWUC should add any rationale for consideration at the Water Quality Forum. Gabe suggested the council consider commenting on the scope of the work groups. He suspects that there will be a work group on dredge and fill permits. It will likely impact utilities who use dredge and fill permits to maintain their infrastructure.

The Sackett decision limited where 404, dredge and fill, permits are needed. The state said that if an entity doesn't have a dredge and fill permit, they'll be violating the state clean water act.

Gabe explained that the issue of concern for the CWWUC about the Coors permit modification is that Coors didn't get notification of modification request but did get notification of the draft permit going to comment. There was an abbreviated timeline between when Coors received notification and when the permit was posted for public comment. There will be rulemaking hearings on Reg. 61 and 21. CWWUC could consider proposing that when there is a third party permit modification request that the permittee be notified. It seems strange to modify the permit without receiving any data from the facility.

Budget – Amy, Julie and Katie met to discuss developing a budget for the organization. The potential needs for the council to participate in regulatory hearings requires significant fundraising. The group also talked about the potential for enhanced educational and lobbying efforts. Changes to the by-laws may be required. Gabe suggested that members could partner with the Special Districts Association and/or the Colorado Municipal League to conduct lobbying activities.

Metro's lobbyist is willing to make a presentation. **Amy** will prepare a memo for next month about how much the dues will be increased and how the money will be spent. Meghan weighed in that having funds to better represent the council would be a good idea. Maybe we could investigate options for getting participation from smaller entities.

Stormwater Permits, COR900000 – Gabe reported that the changes to the permit may have impacts. The impacts are not likely to impact the wastewater sector.

Chemical Form Evaluation Subcommittee – John had nothing more to report than Nathan and Andrew already reported. The WQCD doesn't really have the resources to focus on the issue. Maybe the webinar will help.

RMWEA Governmental Affairs Committee –Dan reported that the committee is working to finalize the water quality update. They wrote an article on anti-degradation basics. They might be writing an article about WOTUS. They've had some parallel

discussions about the legislative engagement (lobbying/education) topic. They would be happy to coordinate and help with discussions.

Water Quality Forum Updates – Meghan Wilson – Meghan didn't have much more to report than Nathan and Andrew. The Water Quality Roadmap meeting has a capacity limit so register early. The rationale discussion will be robust and will likely include the feasibility work group. There is likely to be discussion around sharing how the recent hearings have gone and how to improve them. The forum will start at 10 am on July 13th.

Drinking Water Council Updates – Cynthia Lane – Cynthia reported that she just returned from the AWWA conference. They spent time presenting on PFAS. The fly in and water week for 2024 will be the same week for water and wastewater. She encouraged people to consider coming. The state revolving fund survey is open through the end of June for water and wastewater. It's really helpful at the state level to get things recorded on the survey in order to get federal funding.

Other – Gabe asked if we want Verity to make a presentation. They're developing greenhouse gas trading markets. It's another piece to the green/grey infrastructure efforts that can generate credit that may be able to be traded. They have some capital they can use. **Gabe** will try to get them to present in August.

Barb shared that we might want a presentation on Denver's re-use water plant permit.

Board Action Items –

Approval of invoices for payment – Jesse moved, Wes seconded approval for payment of all invoices. The vote was unanimous.

Checks for Approval in June		
2358 - Vranesh and Raisch	\$ 4,867.50	Legal services, Inv. 44455
2359 - Regents of the University of CO	\$ 33,689.86	Jimmy McCutchan Tech work, Invoice 2301, Out of Reg Support
2360 - Alliance Member Services	\$ 132.79	Insurance
2361 - Amy Conklin	\$ 1,857.50	May 2023 Coordination services
2362 - Vranesh and Raisch	\$ 1,206.00	Legal services, Inv. 44626

Approval of May 10th, 2023 minutes. Julie moved, Jesse seconded a motion to approve the minutes. The motion passed unanimously.

Next Meeting – Wednesday, July 12th at 1:00 pm

Attendance

- Amy Conklin, Coordinator
- Nathan Moore
- Andrew Sayers-Fay
- Link Muller
- FAR100223

Member	Last	First	email	
City of Longmont	Noble	Anne	Annie.Noble@longmontcolorado.gov	x
Security	Mills	Anthony	a.mills@securitywsd.com	x
City of Grand Junction	Firl	Ashley	ashleyfi@gjcity.org	x
City of Longmont	Bilgin	Azra	azra.bilgin@longmontcolorado.gov	x
Roxborough	Biggs	Barb	barbara@roxwater.org	x
South Platte Renew	Corning	Blair	bcorning@englewoodco.gov	x
Security	Bernard	Brandon	b.bernard@securitywsd.com	x
Mount Crested Butte	Burks	Bryan	bburks@mcbwsd.com	x
Pinyon Environmental	Byus	Carolyn	byus@pinyon-env.com	x
City of Boulder	Sigmon	Cole	sigmonc@bouldercolorado.gov	x
Platte Canyon	Lane	Cynthia	calane@plattecanyon.org	x
SPR	DeLaughter	Dan	ddelaughter@englewoodco.gov	x
City of Lafayette	Jackson	David	david.jackson@lafayetteco.gov	x
City of Broomfield	Cowell	Dawn	dcowell@broomfield.org	x
Black Hawk	Trejo	Diana	diana.trejo@lrewater.com	x
S. Adams County	Smith	Gary	gsmith@sacwsd.org	x
City of Montrose	Webb	Hyran		x
Silverthorne	Kruckeberg	Jason	jkruckeberg@silverthorne.org	x
City of Fort Collins	Schalm	Jesse	jschlam@fcgov.com	x
Black Hawk	DiToro	Jessica	jessica.ditoro@lrewater.com	x
Monument	Kendrick	Jim	jfkendrick@q.com	x
Fountain	Heckman	Jim	fsdmanager@fsd901.org	x
Metro Water Recover	Dorsch	Jim	jdorsch@mwr.dst.co.us	x
City of Greeley	Kunovic	Joe	Joe.kunovic@greeleygov.com	x
City of Longmont	Gage	John	John.Gage@LongmontColorado.gov	x

Cherokee Centennial	Watkins Tinetti	Joshua Julie	jwatkins@cherokeemetro.org	X
Metro Pueblo	Muller Vanderloop	Link Maria	MVanderloop@pueblo.us	X X
Monument Sanitation NFRWQPA	Parker Thomas	Mark Mark	parker@msan.co mthomas@nfrwqpa.org	X X
City of Aurora Boulder	Kelley Wilson	Meghan Meghan	Mkkelley@auroragov.org wilsonm@bouldercolorado.gov	X X
Aurora	Kelley	Meghan		X
City of Aurora	Harmon	Nick	nharmon@auroragov.org	X
Aurora	Harmon	Nick	nharmon@auroragov.org	X
C. Springs Utility	Zeitlow	Patti	pzeitlow@csu.org	X
St. Vrain	Fleck	Rob	Rob@stsan.com	X
Security Centennial	Heald Calkins	Roy Samuel	r.heald@securitywsd.com SCalkins@cwsdhrmd.org	X
Northglenn Town of Eagle	Stanley Wilson	Shelley Stephan	sstanley@northglenn.org stephan.wilson@townofeagle.org	X X
City of Westminster Fremont	Kraft Ormandy	Tanner Toby	tkraft@cityofwestminster.us tormandy@fsd.co	X
City of Greeley Plum Creek	Eldrige Martin	Tyler Wes	Tyler.eldridge@greeleygov.com wesmartin@pcwra.org	X X