**REMOTE ATTENDACE**

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CSC MEMBERSHIP MEETING MINUTES

OCTOBER 27, 2021

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

~48 Participants

# LEGAL STRATEGY UPDATE:

The Non-Standard Permit Complaint was dismissed on September 24th by Judge Shelly Gilman on procedural grounds, however the legal strategy related to the Non-Standard Permit is continuing to move forward through the appeal process. Filing the appeal does not “stay” the compliance requirements within the permit once the permit becomes effective on November 1st, however it continues the litigation forward and may also present additional opportunities for discussion with the Division through settlement agreements. The deadline to appeal the court ruling is November 12th. A replacement in legal representation was also agreed on, therefore Gabe from Vranesh and Raisch, LLP has replaced NSW Law as the primary representation for the legal strategy on behalf of the Colorado Stormwater Council moving forward.

# APPROVAL OF MINUTES, TREASURER’S REPORT, AND 2021 BUDGET:

Approve the September Meeting Minutes

Glenda DeBekker (Canon City) motioned to approve; Alan Searcy (Lakewood) seconded. The Meeting Minutes were approved.

Approve the Treasurer’s Report (September)

Alan Searcy (Lakewood) motioned to approve; Pam Acre (Northglenn) seconded. The Treasurer’s Report was approved.

* **REMINDER**: November Meeting Canceled; Final 2021 CSC General Membership meeting will occur on **December 8th**
* Proposed to replace GoToMeeting with Google Meets as the virtual meeting platform in 2022. Already have a Google account. Will save us $400 per year.

Website updates – Jake Moyer (Arvada)

* Associating general membership contacts with committees and facilitating "chat" functions within website.
* Incorporate IDDE training video and quiz (in development) into website.

Treasurer’s update – Carrie Gudorf (Mesa County)

* 2022 Draft Budget
* Propose increase dues by 5% due to inflation rates in 2023. Haven’t increased in quite some time.
* Brian Hathaway will be serving as the new Treasurer in 2022

# COMMITTEE UPDATES:

Construction – Ashley Tucker (Firestone)

* SAVE the DATE Trainings
	+ November 15th – Keep It Clean Partnership (KICP) Low Impact Development Training – registration info to come on November 1st (will send out to General Membership).
	+ November 15th – 16th – IECA Mountain States Annual Conference –
	Greenwood Village, CO <https://whova.com/web/msrc_202111/>
	+ November 17th – KICP & MHFD Working in Waterways Training – register here [https://forms.gle/FvozPUn64tjMVas16](https://urldefense.com/v3/__https%3A/forms.gle/FvozPUn64tjMVas16__;!!E0sFAW4Yvqtm762YPg!kFblk7suqaWeYRav5eN4BmPG7S5p-K_c6i0JiHIqItWtxxLNzdgfqsAMNPWfZnyr6rRLbfqDtw$)
* CDPHE (Todd) attended the recent MS4 inspector training class, which allowed for great input during the class. Hope that the CDPHE will attend in the future.
	+ Discussed that silt fence used for other purposes on site will be called out as non-compliant.
	+ Curb inlet protection – CDPHE is open to not having protection in front opening for flooding concerns as long as there is other protection like curb socks and as long as construction isn’t going on in front of inlet. Need detail.
	+ Portalet anchored on hard surface. Ft. Collins site had a finding that said portalets are not allowed on hard surfaces. Todd clarified that they are allowed but that they cannot be in the flowline.
* Looking to have training in Jan/Feb for “slow season”. Realize it’s hard for construction industry to attend an 8 hr class. Can also watch the recorded CIP training on the website. Jen asked about thoughts of splitting into two 4 hr trainings since 8 hrs is a long time.
* Alan – need to take CDOT training to review/prepare CDOT SWMPs if it’s a CDOT project. If a CIP is using the CDOT template but it’s not a CDOT project, training is not required. However, training is useful in general. Link to training is below. (http://h2o.codot.gov/portal\_wap/home/login/index.aspx?echo=)
* Julianna offered to help with any training for construction in Spanish.
* October Construction Meeting
	+ Survey Results (#1 goal develop new training, CIP and MS4 Training continuation)
	+ Releasing remaining funds for post-construction committee
	+ Non-std permit changes training
	+ Budget Decisions

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

* Priority trainings include Permanent Stormwater Control Measure (PSCM) inspections during inspections and Plan review (formatted as training videos)
* Priority training videos include inspection and maintenance of PSCMs directed towards property owners and MS4 inspectors
* Committee working towards developing scope of work (script) for PSCM inspections during construction.  Also working on developing RFP for video development firms.
* Assist PCC in updating Post-Construction Plan for Non-Standards (aligns with current work plan).
* Develop guidance documents for PSCM base design standards (plan review).

EDUCATION & OUTREACH – Heather Otterstetter (Westminster)

* Radio campaigns continue
* Still looking into a campaign on the Western Slope. CPR has towers but doesn’t cover Durango. Trying to find another station.
* College Station in Durango – Ft. Lewis.
* Colorado Association of Code Enforcement – Alan did a presentation on behalf of CSC. All about IDDE. Alan will put on the website so we can all get credit for education and outreach.
* Include on CSC Public Education Campaign for 2021.
* Feb 9th, CSU Pueblo, Stormwater Regional Educational Seminar. CSC Presenting.

LEGISLATIVE – Pam Acre (City of Northglenn)

* No current proposed state legislation that impacts MS4 permits. We will keep watching, as anything may show up between now and May when the state session ends.
* Continue to follow WOTUS – EPA is now taking nominations for 10 ‘Roundtable’ groups (national) to help guide proposed language. Colorado Water Congress is looking to submit a few names for consideration.
* Internal review for new WOTUS rule at Federal level. Hoping to implement a definition that is “durable”.
* PFAS is becoming a hot topic for EPA – we’re watching this too. EPA just announced a comprehensive national strategy’ to address the pollutants. It’s big picture at this point, very little detail. Water plants and wastewater plants currently have required monitoring in CO. Oct 18 EPA announced national strategy to deal with PFAS. Light on detail due to regional differences in types of PFAS compounds being used. Adding as a hazardous compound under CERCLA to allow for cleanup under Superfund. Studying toxicity in newer generation of PFAS compared to original makeup used in Gore-Tex, etc. Likely will end up in MS4 permit in 10 years (two permit terms).
* Dennis Rodriquez - The CDPHE did reopen Broomfield's WWTP permit to include PFAS testing.
* Two webinars for PFAS, one yesterday and one on November 2. <https://www.eventbrite.com/e/webinar-pfas-strategic-roadmap-epas-commitments-to-action-2021-2024-registration-193150888507>

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

* MO meeting in November, meet every other month. Will go over Survey Monkey results.
* Still looking for a co-chair for next year
* Colorado Springs MS4 Permit Update. Overall nothing surprising. Still reviewing and CDPHE will have a public comment period and meeting in November. Possibly the 18th. Definitely week of the 15th.

|  |
| --- |
| E&O |
| No big changes Jerry Cordova runs a great program |
| We do need to have a program that is targeted more on Phosphorous and nitrogen reductions which was to be expected. Reach out to all owners of septic systems and provide education and outreach. |
| Illicit Discharge |
| Determine Priority OWTS with a higher potential to contribute to an ID.   |
| This requirement is based on our E.coli study in the Fountain Creek watershed. There is speculation that this might be a contributing factor to E.coli. |
| Dry weather outfall monitoring. Moved from sampling all 41 sites with flow of 5 gpm or more to observing the sites and trying to identify why some have higher pollutant loads than others. |
| Construction Program  |
| Program is bound to our consent decree (CD) and therefor some language is different than other permits.  |
| Our compliance inspections are equivalent to routines |
| Our follow-up inspections are equivalent to compliance |
| Our CD requires repairs in 3 days, CDPHE requires repairs in 7 days. |
| Post Construction |
| Numerous discrepancies could spend hours talking about the differences. We requested language be added for capital projects because we have so much urban renewal going on.  |
| We also requested options for alternative treatment standards. We have multiple areas across the city that were annexed from the county and have no stormwater infrastructure.  |
| This allows these sites to be developed with offsite treatment options |
| Industrial  |
| No real surprises. We requested that they add language specifying that we do not need to inspect facilities that discharge directly to state waters.  |
| Our current program is probably one of the most relaxed across the nation. We really only had to provide brochures to facilities of our choice. So this will be a heavy increase in tracking and inspections for us.  |
| Pollution Prevention/Good Housekeeping |
| No big surprises. We already had a robust program here and was one of the areas that was left untouched by the lawsuit.  |
| The biggest additions are language referring to nutrient source reductions with City phosphorous use in landscaping and Class B firefighting prohibitions |
| Dry weather Monitoring  |
| We had been sampling 37 locations and now it is going to have us target the 2 most polluted out of the top 8 outfalls of concern that we identified to try to trace E coli |
| Wet weather |
| We do not have a TMDL yet, as anticipated so at the moment we are focusing on our 17 years of monitoring data. |
| We have to focus on 9 in stream locations based on our 17 years of monitoring data |
| We requested the option to sample our sediment for pollutants of concern to reduce in stream monitoring and try to find a connection between a rise in pollutants during storm events. |
| We must do a trend analysis of all of our data from 2004-2024 - which is honestly long overdue.  |

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

* As of this time the Non-Standard permit becomes effective November 1, 2021. We will be working with PCC on a compliance template for the Non-Standard.
* Forrest just received annual report form and certification; however, the annual report form did not match the permit requirements. Email sent to CDPHE.
* Castle Pines has one IGA completed and one not. CDPHE said you can extend the agreement. Reach out to CDPHE and let them know an updated timeline.

PERMIT COMPLIANCE – Brian Hathaway (City of Greeley)

* PCC will be prioritizing compliance tools for non-standards ahead of the effective date for the modified NS permit. We hope to have a couple tool published on the website in the next 1-2 weeks.
* PCC will be compiling comments from membership related to the issuance of the Colorado Springs MS4 Permit into the CDPHE comment table and submit by December 15th. Comments due to Brian Hathaway by **December 1st.**
* PCC is trying to coordinate a time for representatives from Colorado Springs to share their CASFM presentation with CSC in 2022.
* Seeking 2022 Chair , Alex is moving to Florida.

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

* TRAC will potentially be disbanded for 2022. Work has been and will be continued through MHFD, Colorado Stormwater Center, other research groups, MO and Post-Construction Permittee. CSIC is most notably the biggest accomplishment for this committee.
* Juliana Archuleta will serve as the CSIC Coordinator under Admin.

MHFD UPDATE – Sara Degroot:

* Volume 3 Update, <https://mhfd.org/resources/criteria-manual/usdcm-vol-3-updates/>
* Nov 10 Q&A session
* Permeable pavement will available for comments soon.
* Sand Filter
* Sedimentation manufactured treatment devices will be released later.
* Monitoring Workgroup Update (Holly), goal is to build a common understanding of goals for monitoring including a program that produces actionable data. Started with Barr Milton requirements, looked at doing a study that shows that we are achieving Barr Milton requirements now or create a path that when we meet the requirements that we can prove this through monitoring and what do those requirements look like. Asked State if we can look at this on a regional level and remove the requirement if we can prove. State non-committal so far. Discussions ongoing. Some things that MS4s should be doing right now to show that they are meeting this and get credit (need data) include:
	+ street sweeping efficiency,
	+ SCMs/BMPs installed as retrofits and redevelopment projects to reduce phosphorus,
	+ fertilizer programs – State wants to see data, leaf programs data – how much material removed,
	+ mitigating septic issues,
	+ illicit discharges, and
	+ stream stabilization as a BMP.

Need data for all of these to evaluate at a regional level. For SCMs, have an attribute that labels each as retrofit, development, redevelopment. Committee for recommended attributes? Stormwater Portal – update attributes? Survey to membership?

* Leaf video - <https://www.youtube.com/watch?v=V1zUjKWSmx8>

AGENDA ADDITIONS FOR THE CSC GENERAL MEMBERSHIP MEETING:

* Looking Ahead: A CSC update will be provided via email on November 17th; Survey Monkey will be distributed in November update for 2022 officer positions and adoption of the 2 additional committees; December Meeting (Hybrid Potentially) if possible, will be at MHFD Board Room to discuss administrative business, reveal voting results/elect 2022 officers, and go over 2021 committee achievements & 2022 committee goals.
* Nominations for 2022 Officer Positions:
	+ Chair – Rebecca Wertz
	+ Vice Chair – Ashley Tucker
	+ Treasurer – Brian Hathaway
	+ Secretary – Heather Otterstetter
* Regulatory Language Regarding Drainage Plans for Residential Construction – Glenda DeBekker
* Bill Fieselman is looking for some professional publication articles concerning the use of MgCl on permeable pavements. If anyone can point me toward some good ones, please contact him. william.fieselman@gsa.gov
* Job Postings on CSC Website
* MS4-Stormwater Quarterly Meeting following today’s CSC meeting:

October 27, 2021, 11:30 am - 1 pm

<https://us06web.zoom.us/j/84990519055?pwd=Z3JxbVJxcXViSytNRTdGbVhlV3hnUT09>

# Adjourn

The meeting was adjourned at 11:24.