

Barr Lake/Milton Reservoir Watershed Association
BMW Board Retreat
October 27th, 2020 9:00 am – 11:00 am
GoToMeeting

Minutes

Board Attendance:

Steve Lundt – Metro
Dan DeLaughter – South Platte Renew
Sarah Reeves -SPCURE
Erin Jenkins – S. P. Renew
Chris Douglass – ECCV
Curt Bauers – FRICO
Brad Cox – Denver
JM Genbenc – South Adams County

James Boswell – Thornton
Kelly DiNatale – United Water
Julie Tinetti – Centennial
Katie Koplitz - Metro

Public Attendance:

Amy Conklin – BMW Coordinator
Brandy DeLange - Metro

Steve worked his magic and got the virtual meeting started.

Introductions and Burrito eating – Sadly, no burritos. Everyone introduced themselves.

Legislative Effort, Brandy DeLange – Amy and Steve have been working to gather information about the pros, cons and amount of effort that might be required to pursue legislation to restrict Phosphorus (P) in lawn fertilizer. Amy and Steve met with an independent lobbyist who encouraged us to start by forming a coalition. Steve met with Metro staff to understand what Metro’s concerns might be with legislation. Brandy DeLange is the government affairs liaison for Metro that joined Metro in July. She used to be a lobbyist for the Colorado Municipal League.

At Metro they identified some issues they would be concerned about in potential legislation. Before the organization formed a position, BMW needs to work through the details and present potential legislation in writing for Metro to respond to. They want to make sure the biosolids program is not impacted. She agreed that it’s very important to build a coalition. She thinks it won’t be as much effort or expense as the independent lobbyist thought. She estimated the lobbying effort to be between \$10,000 and \$50,000. She can share with us her perspective on the legislative process. Conceptually Metro is interested in continuing the conversation.

Brandy talked about the process and timing. She recommended that we hammer out the legislation first. Would the legislation ban or restrict P in lawn fertilizer? Would any uses be grandfathered in? What industries are impacted? She emphasized the importance of stakeholder engagement, especially with people who might oppose the concept. If we can hammer out our concept and put it on paper, we can introduce it in the 2021 session. Once the concept is



developed, then we can start to build a coalition. Once we have draft legislation we could identify a legislator to champion the bill and hire a lobbyist. We could try for the 2021 or 2022 session.

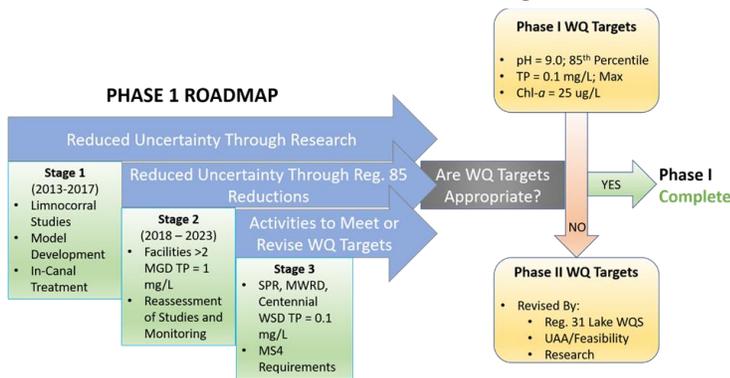
Brandy recommends reaching out to CDPHE and CPW. It might be best to be a stakeholder in a process led by CDPHE. CDPHE may advise us that legislation is not necessary. They may already have a plan, approach or strategy that we are unaware of. During the OCCT process, CDPHE had assumed that the problem of P in lawn fertilizer was solved by the manufacturers. BMW conducted inventories and surveys of what is in lawn fertilizer on sale in the Denver Metro area and discovered that the regional fertilizers are still adding P. CDPHE has source control group from OCCT that has reached out to Steve. The Board concluded that it would be better for BMW to be a stakeholder assisting CDPHE, CPW and whatever other advocates emerge in pursuing the legislation. Some BMW member entities may have objections to the legislation. BMW has never worked through the legislative process and its not part of our usual efforts. It would be awkward for one watershed group to be the advocate for a statewide water quality issue.

Steve will reach out to Meg Parish at CDPHE, who was the lead on the Source Control Group during the OCCT process and who has reached out to Steve about source controls. BMW can offer technical support and outreach support, as we did during the OCCT process. **Brandy** offered to participate in any meetings set up with Meg. All Board members will also be invited to any meeting regarding the issue. If CDPHE is going to adopt standards in 2027 that will put many water bodies on the 303 d list, it's important to begin an educational campaign now so the public isn't surprised. Pursuing restrictions on P in lawn fertilizers may be a useful part of their campaign. The Board noted that there is \$10,000 in the budget for source control efforts. Given the fiscal impacts of the pandemic, BMW may provide critical resources to help the effort be successful.

Board Retreat –December 1st was selected as the final BMW Board meeting in 2020 (finally!) and part of the Board retreat. The October meeting can be considered the pre-retreat meeting; the December 1st meeting is the retreat; and the January 26th meeting is the retreat wrap up. The Board commented that the December meeting might need to be a little longer. We should also add Source Control as a standing agenda item for 2021.

Implementation Plan Update – Erin updated the group about the status of the IP Update. She sent out the IP for first reading on Friday. The figures aren't yet finalized. The biggest updates are the values from studies conducted since the IP was originally written. The update includes a new regulatory section. Load modeling is part of the IP update as is alignment of the IP with regulations 85 and 31. The IP Update identifies that we need to quantify uncertainties as the three largest wastewater treatment plant start reducing P loads. We'll need to keep monitoring how the lakes respond to the decreased loads. **The Board** should pay attention to the figure that depicts loading over time. Please email Erin, Steve or Dan with comments. The next budget will need to include a line item for the upcoming regulatory issues.

Dan wanted to highlight the synchronization with CDPHE’s roadmap. Chlorophyll a (Chlor a) standards in lakes and streams will be regulated as well as nutrient limits. The roadmap section



tried to tie together BMW’s IP with CDPHE’s roadmap. Another big part of the IP Update is the efforts we’ve completed and identifying what efforts will be coming up. As part of the IP Update review The Board needs to start thinking about upcoming projects, especially in relation to the budget. **Erin** will bring the document back to **the Board for approval** December 1st.

Banking Troubles and Budget Discussion – Chris explained that we’ve never been particularly satisfied with TBK (know prior to a merger as Valley) Bank. It was chosen because it was convenient. With the impacts of the pandemic, we’ve tried to migrate to electronic banking and it’s not going well. The record keeping is virtually impossible and their customer service is inconsistent. We’ve spent a lot of time trying to make their system work for us and it just hasn’t.

One of the obstacles to changing banks is that the four Board Officers need to be physically present to set up a new account which is challenging. Board members are hopeful that the process may be easier than we expect. There are lots of banks to choose from. Positive experiences with Wells Fargo were reported. **Amy and Chris** will look at a few other banking options and compare them to TBK for the Board’s consideration. In the short term, we will likely revert back to physical checks. In the long term, it will be better for the organization to migrate to electronic banking.

The Board also addressed the need for a budget line item for consulting to assist with Regulatory issues. **Dan and Erin** will pull together a general Scope of Services that BMW may need and present it at the January 26th meeting. The Scope of Services should highlight the Conflict of Interest policy which **James** will review on December 1st. The Board suggested \$10,000 for the line item in future budgets. For the current budget, the \$5,000 in Unexpected Opportunities could be used. Anyone who has recommendations on people or firms providing the kind of services we may need should send them to Amy and Dan.

The Nature Conservancy Grant – Amy presented the grant application she put together for an anaerobic digester that lights a lamp from methane generated from dog poo (and carp). The application also includes purchasing an indoor composter for the Nature Center at Barr Lake State Park.

Michelle asked about the amount of ‘fuel’ the digester would need. She would prefer to have dog owners deposit the fuel directly rather than having a separate collection effort. Even if there aren’t enough



dogs to keep the digester fueled, carp could be substituted as a fuel source.

Amy asked if the manufacturer if the digester could be moved and was told that it could be moved with a forklift or something similar. Brad shared that Denver is beginning an outreach campaign to doggie day cares. He shared the infographic that will be used in the campaign. **Brad** will talk to Denver's Parks and Recreation department to see if one could be placed in one of Denver's dog parks. **Katie** expressed concern that we may need an air quality permit for the digester. She will do some research and report back with her findings. The Board approved submitting the grant application after the I&E committee has reviewed in on November 3rd.

Technical Committee and I&E Committee Reports – Steve reported that he has harvested 1,600 carp this year. Altogether that is equal to about 200 pound of Organic P and 1,000 to 2,000 pounds of P prevented from being excreted. He noted fewer carp this year. Since 2016, he has harvested 8,000 pounds of carp.

Steve reported that the autosampler is going to be moved soon. The electricity will be cut off next week as part of the construction of the National Western Complex. The current plan is to relocate the sampler to the bridge, about 100 yards away. He hopes to find a place to temporarily re-locate the sampler, otherwise it could be offline for as long as a year. He'll keep the Board updated.

Steve reported that Integral has been working on the BMW model. They ran the SWAT model to compare it to water quality data from the dam inlets and it seems to be calibrating pretty well. Next, they're run the WASP model and compare it to the outlet data. **Steve** will set up a meeting of the Technical Committee to go over results and figure out what to do next.

Michelle reported that the Halloween Trail was last weekend. It was well attended and different than past years as it was a drive by event. There were treat bags for dogs as well as children. Jennie has completed a display on fertilizer for the Nature Center. Jennie is also working with Michelle and Steve to calculate a boating capacity for Barr Lake. She is focusing on safety and boaters' perceptions to inform the calculation. The effort was spurred by an article from the North American Lake Management Society. The lake is still very low and there aren't a lot of fishermen. FRICO is working on the dam and she isn't sure about their progress. Adams County has just instituted more restrictions because Covid 19 cases have been increasing. The Nature Center is low on volunteers but remaining open and attendance at the park is up for the year.

There has been an interest expressed in collecting sediment samples from the exposed lake bed before the lake starts to refill. Steve collected some soil cores for Ken Wagner to review in evaluating P loading from sediments. The Technical Committee is interested in considering dredging while the sediments are dry. **Steve** will take a photo of the sediment profiles when he digs a hole into them when sampling the lakes. The goal is to collect sediment data so we can be ready when the lake levels are this low again, if dry dredging is a viable option.

Steve will send out the report on the sediment cores he's already collected. The window of opportunity is closing since the lake will start re-filling in the next week or two. **Steve** will put some costs together and send them to the Board. **The Board** can authorize the effort via email.

From past analyses, Steve knows that P is concentrated on the corners of dam and there may be other areas but mostly it's pretty consistent concentrations.

Updates/Action Items

- Chair's Report – Nothing to report.
- Treasurer's Report - Chris reported that we are on target with budget. We should be able to afford some of the efforts we're considering.
 - As of September 30th, the balance is \$273,232.89
 - 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 August 25th, 2020 Meeting Minutes – Unanimous approval.
 - Stormwater sampling station results included in your packet
 - Potential EPA Grant update – Amy reported that we are still in a holding pattern

Deposits in Sept.		
Big Dry Creek Water Quality Assoc.	\$ 100.00	Membership dues
Lochbuie	\$ 500.00	Membership dues
CDPHE - WQCD	\$ 4,920.00	Bike Tour mini-grant reimbursement
Expenses that cleared in Sept.		
Bass Pro Shop - prizes for event	\$ 100.00	E&O budget
Corn for carp baiting	\$ 468.00	Carp harvesting- Technical budget
992129 - Amy Conklin - July Coord	\$ 7,578.02	Coordinator
**? Amy Conklin - received 5 Oct.-check number needs revising	\$ 2,420.00	Final Bike Tour payment
**? Amy Conklin - received 5 Oct.-check number needs revising	\$ 2,475.28	August Coordinator
	\$ 13,041.30	
Checks to approve in October		
2143 - Amy Conklin, Sept. Coordinator	\$ 4,489.50	Sept. Coordinator
2144 - A-1 Organics	\$ 100.20	Carp harvesting- Technical budget
2145 - A-1 Organics	\$ 100.20	Carp harvesting- Technical budget
2146 - Glatfelter Insurance Group	\$ 1,750.00	Insurance
2147 - Applewood Bookkeeping	\$ 60.00	bookkeeping
2148 - A-1 Organics	\$ 136.40	Carp harvesting- Technical budget

Election of Board Officers – Dan remembered that we hadn't elected the Board Officers yet. Curt made a motion to approve the current slate of Board Officers. James seconded. There was unanimous approval to re-elect Dan DeLaughter as BMW Board Chair; Steve Lundt as BMW Board Vice-Chair; Chris Douglass as the BMW Treasurer and James Boswell as the BMW Secretary.

Next Meetings

- I/E Committee Meeting – **November 3rd, 2020 10 am to 11:30, virtual?**
- Watershed Tour – **Virtual**, on website, www.barr-milton.org
- Technical Committee meeting – **October and/or November, TBD, Virtual**
- Board Meeting – **December 1st, 9 am Virtual**
- Stakeholder meeting – **February 23rd, 2021, 9:30**, socially distanced at the Barr Lake Nature Center?

BMW Board 2020 'Schedule'

- ~~January 28, 2020 Meeting at South Adams Water and Sanitation District Thank you JM!~~
- ~~Amy will present an outline for a presentation paper on the BMW OCCT experience. Too many acronyms (TMA). Amy will reach out to DW to get their feedback on the outline.~~
- ~~Erin will present what she's done with a Data Visualization Tool~~
- ~~February 25, 2020 Stakeholder meeting Barr Lake Nature Center Thank you Michelle~~
- ~~Steve Water Quality update~~
- ~~Chris ECCV update~~
- ~~Julie – Centennial update~~
- ~~March 24, 2020 Metro, Thank you Steve~~

- ~~IP Committee~~ progress report and brainstorming opportunities and funding
- **Dan/Erin** – Industrial Permit update
- April 28, 2020 – Metro, Thank you **Steve**
- ~~GEI or Steve~~ Stormwater quality update
- **IP Committee** - Update
- May 26, 2020 – Metro, Thank you **Steve**
- Presentation from Lobbyist – **Amy** will work with **Michelle** to get CPW lobbyist to talk to the Board about the legislative process and what would be required for passing P-free fertilizer legislation – **happening in October with Metro lobbyist, Brandy DeLange**
- ~~Gutter Bin Presentation~~ **moved to July**
- June 23, 2020 – North Denver Cornerstone Collaborative tour – **Amy** will work with **Brad** to set it up
- ~~Include information on improvements at City Park~~ – **changed to virtual story map**
- July 28, 2020 – Meet at Metro or Greenway Foundation, Thank you **Steve or Jeff virtual**
- **Steve** – will try to set up a tour of Metro’s P recovery facility
- **IP Committee** – Update, maybe draft
- ~~Gutter Bin Presentation~~
- August 25, 2020 – Meet at Metro, Thank you **Steve**
- **Amy** will invite other watershed groups to attend this meeting and give them lunch. We can ask for an update on activities in Chatfield (including Chatfield Reallocation), Bear Creek (including progress on their TMDL) and Cherry Creek - **Covid ruins everything! Maybe in 2021?**
- ~~Curt (?) Present on how FRICO plans to operate in regards to the conservation pool at Chatfield. FRICO has no arrangement of ‘plans’ to operate differently with Chatfield releases... if they develop a by-pass agreement and physical means of by-pass, that might be different, but there is nothing in the works...~~
- **IP Committee** – present final draft? – **1st ‘reading’ in October; 2nd ‘reading’ in December**
- Preparation for Annual meeting and BBQ – **review corporate policies. Adopt electronic payment policy amendment to Financial Policy.**
 - September 22, 2020 – meet at Barr Lake, try to engage more stakeholders, thank you **Michelle Virtual**, stupid Covid!
 - ~~Michelle~~ will help arrange golf cart tour to area where in-canal treatment would be built
 - **Steve** – will present in-canal treatment concept, maybe Harvey Harper can call in – **maybe 2021?**
 - **Amy** – will reach out to WQCD (Meg Parish, Joni Nuttle, Nicole Rowan, Patrick P.)
 - Christina Welch – CSU and colleagues will talk about their work studying effectiveness of agricultural BMPs
 - October 27, 2020 – Virtual
 - General catch up from whatever we didn’t get to or need to get to.
 - Other topics – PFAs, invite Paul Winkle to talk about Arsenic and fishing **maybe 2021**
 - ~~November 24~~, December 1 2020 – Board Retreat

BMW I/E Events for 2021 – coming soon