



2016

ANNUAL REPORT



CONTENTS

A MESSAGE FROM THE CHAIR 3

CONSTRUCTION COMMITTEE 4

 Committee Purpose 4

 2016 Deliverables 4

 2017 Goals 4

EDUCATION & OUTREACH COMMITTEE 5

 Committee Purpose 5

 Review of 2016 Work 5

 2016 Deliverables 5

 2017 Goals 6

LEGISLATIVE COMMITTEE 7

 Committee Purpose: 7

 2016 Deliverables 7

 2017 Proposed Activities 8

NON-STANDARD COMMITTEE 10

 Committee Purpose 10

 2016 Deliverables 10

 2017 Goals 10

PERMIT COMPLIANCE COMMITTEE 111

 Committee Purpose 111

 2016 Deliverables 111

 2017 Goals 12

TECHNICAL REVIEW AND ADVISORY COMMITTEE 14

 Committee Purpose 14

 2016 Deliverables 14

 2017 Goals 14

A MESSAGE FROM THE CHAIR

Colorado Stormwater Council Chair: Glenda DeBekker (City of Cañon City)

The Colorado Stormwater Council is an amazing network of stormwater professionals from Phase I, Phase II and Non-standard permittees throughout the state who have banded together to provide technical and educational support to its members, as well as advocate for the entire MS4 community on State and Federal issues.

This support and advocacy was very evident during 2016 as the CSC saw the culmination of all its members' hard work on the Phase II General Stormwater Permit, which began in November 2012. The final permit issued in April, was followed by a flurry of modifications. The permit became effective on July 1. Rather than sitting back and sighing with relief, the Permit Compliance Committee took a deep breath and plunged right in developing and distributing a series of permit compliance products for the Phase II members...and they are still going strong to provide even more.

This commitment to our members was also evident in the other CSC committees: From Education and Outreach's work on a state-wide educational campaign, and the Construction Committee providing trainings, to the Legislative Committee's dedicated work on the Division's Fee bill and 303(d) Listing Methodology. In addition, let us not forget the Technical Review and Advisory Committee's work with CDOT to develop a Permanent Water Quality Inventory System.

This year the CSC was able to restart the UDFCD's quarterly meetings with speakers from the CDPHE. The quarterly meetings are also serving as the MS4 issues workgroup, which provide an opportunity for our members to interact with the CDPHE personnel on pertinent issues.

I urge you to read on...see what each committee has accomplished during this past year and what they have set their sights on for 2017!

It has been truly a privilege and a pleasure to serve you as the Chair of the Colorado Stormwater Council during 2016, but I must give credit where credit is due. Without the tireless work of the Committees and the members who volunteer their time in these committees and those who volunteer their time outside of committees the CSC would not be able to bring these outstanding products to its membership. I would like to thank each and every one of you that have provided your time, expertise and advice to make the Colorado Stormwater Council the excellent organization it is today. I have been an MS4 representative to the Council for eight years now. I have learned much and have made many friends during this time. I have gone from merely attending meetings and soaking in all the information and knowledge, I could from members to having the honor of serving as the Council's Secretary, Vice-Chair and finally this year as the Chair. I urge every member organization to become as involved as much as you possibly can. It is well worth the time!

And there is much more yet to come. More compliance products for Phase II permittees; assistance with the Phase I permit renewals and a new website for the public and CSC members. Plus, whatever surprises 2017 may turn up. I have no doubt that it will be another fulfilling and productive year for the Colorado Stormwater Council.

Sincerely,

Glenda R. DeBekker
City of Cañon City

CONSTRUCTION COMMITTEE

Committee Chairs: Jon Allen (City of Longmont) and Dennis Rodriquez (City of Broomfield)

Committee Purpose

The Construction Committee explores variations of municipal construction site programs and identifies successful components pertaining to inspections, enforcement, documentation and plan review. Additionally, the Committee investigates opportunities to offer statewide training and certifications for inspectors of the local jurisdictions. The Committee fosters communication with the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (Division) specific to the execution of Construction Site Runoff Control programs with the goal of setting clear expectations and improving consistency.

2016 Deliverables

- ◆ Conducted a field trip for Committee Members and General Membership to an active construction sites to evaluate successes and challenges in construction site compliance.
- ◆ Discussed the draft CDPS Construction Stormwater General Permit.
- ◆ Discussed implementation of the new MS4 construction program requirements
- ◆ Investigated efficacy of innovative BMPs including alternative VTC materials.
- ◆ Sponsored two capital improvement and linear project construction site compliance trainings.

2017 Goals

- ◆ Continue to research training opportunities.
- ◆ Conduct training sessions for capital improvement and linear project construction site compliance.
- ◆ Research training opportunities such as training for capital improvement projects, construction site inspection training, and successful revegetation techniques.
- ◆ Coordinate field trips to construction sites to observe successful and/or innovative site practices.
- ◆ Assist CSC Members with implementation of the MS4 construction program requirements.

EDUCATION & OUTREACH COMMITTEE

Committee Chair: Joe Chaplin (City of Loveland)

Committee Purpose

The Education and Outreach Committee researches, consolidates, and organizes existing educational materials on a statewide level. The Committee evaluates the feasibility of presenting, distributing and collaborating with local and national entities desiring to provide education and outreach within Colorado. The Committee recommends cost effective programs and assists with implementation of these programs for the CSC membership. Efforts may include a proposed budget, a cost-benefit analysis, and strategy for quantifying the success of each program recommended to the CSC.

Review of 2016 Work

The Education and Outreach Committee continued to Partner with Amy Conklin as a technical advisor in an effort to obtain a Water Supply Reserve Account (WSRA) grant through the Colorado Water Conservation Board (CWCB). Although five of the nine Basins had agreed to contribute to the effort at the beginning of 2016, the Committee did not receive the full WSRA grant due in large part to the lack of available funds and chose to forgo the funds allocated by the basins.

2016 Deliverables

- ◆ Published the 2015 Colorado Stormwater Council Annual Report documenting the accomplishments of the Council and goals for the upcoming year.
- ◆ Continued to serve as the communication hub for the CSC by sending out a weekly newsletter to all members via “Tuesday Topics”.
- ◆ Created 14 stormwater messages to accompany the *Live Like You Love It (LLYLI)* campaign as part of the collaborative effort with Colorado Water Wise.
- ◆ Contracted with Sigler Communications to develop bus ads in English and Spanish that complemented the LLYLI campaign led by Colorado Waterwise (CWW).
- ◆ Coordinated the posting of the bus ad within the Regional Transportation District buses and Grand Valley Transit for a total of over 104,000,000 viewings.
- ◆ Participated in the design and reconstruction of the CSC website.
- ◆ Partnered with the Barr Lake and Milton Reservoir Association (BMW) to fund the 2017 Urban Waters Bike Tours.

2017 Goals

- ◆ Produce and distribute monthly topics of interest to CSC members via “*Stormwater – News You Can Use.*”
- ◆ Produce and distribute “*Late Breaking News*” when necessary to the CSC members.
- ◆ Continue to evaluate membership’s needs related to outreach and education materials.
- ◆ Continue to work on the education component for Regulation 85 regarding nutrients.
- ◆ Publish the 2017 CSC Annual Report documenting the accomplishments of the CSC and its goals for the upcoming year.
- ◆ Develop flyer on nutrients for CSC members.
- ◆ Develop 30 second PSA on nutrients for CSC members.

LEGISLATIVE COMMITTEE

Committee Chair: Pam Acre (City of Northglenn)

Committee Purpose:

The Legislative Committee monitors state and federal legislative issues and activities and assesses their impact on the Council members. The Committee prepares advisory or educational statements for transmittal to the appropriate legislative body or agency. The Committee works with the Division on policies derived from regulations, especially those policies which have had little stakeholder input and may impact existing permit requirements. The Committee forms associations with other local and national entities who also track environmental policy and legislative issues.

2016 Deliverables

- ◆ Committee members continued tracking the progress of potential impacts to MS4s on the revised Definition of Waters of the U.S. by the EPA and U.S. Army Corps of Engineers.
- ◆ During the Colorado General Assembly session, several committee members attended the weekly meetings of the Colorado Water Congress State Affairs Committee to stay current on any proposed state water quality-related legislation. Water bill summaries and 2016 bill status reports were distributed to Committee members throughout the session.
- ◆ Select Committee members attended the Colorado Water Quality Forum (WQF) annual retreat to ensure municipal stormwater remained a high priority for the Forum. Provided a verbal report to the Council.
- ◆ Following the passage of HB16-1005, regarding the Residential Use of Rain Barrels for Rainwater Collection, Committee Member Lone Tree researched the legislation and developed a summary document of information for distribution to Council members.
- ◆ Worked with other national associations and organizations in preparation of comments to the EPA Phase II remand rule. Prepared and submitted comments on behalf of CSC on that rule.
- ◆ Several Committee members participated in the WQCD Fee bill stakeholder meetings to determine an acceptable permit fee increase for member MS4s.
- ◆ 303(d) Listing Methodology regulation update – The recent fires and flood in the Colorado Springs area brought various concerns to the Water Quality Control Commission (WQCC) regarding stream impairment caused by these catastrophic events. The Commission charged the WQCD to develop a statewide 303(d) Listing Methodology for Fire and Flood events. After bringing the issue to the General membership, select Committee Members

were tasked to develop a scope of work and execute a contract with Wright Water Engineers to assist the WQCD to develop Listing Methodology language. After attending various work sessions and adding input, a final draft was distributed by the WQCD, which showed a substantial part of the CSC requests.

2017 Proposed Activities

The following is a brief summary of proposed/possible activities for the Colorado Stormwater Council Legislative Committee to undertake in 2017:

- ◆ Monitor implications of EPA’s finalized Phase II Remand Rule.
- ◆ Gather information on recent court decisions that may have impacts on MS4’s regarding permit shield protection.
- ◆ Continue participation in WQCC 303(d) Listing Methodology criteria hearings.
- ◆ Continue our participation in the WQCC Regulation 85 work group meetings.
- ◆ Actively engage in the WQCC Regulation 61 work group meetings in anticipation of rulemaking hearings in October 2018.
- ◆ Attend the National Stormwater Summit hosted by NACWA, WEF and NAFSMA in Washington, DC in April to meet with Colorado Senators, Representatives and National Water Resources Association membership to discuss local water quality issues, and to offer legislators assistance in reviewing bills relative to how they may impact the stormwater community.
- ◆ Continue work on the specific issues identified by the Committee regarding proposed federal/state stormwater regulatory requirements impacting local governments. These issues will be defined appropriately including potential costs/ benefits, in White Papers that will be available to educate City Councils, County Commissioners and Special District Boards of Directors.
- ◆ Continue to participate on the Colorado Water Quality Forum MS4 Issues Workgroup.
- ◆ Attend the Colorado Water Quality Forum annual retreat and provide a verbal report to the Council.
- ◆ Continue to track legislation sponsored by the Interim Water Resources Review Committee of the Colorado General Assembly. These bills from the summer are the first of the 2018 potential legislation and may make changes to general permits related to water quality control.
- ◆ Continue to track and to provide thoughtful, thorough, and rational analysis of proposed state and federal stormwater legislation with an emphasis toward practical

implementation, water quality protection and improvement. As necessary, provide technical expertise to clarify how proposed legislation may impact MS4 permit holders.

- ◆ Continue to actively participate in the Colorado Water Congress - as part of any Water Quality Committee, with the Federal and State Affairs Committees.
- ◆ Track EPA, U.S. Army Corps of Engineers and Water Quality Control Division Memos, Policy and Guidance that might impact CSC members.
- ◆ Continue to participate in Water Environment Federation, National Association of Clean Water Agencies and National Association of Flood & Stormwater Management Agencies national meetings.

NON-STANDARD COMMITTEE

Committee Chair: Forrest Dykstra (Highlands Ranch)

Committee Purpose

The Non-Standard Committee coordinates the requirements and needs of Non-Standard MS4s as they relate to compliance with the requirements of the CDPS Phase I and Phase II MS4 Permits. The non-standard permit holders include school districts, higher education institutions, and special districts. The Committee identifies and addresses issues and needs unique to the various non-standard permittees in Colorado. The Committee interacts with other sub-committees to ensure concerns and needs of non-standard permittees are considered when developing programs within the CSC. In order to minimize duplication of efforts, the Committee fosters relationships between non-standard and standard permittees and provides advice and expertise to non-standard permittees that may not have resources to address all the stormwater issues relative to compliance with the permits.

2016 Deliverables

- ◆ Continued to coordinate and address issues that are unique to non-standard MS4 permit holders.
- ◆ Closely monitored the MS4 permit renewal process in anticipation that some of the requirements in the new MS4 permit may carry over to the non-standard permit. This effort will continue as the MS4 non-standard permit process unfolds.
- ◆ One of the committee members is also on the legislative committee and assists the non-standard permit holders in keeping abreast of legislative issues.
- ◆ Hosted webinar focused on non-standard permit issues at a national perspective.

2017 Goals

- ◆ Track the non-standard permit process that may begin in the fall of 2017.
- ◆ Continue to work on increasing non-standard membership to the CSC to help foster good working relationships among MS4 permit holders.
- ◆ The committee typically meets bi-monthly but has gone to an as needed meeting basis.
- ◆ Recruit/involve other non-standard permit holders in the permit renewal discussion with CDPHE.

PERMIT COMPLIANCE COMMITTEE

Committee Chair: Tracy Pond (City of Golden)

Committee Purpose

The Permit Compliance Committee (PCC) provides expertise on compliance with all MS4 permit programs including implementation of permit requirements and documentation of permit compliance. The PCC continues to act as a conduit for communication with the Division on defining/determining compliance, with activities related to the required programs under the Phase II MS4 Permit. The PCC may create subcommittees concerning particular program elements. The PCC has established mentoring relationships among Council members and has addressed issues relating to program audits, permit renewals, and the impact of other regulatory activities such as other discharge permits and Total Maximum Daily Loads. As Permit Power Users, the PCC is able to provide insight for Permittees into the vast and various implications of “language” in ordinances, permits, and program descriptions.

2016 Deliverables

Phase II Permit Renewal

- ◆ Monitored the Water Quality Control Division’s (Division) timeline related to the reissuance of the Phase II MS4 permit.
- ◆ In preparation of the Phase II MS4 permit Public Notice and stakeholder meetings, PCC finalized its review process and mobilized workgroups.
- ◆ Coordinated and led Phase II MS4 permit renewal comment development workgroups.
- ◆ Compiled comments developed through the workgroup process for submission to the Division by the CSC Chair on behalf of the CSC.
- ◆ Submitted information for consideration, reviewed draft language and monitored three permit modifications completed in 2016 for the MS4 Phase II permit.

Regulatory/Policy Review and Guidance

- ◆ The Permit Compliance Committee developed the following tools to assist members with program implementation under the new MS4 permit:
 - Interpretive Fact Sheet: 2016 Annual Report
 - Compliance Timeline
 - Gap Analysis
 - PDD Template
 - Recordkeeping Template
 - Interpretive Fact Sheet: Overlapping Permit Areas
 - Construction Inspection summary
 - Construction Inspection matrix
 - Construction Inspection sample programs
 - Irrigation Ditches flow chart

- ◆ The Permit Compliance Committee contracted with FHU to conduct research to enable development of a permit modification for alternative permit language for a Post-construction design standard to allow Phase IIs to treat an “equivalent area” rather than 100% of a project’s disturbed area. The goal of the project is to allow flexibility in meeting the permit requirement, while potentially realizing reduced costs, improved maintenance access and a greater overall water quality benefit while providing equivalent water quality treatment.
- ◆ An informational meeting was held to begin gathering scenarios that would be considered “constrained” that do not meet the current definition in the Phase II permit, and would therefore not be eligible for a reduced treatment option. The work will inform whether to pursue a proposed permit modification.

Other

- ◆ Collaborated with other CSC committees in developing permit compliance tools.
- ◆ Worked with Construction Committee to review and provide comments on the Stormwater Discharges associated with Construction Activity general permit.
- ◆ Monitored other Division issued permits and guidance for applicability to MS4 permit compliance.

2017 Goals

- ◆ Continue to submit, review and monitor Phase II permit modifications.
- ◆ Finalize research for and develop proposed permit language for alternative Post-construction design standards that may include Equivalent Area, Constrained Sites, and Source Reduction.
- ◆ Develop additional Permit Compliance Tools such as:
 - Interpretive Fact Sheets
 - Checklists (e.g., plan review)
 - Written Procedures
 - Sample ordinance language
 - Decision flow charts (e.g., Post-construction applicable design standards)
 - Plan templates (e.g., IDDE, Facility Runoff Control)
- ◆ Continue to provide compliance assistance to CSC members by monitoring, summarizing and/or disseminating pertinent compliance assurance activities performed by the Division (MS4 audits, construction compliance advisory actions, etc.).
- ◆ Continue to work with the Division to support consistent application of regulations and ongoing partnering in the development of tools, resources and requirements on behalf of the CSC membership.

- ◆ Prepare comments on Division documents specific to compliance with permit requirements and implementation of programs not covered by other CSC Committees, specifically illicit discharge detection and elimination and municipal operations.
- ◆ Coordinate with other committees on activities or deliverables that may directly or indirectly affect the MS4 Permit.

TECHNICAL REVIEW AND ADVISORY COMMITTEE

Committee Chair: Alan Searcy (City of Lakewood)

Committee Purpose

Evaluates newly developed or emerging technologies for viability in Colorado's environment. Provides recommendations to the Council utilizing the membership knowledge base, locally credible data and good science. Monitors trade magazines and published research papers related to stormwater quality, erosion and sediment control and low impact development strategies. Subscribes as necessary to receive and investigate reports from other states, organizations, and the EPA on pollutant reduction facilities and strategies to improve stormwater quality. Explores published state and federal directives issued on the subject of pollutant identification, characterization, and removal based on numerical limits and/or Maximum Extent Practicable methodologies. Validating existing and new technologies may be conducted and summarized by consultants.

2016 Deliverables

- ◆ Facilitated GIS data sharing of stormsewer system coverages generated by the Colorado Department of Transportation and Council membership.

2017 Goals

- ◆ Meet as needed with vendors, review BMPs, and report to the Council new technologies and their effectiveness on reducing and/or removing pollutants from stormwater runoff.
- ◆ Review EPA proposed rule changes and identify how technology could assist CSC members in their implementation, (specifically LID, nutrients, E. coli, etc.).
- ◆ Evaluate emerging water quality treatment technologies and alternatives.