

Barr Lake/Milton Reservoir Watershed Association
 BMW Board Meeting
 July 24th, 2018 9:00 am – 11:30
 Metro Wastewater Reclamation District

Minutes

Board Attendance:

Dan Delaughter – SPWR Partners
 Mark Cubbon – South Adams
 Michelle Seubert – CPW
 James Boswell – Thornton
 Laurie Rink – FRICO
 Steve Lundt – Metro
 Sarah Reeves – SPCURE

Drew Damiano – United (phone)
 Donny Roush – Denver Public Works

Public Attendance:

Amy Conklin – BMW Coordinator
 Amy Woodis – Brown and Caldwell
 (phone)
 Samantha McMickenny

Dan welcomed the group and everyone introduced themselves.

OCCT Update – Dan reported that he has signed the MOU between CDPHE and Denver Water (DW) as an acknowledging signatory. The MOU acknowledges a stay on the requests for Administrative hearings. There are 2 stakeholder processes being set up by CDPHE; one for drinking water stakeholders and one for wastewater/watershed groups. There will be both leadership and technical meetings. The watershed interests can designate one representative to participate in leadership meetings and one or more people to the technical stakeholder meetings. The Board selected **Steve** as its representative to the leadership committee (this may need further discussion if another watershed group wants to be represented. The only other group that filed in the appeal was Greenway Foundation, and it's Dan's understanding that BMW is being looked to for the leadership representation), with Dan, Laurie, and Sarah acting as alternates. Steve will act as co-lead (along with Blair Wisdom of Metro) in the technical watershed/wastewater stakeholder meetings. Other BMW Board members have indicated interest in participating in these meetings and Steve sent out an invite to a larger group. **Dan** is planning to be gone over the month of September. DW is continuing their studies and pursuing removing lead service lines at an accelerated rate. They think they can achieve the desired lead levels with the pipe removal. Metro will be writing up tech memos of costs to wastewater treatment (WWT) to give to DW showing the impacts to WWT by adding ortho phosphate. Metro and Denver water are meeting is August 27th. The MOU states that CDPHE should be proposing timeline for meetings. The MOU is effective until Nov. 1, unless extended by DW and CDPHE, so the timeline is very accelerated. DW has been meeting with CDPHE every week. Work plans are being formed. Metro's technical memos should help inform the work plans.

The Board discussed how BMW may participate. In the near future, BMW may want to consider running scenarios with our watershed model to evaluate the impact of different OCCT options. Steve will be talking to Integral to see if it's possible to run some of the likely scenarios using the existing model and the cost of running management scenarios. In particular, model scenarios

may be run using estimates of flows from Lawn Irrigation Return Flows (LIRFs) and hydrant flushing.

Next steps –There will be a meeting on August 27th, 10:30 between Metro and DW. Steve is developing a plan for the first watershed stakeholder group meeting for which a date has not yet been set. **Dan** will reach out to our attorneys to figure out when the meetings will be and who's in charge. Dan will communicate with BMW folks about when and where meetings will be.

Modeling and Stormwater Monitoring Station Update – Steve Lundt reported that the monitoring station is being inspected by Denver either today or tomorrow. Once the site passes the city's inspection, Xcel will install power. Steve hopes the site will be ready for testing and sampling within the next week. He reported that Metro may use the station for additional sampling, at their expense. The hope is to get about two years of baseline flows prior to addition of ortho phosphorus. The site of the station is near where a lot of construction will be occurring in conjunction with the North Denver Cornerstone Collaborative (NDCC) projects. The hope is that the site will be undisturbed by the construction.

The Technical Committee (TC) will be meeting on Thursday and discussing data needs for the modeling effort. Not all the data required is in the Data Sharing Network so we may need to make a number of direct requests for data. The modeling effort will consider OCCT issues and the Northern Treatment Plant coming online.

White Paper Work Session – Amy Woodis presented her memo analysis on pursuing Site-Specific Standards (SSS). She noted that the concept of developing SSS has been part of the BMW regulatory process since the beginning of the TMDL. Chlorophyll a (Chlor a) seems to be the driver of standards for all nutrient related contaminants. Regulators have been looking at the human health impacts of nutrients separately from the environmental, even when they are connected. The issue of pursuing SSS has been a challenging one in Colorado. She tackled some of the questions that would need to be resolved in pursuing SSS including: if the SSS would be developed in the context of the TMDL; if the SSS proposed would be only for Chlor a or a hybrid that includes some of the other contaminants such as phosphorus and nitrogen; what the end result might look like; and what paths might be acceptable to CDPHE and EPA. Her intent is to use the white paper to develop a more streamlined version that resolves some of the questions posed.

Option 1 – No Action– There is a 2022 deadline for chlor a standard adoption. CDPHE has proposed 20 ug/L Chlor a for lakes which is challenging to achieve. The standard for Chlor a is driven by the recreational uses. Through the TMDL process, BMW has defined targets that should be protective of the uses. There may be an argument for doing nothing since our TMDL recommends 25 ug/L, which is very close to 20 ug/L. However, the Board discussion leaned toward the need to propose a modification to the standard as the best way to proceed. If BMW doesn't propose its own Chlor a standard, the 20 ug/L Chlor a standard would be adopted and would be that much harder to adjust in the future if no objections are raised during the 2022

hearings. Any effort to pursue SSS would need to capitalize on the work that BMW has already done. The first step is to see if the uses are protected.

Option 2 – Evaluate EPA approaches to SSS. Amy’s memo lists typical tools EPA uses for SSS evaluations. They are mostly for acute conditions and don’t apply to the BMW situation. BMW would need to pick one or more of the concepts as the basis (or bases) for our argument to pursue SS standards. BMW has already collected a lot of information about the concepts and should be able to form cohesive arguments. This is probably the best option to use in developing arguments for SSS. No matter what standards are adopted, BMW wants to work towards protecting the beneficial uses. Pursuing SSS requires a Use Attainability Analysis (UAA), even if there isn’t a proposal to downgrade beneficial uses. SSS have been established for streams in Colorado but not for lakes.

The Board expressed support for Option 2, concluding that it’s better to get on the record stating that the 20 ug/L standard is not appropriate. Another in-between option is to incorporate the 20 µg/L standard as a follow-on phase to the existing phased TMDL and adaptive management plan, but only if it is determined that 25 µg/L is not protective of the uses. BMW has been driven by the TMDL process since it’s formation and can develop arguments using the large amount of data already collected as part of the TMDL process. The fact that the TMDL is phased is also helpful. If Option 2 is pursued there will need to be a UAA and the recreational uses will need to be explored.

Option 2: Evaluate EPA Approaches for Site-Specific Standards

For many years, EPA has identified several methods for developing site-specific standards. These include:

- **Recalculation procedure** – to account for differences in resident species’ sensitivity to a material.
- **Water-effect ratio procedure** – to account for differences in biological availability and/or toxicity of a material caused by physical and/or chemical characteristics of site water.
- **Streamlined water-effect ratio for copper** – for use when soluble metal is added to site water and the metal might rapidly be converted to insoluble forms with low bioavailability.
- **Resident species procedures** – to account for differences in residential species sensitivity and differences in the biological availability and/or toxicity of a material due to physical and/or chemical characteristics of site water.

These procedures are primarily applicable to metals that can produce acute aquatic life toxicity problems. As such, they are not likely to be useful for development of site-specific nutrient standards, which are generally agreed to result in long-term, chronic (and usually non-lethal) impacts to aquatic life. However, high levels of chlorophyll a also can result in impairment of the recreation use as well as potential concerns associated with water supply and the formation of disinfection

Michelle Seubert noted that Colorado Parks and Wildlife is very unlikely to pursue full contact recreation for Barr Lake as a large part of the park is designated as a wildlife area. Milton, however, already allows full contact recreation. BMW may want to consider pursuing different SSS for Barr Lake and Milton Reservoir.

Option 3 – Evaluate Approaches Identified in Regulation 31 – Approaches proposed in Regulation 31 closely mirror the EPA concepts in Option 2. WQCD usually regards a UAA and SSS as a downgrade.

Can there be a technically defensible set of SSS that will protect all the uses? That’s the question BMW needs to answer. The threshold question is should the path be explored and what is necessary to pursue that path. The question will have to be answered well before 2022 to get in front of all the potentially affected stakeholders. Amy suggests BMW work on developing Chlor a standards first and then sequentially work on the other constituents. We’ll

have more information as we move through the steps. BMW is unlikely to be the only group looking at SSS. The Colorado Monitoring Framework may be able to facilitate communication among the groups pursuing SSS. The Board thanked Amy for her hard work.

Dan asked the group about the two other white papers that have been discussed; Phased TMDL and Uncertainty. The **Board** concluded that they had two more weeks to submit comments and no later than **August 8th**, a final draft would be developed for discussion at the August 28th Board meeting with the goal of presenting the papers to the Stakeholders at the September 25th Annual Meeting and BBQ. The purpose of the white papers is to keep a running record of the questions the Board has wrestled with and list the outstanding questions. **Dan** will work on assembling all the comments and trying answer some of the outstanding questions.

By Laws Update – Laurie led the discussion regarding complying with the by-laws in important decision making and overall changes proposed to the by-laws. She thanked Brown and Caldwell for paying for Amy Woodis’s time to review the by-laws. The Board worked through the changes one by one. **Amy Woodis and Laurie** will clean up the formatting of the by-laws and send the document out in advance of the August 28th Board meeting. The goal is to present the proposed changes to the Stakeholders at the September 25th Annual Meeting and BBQ. Laurie will also review the other policies and include them in the packet of proposed changes to the corporate documents.

I&E Report - Michelle Seubert reported on the hugely successful Lake Appreciation Day. There were 160 volunteers and 11 stations with projects at each one. Donny Roush reported on an effort to measure the effects of stormwater using Bayesian probability analyses in the Denver basin. He will keep the group updated on the progress of the project. Steve Lundt reported that there had been an I&E Committee meeting where next year’s budget was discussed as well as ongoing projects for the intern. **Amy Conklin** will add a link to the BMW website where the picture post photos are housed.

Updates/Action Items

- General Public to Address Board – no one from the public was present
- Chair’s Report – **Dan** will be sending out a request for content for the Annual report and a request for photos for the 2019 calendar. **Steve** volunteered to help with the graphics of the report and calendar.
- Treasurer’s Report
 - As of the June 30th, 2018, we have a balance of **\$271,958.42**
 - All expenses since the last meeting are within budget and will be recorded as part of the minutes.
 - A Profit and Loss statement and Balance sheet for the 3rd quarter were included in the packet.
 - 2018-19 Budget – the proposed budget for the next fiscal year was included in the packet. The Board gave a Thumbs Up approval to the proposed budget . The Board

July Checks to sign	
2026 - Amy Conklin, June Coordination	\$ 3,953.40
2027 - Amy Conklin, last of Bike Tour	\$ 958.90
2028 - Applewood Bookkeeping	\$ 40.00
2029 - Water Education Colorado - Bike Tour - not reimbursable	\$ 1,500.00
2030 - Joy Labadie, website	\$ 120.00
2031 - The Greenway Foundation, Riverfest	\$ 500.00
2032 A-1 Organics	\$ 19.20
2033 GEI, stormwater station	\$ 1,305.59
Subtotal	\$ 8,397.09

also acknowledged that the White papers will help guide both short- and long-term work, which may include SSS, a UAA, etc., necessitating additional expense allocations in the budget.

- The proposed Coordinator contract, included in the packet, was approved. The Board authorized an additional 8 hours of time for Amy's support of OCCT related work. Authorization of additional time for conducting bike tours will be discussed at a future Board meeting. **Amy** will work with **Dan** to finalize the contract. **Amy** will provide her General Liability coverage amounts for inclusion in the contract, if appropriate.
- Coordinator Updates (Amy C.)
 - Approval of the May 22nd Meeting Minutes – Thumbs up approval. **Amy** was reminded to reach out to Drew regarding a Happy Hour.
 - Progress on 2018 Urban Cycle Bike Tours. **Laurie and Amy** will send the invoice for reimbursement to CDPHE.
 - Plans for September Annual Meeting and BBQ – **Michelle** will try to reserve the Nature Center for September 25th.
 - Membership with Metro DNA – Amy reported on a new group that BMW may want to join. She will keep the Board updated.

Next Meetings

- Technical Committee meeting – **July 26th, 2018, 9 am, Metro**
- Board Meeting – **August 28th, 9 am Metro**
- I/E Committee Meeting – **September 11th, 2018 10 am to noon, Barr Lake Nature Center**
- Annual Meeting and BBQ – **September 25th, 2018 9:30 am, Barr Lake Nature Center**

BMW I/E Events for 2018

Date	Event	Activity	Name and contact
Friday 8/3/18	Adams County Fair	T-shirts, Booth	Michelle S.
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.

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.