

Barr Lake/Milton Reservoir Watershed Association
 BMW Board Meeting
 March 23rd, 2021 9:00 am – Noon
 Zoom

Minutes

Board Attendance:

Steve Lundt – Metro
 Sarah Reeves -SPCURE
 Erin Jenkins – S. P. Renew
 Curt Bauers – FRICO
 Brad Cox – Denver
 Kelly DiNatale – United Water

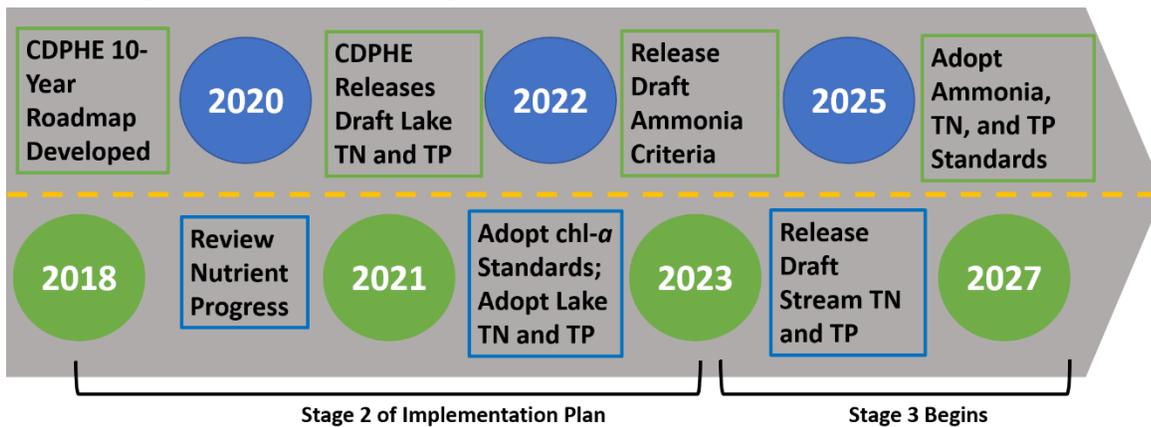
Julie Tinetti – Centennial
 Michelle Seubert – CPW
 Jennie Fleurant - Intern

Public Attendance:

Amy Conklin – BMW Coordinator

Amy lumbered along and got the virtual meeting started. Steve welcomed everyone

Preparation for Fall 2022 – Steve began the discussion by updating the Board on the status of the Technical Advisory Committee Steve serves on to advise the Water Quality Control Division (WQCD) on how to develop nutrient and chlor a standards in lakes and streams. The WQCD has hired Tetra Tech to review CDPHE data. The focus of this discussion is to decide how BMW wants to proceed with the hearing set for the fall of 2022.



Amy reviewed the Business Operating Policies which contain specific language on membership participation; how BMW members will interact with each other. She reminded the Board that BMW was founded on the principles of collaborative consensus driven decision making. The principles are captured in the policy and instruct Board members how to behave to ensure that BMW remains collaborative and consensus driven. Participation in regulatory hearings is often a test of members’ ability to remain collaborative and consensus driven.

One of the issues where collaboration and consensus may be tested is with the potential conflicts surrounding the Pumps to the Burlington-O’Brien Canal. Steve said Metro doesn’t want to hold a permit with a discharge point into the canal. Water rights will be impacted if they don’t. While BMW has no standing to impact decisions around Metro’s discharge points, BMW does have an interest ensuring that the organization remains collaborative and consensus driven.

The group concluded that it may be beneficial to have a presentation on changes to water rights in the watershed over the last few years. Some of the projects that are impacting flows in the river and water quality are:

- The pumps to the Burlington
- Chatfield Reallocation – **Julie** will reach out to Rick McCloud to get a summary of flow changes from the project.
- Increases in storage of Barr Lake – **Curt** will review the status of the storage increase. The increase of 8 inches of storage behind the dam should result in over 1,000 AF of additional storage.
- Thornton – may have changes to their flow regimes.
- Denver Water – may have changes to their flow regimes.

Amy will prepare some questions/talking points and reach out to the appropriate parties. The questions will likely revolve around whether there are likely to be increased flows in the river, the canal or both. We'll try to get some sort of presentation prepared for the April 27th meeting. Potential changes in flows can be evaluated for water quality impacts. BMW needs to understand if there will be changes in flow regimes that will help attain standard or hurt. If dilution is the solution to pollution, will there be more dilution? And, will the dilution occur at times that improve chances for attaining water quality standards?

The Board decided that BMW needs to be engaged in the Fall 2022 hearing. We should file for party status and review the final standards proposal. Any testimony or other participation in the hearing will depend on the final proposal from the WQCD. The water quality in the streams will impact the water quality in Barr and Milton.

Consultant Update – **Sarah** reported that she had isolated herself from the status of the consultant contract and was able to report that it is being finalized. The Board should be able to review the agreement at the April meeting. We can go over what role we might Brown and Caldwell to play representing BMW in the Fall 2022 hearing.

Implementation Plan Update – This will be a standing agenda item for 2021. The Board reviewed the list of future studies identified in the IP and looked specifically at the Use Attainability Analysis (UAA). The UAA is the first step towards establishing Site Specific Standards (SSS). The Board retained Amy Woodis to prepare a white paper on '*Site Specific Water Quality Standards Options*' in September of 2018. After a very productive Board discussion about how to proceed, BMW's world became consumed with the OCCT issue and SSS have not been discussed since. Its probably time.

The discussion focused on the amount of effort required for a UAA, especially the cost. The immediate solution may be for Brown and Caldwell to work closely with the Technical Committee and try to refine the options for having a UAA completed and evaluating SSS. The Technical Committee is meeting on Thursday. Steve will review the results of the limnocorral studies which reduced uncertainties between the relationships of water quality species. A new consultant may need to be retained to replace the expertise Ken Wagner provided.

The issue with the current TMDL and Control Regulations (for other Colorado lakes) is that the measurement is set up as a win-lose. Either the standards defined in regulations are met or they are not. The uses of the lakes continue pretty much uninterrupted whether or not the standards are met. Maybe we need to consider and define a new paradigm for protecting water uses and water quality. It would be good to create more of a win-win framework.

Steve has been working with Jennie to begin a boat capacity study for Barr Lake. The results of the study, and future similar efforts, may be a way to track how the uses of the lake are impacted by water quality. The concern is that a 93% reduction in P loading will be achieved and the water quality standards will still not be attained. No doubt water quality standards will continue to be more stringent in the future as more of the water in the lakes is used for drinking. There are just a lot of factors outside of human's control regarding the behavior of our warm, man-made lakes.

Water rights is another huge impact on water quality and water uses. BMW needs to decide how best to use their resources to get the biggest water quality result for the money spent. As long as the water quality continues to improve, BMW is doing its job. The specific question BMW needs to wrestle with now is whether to pursue SSS or accept statewide nutrient standards. The Technical Committee will work on the question next and the Board will revisit it in April.

CWA Section 208 Planning Agency Discussion – Sarah Reeves explained that CDPHE has hired a consultant to help them answer the question of whether or not they need to form a 208 Planning Agency to fill the vacuum created when DRCOG was de-designated in 2009. SPCURE has been helping to convene stakeholders and assess the need. CDPHE has been conducting interviews and will have two (2) brainstorming sessions in April. The Board decided that BMW should be at the table for those discussions. Sarah will keep the group informed about the meetings moving forward.

MS4 Permit Renewal – Brad reported that Denver identified 9 different items in the MS4 permit that needed to be resolved. The WQCD denied their request for a hearing. Negotiations with WQCD have continued and are going fairly well. They held their right to a hearing by filing a complaint with the courts but hope to get the issues resolved in a month or two. One of the nine issues was in regard to compliance with the BMW TMDL. The language in the permit would restrict the BMPs that could be used to reduce P loading. That was not the WQCD intent, so the language needs to be refined.

Brad also reported that the Non-Standard MS4 permit should be issued within the next 60 days. There are many concerns about the requirements in the new permit including requiring identification of pollutant sources outside the MS4 permit area. The WQCD has been vague about how they intend to use the additional information required to be collected in the new permit. Brad will keep the group informed on the issue as it moves forward.

Banking Update – Amy reported that Chris has opened an account at FirstBank and is migrating the BMW accounts. He'll report on his progress at the next meeting.

Legislative Effort Update –

Steve reported that the issue is moving forward slowly. He presented it to the Colorado Lakes and Reservoir Management Association (CLRMA) where support was expressed. Restricting P in lawn fertilizer is an issue that may resonate with the drinking water users in particular.

He has been meeting internally with Metro and its stakeholders. Metro’s biosolids are used to create compost fertilizer. There is concern from the composting community about additional regulations being imposed if legislation moves forward. Hopefully, our legislation will be specific enough in what is exempt that a coalition can be formed. It might take longer than a year. A similar bill has been in progress in Pennsylvania since 2013. He considers the coalition building effort as an educational opportunity and one that may help connect people to their water. Godspeed.

Technical and I&E Committee Update–Jenny reported on progress on the boat capacity survey study. She’s almost done with all the preparations. She needs volunteers and is working on volunteer sign ups through Sign up Genius. She’s working on getting some hard copies as well. She hopes to be starting in the beginning of April. **Amy** will send sign up genius out to stakeholders to see if we get any volunteers. Volunteers can conduct surveys and/or observe number of boats of the water. Jenny and Michelle will connect this weekend. Saturday, April 3, Barr Lake is opening boat ramp. Jenny will summarize data and present it. We can also continue the work over future years to note changes in recreation.

Michelle reported that Lake Appreciation Day is July 10th. She is getting funding to purchase more canoes and kayaks. The lake is beginning to refill and she’s finally gotten the snow under control.

Steve reported that the Technical Committee is meeting this Thursday. They will be talking about some items from this meeting. He also presented his analysis of flows in the river and the canals. **Steve** will share his information with the Board. Flows in 2020 were about 50% of 2019. Not all the water in the Burlington Canal goes to Barr Lake. On average, only about 20% goes to Barr Lake. In 2020, water was being diverted into the Burlington Canal everyday. About 55% of the year, the canal was sweeping the river. Metro prepares a water quality report every year and Steve can share the report with the any interested Board member.

Updates/Action Items

- Chair’s Report – no report
- Treasurer’s Report
 - As of February 28th, the balance is \$224,205.43
 - All expenses since the last meeting are within budget and will be recorded as part of the minutes.
 - Membership dues invoices will be coming out in March and April. Be sure to let Amy or Chris know if there are any issues.
- Coordinator Updates (Amy C.)
 - No approval of Meeting Minutes required this month

Checks to sign in March 2021		
2163 - GEI Consulting, Invoice 308624	\$ 617.75	stormwater monitoring
2164 - Amy Conklin, Feb. 2021	\$ 2,869.50	Coordinator
2165 - The Greenway Foundation	\$ 2,500.00	Clean River Design Challenge
2166 - The Greenway Foundation	\$ 500.00	Reception on the River sponsorship

- Website archiving assistance request – Amy needs help figuring out how to set up an archive for files on the website. She is requesting 2 hours of an outside expert’s help. A memo is included in the packet. There was a Thumbs Up approval for her to proceed.
- Grants updates – no update
- Bike Tour update – Amy and the team are setting up filming dates in April. They will be developing a story map instead of using an App because of the expense.
- Note list of events below

Next Meetings

- Technical Committee meeting – **March 25th, TBD, Virtual**
- Board Meeting – **April 27th, 2021, 9 am Virtual**
- I/E Committee Meeting – **May 4th, 2021 10 am to 11:30, virtual?**
- Stakeholder meeting – **June 22nd, 2021, Virtual Bike Tour**

BMW Board 2021 Schedule

- January 26, 2021 – Virtual – Board Retreat part 3
 - ~~Steve~~ Update on Legislative issue, modeling update
 - ~~Amy~~ Grant Update – TNC, 319, Urban Waters
 - ~~Erin/Amy~~ Implementation Plan summary for Feb. Stakeholder meeting
 - ~~Chris~~ Banking update
 - ~~Erin/Dan~~ update on hiring consultant to track permit activity
 - ~~All~~ review of Phase II MS4 permit renewal
- February 23, 2021 – Stakeholder meeting – Virtual or Barr Lake Nature Center – Invite WQCD and other watersheds to update them on IP
 - ~~Implementation Plan Update~~ – ~~Erin~~ will present to Stakeholders with the one page summary
 - ~~P Free Fertilizer coalition/legislative effort update~~ – ~~Steve~~ will present a one page handout on the issue and ask for Stakeholder support.
 - ~~Bike Tour update~~ – ~~Amy~~ will update the Stakeholders on the status of the 2021 Bike Tour and talk about apps we may work on to enhance the tour.
 - ~~Statewide Water Education Plan presentation~~ – ~~Scott Williamson~~, WECO, will present the plan.
 - Boat Capacity survey – ~~Jennie~~ will give an update
 - Clean River Design Challenge – ~~Devon Buckles and Lauren Berent~~ will present the status of the program
 - Grant update – ~~Amy~~ will report on the status of the grants BMW applied for
- March 23, 2021 – Virtual
 - **IP Committee** – priority efforts list, UAA, MS4 and NPS, Cost benefit analysis, data tool, Alkalinity analysis, DO compliance, NPS data collection
 - Draft comments on Phase II MS4 permit renewal
 - **Steve** – Legislative update, I & E Plan
 - **Amy** – Grant update, Time Looper App update, bike tour plan
 - Boat Capacity survey – **Jennie** will give an update
 - **All** – Develop a plan to reach out to all the stakeholders we missed about the IP update, our new list of priorities, and whatever other efforts are being implemented including coalition building
- April 27, 2020 – Virtual
 - **Steve** – Stormwater monitoring gage update, I&E update, Legislative effort update, Technical Committee update
 - **IP Committee** – Progress on priorities – discussion about UAA and SSS
 - **Amy** – Grants update, Bike tour update (~~Time Looper App?~~)
 - **All** – Coalition building. Phase II MS4 permit comments

- May 25, 2021 – Virtual or maybe outside at Barr Lake
 - **Chris** – Budget discussion for 2021-22 with funding plan for prioritized efforts
 - **IP Committee** – update on progress – start to identify level of funding required for 2023 hearing
 - **Amy** – updates on Bike tour, grants, time Looper app
- June 22, 2021 – Virtual - Bike tour and Watershed tour maybe through an App. Prizes for people who take the tours. Good times.
- July 27, 2021 – Meet virtually or maybe in person at Barr Lake
 - **Steve** – water quality update, stormwater monitoring gage update, legislative and modeling update
 - **IP Committee** – Update on progress, 2023 hearing scope
 - **Chris** – Budget presentation and approval
 - **Amy** – Bike Tour and Watershed tour report, grant updates
 - **All** – discussion of coalition building successes and next steps
- August 24, 2021 – Meet virtually or in person at Barr Lake
 - **Amy** – Grant updates, Bike tour and watershed tour updates, Time Looper app updates, Preparation for Annual meeting and BBQ
 - **Michelle** – Park update
 - **IP Committee** – priority effort update
 - **All** – Coalition building
- September 28, 2021 – meet at Barr Lake, try to engage more stakeholders
 - **Dan** – BMW year in review – what we got done, how we’re progressing, plans for the future
 - **Steve** – water quality presentation, modeling updates, stormwater monitoring gage moving updates,
 - **Amy** – update on grants, bike and watershed tours, time looper app
 - **Erik Wardle** – Progress on agricultural BMPs (?) or Paul Winkle on the fishery and As impacts, other?
 - **James** – election of At-Large and policy review
 - **Michelle** – report on park
- October 26, 2021 – Virtual or in person at a location TBD
 - **Dan or someone** – Election of Board Officers
 - Other topics we didn’t get to
- November 30, 2021 – Board Retreat

Standing Agenda items:

- Legislative/coalition building effort
- IP priority project updates
- Stormwater monitoring gage updates
- Permit tracking consultant efforts
- Grant updates – if appropriate
- 2022 Hearing preparation
- Committee Reports – I&E, Technical
- Chair, Treasurer and Coordinator Reports
- BURRITOS!

BMW I/E Events for 2021

Date	Event	Activity	Name and contact
4/22/21	Earth Day	Take note of and protect the Earth	Everyone
4/24/21	Earth Day Kite Festival	Barr Lake State Park	Michelle Seubert
5/1/21	Spring Fishing Clinic	Barr Lake State Park	Michelle
5/1/21	South Platte Stewardship Day	Various places along the river	Greenway Foundation
6/?/21	Furry Scurry	Pick up event at Denver Dumb Friends League	Donny
5/15/21	Safe Boating Celebration	Barr Lake State Park	Michelle
6/?/21	Brighton Summer Fest	Booth, T-Shirts	Michelle
6/22/22	Virtual Urban Water Cycle Bike Tour	Bike Tour along Platte River	Steve, Amy, Donny, Mackenzie, Jordan, Juliana, Curt, James
7/10/21	Lake Appreciation Day	Barr Lake State Park	Michelle, Steve, Amy, Sam
7/24-25/21	Arapahoe County Fair	Booth, t-shirts, Poop emoji balloon	BMW to assist SPLASH?
8/?/21	Adams County Fair	Booth, T-shirts	Michelle, Steve
August	Commerce City Neighborhood Fest	Booth, T-shirt	Michelle
9/11/21	Birding Festival/Raptor Run	Barr Lake State Park	Michelle, BMW water?
9/25/21	Bark in the Park	Barr Lake State Park	Michelle/BMW dog bags
9/25/21	National Public Lands Day	Barr Lake State Park	Michelle
9/29/21	Reception on the River	TBD	Greenway Foundation
10/9/21	Harvest Festival	Barr Lake State Park	Michelle
10/30/21	Halloween Trail	Barr Lake State Park	Michelle

November	CO Watershed Assembly	Conference	Amy?
November	Cherry Creek Stewardship Partners	Conference	Amy?