



**SP CURE Board Meeting**  
**Tuesday, February 21, 2023 – 9:00 am**

Meeting Location:  
Virtual Meeting

**February Meeting Summary**

---

**High Level Take-Aways**

- Diane Kielty joined the meeting to discuss the region's lack of a 208 Agency. The group discussed the need for funding and, although SP CURE is not the appropriate lead, the group agreed that identifying the right lead for this planning agency would be key if it were to restart.
- SP CURE submitted a Rebuttal Statement for the Reg 85/31 Lakes Nutrients Hearing supporting removal of MDLS from Regulation 85.
- SP CURE made a request to present to the WQCC. We have a meeting with the Division on March 1<sup>st</sup> to discuss.
- SP CURE gathered volunteers for planning this year's Confluence at the Confluence.

---

**Action Items**

- Erin to share email from Division with 208 Agency update.
- Sarah to ask about 208 Agency funding in fee bill meeting.
- Beth and Christine to attend meeting with Division on March 1<sup>st</sup>.
- The DSN Reg 85 data call is live. Let BC know if you need help uploading your data.

---

**1. Discussion and Approval of January Meeting Summary**

Julie Tinetti made a motion to approve the January meeting minutes. Jim Dorsch seconded the motion, which passed unanimously.

**2. 208 Agency – Review of outcomes from Division's Denver Region 208 Agency workshops and conversation with Diane Kielty**

Diane Kielty joined the SP CURE meeting to discuss a 208 Agency for our region. She represents two watershed groups (Upper Clear Creek Watershed Association [UCCWA] and Chatfield Watershed Authority). The watershed groups would benefit from a planning agency.

For example, UCCWA has no planning agency, no plan, and defers to CDPHE, who doesn't have the capacity to put together a plan. UCCWA is going to prepare a new management plan that will tackle items such as preparing for a wildfire. They need to plan and coordinate with their counties. Chatfield's plan is from 2015, and they will need to update it at some point.

Erin Donnelly provided an update on SP CURE's past involvement with coordinating conversations around a Denver Area 208 Planning Agency. SP CURE worked through a WQCD mini-grant to develop a contact list for the Division's 208 Agency discussions and to prepare attendees for the stakeholder meetings (provide background information and have stakeholders share desired outcomes). Following SP CURE's involvement, the state held two

stakeholder meetings and shared the minutes from those with us. They intended to follow up on these meetings, but have been resource limited, and the effort has paused. Erin will share the email from the WQCD with this update.

The WQCD would really like a group to step forward to be the 208 Planning Agency for the Denver Area. However, funding available is not adequate. Julie Tinetti suggested that we bring up 208 agency funding in the fee bill meeting on Thursday, February 23. Julie has seen Nicole Rowan's presentation already, and this was not included in the budget. Sarah Reeves will inquire about funding for a 208 plan in the state's fee bill during the fee bill presentation.

The region needs someone to take the lead on a new plan. A few years ago, the WQCD believed they could help come up with the funds but need someone else to help lead the effort to develop a new plan for the Denver Area.

The group discussed who might be a good group to lead the development of a plan for the Denver Region. Diane suggested it might be the Water Quality Forum, Wastewater Utility Council, or other? Meeting attendees brainstormed options.

- We need management from across the metro area to get together. One entity/person with knowledge of what a 208 agency does should coordinate with the stakeholders. This could be the WQCD, but they are not doing it.
- Develop a group of stakeholders and lead the effort. Then, create a non-profit to run with it.
- This region is very diverse in their needs. Upper Clear Creek has mining and wildfire issues, all the way down to where Metro is with challenges in wastewater and urban runoff. Other 208 agencies have a more streamlined focus. May need to blend planning and management agencies due to the diversity.
- Colorado Wastewater Utility Council is a statewide group that could be better suited to address engineering.

Jim Dorsch mentioned that SP CURE is a scientific organization, and we study water quality. We do not have capacity for engineering and policy. We do not fit what is needed to be a 208 Planning Agency or even to lead the development of a Plan. We need people who understand 208 agencies to be involved. There are few of us that understand it, have knowledge of it, or have been involved in it.

### **3. Regulation 31 – Updates and comments on rebuttals**

Meeting attendees discussed updates and comments on this regulatory proceeding. Dan DeLaughter provided an update on a few issues. The WQCD proposed the addition of MDLs in Regulation 85. Many permit holders could have a problem meeting these required MDLs because of newer EPA method requirements about how MDLs are determined. SP CURE, among others, participated with the WQCD on a call to further discuss this issue and the reasoning behind our comments. Boulder, South Platte Renew, and SP CURE supported the request to remove MDLs from Regulation 85 and reference meeting PQLs. Aimee Konowal said they are planning to remove it, and it appears to be changed in the rebuttal.

South Platte Renew also raised issue with implementation timing of total nitrogen limits. The proposed changes would have allowed the WQCD to apply nitrogen standards prior to 2027. The WQCD realized their error and said didn't intend this change. The EPA pushed back on maintaining the proposed timeline in their rebuttal statement.

Caleb provided an update on the water rights issue. There was a settlement meeting with the WQCD AG regarding ACWWA and ECCV proposed language for the rule. The WQCD is not on board with including the language, but they are possibly going to add it to the Statement of

Basis and Purpose. Centennial was also interested in this issue but was not invited to the conversation.

#### **4. Partnership opportunities – Coordinate on WQCC presentation request**

SP CURE made a request to the Jojo La to present at an upcoming WQCC meeting. We requested an informational briefing timeslot on a future meeting agenda. SP CURE would like to introduce themselves and present on a water quality case study in the South Platte Basin. Currently, the group is looking at arsenic water quality data.

Beth has a half-hour call scheduled with Jojo La, Nathan Moore, and Aimee Konowal on March 1<sup>st</sup> at 3pm. Christine Johnston volunteered to join the call. In the call, we will discuss what SP CURE's goals are, explore our partnership opportunities with the WQCC, and understand what type of update the WQCC would like to hear. Participants will go into the meeting open minded. Arsenic is a thought, but if the WQCC would like to hear something else about the urban corridor, we are willing to be flexible and adjust.

#### **5. Confluence at the Confluence – Identify planning volunteers**

Beth is a planning volunteer and is looking for additional volunteers to help. Caleb, Curt, Jim, and Brian volunteered to help plan this year's event. Dan will help with logistics again (room at Englewood).

Jim mentioned that Metro now has a sponsorship fund, so they may be able to contribute more to the event this year.

#### **6. DSN Data Call – Assistance with Reg 85 data upload**

The Regulation 85 data call is live, and data needs to be uploaded by April 1<sup>st</sup>. If anyone needs help finalizing and uploading data, please let Brown and Caldwell know.

<http://www.coloradowaterdata.org/reg85datacallcdsn.html>

#### **7. Taxes – Update on filing**

Brown and Caldwell was going to file taxes on behalf of SP CURE. BC applied for an EFIN and has not been able to receive this to file electronically. If any fees are incurred, BC will pay them. SP CURE's taxes are due February 15<sup>th</sup>. Brown and Caldwell is looking at alternatives such as hiring an outside firm to help with taxes.

#### **8. Discuss Project Updates**

- a. **Colorado Monitoring Framework** – All-member meeting Feb 23 from 10:30-2:30 at Brown and Caldwell. There will be presentations and discussion on nutrients, PFAS, and CMF's communications plan. Will pause for an hour to listen in on WQCD fee bill meeting from 1-2pm. There will be lunch!
- b. **CWQMC/CDSN** – No Update.
- c. **BMW Watershed** – There is going to be a sampling of fish for PFAS in Barr Lake this year.
- d. **Monitoring Committee** – The committee is working on wrapping up round robin results and is getting started on updating SP CURE's white paper. The committee will be at the joint meeting next month.

#### **9. Budget Update**

The budget is up to date.

## **10. Other Topics and Announcements**

Christine Johnston saw Jim Dorsch and Jordan Parman on TV! The TV segment highlighted a national award received for their river habitat improvements. Jim shared that they were pleased with this award and the video because it gave them the opportunity to show that Metro really does care about the South Platte River. SP CURE will view the video in the next meeting.

## **11. Next Meeting Dates**

March 21, 2023 – Virtual – Joint Meeting with Monitoring Committee

April 18, 2023 – Virtual

May 18, 2023 - Virtual

**SP CURE Board Meeting: February 21, 2023**  
**Attendance Record**

<b>Present</b>	<b>Name</b>	<b>Organization</b>
	Juliana Archuleta	Adams County
	Sherry Scaggiari	Aurora Water
	Zachary Trabold	Aurora Water
X*	Julie Tinetti	Centennial W&S
	Alan Polonsky	City and County of Denver
	Jon Novick	City and County of Denver
	Michael Probasco	East Cherry Creek Valley W&S
X*	Sara Brewer	East Cherry Creek Valley W&S
X*	Curt Bauers	FRICO
X*	Brian Tracy	City of Golden
X*	Jim Dorsch	Metro District
	Jordan Parman	Metro District
	Mark Koch	Molson/Coors
	Mark Cubbon	South Adams County W&S
X*	Gary Smith	South Adams County W&S
X*	Dan DeLaughter	South Platte Renew
	Nicole Laurita	South Platte Renew
X*	Eric Marler	Suncor Energy (U.S.A.)
X*	Caleb Owen	Thornton
	Shay Shih	Thornton
	Steve Materkowski	UDFCD
X*	Christine Johnston	Xcel Energy
X*	Sarah Reeves	Coordinator, Brown and Caldwell
X*	Beth Albrecht	Brown and Caldwell
X*	Erin Donnelly	Brown and Caldwell
X*	Diane Kielty	Colorado Watershed Assembly

\*Joined virtually/by phone