

Barr Lake/Milton Reservoir Watershed Association
Public Stakeholder Meeting
Tuesday, October 26th 2010 (9:00am – 12:00pm)
Wes Brown Water Treatment Plant, Thornton CO

MINUTES

In attendance:

Laurie Rink - FRICO
Vic Lucero – City of Thornton
Tim Grotheer – Centennial
Mary Dawson – City of Aurora
Hope Dalton – Tri County Health
Sarah Reeves – SPCURE
Steve Lundt – Metro Wastewater
Kristi Livedalen – Squire, Sanders & Dempsey, L.L.P.
Ed Burke – City of Brighton
Steve Jeffers – Town of Lochbuie
Dennis Stowe – L/E WWTP
Kipp Scott – East Cherry Creek Valley
Richard Archer - Consultant

Blair Corning – S. Adams Water & San.
Charlene Seedle – S. Adams Water & San.
Kieth Pass - DIA
Chris Piper – Denver Water
Martha Hahn – PCWA
Christine Johnston – Xcel Energy
Dale Jones – Friends of Barr Lake
Julie Kinsey - EPA
Steve Janssen – Henrylynn Irrigation Dist.
Joni Nuttle (phone) - WQCD
Connie O’Neill - NFRWQPA
Amy Woodis – Metro Wastewater
Shelly Stanley – City of Northglenn
Brenda Stansbury – Leonard Rice

Guests:

Amy Conklin – BMW
Susan Thornton – BMW

The meeting opened with an attendance sheet sign-in and an introduction to the day’s agenda. Those present also went around the room and introduced themselves. The draft stakeholder meeting minutes from the August 24th, 2010 were accepted by consensus.

Committee Announcements

Board Updates

Laurie Rink provided a brief update of election of officers, which includes Tim Grotheer being elected the new Secretary, replacing Steve Lundt. The Board also discussed the TMDL and the budget.

CDPHE Updates

Joni Nuttle, who joined the meeting by phone, reported that she had no updates.

Information/Education (I/E) Updates

Susan Thornton provided an update to the group concerning the Barrimeter. The next issue of the newsletter is very close to being ready for publication and should be distributed before the end of November.

Dale Jones from the Barr Lake Friends updated the group on activities at the park, and distributed copies of the Barr Lake *Oasis* newsletter. He reported that the Nature Center would be closed Mondays and Tuesdays as part of their winter hours. There will be an Open House at the Nature

Center on Nov. 4th with discounts on merchandise. The trail is closed at dam because of construction on dam. Friday night, October 29th, there will be a Halloween night hike. It was noted that people can sign up to get the *Oasis* newsletter online.

Technical Committee Updates

Steve Lundt provided updates to the group concerning Technical Committee activities. The Technical Committee has been discussing what needs to happen in the next few years to implement the activities described in the Implementation Plan. The next big effort will be to update database, and use the updated information to update the model. Based on results from updated modeling, it may be necessary to revise parts of the TMDL. Over the winter, a plan will be developed for using the limnocorrals. The corrals will be used to study the effects of alumon TP and pH. The next meeting of the Technical Committee will be October 28th.

Budget Committee Updates

Kipp Scott provided a Treasurer's Report on BMW finances. There is just over \$109,000 in the bank with invoices for September totaling almost \$7,400. The Budget Subcommittee met on September 30th and are putting together information for the Board to consider and act upon at the November 23rd meeting. The budget committee is developing strategies to keep BMW financially sustainable while meeting the commitments of the TMDL.

Implementation Committee Update - Sarah Reeves made a presentation later in the meeting updating the activities of this group.

Presentation on the Colorado Foundation for Water Education

Aaron Parker from the CFWE gave a presentation on the work of CFWE. Their focus is on providing educational programs and resources. They would also like to begin a dialogue with BMW regarding the I&E program. As a non-governmental organization their goal is to promote better understanding of water resources using unbiased information. Their education programs include producing nine publications, a quarterly magazine, coordinating a Water Leaders program, and coordinating information and education efforts of the Inter-Basin Compact Committee (IBCC) and the basin Roundtables. They also conduct watershed tours and recently co-hosted the Colorado Watershed Assembly Conference.

Of particular note to BMW is a reception on December 8th for elected officials. BMW should contact Kristin Maharg if the organization is interested in making a presentation. Amy Conklin was directed to contact Kristin Maharg, copying the Board members, about making a presentation at this event. BMW may also be interested in participating in a lunch presentation to the legislature. Chris Piper, a CFWE Board member, encouraged BMW to consider making such a presentation to the Joint Agricultural Committee of the Colorado Legislature. He also encouraged BMW to become a member of CFWE. He further suggested that an article about the BMW TMDL be included in an issue of *Headwaters*, the quarterly magazine.

Another major effort in which the CFWE is engaged is activities surrounding making 2012 the year for water, including a statewide social marketing campaign called *Water by Colorado*. The group discussed BMW's participation in *Water by Colorado* as an opportunity to revisit our goals regarding the I&E program. The coordinators were directed to engage the Board and/or Stakeholders in a discussion to develop a strategy for BMW I&E, considering how we may best participate with the *Water by Colorado* effort after the first of the year.

Presentation: pH TMDL Implementation Plan (Sarah Reeves)

Sarah Reeves presented the most recent version of the TMDL documents, noting that this will likely be the last presentation before the group votes on the documents on **November 23rd**. Comments on the most recent version of the documents, sent out last night, are due **November 8th**. Comments will be incorporated and the documents will be resent on **November 15th**. The documents must be submitted to the state by **December 31st, 2010**. Any comments should be sent to Amy Conklin or Sarah Reeves directly.

Sarah Reeves discussed changes since the last released version of the documents. The language has been streamlined and emphasizes the phased nature of the TMDL. The language has been revised to target a wider audience. Certain sections were moved from the TMDL document to the Implementation Plan. The group discussed how exactly the documents would be linked. Julie Kinsey reminded the group that the EPA only approves the TMDL but that the Implementation Plan is an integral component of the TMDL. She suggested the Implementation Plan be included as an Appendix to the TMDL. The documents must be submitted together but exactly now we choose to do that is up to us.

Sarah next discussed the wasteload allocations included in the documents. Steve Janssen asked how the standards proposed in the TMDL documents related to the nutrient criteria being developed by the CDPHE. Joni Nuttle noted that the proposed statewide nutrient criteria were not very different from the standards included in the TMDL documents. She encouraged the group not to be overly concerned with the statewide criteria because the standards we are developing may become part of site-specific standards.

Tim Grotheer asked how removal of phosphorus in canals would be funded. Determination of implementation of phosphorus removal strategies in the documents would part of future studies and has yet to be determined. Most of the work to implement the TMDL has yet to be done and will be phased. As we learn more about how the BMW system works, especially as point sources begin removing phosphorus, revisions will need to be made the TMDL, including revisions to allocation tables. Continued participation by all the stakeholders is essential to ensuring a successful implementation of the TMDL. Sarah Reeves encouraged everyone to stay engaged in the process.

The concept of reasonable assurance and language to address that regulatory requirement was discussed. EPA requires that TMDLs that include control of nonpoint sources of nutrients include reasonable assurance that the nonpoint sources can be controlled, and that the TMDLs identify alternatives to controlling nutrients. Identifying adequate funding is part of providing reasonable assurance. The fact that the Implementation Plan is phased helps to satisfy reasonable assurance concerns.

The group discussed how the TMDL will be included in permits and concluded that impacts from the TMDL would not begin to show up in permits until after 2014 because of the temporary modification on pH in effect. Joni Nuttle was asked how the state would process the TMDL documents once they're submitted. She responded that their goal is to send the documents out for public comment as soon as the WQCD had a chance to review them, perhaps as early as February 2011. Both WQCD and EPA representatives were encouraged to submit any comments on the documents as soon as possible so they might be incorporated prior to submittal.

Martha Hahn expressed concern about upstream reservoir groups being able to accommodate any funding requests. Steve Jeffers reported that Lochbuie was also concerned about costs associated with meeting TMDL requirements. Steve Janssen asked about the potential for trading wasteload allocations. The TMDL documents will specify what the loads need to be, but they don't dictate how the loads need to be achieved, allowing for the flexibility to trade wasteload allocations. Entities representing MS4s indicated that there may be challenges in guaranteeing the 20% reduction from MS4s shown in the wasteload allocation tables.

Shelly Stanley asked if the agricultural community has been included in the TMDL process. There have been attempts to engage them. Shelly Stanley will try to get contact information of a potential NCRS participant to Amy Conklin. The group pointed out that many cities were shareholders in organizations that are primarily agricultural. Having cities contact their shareholder colleagues may be the best way to engage the agricultural community.

The group concluded that Publicly Owned Treatment Works alone will not be able to meet new, more stringent nutrient criteria. It will take a paradigm shift in how the public perceives water.

Open Forum

The group reported on the presentations at several recent conferences and identified several upcoming conferences where BMW should try to have a presence: November 4th, Cherry Creek Stewardship Conference; November 12th, CLRMS conference; and the Colorado Water Congress at the end of January. The coordinator was directed to try to get the display materials to the conferences or to members attending the conferences.

Next Meeting

The next Stakeholder meeting is scheduled for November 23rd at the Wes Brown Water Treatment Plant and will include voting on submittal of the TMDL documents.

The meeting was adjourned by acclamation.