

Barr Lake/Milton Reservoir Watershed Association
BMW Board Meeting
May 22, 2012 9:00am – 11:30pm
Metro Wastewater Reclamation District, Denver, CO

MINUTES

Board Attendance:

Sarah Reeves – SPCURE
Steve Lundt - Metro
Shelley Stanley – Big Dry Creek WA
Laurie Rink – FRICO
Dennis Stowe – L/E WWTP
Amy Woodis – Metro

Public Attendance:

Amy Conklin – BMW Coordinator
Kristi Livedalen – Squire, Sanders &
Dempsey, L.L.P.

I. Opening -

Laurie welcomed the group and reminded everyone to sign in. The last Board meeting was held via email so there are no minutes to approve. A summary of the actions voted on was distributed in an email from Amy Conklin to the Board distribution list on Friday March 23rd. The January meeting minutes were inadvertently forgotten and will be included in the July 24th Board packet.

II. Updates/Action Items

- Chair's Report Status of TMDL – Laurie Rink reported on her conversation with Phil Hegeman, of the Colorado Department of Public Health and Environment (CDPHE), Water Quality Control Division (WQCD), regarding the in-lake versus end-of-pipe compliance point issue. Phil agreed to revisit the issue internally with the CDPHE Permits Section. He will talk with Laurie after that meeting. He indicated that they are in favor of a trading program and think that can be accomplished with the current version of the TMDL. The WQCD's goal is to send the TMDL documents to the EPA for approval by the end of May.

Laurie presented a revised wasteload allocation table and revised text that she proposed to submit to the WQCD as one last attempt to try to re-insert flexibility into the TMDL. Laurie had also contacted Ken Wagner, who developed the model used in writing the TMDL. The WQCD was under the misperception that the modeling results necessitated the end-of-pipe effluent requirement. Ken Wagner can clarify that the model does not require an end-of-pipe compliance point.

The group discussed the proposed changes, expressing frustration that we are unlikely to see what the WQCD submits to the EPA. **Laurie** will contact Phil Hegeman, in writing, and request that BMW receive a copy of the TMDL document submitted to EPA. In concept, the Board is supportive of the request to change the compliance point to in-lake. They recognize that the WQCD is struggling with our TMDL because it's the first one they've had that is adaptive and phased. Barr Lake and Milton Reservoir are also unusual hydraulically in that only part of the river is diverted to the water bodies and for

intermittent periods of time. One of the strongest arguments for including flexibility implementing the TMDL is that even if all the permitted dischargers stopped discharging, in-lake water quality targets would not be met. There are too many unknowns in the Barr-Milton system to apply typical, standard TMDL practices.

Shelley Stanley asked about ‘crediting’ the wastewater treatment plant, point source, dischargers in the Big Dry Creek basin who have reduced their loads since the watershed model was first developed with the group concurring that the plant should be ‘credited’ with their load removal as part of the next model iteration. Reductions from the point sources, alone, may achieve the reductions required in the wasteload allocation table for Big Dry Creek. Sarah Reeves pointed out that the effluent concentration for Aurora needs to be changed to 200 ug/L.

Laurie will send her revised table and text changes to the Board this evening, May 22nd and request comments back by the end of the day on May 23rd.

- Treasurer’s Report - In Blair Corning’s absence, Amy Conklin reported that as of April 30th, BMW had \$135,875 in the bank. There have been a few expenses for the limnocorral activities but nothing unexpected. So far in 2012, BMW has raised \$76,625 in membership dues. Last year we raised \$109,000.
 - Sarah Reeves reported that SPCURE is reducing their membership dues payment from Sustaining, at \$12,000 to Active, at \$4,000. Originally, SPCURE became involved as a Sustaining member because of data intensity of effort. Now the effort has changed and a reduction in dues seems appropriate.
 - Dennis Stowe reported that if the TMDL documents are approved with end-of-pipe effluent requirements, he’ll be recommending dropping the Littleton/Englewood Wastewater Treatment Plant’s membership dues to the Active level also. If the TMDL stays phased and adaptive, he would recommend they remain as a Sustaining member. He is pretty satisfied that the convergence of the BMW TMDL and the nutrient criteria is a viable situation. That is a positive outcome, especially for BMW where the nutrient criteria could have created significant conflict with the TMDL. Amy Woodis reported that the iterative, phased, adaptive approach is the way all TMDLs will have to be conducted to be successful. That approach is expensive but successful and sustainable.
- Coordinator Updates (Amy C)
 - Mini grant application – Amy Conklin reported that a mini-grant application of \$5,000 has been awarded to BMW. We are waiting until we finalize the EPA Urban Waters Grant for \$60,000 before we discuss the mini-grant work items with the CDPHE.
 - Water is Worth It Campaign – WEF has produced a template for a public outreach campaign they hope water organizations will use across the county. The work done as part of this campaign has the potential to offset some of the work identified in the Urban Waters Grant, specifically the developing a message component. The group suggested that AWWA might have a program worth looking at. Sarah Reeves will send Amy Conklin a contact at WEF to invite them to participate in the Steering Committee for the Urban Waters grant.

- Congressional Proclamation – U.S. Senators Mark Udall and Michael Bennet introduced a resolution recognizing 2012 as the “Year of Water” in Colorado. This resolution helps recognize water as a precious resource in Colorado.
- P Management article – Chris Douglass shared this interesting article about Australian methods of P control.
- Gov. Hickenlooper Executive Order regarding the Special Session of the Colorado Legislature – Amy Conklin reported that one of the pieces of legislation the Governor is requesting the legislature debate is over \$28 million of water projects.

III. **Modeling Update** – Steve Lundt is working with Marcia Greenblatt, at Integral to update the water quality model with new data. In March the BMW Board voted to move forward with part of the modeling effort. Steve is assembling the data required for the model but has discovered some missing data; FRICO flows for 2010 and Xcel Energy’s water quality data. He’s downloaded all the flows from ditches and diversions from the internet which is a lot of work. Someday soon the consultant will have the data she needs to begin calibrating the model and then running it.

IV. **Watershed Tour** – The coordinators have set a tentative agenda and itinerary for the 2012 Watershed Tour in the Cherry Creek basin. Amy Conklin suggested that we take Chuck Reid up on his offer to meet at his office to start our tour as the logistics are easier for getting into the park. The Board agreed. Bill Ruzzo forwarded his annual report presentation Cherry Creek made to the commission which might make a nice hand out for the tour. Cherry Creek Water Quality Basin Authority has developed a cost estimate for removing phosphorus via bank stabilization versus point source removal. That information could be very useful for BMW moving forward. The coordinators will move ahead in setting up the tour.

V. **EPA Grant Budgeting and Implementation** –

Laurie began by describing how the grant application identified the list of folks who we would reach out to. We have discussed having a Steering Committee and now need to define what we want them to do; for example, do we want them to assist in hiring sub-consultants? The Board does not want to be involved in the day to day activities of the Steering Committee but wants to retain control over, especially the financial, work of the group. As part of the grant application, BMW has a fiduciary responsibility to ensure that the outcomes of the grant are achieved. We also want the outcomes to be something that is functional for BMW. Without diluting the grass roots nature of the effort, the Board would prefer that the coordinators facilitate the meetings with regular reports to the BMW Board and have all significant, especially financial, decisions be presented to the BMW Board as recommendations. Reports on the messaging effort will become a standing Board agenda item. Dennis Stowe related the story of a group that founded a separate foundation from itself to accomplish a specific task, making themselves the only voting member of the Board. After 3 years, when the effort became successful, the founding group voted themselves off the Board and turned the effort over to the Stakeholders. The concept is that BMW is providing the staff to initiate an effort that may be ongoing to coordinate and leverage messages among water interests.

The group suggested that the effort include Cherry Creek Stewardship Partners, the Greenway Foundation, the Stormwater Council and the Colorado Foundation for Water Education. After the grant is awarded by EPA we should inform Colorado's Senators, appropriate Congressional Representatives, and the Colorado Water Conservation Board about the effort and invite them to Stakeholder meetings.

VI. New Business/Open Topics

- Technical Committee – Steve Lunt reported that the limnocorral have been assembled and installed. There is a lot of extra work to do for the permit requirements. Water levels in the lake may be an interesting factor this year.
- Other conferences and meetings –
 - Shelley Stanley shared an invitation to the South Platte forum on October 24-25 at the Plaza Conference Center in Longmont.

VII. Next Meeting

- BMW Technical Committee **June 28th, 2012.**
- BMW Watershed Tour **June 26th, 2012**

Budget Meeting, immediately following Board meeting

Laurie Rink, Steve Lundt and Amy Conklin discussed how to set up the Quickbooks files to make EPA grant reporting as easy as possible. Amy Conklin suggested that, once the EPA grant is awarded, we approach the CDPHE and suggest we use the \$5,000 mini-grant to subsidize one of the focus groups. Amy Conklin was directed to be sure to include EPA on all meetings of the Steering Committee and Stakeholder group. It was also suggested that ground rules be set for the Steering Committee including the reality that the BMW Board has the fiduciary responsibility for the effort. It was also decided that the OWOW intern would get paid monthly at \$62.50 per month.