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CSC MEMBERSHIP MEETING MINUTES SEPTEMBER 22, 2021

The meeting was called to order by Jessica La Pierre (Aurora) at 9:33 a.m.

~48 Participants

LEGAL STRATEGY UPDATE:

- Carrie Noteboom (AG for the Division) reached out asking NSW Law if there was interest in meeting with the Division to discuss whether there are ways to resolve any of the issues CSC raised in the litigation. It was agreed it would be beneficial to get a meeting scheduled to discuss our concerns, and in return offered to stay CSC's Non-Standard Complaint if the Division agreed to withdraw their motion to dismiss to allow for collaboration between the CSC and the Division to resolve the issues raised. However, the Division only agreed to meet for a short time frame and be limited to procedural concerns since the Non-Standard Permit was under a pending modification. In addition, the Division kept their motion to dismiss filed, therefore, no change to the current status.
- Current Day: CSC Non-Standard Complaint is teed up before Judge Shelley Gilman in Denver District Court, who will decide whether to grant or deny the Division's Motion. Timeline of decision unknown at this time.

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

Approve the August Meeting Minutes

Carrie Gudorf (Mesa County) motioned to approve; Pam Acre (Northglenn) seconded. The Meeting Minutes were approved. Typo on adjourn time.

Approve the Treasurer's Report (August)

Forrest Dykstra (Highlands Ranch) motioned to approve; Pam Acre (Northglenn) seconded. The Treasurer's Report was approved.

Website updates – Jake Moyer (Arvada)

- Checking CSC gmail account weekly to verify new membership accounts.
- Question for Committee/Council: Is there interest in using the IDDE Training video provided by Jessica (Colorado Springs) to create a new training page to satisfy training requirements? Like the Good Housekeeping and CIP Training videos? Will add to the SurveyMonkey that is coming out soon.

CSC MEMBERSHIP MEETING MINUTES

Treasurer's update – Carrie Gudorf (Mesa County)

- Funds for legal strategy coming in. Can still contribute. Let Carrie know how much and she can send an invoice.
- Some credits for legal strategy and some payments have been received and will be reflected in the September Treasurer's report. Some municipalities are waiting to hear back on legal strategy to give money.
- If interested in being the Treasurer next year, please email Carrie so she can train someone. carrie.gudorf@mesacounty.us. Carrie has set up the system well and it doesn't take a lot of extra time. Time is mostly associated with follow up emails.

COMMITTEE UPDATES:

Construction – Ashley Tucker (Firestone)

- MS4 Inspector Training – October 12th 8 AM to 5 PM, extend to new non-stds
<https://www.eventbrite.com/e/ms4-inspector-training-online-tickets-167633996797>
- CIP Stormwater Compliance Training – October 19th 8 AM to 12 PM
<https://www.eventbrite.com/e/capital-improvement-project-stormwater-compliance-training-online-tickets-167635228481>
- Remaining funds survey results – develop new training and construction educational materials in multiple languages.
- Next meeting October 14th - Will discuss survey results, budget for next year and new training.

POST-CONSTRUCTION (Sub-Committee) – Jake Moyer (Arvada) / Jeremiah Unger (CDOT)

- Finalized purpose and overall goals for 2022
Purpose: The purpose of the Post-Construction Committee is to provide compliance assistance, guidance and training related to an MS4's Post-Construction Program.

Overall Goals:

1. Provide guidance documents, checklists and templates for Post-Construction permit compliance and general repository for these documents
2. Work with and help fund the Colorado Stormwater Center or other appropriate organizations to provide annual trainings related to Post-Construction compliance, design review, construction inspections and oversight inspections.
3. Coordination with other committees such as: MO, TRAC, PEO, PCC to provide public outreach and training.

2022 Goals:

1. Provide examples of as-built and O&M checklists and templates for Post-Construction permit compliance.
2. Compile a list of companies that perform maintenance on post construction control measures (Not an endorsement) Noting completion of trainings. i.e., CIP training, CSU I&M training etc. Per Tyler: maintenance services vs. just the inspection services or both.
3. Review volume-3 updates to MHFD summarizing major changes and potential impacts to design review. How this will affect membership.

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- <https://mhfd.org/receiving-pervious-areas-including-grass-buffers-grass-swale/> want to be part of stakeholder process, go to this link
- Jake's new contact: jmoyer@arvada.org

EDUCATION & OUTREACH – Heather Otterstetter (Westminster)

- Radio campaigns continue
- Began looking into a campaign on the Western Slope. CPR has towers but doesn't cover Durango. Trying to find another station.
- Rebecca said there is a station out of Farmington, New Mexico.

LEGISLATIVE – Pam Acre (City of Northglenn)

- Dredge & Fill – State doesn't plan to continue efforts as long as Feds using pre-2015 WOTUS rule or similar that protects Colorado. No draft bills were drafted for a dredge & fill permit.
- WOTUS – referring back to pre-2015 WOTUS rule. Colorado streams, lakes, etc. will be protected under pre-2015 WOTUS definition.
- If project received jurisdictional determination using pre-2015 WOTUS rule, you are good. If after that, recommend reapplying to get jurisdictional determination. See email from Pam that Jessica will send out.
- 3 bills on water speculation. Not related to MS4 or CDPHE program stakeholder processes on issuing permits.
- Anticipated new bills on pollution prevention (maybe plastic and recycling including funding). Not sure if it will be 2022 or 2023.

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

- MO to reach out to post construction committee to make sure we are not overlapping trainings.
- Sweeper training is still on hold but Colorado Springs may be able to offer confined space training/certs. Will know by general meeting next week.
- Additional training opportunities if there is interest. Have knocked out trainings that were suggested previously:
 - Asset Management 2.0
 - SOP development, Runoff Control Plan (RCP) Development, etc
 - Need for an 811 refresher class? Add to survey to get feedback.
- Still looking for a co-chair for next year. Jeremiah is stepping down from MO next year.
- Next meeting November 9th
- Colorado State Patrol doesn't seem to be trained on MS4. Jeremiah has been trying to train State Patrol. Also trying to contact State Fire Dept Association to train them on MS4.
- Legislative committee doing a presentation in January for the Water Quality Control Forum on MS4. Will share PowerPoint.

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

- Permit modifications comments submitted September 17 (See Attached)
- Plan to check the website to see if there are rebuttal comments to respond to

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PERMIT COMPLIANCE – Brian Hathaway (City of Greeley)

- IGA vs. MOU decision tree finalized (see attached)
- Continuing to work on compliance tools for the Non-standard permit; Douglas County Participation IGA is available to use as an example.

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

- Reminder that CSC has a Linked In and Facebook pages. Let Heather Otterstetter or Juliana know if you need something posted (jobs, events, messages)
- CSIC reminder - add stormwater infrastructure info to share with others for collaboration
- Julianna presented on Kurtis Vanetta, City of Thornton, BioClean SciCyclone system installation. Simply system installed on existing commercial pad. Thornton pushed for water quality under an acre for existing site.
- 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.

MHFD UPDATE – SARA DEGROOT:

- ❖ Working on Vol III, Chapter 4 update.
- ❖ Grass Swale fact sheet up now for comment, moved some items to upfront section. <https://mhfd.org/receiving-pervious-areas-including-grass-buffers-grass-swale/>
- ❖ Q&A with WWE today, will link to Jessica for distribution today

AGENDA ADDITIONS FOR THE CSC GENERAL MEMBERSHIP MEETING:

- ❖ 2 New Proposed Committees up for vote in 2022– TMDL Compliance & Post-Construction. Tie in TMDL committee with WQF TMDL committee, where pre-processing decisions get made
- ❖ Monitoring Group Update - Alan, Holly Piza, Jane Clary and others meeting with WQCD on monitoring, trying to understand why the state wants to do this and what they want to get out of it, expensive for non-stds and smaller jurisdictions and jurisdictions with a lot of outfalls. Data needs to be useful and meaningful. Many state folks aren't monitoring experts; they need to know what to do with the data. State admitted to not reviewing reports that jurisdictions have been submitting for years. November 18, Regulation 85 reexamination including non-point exclusion (e.g., E&O outreach in lieu of). Another example: know we have phosphorus but need to do E&O to prevent it instead of more monitoring.
- ❖ Will vote on 2022 Budget in December, asking for budget requests currently, due soon
- ❖ Enforcement Penalties – Glenda DeBekker, wants to increase fines but would like an unofficial survey on what other municipalities charge for IDDE, construction, other fines. Please email grdebkker@canoncity.org
- ❖ Canon City looking for Civil Engineer and Director of Public Works
- ❖ Adams County hiring for a Stormwater Inspector
- ❖ City of Thornton also looking at updating enforcement program, will combine efforts with Glenda. Jessica will add to upcoming SurveyMonkey.

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- ❖ Janine ROW inspection from the State for a project that started in 2017 (completed in 2018) before MS4 program in place. State on contractor for not stabilizing a 15 sq ft patch on ROW.
- ❖ Sandra – Are other jurisdictions documenting the inspection of post-construction installations? Yes, we are. Could use the engineer’s certification letter in lieu of inspection, but most folks on the phone are inspecting.
- ❖ Still working on trying to meet in person. Maybe a fun event, especially before Sandra retires in February.

ADJOURN

The meeting was adjourned at 11:00.