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CSC MEMBERSHIP MEETING MINUTES

MAY 26, 2021

The meeting was called to order by Jessica La Pierre (Aurora) at 9:31 a.m.

~61 Participants

LEGAL STRATEGY UPDATE:

- Vote Outcome: Based on votes, will move forward with legal pursuit. See CSC Voting Results.
 - the voting outcome resulted in the majority wanting to continue pursuing the legal strategy and to file a complaint regarding the nonstandard permit due process issues as well. We had 32 votes total, however only 30 people responded to Q1 & Q2. With that we had 19 in favor and 11 against to continue with our Complaint in Denver District Court. We had 19 in favor and 12 against filing a separate Complaint regarding the nonstandard permit procedural issues. Conclusion: Continue with the legal strategy and file another complaint regarding the nonstandard permit.
- Next Steps: File Non-Standard Complaint on procedural and substantive issues by May 28th, and amend the Denver complaint. Both complaints will exclude State agencies and higher education centers.
- Legal Workgroup: Will have a legal workgroup for those who support and want to be involved and will include the admin team with the exception on of Jeremiah Unger (CDOT) and Jessica Clayton.
 - Continue having the CSC legal strategy workgroup engaged in this effort for the remainder of 2021 but open to forming a committee in 2022. The supporting parties who have requested to be apart of the distribution list/Admin Committee (minus Jeremiah and Jessica Clayton because they are State agencies) will be provided an update in between meetings as developments occur, and then a general summary will be provided at each general membership meeting.
- Process improvements: will have draft meeting minutes on website following the meeting for review. Will be labeled as draft.

APPROVAL OF MINUTES, TREASURER'S REPORT, AND 2021 BUDGET:

Approve the April Meeting Minutes

Carrie (Mesa County) motioned to approve; Alan Searcy (Lakewood) seconded. The Meeting Minutes were approved.

Approve the Treasurer's Report (April)

Jen Keyes (WWE/Castle Pine) motioned to approve; Glenda Debekker (Canon City) seconded. The Treasurer's Report was approved.

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Website updates – Jake Moyer (Westminster)

- None. Adding meeting minutes to the website moving forward for 2021.

Treasurer's update – Carrie Gudorf (Mesa County)

- None.

COMMITTEE UPDATES:

Construction – Ashley Tucker (Firestone)

- Had 2nd CIP Stormwater Compliance Training on May 25th. Going to spread out this training in the future due to low attendance. Going to send out a survey to ask members on what kind of training they are interested in.
- RFP for Training Development coming soon
- Module Development Assistance
- EPA General Construction Permit – Comments due July 12th
- Keep an eye on rainfall amount for a qualifying event. Currently there is info in the Fact Sheet (not enforceable). CDPHE may be considering adding this to the next permit update.

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POST-CONSTRUCTION (Sub-Committee) – Janine Hegeman (Windsor)

- Post-Construction Subcommittee – New Meeting Date Selection and looking for new chair/cochairs – Please participate in the doodle poll if you are interested in joining the post-construction subcommittee.

Instructions: This is to pick a recurring time and date for the monthly meetings. The Doodle poll is set up for the month of June, but we will also be using this to schedule a regular monthly meeting time. We will be looking not just at day of the week and time but also the week of the month (first, second, third, fourth week of the month). If you are available on this date in June and are generally available on the same day of future months (ex. first Monday, third Tuesday, etc.), please click once to mark the box with a green checkmark. If you are available only some of the time on a certain day of future months, you can click twice to mark the box with an orange checkmark.

Link: https://doodle.com/poll/g4de5g9bs7hggzdx?utm_source=poll&utm_medium=link

- Post-Construction Subcommittee Chair/Co-Chair Responsibilities: Please reach out to Cristina Ramirez Bentley to discuss the various chair/co-chair responsibilities. cramirezbentley@bouldercounty.org

EDUCATION & OUTREACH – Heather Otterstetter (Westminster)

- Working on creating a 2021 E&O calendar
- Gearing up for Western Slope campaign for 2022
- Looking into radio campaign to target the Spanish-speaking population
- Looking into permanent stormwater structure training for HOA management companies
- Looking into nutrient training opportunities for landscaping companies through associations/conferences

LEGISLATIVE – Pam Acre (City of Northglenn)

- Colorado Dredge and Fill – new bill but same number, now called the Enforcement Bill, mechanism to have money to conduct enforcement action on dredge and fill for gap waters. Can't do work in those water w/o a permit but there is no mechanism to get a permit. Can sign up on CDPHE's website if you want to receive emails. Colorado Water Congress also doing outreach. CDPHE hopes this will be a late status bill. If not, will have to wait until next legislature. <https://cdphe.colorado.gov/water-quality-waters-united-states>
- Alan will send survey for Dredge and Fill to Jessica to send out
- Styrofoam and plastic bag bill is still moving forward. Legislature meeting for the next 3-4 weeks
- Senate bill 180 recycling and compost bill – looking like it might move forward as well. Trying to figure out how to fund it.
- NMSA newsletter there is discussion with Biden EPA that they will be reviewing and looking at the definition of WOTUS.
- EPA looking at putting NPDES on a 10-year permit cycle. Seems to have some support in both Federal chambers.

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MUNICIPAL OPERATIONS – Jeremiah Unger (CDOT) and Jessica Clayton (Colorado Springs)

- The LTAP/MS4 Permit Training Draft has been submitted by the Colorado Stormwater Center and is currently under review. Was a little too technical and revision was needed. Planning on having it developed so municipal staff can deliver it to contractor.
- We had a committee meeting on May 11th and discussed options for reclaiming fire-fighting foam during emergencies, this was at the request of a general member. At the next (or a future) general meeting, could invite our Hazmat Director to discuss PFAS and firefighting foam along with limitations of collecting and disposing of the wastewater. Typically used for chemical fires and waste has to be incinerated which is costly. If you are interested in helping with this, please email Jessica.Clayton@coloradosprings.gov
- Still developing illicit discharge training. Looking for pictures locally. Please send to Jessica Clayton if you have some.

NON-STANDARDS – Forrest Dykstra (Highlands Ranch Metro District)

- State changed annual report requirements. Don't need to submit two annual reports in March 2022. Will need to be a permit modification. Forrest will send an email to non-standards and to CSC admin.
- Pueblo looking to be a non-std instead of standard.

PERMIT COMPLIANCE – Brian Hathaway (City of Greeley)

- CDPHE and Denver have reached a settlement agreement for Denver's permit, for the time being. CDPHE has opened back up the permit for modification on several key sections. The lawsuit has been stayed for the time being.
- PCC is in the process of reviewing the Non-Standard Permit. Mainly to see if comments in the fact sheet have been addressed.
- Now that the non-standard permit is issued, PCC will need to decide what types of documentation to start working on for the non-standards.
- Let Carrie know if you are interested in meeting about working with non-standards and how to best set this up (carrie.gudorf@mesacounty.us). If have examples of IGAs/MOUs, please send to Brian (brian.hathaway@greeleygov.com).
- For the Low Risk Discharge Guidance for Culvert Flushing, it is PCC's understanding that CDPHE wants Nationwide Permit 3 to be used in the gap waters for Category 2 culverts (non-urbanized areas only). Don't need you to get a NWP 3 permit for gap waters (b/c you can't) but they want you to use the guidance.
- Still no update from Mary on Phase II receiving waters request. She did mention that a similar request would be going out to Non-Standards soon during the Non-Standard Permit meeting. Non-standards are beginning to get request from Mary.
- Sheela Stack stated that the CSC Legal Strategy should not have any impact on regular correspondence with the CDPHE.

TECHNICAL REVIEW ADVISORY (TRAC) – Juliana Archuleta, Adams County

- Looking for feedback about CSIC from members. All CSIC logins (username/password) were distributed to each jurisdiction. Please contact Juliana with any issues logging in. The guidance manual was included. We continue to encourage

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municipalities to participate. We currently have GIS data for 33 jurisdictions out of 80+ members.

- TRAC is looking for new stormwater treatment technology and site visits for underground systems. Please contact Juliana Archuleta mjarchuleta@adcogov.org if there is an interesting/unique installation coming up in your city. Colorado Stormwater Center has a list of underground systems and spec sheets. MHFD looking to revise underground criteria.

MHFD UPDATE – Holly Piza:

- ❖ MHFD Annual Seminar 7/21, Save the Date. Agenda and registration coming soon (next week). First come, first serve until its booked.
- ❖ Volume 3 update on underground systems. Expanding criteria and will have different categories. Will have two fact sheets instead of one. One for sedimentation like hydrodynamic separators (doesn't typically meet the 30 mg/L) and a second will focus on filtration (generally meets the 30 mg/L).
- ❖ Update on monitoring workgroup and summary of conversation with Meg Parrish – Meg liked the info sharing on monitoring currently being conducted outside of the permit. She wanted to hear more on Bear Creek TMDL monitoring. She is excited about potential regional monitoring programs. Meg is serving two roles currently but hoping that will change in the future. She acknowledged the surprise issuance of non-standards permit and apologized.
- ❖ Meetings resuming in July, on the calendar. Used to share info from everyone's monitoring efforts outside of the permit

AGENDA ADDITIONS FOR THE CSC GENERAL MEMBERSHIP MEETING:

- ❖ Coordinating a Colorado Springs Enforcement Presentation (maybe lunch n' learn) – Tracey Pond
- ❖ Wendi Knutsen – early retiring. Will be missed and congrats.
- ❖ Wanda DeVargas left Greenwood Village and is going to E470.
- ❖ BMW Presentation – Next Meeting June 23rd, banning phosphorous in fertilizer
- ❖ Water Quality Forum Representation July 8th & 9th, virtual this year, usually have two attendees, Alan is attending. Let Jessica know if you are interested in attending.
- ❖ Job Postings on Website, Mesa County, Adams County, Arvada (upcoming) – Kaitlin McCann moved to Yellowstone.
- ❖ Jen Keyes – Castle Pines has numerous trail projects and was completely unaware that CDPHE is coming up with low risk guidance policy for trail building (look for it later this summer). May allow low risk even under common plan of development on a case by case basis. Recommend reaching out to CDPHE if you have a project between now and when the policy is coming out.

ADJOURN

The meeting was adjourned at 11:18.