

Barr Lake/Milton Reservoir Watershed Association  
 BMW Board Meeting  
 August 28<sup>th</sup>, 2018 9:00 am – 11:30  
 Metro Wastewater Reclamation District

**Minutes**

**Board Attendance:**

Dan Delaughter – SPWR Partners  
 JM Greenbec – South Adams  
 Michelle Seubert – CPW (phone)  
 James Boswell – Thornton  
 Laurie Rink – FRICO  
 Steve Lundt – Metro

Sarah Reeves – SPCURE  
 Donny Roush – Denver Public Works  
 Julie Tinetti – Centennial

**Public Attendance:**

Amy Conklin – BMW Coordinator  
 Samantha McMickenny - BMW Intern

Dan welcomed the group and everyone introduced themselves, while enjoying delicious burritos.

**OCCT Update** – Steve reported that Metro met with Denver Water (DW) yesterday to go over updates and the Technical Memo Metro is preparing. The memo details the costs to Metro to remove loads from OCCT and should be finished by the end of the week in preparation for a DW Board meeting on Sept. 21. DW took CDPHE staff on a tour of their facilities and helped inform CDPHE about the technical difficulties or removing Ortho Phosphorus (P). DW is looking at different concentrations of Ortho P at the tap. DW is also evaluating pH adjustment treatment. Metro is evaluating the impact of using pH adjustment on treatment processes at Metro as well as those of Ortho P addition.

Steve shared information about our watershed modeling effort with DW. Marcia Greenblat with Integral will be talking to DW about the BMW modeling effort. DW was also interested in the in canal and in lake reports. They work with Ken Wagner and will coordinate with him regarding the P loading. CDPHE is trying to put together stakeholder groups but it is taking a long time to organize. DW will be working to provide more information to CDPHE about the technical aspects of removing Ortho P loading.

Chris reported that he has heard some concerns about the treatment by products of Ortho p treatment and phosphates may be another option for OCCT. Dan reported that South Platte Water Renewal Partners (SPWRP) is also reviewing and updating cost estimates for Ortho P removal.

**Modeling and Stormwater Monitoring Station Update** – Steve Lundt reported that he has gotten a lot of the data needed for the modeling update. Some of the data will have to be estimates. Dan may have a source for data for Fort Lupton from EPA. Integral has all the data Steve has collected. They may have some results for us by mid- September.

Integral may be running some scenarios for the OCCT treatment that will be paid for by Metro. The scenarios would include estimates for the Lawn Irrigation Return Flows (LIRFs) and flushing. While lawn irrigation is seasonal, groundwater flows occur throughout the year. Another consideration is that once Ortho P treatment is started, it can't be discontinued in the foreseeable future so the timeline for the scenario will need to reflect the very long-term nature

of the loads. Both Marcia Greenblat and Ken Wagner will be helping to develop the parameters for the scenarios. DW will review their initial estimates of LIRFs and flushing as they may be too low.

The stormwater monitoring station has been approved to be connected to the electrical grid. Metro is wiring the cabinet. They are just waiting for Xcel to connect to the electricity but that will be more complicated than expected and will likely take some more time. Steve has been sending them weekly emails. He is hoping that the station will be running soon.

**White Paper Work Session** – Dan has only received edits from Laurie and Steve. He wanted to step through the memos. Steve began by presenting the Uncertainty Technical Memo. **Laurie** wants to go through the memo one more time with Steve. Chris expressed his appreciation for the hard work that went into the memos. Steve and Laurie will prepare a clean version for the September meeting. The Board voted unanimously Thumbs Up to forward the paper to the Stakeholders once Laurie and Steve made some final changes.

Dan walked the Board through the Phased TMDL paper. Dan made some organizational changes and responded to Laurie's comments. It was suggested that page numbers be added and that *all three (3) white papers be consistently formatted*. As Dan prepared the paper he reviewed the protocols for measuring the target concentrations and concluded that the targets in the TMDL may be as stringent as those proposed by CDPHE. **Dan** will prepare a table comparing the TMDL targets and the standards proposed in Regulation 31. It may be a good idea to share the table with CDPHE and suggest that the TMDL targets could replace the standards proposed for Barr and Milton. The only parameter requiring additional study is the Nitrogen (N). Specifically, the limnecorral studies indicated that the N:P ratio may be more important than the N or P levels alone. Continuing to evaluate the impacts of the N:P ratio on Chlorophyll a (Chlor a) levels will be added to the Next Steps section of the Uncertainty Technical Memo by **Steve and Laurie**.

The White Paper includes a section on external influences to the TMDL including the issuance of industrial permits in Segment 14 and the potential impacts of OCCT. He also captured some EPA thinking justifying taking multiple permit cycles to achieve TMDL targets. There is agreement to address point source loading first, but the importance of nonpoint source loading remains important. Some members of the agricultural community have been engaged in the water quality process through the Regulations 85 and 31 process and through the Colorado Water Plan process.

The paper identifies some of the questions that will need to be answered over time including:

- How will the end of the first Phase of the TMDL be determined?
- How will BMW determine that it is confident enough about the ability of meeting the targets in the TMDL to protect water quality that the targets can be incorporated into discharge permits?

By the end of 2019, all the entities that intend to access the Regulation 85 incentive program will be known. Under the Other Considerations section, stormwater is discussed. There is a lot of difficulty measuring the impacts of MS4 activities because there isn't a lot of water quality

monitoring to measure the impacts of efforts required under MS4 permitting. Just using Best Management Practices won't be as effective as stormwater treatment. BMW may want to consider working to prioritize nonpoint source activities. The information may be included in the Frequently Asked Questions (FAQ) section of the paper.

Dan also revised the references and FAQ section of the paper. It was suggested that the FAQ section could be handed out to the Stakeholders at the annual meeting. Amy was instructed to include the White Papers in the packet sent to the Stakeholders and to reach out to Joni Nuttle and Tammy Allen individually to make sure they are aware of how BMW is proceeding in implementing the TMDL. BMW would be happy to answer any of their questions.

The Board gave a Thumbs Up approval to accept the White Paper and present it to the Stakeholders.

Site Specific Standards – The Board gave a Thumbs Up approval to present the Site Specific Options White Paper to the Stakeholders but wanted to review the table comparing TMDL targets to proposed standards as the process moves forward.

**By Laws Update** – Laurie led the discussion starting with the two questions from the last meeting. In section 2.16, regarding the composition of the Executive Committee, she suggests striking the language about having a fifth non-officer Board member on the committee. She noted that the Board has the authority to designate responsibilities to the Executive Committee and assignment of authority is completed via corporate resolutions. Section 4.9 regarding Membership Requirements was eliminated because of duplicate language, noting that Section 2.19 already covers how the Board controls the composition of committees. The Board gave a Thumbs Up approval to present the By Laws to the Stakeholders.

Laurie also went through the corporate policies. Some of the By Laws changes include moving language from the By Laws to the Policies. Policies can be developed, modified and adopted by the Board

Old Section	Comments
2.2	Revised for readability and consistency with section 7-128-401 of the Nonprofit Act (general standards of conduct for directors and officers)
2.2.c	Revised to clarify what is "not acting in good faith"
2.4	Section deleted since it is not needed any longer
2.6	Revised for clarity
2.8	Revised for clarity
2.9	Revised to remove time for public comment, since this is not done in practice
2.10	Revised to indicate either Chair or Vice Chair can call for a special meeting
2.11	Revised to reflect current practices with respect to meetings notice
2.13	Revised to add voting via email (which is a current practice)
2.14	Section re-written to allow use of Board policies and procedures
2.16	Composition of executive committee revised
2.17	Section deleted as not used in practice
2.18	Revised to reflect current use of electronic media
2.20	Section deleted; is duplicative of ex officio language
2.21	Language added regarding development of Board recommendations on annual dues
2.22	Language added to allow involvement in legal matters and dues setting
2.23	Section deleted since is separate conflict of interest policy
2.24	Section deleted since issue could be addressed in a financial policy
3.9	Revised to add flexibility regarding coordinator contract approval
4.2	Explicit dues amount deleted; will go in a financial policy
4.3	Explicit dues amount deleted; will go in a financial policy
4.5	Suggested due amount will go in a financial policy
4.5	Language added to explicitly state no voting on substantive decisions
4.9	Section deleted as it is duplicative of other sections
4.10	Section deleted; is not needed

without Stakeholder approval. The best practice is for the Board to review the Policies every year and make sure they're up to date. Most years the review is not as intensive as this year. Our tax returns note that the Board will review the Policies and By Laws every year.

The Financial Policy received the most attention. Laurie revised some of the language to make it clearer and easier to read. The Board voted to increase the limit on the BMW Debit card to \$2,500 (from \$500). **Laurie and Amy** will work on tracking in-kind donations to BMW. **Steve** will provide an updated estimate of the value of his in-kind donations. The Membership Dues levels were added to the Financial Policy (and taken out of the By-Laws).

The Business Operating Procedures, Conflict of Interest, Whistle Blower and Document Retention and Destruction Policies were all given a Thumbs Up Approval. A Subcommittee will work with **Amy and Sam** to review existing BMW hard copy files for retention or destruction and for tracking in-kind donations. Amy and Sam will develop a recommendation and work with the Subcommittee to implement a preferred approach. **Laurie, Dan, Donny and Sarah** volunteered to be on the subcommittee, which will also review in-kind donation estimates. One goal will be to try to match BMW categories with the categories in the Document Retention Policy.

**Annual Report and Calendar** – Amy reported on the files that have been received so far for the Annual Report.

- A graphic and report from Centennial
- A survey response from Donny, DPW
- Photos from SPLASH
- A survey response from SPWRP

The Board discussed including photos of the Poop Emoji Balloon, the Dog butt collage poster and potentially other water campaign graphics. **Steve** will take the lead in putting together the Annual report.

**Sam** talked about the Calendar and requested that **Steve and Michelle** send her photos appropriate for the Calendar. She'll work with **Amy and Michelle** and send a draft out for Board review.

**I&E Report** - The Board watched the videos Sam has created on water quality, events at Barr Lake and were recruited to help film other videos for the You Tube Channel. **Dan and Blair Corning** volunteered to help. Sam is working with Michelle to get a new microscope for the Water Quality display at the Nature Center that will be projected onto a screen.

#### **Updates/Action Items**

- General Public to Address Board – no one from the public was present
- Chair's Report – Dan reported that McDonald's permit on Segment 14 wants to change parameters on their permit. They want to get out of monitoring. The permit has not gone to public notice yet. BMW may want to comment when it does.
- Treasurer's Report

- As of the July 31<sup>st</sup>, 2018, we have a balance of **\$246,958.35**. A record number of membership dues have been received this year.
- All expenses since the last meeting are within budget and will be recorded as part of the minutes.
- Coordinator Updates (Amy C.)
  - Approval of the July 25<sup>th</sup> Meeting Minutes – **Amy** will revise the minutes to better reflect our current understanding of the OCCT stakeholder processes and bring them back for approval in October.
  - Centennial’s lift station was approved.
  - Plans for September Annual Meeting and BBQ – **Sam** will bring beer.
  - Payment for Bike Tours received

Steve added that he will begin work on the box nets to capture his nemesis, the wily carp, in September.

**Next Meetings**

- I/E Committee Meeting – **September ?, 2018 10 am to noon, Barr Lake Nature Center**
- Annual Meeting and BBQ – **September 25<sup>th</sup>, 2018 9:30 am, Barr Lake Nature Center**
- Technical Committee meeting – **September 27<sup>th</sup>, 2018, 9 am, Metro**
- Board Meeting – **October 23<sup>rd</sup>, 9 am Metro**

**BMW I/E Events for 2018**

<b>July Expenses</b>	
2002 - CMF Membership	\$4,850.00
2022 - GEI Stormwater Monitoring Station	\$2,449.99
2023 - Joy Labadie - Website	\$30.00
2024 - Brownstein Hyatt Farber & Schreck - OCCT Litigation	\$12,500.00
2025 - A-1 Organics	\$57.60
2026 - Amy Conklin, June Coordination	\$3,953.40
2027 - Amy Conklin, 2018 Bike Tours	\$958.90
2028 - Applewood Bookkeeping	\$40.00
2029 - Water Education Colorado, 2018 Bike Tours	\$1,500.00
2032 - A-1 Organics	\$19.20
Electronic Debits - all I&E budget	
7/12/2018 - LAD GCs from Bass Pro	\$150.00
7/16/2018 - LAD GCs from	\$25.00
7/27/2018 - T-Shirts	\$915.98
<b>Subtotal - July Expense</b>	<b>\$27,450.07</b>
<b>August Checks to Sign</b>	
2034 - Amy Conklin, July Coordination	\$ 5,219.81
2035 - Applewood Bookkeeping, June and July 2018	\$ 40.00
2036 - Joy Labadie, website	\$ 40.00

Date	Event	Activity	Name and contact
Saturday 9/8/18	Barr Lake Fall Birding Festival	T-shirts, Booth	Michelle S.
Saturday 9/22/18	Barr Lake Bark in the Park	Pet Waste Message	Michelle S.
Tuesday 9/25/18	World Water Monitoring Challenge	T-shirts, Booth	Deb P.
Saturday 9/29/18	National Public Lands Day, Shoreline Clean up	T-shirts, Booth, pick up trash	Michelle S.

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10/9-11/18	Watershed Assembly Conference	Booth, speak	Amy C.
Saturday 10/13/18	Barr Lake Harvest Festival	Help out	Michelle S.
Saturday 10/27/18	Barr Lake Halloween Trail	Help out	Michelle S.
Wednesday 11/7/18	Cherry Creek Stewardship Partners Conference	Booth	Amy C.