



Notice of Regular Meeting
Cherry Creek Basin Water Quality Authority
Board of Directors Meeting
Thursday, January 18, 2024 at 9:00 a.m.

The meeting will be conducted in-person and virtually as set forth below.
In-person attendance is encouraged due to audio limitations in the meeting room.

In-Person: SEMSWA
7437 S. Fairplay St.
Centennial, CO 80112

Virtual: Zoom
<https://us06web.zoom.us/j/87425775963> Passcode: CCBWQA
Phone (646)931-3860 Mtg ID 874 2577 5963# Passcode: #815374

CCBWQA Board of Directors Meeting Documents can be found online at the link below.

https://drive.google.com/drive/folders/1KqGcDC9eS_gMEdSiXPPPBGefAHTib7pf?usp=share_link

1. Call to Order and Pledge of Allegiance
2. Oaths of Office and Introductions (5 minutes)
 - a. Governor's Appointees (enclosed)
 - i. Aditi Bhaskar
 - ii. John Woodling
 - iii. Tom Downing
 - b. City of Centennial
 - i. Mike Sutherland: Board Member
 - ii. Stephanie Piko: Alternate
3. Consent Agenda (5 minutes)

(Items on the consent agenda can be approved with a single motion or, items can be requested to be moved from the consent agenda and moved to the "discussion" or "direction and/or action" section.)

 - a. Approval of the November 16, 2023 Minutes (enclosed)
 - b. Acceptance of the Schedule of Cash Position Dated January, 2024 (enclosed)
 - c. Acceptance of the Paid Claims for November and December, 2023 (enclosed)
 - d. Approval of Unpaid Claims as of December, 2023 and January, 2024 (enclosed)
 - e. Adoption of Resolution 2024-1-1, Open Meetings Law and Notice for Postings (enclosed)
 - f. Adoption of Resolution 2024-1-2, Official Custodian of Records and Responding to Open Records Requests (enclosed)
4. Direction and/or Action (20 minutes)
 - a. Reappointment of 2024 Chair, Vice Chair, Secretary/Treasurer, and Assistant Secretary
 - b. Confirmation of Executive Committee Members
 - c. Confirmation of Board Appointees to the TAC for 2024 (enclosed)
 - d. Recommendation Regarding Recognition of Bhaman Hatami, Board Service (September 2019-December 2023)
 - e. Approval of Recommended Pollution Abatement Project Manager (enclosed)
5. Discussion (45 minutes)
 - a. WY 2023 Monitoring Report (Draft, Stewart, enclosed)*
6. Presentations (presentation and discussion in item 5.)
7. Board Member Items (As Needed)
8. Updates (10 minutes)
 - a. Technical Manager
 - i. Draft 2024 Timeline (enclosed)
 - ii. Modeling Efforts Update
 - iii. Regulation 72 Update (hearing documents accessible here: https://drive.google.com/drive/u/0/folders/1CH5cOj9ym7Qr_cXi6n4uylyUZtfKs6gl)
 - iv. Letter of Support for USACE Special Project (enclosed)
 - v. New Member Orientation
 - vi. Cherry Creek State Park Stickers (enclosed) and Water Quality Brochure Update
 - b. Cherry Creek Stewardship Partners (Davenhill)

- i. [Upcoming Events](#)
 - c. TAC (Knerr)
 - d. Contract Staff (As Needed)
 - i. PAPM
 - a. CIP Status Report and 2024 Next Steps (Clary/Borchardt, enclosed)
 - b. Maintenance and Operations Status Report (Goncalves)
 - ii. [Water Quality Update](#) (Stewart)
 - iii. Regulatory (DiToro)
 - iv. [Land Use Referral Tracking](#) (Endyk)
 - e. Legal
 - i. Mill Levy and 2024 Budget Update (enclosed)*
 - f. Other
- 9. Adjournment

[Board Binder](#) and [2024 Timeline](#)

*Supplemental Packet Enclosure

7 Members
4 Year Terms

**CHERRY CREEK BASIN WATER QUALITY
AUTHORITY
NS0060**

	<u>APPOINTED</u>	<u>EXPIRES</u>
John A. McCarty, Denver (R) 3rd term rep. sportspersons or recreational organizations with members who use the reservoir, reappt.	12-28-21	08-01-25
Christopher Lewis, Denver (D) 3rd term rep. sportspersons or recreational organizations with members who use the reservoir, reappt.	12-28-21	08-01-25
Margaret Medellin, Denver (U) 1st term rep. background in or professional training regarding water quality issues, repl. Vajda, appt.	12-28-21	08-01-25
William P. Ruzzo, Lakewood (U) 2nd term rep. background in or professional training regarding water quality issues, reappt	07-18-22	08-01-26
Aditi Bhaskar, Boulder (D) 1st term rep. background in or professional training regarding water quality issues, appt.	12-22-23	08-01-27
Thomas M. Downing, Denver (D) 3rd term rep. citizen or environmental organizations interested in preserving water quality with members who use the reservoir or live within Cherry Creek Basin, reappt.	12-22-23	08-01-27
John Woodling, PhD, Denver (D) 4th term rep. sportspersons or recreational organizations with members who use the reservoir, reappt.	12-22-23	08-01-27

[C.R.S. 25-8.5-105](#)

UPDATED 12-22-23

Val Endyk
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Cherry Creek Basin Water Quality Authority
Minutes of the Board of Directors
Thursday, November 16, 2023 at 9:00 a.m.

Board Members Present

Bahman Hatami, Governor's Appointee (zoom)
Bill Ruzzo, Assistant Secretary, Governor's Appointee
Christopher Lewis, Vice Chair, Governor's Appointee
Jessica LaPierre, City of Aurora - Alternate
John McCarty, Secretary/Treasurer, Governor's Appointee
John Woodling, Governor's Appointee
Joshua Rivero, Chair, Town of Parker
Luis Tovar, Special District Representative
Margaret Medellin, Governor's Appointee (zoom)
Max Brooks, Town of Castle Rock
Mike Anderson, City of Lone Tree
Mike Sutherland, City of Centennial - Alternate
Rebecca Tejada - Special Districts, Parker Water and Sanitation District - Alternate
Ryan Adrian, Douglas County - Alternate (zoom)
Tom Downing, Governor's Appointee
Tom Stahl, City of Greenwood Village

TAC Members Present

Andy Kuster, SEMSWA (zoom)
Ashley Byerley, SEMSWA (zoom)
Casey Davenhill, Board Appointee, Cherry Creek Stewardship Partners (zoom)
Cayla Cappello, City of Greenwood Village
Diana Rashash, Board Appointee, Arapahoe County Public Health
Jacob James, City of Lone Tree (zoom)
Jon Erickson, TAC Chair, Board Appointee, Colorado Parks and Wildlife (zoom)
Lisa Knerr, TAC Vice Chair, Arapahoe County (zoom)
Michelle Seubert, Board Appointee, Cherry Creek State Park (zoom)
Rick Goncalves, Board Appointee

Others Present

Alan Leak, RESPEC
Andrew Neuhart, Brown and Caldwell (zoom)
Dana Reza, CLA (zoom)
Erin Stewart, LRE Water
Jane Clary, Wright Water Engineers, CCBWQA Technical Manager
Jessica DiToro, LRE Water
Laura Kindt, Castle Rock Water
Michael Smith, Brownstein Hyatt Farber Schreck
Nichole Kirkpatrick, CLA
Richard Borchardt, R2R Engineers
Tim Flynn, Collins Cole Flynn Winn & Ulmer, PLLC

1. Call to Order and Pledge of Allegiance

Director Rivero called the meeting to order at 9:00 am and led the pledge of allegiance.

2. Consent Agenda

- a. **Approval of the October 19, 2023 Minutes**
- b. **Acceptance of the Schedule of Cash Position Dated November, 2023**
- c. **Acceptance of the Paid Claims for October, 2023**
- d. **Approval of Unpaid Claims as of November, 2023**
- e. **Approval of 2023 Agreement Amendments/Extensions**
 - i. **Wright Water - BMP Effectiveness Study**
 - ii. **Wright Water - Lone Tree, Windmill, and Cottonwood Creeks Study in CCSP**
 - iii. **RESPEC - East Shade Shelters and Tower Loop**
 - iv. **Muller - Cherry Creek from Reservoir to Lake View Drive Alternatives Analysis**
- f. **Approval of 2024 Agreements**
 - i. **CLA**
 - ii. **Collins Cole Flynn Winn & Ulmer Engagement Letter**
 - iii. **Hydros**
 - iv. **LRE Water**
 - v. **R2R As Needed Transition**
 - vi. **RESPEC**
 - vii. **RG and Associates**
 - viii. **Wright Water**

Legal counsel for the Authority provided a summary of the agreements listed in the consent agenda and of the Executive Committee and Technical Manager’s review process followed prior to submission to the Board. Revised copies of the CCFWU Engagement Letter and R2R As Needed Transition Agreement were included in the Supplemental Packet.

Legal counsel will make minor changes to agreements if necessary.

Director Brooks moved to approve the consent agenda. Seconded by Director McCarty. The motion carried.

3. Direction and/or Action

a. Public Hearing - 2024 Budget

Director Rivero opened the public hearing at 9:03 am. No public comments were made.

Director Rivero closed the public hearing at 9:03 am.

i. Resolution 2023-11-01 Approving Fees for 2024

Legal counsel provided an explanation of why there has been no land disturbance fee for the last few years and the fees for 2024 which are not changing.

Director McCarty moved to adopt Resolution 2023-11-01 approving fees for 2024. Seconded by Director Anderson. The motion carried.

ii. Resolution 2023-11-02 Adopting the 2024 Budget

Jane Clary provided the Board with the [2024 budget](#). Jane noted the changes to the 2024 draft budget since the latest draft was presented to the TAC and Board.

Discussion included the minor changes to the current version. The Authority’s general counsel noted that the preliminary assessed valuation is an estimate and will change based upon the final assessed valuations which the Authority may not receive until late December 2023 or early January 2024. Accordingly, the budget resolutions allow the executive

committee or other authorized officers to make changes to the mill levy and property tax revenues as necessary based upon the final assessed valuations and to reduce expenditures if necessary.

Director Anderson moved to adopt Resolution 2023-11-02 adopting the 2024 budget subject to modification as noted above. Seconded by Director Brooks. The motion carried.

iii. Resolution 2023-11-03 Authorizing Appropriation

Director McCarty moved to adopt Resolution 2023-11-03 appropriating the funds contemplated for expenditure in 2024 subject to modification as noted above. Seconded by Director Anderson. The motion carried.

iv. Resolution 2023-11-04 Setting the Mill Levy

Elected Municipal and County Board members vote with majority present:

Director Sutherland moved to adopt Resolution 2023-11-04 setting the mill levy subject to modification as noted above. Seconded by Director Anderson. The motion carried.

The whole Board with the majority present then voted to set the mill levy as approved by the municipal and county officers, subject to modification as noted above. The motion carried.

b. Authorization for Executive Committee to Approve Payment on End-of-Year Invoices

Jane Clary provided the Board with a [memo](#) detailing the need for the Executive Committee to approve payment of invoices that are within the Authority's authorized 2023 budget through December 31, 2023 due to the December Board meeting being canceled.

Director McCarty moved to authorize the Executive Committee to approve payment of invoices received through December 31, 2023, provided that the invoices are normal and customary and provided for in the 2023 budget. Seconded by Director Tovar. The motion carried.

c. PWSD Presentation on Regulation 72 Dewatering Proposal and Recommendation

Parker Water and Sanitation District provided the Board with a copy of the revised [proposal](#) submitted to the Water Quality Control Commission for consideration of the adoption of revisions to the Cherry Creek Reservoir Control Regulation 72. Revisions proposed by PWSD, along with the proposed Statement of Basis, Specific Statutory Authority and Purpose are attached as an exhibit to the notice. Michael Smith, Brownstein Hyatt Farber Schreck, and Rebecca Tejada, PWSD, [presented](#) to the Board and provided three examples of construction dewatering phosphorus loading analysis in response to questions raised at prior CCBWQA meetings.

Jane Clary provided the Board with an [Action Item Memo](#) which summarized possible positions/actions that could be taken by the CCBWQA regarding PWSD's proposal. Jane noted that PWSD's analysis and revised proposal were responsive to questions that had been posed by CCBWQA in previous meetings.

Director Ruzzo moved that the Board authorize the Technical Manager to file for Party Status for CCBWQA in the Regulation 72 rulemaking hearing by December 5, 2023. Additionally, Director Ruzzo recommended that CCBWQA authorize the Technical Manager to prepare and file a brief Responsive Prehearing Statement by December 19, 2023, stating that CCBWQA does not oppose PWSD's proposal in the Regulation 72 dewatering rulemaking hearing based on the technical merits of the proposal discussed at the November 2023 TAC and Board meetings, including required protections to water quality including practice-based effluent limits added to the proposal during the stakeholder process. Seconded by Director Downing. Director Lewis, Director Woodling, and Director Sutherland opposed. The motion carried.

d. Letter of Support for CU Boulder Landscape Conversion Research Project

Jane Clary provided the Board with a [memo](#) detailing a request for the Authority's support for a proposed study on the water quality benefits of turf conversion to various types of low-water landscapes. Dr. Aditi Bhaskar with the University of Colorado Boulder will be submitting a proposal to the Colorado Water Conservation Board for a study to help address this topic and has requested a letter of support from the CCBWQA.

A [template letter](#) and a [one page overview](#) were also provided to the Board for consideration.

Director McCarty moved to authorize the Technical Manager to prepare a letter of support from CCBWQA expressing support for Dr. Aditi Bhaskar’s proposed study. Additionally, Director McCarty moved to authorize the Technical Manager to serve on the study’s Advisory Panel on behalf of the CCBWQA. Seconded by Director Downing. The motion carried.

4. Discussion

a. 2024 to 2033 Capital Improvement Program and [Accompanying Spreadsheet](#)

Rich Borchardt provided the Board with the [2024-2033 CIP](#) and noted revisions since the October Board meeting.

b. 2023 Annual PRF/PAP Observation and Maintenance Report

Rick Goncalves provided the Board with a report on the [2023 Annual Inspection of Pollution Reduction Facilities \(PRFs\) at Cherry Creek State Park](#). The purpose of the annual field observation is to assess whether the PRFs are functioning as designed and to identify routine restorative and rehabilitative maintenance requirements. Rick explained that restorative and rehabilitative maintenance is the responsibility of CCBWQA, and routine maintenance is the responsibility of CCSP. Further information including general assessments from the field observation report, photos, and a summary of O&M costs are included in the report.

Conclusions from the report:

- All the In-Park PRFs appear to be performing their functions well, with the possible exception of the 12-mile Park projects.
- The field observation general assessments include thoughts on maintenance, monitoring, and planning efforts for future capital projects.
- The summary of the maintenance work identified for consideration and budget estimates is shown in Appendix A of the report. The operations and maintenance costs developed from the 2023 Annual Field Inspection are \$143,296 for Restorative and Rehabilitation work, and \$12,500 for weed control.
- Concerns and issues that were located outside the limits of the original PRF or require additional analysis and study beyond the engineering already done on the original PRF were suggested as planning efforts. These planning efforts should include the identification of the capital project, the priority, identification of the water quality benefits, and estimated costs. The identified planning efforts are detailed in the report.

c. WY 2023 Monitoring Report Considerations and Schedule

Erin Stewart provided the Board with a [memo](#) identifying factors outside of the control of the CCBWQA that will impact the availability of some information that is used in the annual monitoring report. The flooding impacted the collection of flow information used for water balance calculations and storage information provided by the USACE will not be available till late January 2024. The data used in the evaluation of plankton dynamics will also not be available for a few months. The lack of this information will delay the completion of certain portions of the draft WY 2023 Monitoring Report. However, the Reg 72 reporting requirements will still be able to be completed on schedule and will be included in a draft report by the end of 2023. An amended report with the additional information will be provided as soon as it is available, estimated April 2024.

Monitoring in El Paso County for 2024 will be added to the January Board meeting for further discussion.

5. Presentations

No presentations

6. Board Member Items

7. Updates (10 minutes)

a. Technical Manager

i. Regulation 38 Site Specific Standards Letter to CDPHE and Updated Hydros Technical Memorandum

Jane Clary provided the Board with the [letter](#) to the WQCC stating that the Authority may propose site-specific total phosphorus and total nitrogen standards for Cherry Creek Reservoir at the June 2025 Regulation 38 Rulemaking Hearing with a delayed effective date after 12/31/2027.

Jane also provided the updated Hydros [memo](#) to the Board, providing the most up-to-date version of Hydros' analysis.

b. Cherry Creek Stewardship Partners (Davenhill)

- i. [Upcoming Events](#)
- ii. [October Report](#)
- iii. [November Report](#)

USACE Dam Safety event scheduled for May 2024.

Prairie Canyon Ranch award and planned tour in June of 2024.

An education center is being built at the swim beach at Cherry Creek State Park.

c. TAC (Erickson)

Jon Erickson updated the Board on USACE's [presentation](#) at the November TAC meeting.

d. Contract Staff

i. PAPM

a. [CIP Status Report](#) (Borchardt, enclosed)

CPW is working on the repair of LakeView Drive.

b. Maintenance and Operations Status Report (Goncalves)

ii. [Water Quality Update](#) (Stewart)

Cherry Creek Reservoir did not meet the chl-a standard for 2023 with a seasonal average of 20.9 ug/L.

iii. Regulatory (DiToro)

Regulatory items were discussed above.

iv. Land Use Referrals - [2023 Tracking](#) (Endyk)

e. Legal

i. TCW Risk Management Fee Increase

Legal counsel for the Authority provided an update on an increase of \$100 to annual fees for TCW Risk Management

ii. Proposition HH Update

Legal counsel provided an update that Proposition HH, which could have affected the Authority's revenues, did not pass and noted that the General Assembly is considering legislation that will provide property tax relief similar to HH that would delay the delivery of the Authority's final assessed valuation until early January 2024.

f. Other

i. No December Board Meeting

ii. New Member Orientation

New Member Orientation will be scheduled after a Board meeting in 2024.

8. Adjournment

There being no further business to come before the Board, Director Rivero adjourned the meeting at 11:38 am.

[Board Binder](#)

**Cherry Creek Basin Water Quality Authority
Schedule of Cash Position
December 31, 2023
as of January 12, 2024**

	General Fund	Pollution Abatement Fund	Enterprise Fund	Total
<u>1st Bank - Checking Account</u>				
Balance as of 12/31/23	\$ 27,299.64	\$ 27,240.15	\$ 5,671.85	\$ 60,211.64
Subsequent activities:				
01/02/24 Insurance payment CSD P&L	(121.00)	-	-	(121.00)
01/04/24 Insurance payment CSD P&L	(5,396.00)	-	-	(5,396.00)
01/05/24 VISA Charges	(520.08)	-	-	(520.08)
01/09/24 Bill.com Payment (Hydros)	-	(13,760.10)	-	(13,760.10)
<i>Anticipated Activities</i>				
<i>Transfer from ColoTrust for bills</i>	90,000.00	70,000.00	8,000.00	168,000.00
<i>Bill.com open claims</i>	(81,768.30)	(58,375.55)	(7,774.25)	(147,918.10)
<i>Anticipated balance</i>	<u>\$ 29,494.26</u>	<u>\$ 25,104.50</u>	<u>\$ 5,897.60</u>	<u>\$ 60,496.36</u>
<u>ColoTrust General - (8001)</u>				
Balance as of 12/31/23	\$ 1,229,189.17	\$ 1,594,762.32	\$ 1,561,715.89	\$ 4,385,667.38
Subsequent activities:				
01/09/24 Deposits Dev Checks	-	-	642.00	642.00
01/10/24 Ptax Arapahoe Cty (Dec)	5,179.31	-	-	5,179.31
01/10/24 Ptax Douglas Cty (Dec)	9,793.37	-	-	9,793.37
<i>Anticipated Activities</i>				
<i>Development fees deposits to date</i>	-	-	23,633.17	23,633.17
<i>Monthly Transfer for AP</i>	(90,000.00)	(70,000.00)	(8,000.00)	(168,000.00)
<i>Anticipated balance</i>	<u>\$ 1,244,161.85</u>	<u>\$ 1,594,762.32</u>	<u>\$ 1,585,991.06</u>	<u>\$ 4,424,915.23</u>
<u>ColoTrust Pollution Abatement - (8002)</u>				
Balance as of 12/31/23	\$ -	\$ 57,306.89	\$ -	\$ 57,306.89
<i>Anticipated balance</i>	<u>\$ -</u>	<u>\$ 57,306.89</u>	<u>\$ -</u>	<u>\$ 57,306.89</u>
<u>CSAFE - Savings Account</u>				
Balance as of 12/31/23	\$ 859,161.30	\$ 42,246.04	\$ 422,193.32	\$ 1,323,600.66
<i>Anticipated balance</i>	<u>\$ 859,161.30</u>	<u>\$ 42,246.04</u>	<u>\$ 422,193.32</u>	<u>\$ 1,323,600.66</u>
<i>Total funds available as of date above</i>	<u><u>\$ 2,132,817.41</u></u>	<u><u>\$ 1,719,419.75</u></u>	<u><u>\$ 2,014,081.98</u></u>	<u><u>\$ 5,866,319.14</u></u>

Effective monthly yield (as of 12/31/2023)

1st Bank - 0.100%* if Balance >\$20,000
ColoTrust Plus - 5.5660%
CSAFE - 5.49%

Cherry Creek Basin Water Quality Authority
Paid Claims November 10, 2023 through December 14, 2023

Process Date	Vendor	Invoice Number	Payment Reference	Amount
11/21/2023	Davis Graham & Stubbs LLP	857190	P23112001 - 3664205	\$ 250.00
11/21/2023	Hydros Consulting Inc.	547-008	P23112001 - 3664207	14,938.50
11/21/2023	L & M Enterprises, Inc.	Multiple	P23112001 - 3664171	91,498.00
11/21/2023	LRE Water	24539	P23112001 - 3664195	31,115.59
11/21/2023	Muller Engineering Company	Multiple	P23112001 - 3664190	13,317.01
11/21/2023	Pinpoint Systems Inc.	10118	P23112001 - 3664211	405.00
11/21/2023	R2R Engineers, Inc.	2023-10	P23112001 - 3664213	18,570.85
11/21/2023	RESPEC	Multiple	P23112001 - 3664180	2,935.00
11/21/2023	RG and Associates LLC	153536	P23112001 - 3664217	6,120.00
11/21/2023	Southeast Metro Stormwater Authority	45224	P23112001 - 3664198	63,000.00
11/21/2023	TCW Risk Management	13399	P23112001 - 3664193	875.00
11/21/2023	Urban Drainage and Flood Control District	INV02980	P23112001 - 3664220	300,000.00
11/21/2023	Valerie Endyk	22	P23112001 - 3664203	4,500.00
11/21/2023	Wright Water Engineers, Inc.	Multiple	P23112001 - 3664185	20,594.00
			Subtotal	\$ 568,118.95
Other Payments				
11/17/2023	USPS		Visa	124.00
11/27/2023	Verizon		ACH	51.58
11/27/2023	XCEL Energy		ACH	935.34
12/4/2023	Get Streamline.com Website		Visa	200.00
12/5/2023	Microsoft MSBILL		Visa	155.63
12/7/2023	NALMS/CLRMA		Visa	85.00
			Subtotal	\$ 1,375.97
			Total Payments	\$ 569,494.92

Cherry Creek Basin Water Quality Authority
Paid Claims December 15, 2023 through January 18, 2024

Process Date	Vendor	Invoice Number	Payment Reference	Amount
12/22/2023	CliftonLarsonAllen LLP	3984699	P23122201 - 0819479	\$ 2,954.47
12/22/2023	CliftonLarsonAllen LLP	3984700	P23122201 - 0819458	6,663.39
12/22/2023	Collins Cole Flynn Winn & Ulmer, PLLC	Multiple	P23122201 - 0819444	36,710.34
12/22/2023	Davis Graham & Stubbs LLP	858950	P23122201 - 0819487	312.50
12/22/2023	Foster Dirt & Construction LLC	1155	P23122201 - 0819454	14,320.00
12/22/2023	Hydros Consulting Inc.	547-009	P23122201 - 0819492	527.80
12/22/2023	LRE Water	24741	P23122201 - 0819482	39,643.37
12/22/2023	Mile High Flood District	INV02997	P23122201 - 0819508	409,000.00
12/22/2023	Muller Engineering Company	0037621	P23122201 - 0819475	9,416.21
12/22/2023	Pinpoint Systems Inc.	10135	P23122201 - 0819496	210.00
12/22/2023	R2R Engineers, Inc.	2023-11	P23122201 - 0819500	13,714.47
12/22/2023	RESPEC	INV-1023-1197	P23122201 - 0819464	330.00
12/22/2023	RG and Associates LLC	153598	P23122201 - 0819504	6,360.00
12/22/2023	Southeast Metro Stormwater Authority	2023	P23122201 - 0819471	540,000.00
12/22/2023	Valerie Endyk	23	P23122201 - 0819484	4,612.50
12/22/2023	Wright Water Engineers, Inc.	Multiple	P23122201 - 0819449	15,358.75
1/9/2024	Hydros Consulting Inc.	547-007	P24010601 - 3500814	13,760.10
			Subtotal	\$ 1,113,893.90
Other Payments				
12/26/2023	XCEL Energy	855525292	ACH	554.76
12/27/2023	Verizon		ACH	51.58
12/27/2023	Google		Visa	19.99
1/2/2024	Adobe Acrobat Pro Subscription		Visa	248.88
1/2/2024	CSD P&L	24648	Visa	121.00
1/3/2024	Streamline.com		Visa	249.00
1/4/2024	CSD P&L	24PL-54669-2219	Visa	5,396.00
1/5/2024	Alpine Trophies		Visa	22.20
			Subtotal	\$ 6,663.41
			Total Payments	\$ 1,120,557.31

Cherry Creek Basin Water Quality Authority
PAID as of 1/18/24 (Unpaid Claims as of 12/14/23)

Invoice date	Invoice	Vendor*	Fund	Chart of account	Invoice amount
10/31/2023	3984700	CliftonLarsonAllen LLP	10	7000 - Accounting	\$ 6,663.39
11/22/2023	3984699	CliftonLarsonAllen LLP	10	7000 - Accounting	2,954.47
10/31/2023	4711	Collins Cole Flynn Winn & Ulmer, PLLC	10	7460 - Legal	11,373.92
11/30/2023	4850	Collins Cole Flynn Winn & Ulmer, PLLC	10	7460 - Legal	25,336.42
11/30/2023	858950	Davis Graham & Stubbs LLP	10	7050 - WQCC Regulation Hearings	312.50
10/8/2023	1155	Foster Dirt & Construction LLC	11	7510 - RDS Rehabilitation	14,320.00
11/30/2023	547-009	Hydros Consulting Inc.	11	7440 - Management/Administration	527.80
11/25/2023	24741	LRE Water	10	Various Budget Codes Gen Fund	38,209.87
11/25/2023	24741	LRE Water	11	7817 - Wetlands Harvesting	1,433.50
12/11/2023	INV02997	Mile High Flood District	11	7764 - SR - CC Scott Road	409,000.00
11/20/2023	37621	Muller Engineering Company	11	7762 - SR - Reservoir to LV Road	9,416.21
11/30/2023	10135	Pinpoint Systems Inc.	10	7480 - Miscellaneous	210.00
11/30/2023	2023-11	R2R Engineers, Inc.	10	7440 - Management/Administration	7,215.00
11/30/2023	2023-11	R2R Engineers, Inc.	11	7440 - Management/Administration	6,499.47
10/31/2023	INV-1023-1197	RESPEC	11	7511 - RSS East Shade Shelter	330.00
11/30/2023	153598	RG and Associates LLC	10	Various Budget Codes Gen Fund	3,960.00
11/30/2023	153598	RG and Associates LLC	11	7812 - PRF Repairs and Maintenance	2,400.00
11/15/2023	2023	Southeast Metro Stormwater Authority	11	7780 - SR - Dove Creek - Pond D1 to Otero (Phase 2)	540,000.00
11/25/2023	23	Valerie Endyk	10	7201 - Administration fees	4,612.50
11/30/2023	NOV	Verizon (Estimate)	10	7480 - Miscellaneous	51.58
10/31/2023	68186	Wright Water Engineers, Inc.	40	7677 - CCBWQA Planning	3,924.25
11/30/2023	68406	Wright Water Engineers, Inc.	10	7440 - Management/Administration	462.00
11/30/2023	68406	Wright Water Engineers, Inc.	11	7440 - Management/Administration	10,972.50
11/30/2023	855525292	Xcel Energy	11	7818 - Utilities - Reservoir Destratification	554.76
9/30/2023	547-007	Hydros Consulting Inc.	11	7440 - Management/Administration	13,760.10
9/19/2023	24648	Colorado Special District Porperty & Liability Pool	10	7360 - Insurance	121.00
10/12/2023	24PL-54669-2219	Colorado Special District Porperty & Liability Pool	10	7360 - Insurance	5,396.00
					\$ 1,120,017.24

General Fund - 10	\$ 101,482.65
Pollution Abatement Fund - 11	1,009,214.34
Enterprise Fund - 40	3,924.25
Total Claims by Funding Source	\$ 1,114,621.24

* by vendor

**Cherry Creek Basin Water Quality Authority
Unpaid Claims as of 1/18/24**

Invoice date	Invoice	Vendor*	Fund	Chart of account	Invoice amount
12/29/2023	4964**	Collins Cole Flynn Winn & Ulmer	10	7460 - Legal	\$ 7,547.00
1/12/2024	Credit Memo**	Collins Cole Flynn Winn & Ulmer	10	7460 - Legal	(7,547.00)
12/31/2023	25072	LRE Water	10	Various Budget Codes for General Fund	74,944.22
12/31/2023	25072	LRE Water	11	7817 - Wetlands Harvesting	3,025.50
12/20/2023	0037804	Muller Engineering Company	11	7762 - SR - Reservoir to LV Road	13,047.25
12/31/2023	10149	Pinpoint Systems Inc.	10	7480 - Office/Miscellaneous	307.50
12/31/2023	2023-12	R2R Engineers, Inc.	10	7440 - Management/Administration	2,827.50
12/31/2023	2023-12	R2R Engineers, Inc.	11	7440 - Management/Administration	9,651.29
11/30/2023	INV-1123-1406	RESPEC	11	7440 - Management/Administration	225.00
11/30/2023	INV-1123-1407	RESPEC	11	7511 - RSS East Shade Shelter	160.00
12/31/2023	INV-1223-1253	RESPEC	11	7440 - Management/Administration	5,550.00
12/31/2023	INV-1223-1254	RESPEC	11	7511 - RSS East Shade Shelter	8,337.50
12/31/2023	153658	RG and Associates LLC	11	7814 - PRF Reservoir Destratification Service Plan	880.00
12/31/2023	24	Valerie Endyk	10	7201 - Administrative assistant	3,637.50
12/31/2023	DEC	Verizon (Estimate)	10	7480 - Miscellaneous	51.58
11/30/2023	68508	Wright Water Engineers, Inc.	40	7677 - CCBWQA Planning	4,118.50
12/31/2023	68625	Wright Water Engineers, Inc.	11	Various Budget Codes for PAF	16,943.02
12/31/2023	68624	Wright Water Engineers, Inc.	40	7685 - SSP BMP Effectiveness	3,655.75
12/31/2023	859817382	Xcel Energy	11	7818 - Utilities - Reservoir Destratification	555.99
					<u>\$ 147,918.10</u>

General Fund - 10	\$ 81,768.30
Pollution Abatement Fund - 11	58,375.55
Enterprise Fund - 40	7,774.25
Total Claims by Funding Source	<u>\$ 147,918.10</u>

* by vendor

** Collins Cole Flynn Winn & Ulmer Invoice 4711 was paid twice in error. There is an open credit memo for \$11,373.92.

A credit of \$7,547.00 will be applied against Invoice 4964.

An open credit of \$3,826.92 remains with CCFWU to be used against future invoices.

CHERRY CREEK BASIN WATER QUALITY AUTHORITY

RESOLUTION 2024-1-1

ARAPAHOE AND DOUGLAS COUNTIES, COLORADO

A RESOLUTION REAFFIRMING THE DATE, TIME, AND LOCATION FOR THE REGULAR MEETINGS OF THE BOARD OF DIRECTORS OF THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY AND AUTHORIZING POSTING PUBLIC NOTICE OF AUTHORITY MEETINGS ONLINE IN COMPLIANCE WITH THE OPEN MEETINGS LAW AND REAFFIRMING THE NEWSPAPERS TO USE WHEN NOTICE IS REQUIRED BY PUBLICATION

WHEREAS, pursuant to Section 25-8.5-109, C.R.S., the Authority is required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings; and

WHEREAS, pursuant to Section 24-6-402(2)(c)(I), C.R.S., meetings of the Board at which the adoption of any proposed policy, position, resolution, regulation, or formal action is to occur, or at which a majority or quorum of the Board is in attendance, or is expected to be in attendance, shall be held only after full and timely notice of the meeting as given to the public; and

WHEREAS, Section 24-6-402(2)(c)(I), C.R.S., further requires that the Board annually designate one or more places where notice of Board meetings together with a meeting agenda, when available, shall be posted at least 24 hours prior to the convening of such meeting for the purpose of complying with the notice provisions of the Colorado Open Meetings Law; and

WHEREAS, pursuant to Section 24-6-402(2)(c)(III), C.R.S., the Authority is authorized to post full and timely notice of its meetings no less twenty-four hours prior to the holding of the meeting on the public website of the Authority; and

WHEREAS, the Authority's website is accessible at no charge to the public; and

WHEREAS, the Authority has provided the address of its website to the Department of Local Affairs for inclusion in the inventory maintained pursuant to Section 24-32-116, C.R.S.; and

WHEREAS, the Authority will retain one physical location within the Authority's boundaries designated for posting notice no less than twenty-four hours prior to a

meeting if the Authority is unable to post a notice online in the event of an exigent or emergency circumstance such as a power outage or interruption in internet service that prevents the public from accessing the notice online; and

NOW, THEREFORE, BE IT RESOLVED BY the Board of Directors of the Cherry Creek Basin Water Quality Authority, Arapahoe and Douglas Counties, Colorado:

1. **Regular Meetings.** It is hereby declared that the Board will meet regularly during calendar year 2024 on the 3rd Thursday of each month at 9:00 a.m. Meetings will be held in person in the offices of the Southeast Metro Stormwater Authority, located at 7437 South Fairplay Street, Centennial, Colorado 80112, or at such other physical or virtual location as hereinafter designated by the Board. In addition to the posting of notice regular meetings as required by state law of, a regular meeting notice with appropriate enclosures, including an agenda, shall be mailed, or emailed in advance of each regular meeting to each Board Member at his or her address or email address as shown on the records of the Authority.

2. **Special Meetings.** Special meetings of the Board may be held as often as the needs of the Authority require, upon the call of the Chair, a Board Resolution, or upon the request of two Board Members. In addition to the posting of notice of special meetings as required by state law, a special meeting notice with appropriate enclosures, including an agenda, shall be mailed, or emailed in advance of each special meeting to each Board Member at his or her address or email address as shown on the records of the Authority.

2.1 **Informal Meetings.** In addition to posting, as required by state law, notice of any informal meeting at which no final decisions or formal actions can be taken, shall be given to all Members of the Board, by email, at least twenty-four (24) hours in advance of such meeting, unless such informal meeting was set and authorized by the Board at a regular or special meeting. Such informal meetings include study sessions, subcommittee meetings, or any meetings of three (3) or more Board Members at which Authority business is to be discussed.

3. **Location for Posting Meeting Notices Online.** As of the effective date of this Resolution and pursuant to Section 24-6-402(2)(c)(III), C.R.S., the Authority's designated posting location for posting a public meeting notice of any regular, special, study sessions, or other informal meeting for which notice is required, shall be on the Authority's website, accessible online at the following address: <https://www.cherrycreekbasin.org>

4. **Designated Exigent/Emergency Circumstance Posting Location.** In the event of an exigent or emergency circumstance, such as a power outage or an interruption in internet service that prevents the public from accessing the online designated posting location or prevents the Authority from posting a notice at the online designated posting

location, the Authority will post notice of public meetings at least twenty-four hours prior to the meeting at the following physical location within the Authority:

Offices of Southeast Metro Stormwater Authority
7437 S. Fairplay Street, Centennial, CO 80012

5. **Bylaws, Rules and Regulations and Prior Resolutions.** In the event of any conflict between this Resolution and any prior adopted Authority bylaw, rule, or regulation, this Resolution shall supersede any contrary provision contained therein.

6. **Representative Authorized to Post.** Any Member of the Authority, Board of Directors, or any designee of the Board, including the Authority’s Administrator, is hereby authorized to post notice of Authority meetings as authorized herein.

7. **Newspapers for Publication of Notices.** The designated newspapers for publication are hereby reaffirmed to be *The (Greenwood) Villager* and *The Douglas County News Press*.

8. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity will not affect the validity of the remaining provisions.

9. **Effective Date.** This Resolution shall be effective on and after February 1, 2024, until otherwise changed or modified by the Board.

ADOPTED this 18th day of January 2024.

**CHERRY CREEK BASIN WATER
QUALITY AUTHORITY**

By: _____
Joshua Rivero, Chair

Attest:

John A. McCarty, Secretary/Treasurer

RESOLUTION 2024-1-2

**CHERRY CREEK BASIN WATER QUALITY AUTHORITY
ARAPAHOE AND DOUGLAS COUNTIES, COLORADO**

**RESOLUTION DESIGNATING THE OFFICIAL CUSTODIAN
OF RECORDS AND ADOPTING A POLICY ON RESPONDING TO
OPEN RECORDS REQUESTS**

WHEREAS, pursuant to §32-1-1001(1)(h), C.R.S., the Board of Directors of the Cherry Creek Basin Water Quality Authority (“Authority”) is responsible for the management, control and supervision of all of the business and affairs of the Authority; and

WHEREAS, pursuant to §32-1-1001(1)(i), C.R.S., the Board of Directors of the Authority has the authority to appoint an agent; and

WHEREAS, on June 26, 2014, the Board adopted a Resolution Identifying the Official Custodian of Records and Adopting a Policy on Responding to Open Records Requests (the “Prior Resolution”); and

WHEREAS, since the adoption of the Prior Resolution, changes in state law necessitate revisions to the policy on responding to open records requests and the Board has determined that it is appropriate to re-adopt a policy on responding to open records requests, as set forth herein; and

WHEREAS, the Board of Directors fully supports, and complies with, all Federal and State laws relating to the retention, protection and disclosure of Authority records including, but not limited to, the Colorado Open Records Act, Title 24, Article 72, Part 2, C.R.S. (“CORA”), the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), and the Privacy Rule promulgated by the U.S. Department of Health and Human Services which interprets and implements HIPAA; and

WHEREAS, it is the policy of the Authority that all public records shall be open for inspection by any person at reasonable times, except as otherwise provided by law; and

WHEREAS, public records are defined by CORA as all writings made or maintained by the Authority, regardless of the format or medium of the records, subject to certain exceptions and public records expressly include certain e-mail communications; and

WHEREAS, the Authority’s contract administrator (“Administrator”) maintains the Authority’s records, however, as to email messages, an archive is maintained only for emergency backup purposes; and such archived email communications are generally not individually retrievable and are not intended to create a public record.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cherry Creek Basin Water Quality Authority that:

1. Construction Records.

(a) The Authority's Administrator is hereby designated as the Official Custodian responsible for the maintenance, care and keeping of all records of the Authority, except as provided herein.

(b) Notwithstanding the foregoing, the construction manager for the Authority's construction projects is hereby designated as the individual responsible for the maintenance, care and keeping of all records associated with the Authority's construction projects, subject to the control, supervision, and direction of the Official Custodian.

(c) The Official Custodian shall have the authority to designate such agents as he or she shall determine appropriate to perform any and all acts necessary to enforce and execute the provisions of this Resolution.

2. Policy on Responding to Open Records Request. The following are general policies concerning the release of records:

(a) All public records of the Authority shall be open for inspection at the times designated herein, unless prohibited by the provisions of CORA or policies adopted by the Board of Directors in conformance with CORA.

(b) Every request to inspect and/or copy any Authority record (a "Records Request") shall be submitted to the Authority's Official Custodian in writing and be specific as to the information desired. If not submitted to the Official Custodian, any Authority employee or Board Member that receives the Records Request shall immediately send the Records Request to the Official Custodian. To assist the Official Custodian in responding to requests in a timely and complete manner, the Official Custodian may require records requests to be submitted on a form developed by the Official Custodian.

(c) If any question arises as to the propriety of fully complying with a Records Request, the Official Custodian shall immediately forward it to the Authority's legal counsel. Notwithstanding the provisions of the preceding sentence, a copy of all Records Requests shall be forwarded to the Authority's legal counsel upon receipt by the Official Custodian or any other representative of the Authority.

(d) The Authority's legal counsel shall determine the Authority's obligations under the applicable Federal and/or State law(s). If the Authority is permitted to make records available for inspection in whole or in part, the Authority's legal counsel will so notify the Authority's Official Custodian, who will assemble the disclosable requested documents for inspection and/or copying in accordance with applicable Federal or State law.

(e) If the Authority's legal counsel determines the Authority is not permitted by Federal or State law to make records available for inspection in whole or in part, legal counsel shall provide a written response to the party submitting the Records Request stating the legal basis upon which the Records Request in whole or in part is being denied.

(f) Following the denial of a request for record, upon receipt of the required written notice from the requesting individual that he or she will seek relief from the Authority Court, the Official Custodian will attempt to meet in-person or speak by telephone with the requesting individual. Authority personnel are encouraged to utilize all means to attempt to resolve the dispute during this time period and will provide a written summary of the Authority's position at the end of that period to the requestor and to the Authority's Board of Directors. No phone or in-person conference is required if the written notice indicates that the requestor needs access to the record on an expedited basis.

(g) Pursuant to CORA, all records must be made available for inspection within three (3) working days from the Official Custodian's receipt of the request, unless extenuating circumstances exist. The deadline may be extended by seven (7) working days if extenuating circumstances exist and the requesting party is notified of the delay within three (3) working days of the Official Custodian's receipt of the request. The Official Custodian may set the time, which shall be during normal office hours, and the place for records to be inspected, and require that the Official Custodian or a delegated representative be present while the records are examined.

(h) A public record stored in a digital format that is neither searchable nor sortable will be provided in a digital format. A public record stored in a digital format that is searchable and/or sortable will be provided in such digital format, unless (1) the public record is in a searchable or sortable format and producing the record in the requested format would violate the terms of any copyright or licensing agreement between the Authority and a third party; (2) producing the record would result in the release of a third party's proprietary information; (3) after making reasonable inquiries, it is not technologically or practically feasible to provide a copy of the record in a searchable or sortable format; or (4) if the Official Custodian would be required to purchase software or create additional programming functionality in its existing software to remove the information. A public record available in digital format shall be provided in digital format by electronic mail or by another method, as agreed on by the requesting individual and the Official Custodian.

(i) Altering an existing digital public record, or excising fields of information that the Official Custodian is either required or permitted to withhold under this subsection, does not constitute the creation of a new public record under Section (2)(i)(iv) of this Resolution.

(j) The Official Custodian may charge the following fees (collectively, the "Fees") for responding to a Records Request:

(i) Printouts, photographs, and copies, when requested, will be provided at a cost of twenty-five cents (\$0.25) per standard page, and at the actual costs of production for any non-standard page (the “Copying Fee”), except that no per-page fee will be charged for providing records in a digital or electronic format. A standard page shall mean an 8.5-inch by 11-inch black and white copy.

(ii) When it is impractical to make the copy, printout, or photograph of the requested record at the place where the record is kept, the Official Custodian may allow arrangements to be made for the copy, printout, or photograph to be made at other facilities and the cost of providing the requested records will be paid by the person making the request (the “Outside Copying Fee”).

(iii) If a copy, printout or photograph of a public record is necessary or requested to be provided in a format other than a standard page, the costs will be assessed at the actual cost of production (the “Production Fee”).

(iv) If data must be manipulated in order to generate a record in a form not otherwise used by the Authority, such data manipulation will be assessed at the actual costs to the Authority (the “Manipulation Fee”); however, the Authority is in no way obligated to generate a record that is not otherwise kept, made, or maintained by the Authority.

(v) The cost for transmitting the requested records will be charged at the actual cost of such delivery (the “Transmission Fee”). Transmission Fees will not be charged for transmitting any record via electronic mail, when requested.

(vi) When the location or existence of specific documents must be researched and the documents must be retrieved, sorted or reviewed for applicability to the request, and such process requires more than one (1) hour of staff time, the Official Custodian may charge a research and retrieval fee not to exceed thirty-three dollars and fifty-eight cents (\$33.58) per hour, or the maximum amount allowed by the Executive Committee of the State Legislative Council, whichever is greater (the “Research and Retrieval Fee”).

(vii) If any requested records are protected by a privilege (for example, but not limited to, the work product or attorney-client privileges) the Authority may charge the actual costs of creating a privilege log identifying the privileged records (the “Privilege Fee”). If legal assistance or review is necessary to create the privilege log, the Privilege Fee may include the actual costs for such legal assistance.

(k) If the estimated Fees to produce the records will exceed \$250.00, the Authority may require a fifty percent (50%) deposit of the estimated Fees prior to commencing work to produce the records. Payment of the remainder of the Fees, including all actual costs exceeding the estimated amount, must be made prior to the time of inspection or release of the final work product or copies. All payments of Fees, including deposits, may be made via cash or check; or credit card, debit card, or electronic payment but only if at the

time the records request is received the Authority allows payment for services or products via debit card, debit card or electronic payment.

(l) No person shall be permitted to inspect or copy any records of the Authority if, in the opinion of the Official Custodian after consultation with the Authority's legal counsel, such inspection or copying would come within the prohibition of one or more exemptions set forth in CORA.

(m) Except as required by Section 24-72-204(3.5)(g), C.R.S. and except when a requested record is confidential and accessible only on the basis that the requester is the person in interest, no form of identification shall be required to request or inspect public records.

3. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

4. Repealer. All resolutions, or parts thereof, in conflict with this Resolution, including but not limited to the Prior Resolution, are hereby repealed, provided that this section shall not repeal the repealer clauses of any prior resolutions or hereby revive any resolutions previously repealed.

5. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Board of Directors of the Authority.

The foregoing Resolution was approved and adopted this 18th day of January, 2024.

CHERRY CREEK BASIN WATER QUALITY
AUTHORITY

By: _____
Joshua Rivero, President

Attest:

John A. McCarty, Secretary/Treasurer



MEMORANDUM

To: CCBWQA Board of Directors
From: Val Endyk - CCBWQA Administrative Assistant
Jane Clary - CCBWQA Technical Manager
Date: January 12, 2024
Subject: Motions for Board Consideration: January 18, 2024 Agenda Items 4a-d

Motions: 4a: Reappointment of 2024 Chair, Vice Chair, Secretary/Treasurer, and Assistant Secretary

Current appointments:

- Joshua Rivero: Chair
- Christopher Lewis: Vice Chair
- John McCarty: Secretary/Treasurer
- Bill Ruzzo: Assistant Secretary

I move to reappoint Josh Rivero as Chair, Christopher Lewis as Vice Chair, John McCarty as Secretary/Treasurer and Bill Ruzzo as Assistant Secretary for calendar year 2024.

4b: Confirmation of Executive Committee Members

In 2021, the Board appointed an Executive Committee to provide oversight of Authority operations and contract staff. The Executive Committee includes officers of the Board and is supported by the Authority's legal counsel, accounting firm, and technical manager.

Current Executive Committee members:

- Joshua Rivero
- Christopher Lewis
- John McCarty
- Bill Ruzzo

I move to ratify and confirm that the Board's Executive Committee members are: Joshua Rivero, Christopher Lewis, John McCarty, and Bill Ruzzo.

4c: Confirmation of Board Appointees to the TAC for 2024 (see enclosure)

I move to approve Board appointees to the 2024 TAC as set forth in the enclosed January 12, 2024 Memorandum regarding Board appointees to the TAC.

4d: Recognition of Bhaman Hatami, Board Service (September 2019-December 2023)

The Executive Committee recommends the Board recognize former Board member Bhaman Hatami with the following:

- A letter of appreciation.
- A \$250 contribution to Cherry Creek State Park for park improvements.
- A plaque commemorating his years of dedication to the CCBWQA Board.

I move that the Authority recognize Bahman Hatami for his significant contributions to CCBWQA as set forth above.



MEMORANDUM

Board Appointees to the TAC

To: CCBWQA Board of Directors
 From: Val Endyk - CCBWQA Administrative Assistant
 Date: January 12, 2024
 Subject: Board Appointees to the TAC

Alex Mestdagh	Town of Parker
Ashley Byerley	2024 TAC Vice Chair, SEMSWA, representing City of Centennial
Caitlin Gappa	Board Appointee, Douglas County Health (confirmed)
Casey Davenhill	Board Appointee, Cherry Creek Stewardship Partners (confirmed)
Cayla Cappello	City of Greenwood Village
David Van Dellen	Town of Castle Rock
Diana Rashash	Board Appointee, Arapahoe County Public Health (confirmed)
Gene Seagle	Board Appointee, US Army Corps of Engineers (confirmed)
Jacob James	City of Lone Tree
Jeremiah Unger	Board Appointee, CDOT (confirmed)
Jessica La Pierre	City of Aurora (Board Alternate)
Jim Watt	Board Appointee, Mile High Flood District (confirmed)
Jon Erickson	Board Appointee, Colorado Parks and Wildlife (confirmed)
Joseph Marencik	City of Castle Pines
Lisa Knerr	2024 TAC Chair, Arapahoe County
Michelle Seubert	Board Appointee, Cherry Creek State Park (confirmed)
Rebecca Tejada	Board Appointee, Discharger Representation, Parker Water and Sanitation District (Board Alternate for Special Districts) (confirmed)
Rick Goncalves	Board Appointee, RG Engineers (confirmed)
Ryan Adrian	Douglas County (Board Alternate)
Wanda DeVargas	Board Appointee, E-470 (confirmed)



ACTION ITEM MEMORANDUM

To: CCBWQA Board of Directors

From: Jane Clary, Technical Manager

Date: January 12, 2024

Subject: Selection of Pollution Abatement Project Manager and 2024 Agreement for Services

Request: That the CCBWQA Board of Directors authorize selection of Elysa Loewen with Loewen Engineering, Inc., as Pollution Abatement Project Manager and execute an agreement for services for 2024.

Issue: The CCBWQA issued a competitive Request for Qualifications (RFQ) for Pollution Abatement Project Manager services on November 20, 2023. During December 2023, the Executive Committee and the Technical Manager conducted interviews and checked references for three candidates. The Executive Committee voted to select Elysa Loewen with Loewen Engineering as the recommended candidate to serve as CCBWQA's Pollution Abatement Project Manager. The Authority's legal counsel further interviewed the recommended candidate to confirm that the terms and conditions in the Authority's draft agreement for the position would be agreeable to Loewen Engineering.

In the interest of filling this position as soon as possible, CCBWQA's legal counsel prepared a draft agreement with exhibits describing the scope of services and consultant's budget and billing rates. The draft agreement will be provided as a supplemental enclosure to the Board for review before the January 18, 2024 Board meeting. Loewen Engineering has confirmed that they are able to provide the services requested by CCBWQA in its RFQ under the terms in the draft agreement.

Budget: The budget included in the scope of work for 2024 prepared by Loewen Engineering is \$162,852.50, which is within the budget allocated for the PAPM position in CCBWQA's 2024 budget.

Motion: I move to authorize that the Board approve selection of Elysa Loewen with Loewen Engineering as the Authority's Pollution Abatement Project Manager and authorize legal counsel to prepare an agreement for services that may be executed on the Authority's behalf by any member of the Executive Committee.

DRAFT 2024 CCBWQA Timeline Tasks

Category	Activity	January	February	March	April	May	June	July	August	September	October	November	December
Monitoring & Reporting	Routine Monthly Sampling	X	X	X	X	X	X	X	X	X	X	X	X
	Storm Sampling				X	X	X	X	X	X	X		
	Annual Water Quality Report	Draft/ Discussion	Final	Final (Board)									Provisional Draft to TAC
	Annual Report (under Reg. 72)		Draft	Final/Submit					Present to CWQCC				
	SAPP/QAPP							Review		Final Updates			
	Database Management	X	X	X	X	X	X	X	X	X	X	X	X
	Equipment Maintenance (Weather Station)		Pay Invoice - OneRain		X			X			X	Bill UCCWA	
RDS	Operation				Start-up	X	X	X	X	X	Shutdown		
	Maintenance								X (?)				
	Report		X										
PRF O&M	Inspections				Begin								
	Report								TAC/Board Partners				
	Actions (variable dates)												
Special Studies & Projects	Watershed Plan	Geospatial Inventory		Workshop						Workshop (Draft)	Final		
	Watershed Model	X											
	Reservoir Model		X	X	X	X							
	Wetland Harvesting				Report					X	X		
	BMP Effectiveness Study			Draft	Final								
	Lone Tree, Windmill MDP		Draft	Final	Final								
Regulatory	Runoff Reduction Study		Draft	Final									
	Reg. 72 Hearing	Rebuttals	Rulemaking										
	Reg. 38 IFH											X	
	CDPHE Data Calls (if any)												
Outreach	Misc. Updates												
	Annual Conference								TBD	TBD			
	Field Outings												
	Prairie Canyon Ranch Award/Tour						X						
	USACE Event												
	Other Activities		Science Fair?										
Routine Business/Legal	TAC & Board Meetings & Packets	TAC: Vision Casting	X	X	X	X	X	X	X	X	X	X	X
	Invoicing/CLA		X	X	X	X	X	X	X	X	X	X	X
	Website/Postings	X	X	X	X	X	X	X	X	X	X	X	X
	Board: Officer Elections, Swear in New Members	X											
	Executive Committee - Confirm Members	X											
	New Member Orientation		As Needed										
	Budget									Staff Estimates	Draft	Public Hearing & Final	
	Resolutions	Open Meetings Notice and CORA										Public Hearing	
	60/40 Progress Update								CLA Prepare	Update Board			
	Annual Contracts	Cont. if needed									Begin	Continue	Board
Audit						Present	Accept/ Post						
Board Appointees to TAC	Board Approval											TAC Confirm	
PAPM	PAPM 10-year CIP Update								Partner Coordination	Partner Coordination	Draft	Final	
	PAPM Project Completion Reports												TAC/Board
	See Project Schedule (next page)												



January 5, 2024

Katie Seefus
Water Control and Water Quality Section
Hydrologic Engineering Branch
US Army Corps of Engineers

Subject: Cherry Creek Low-Level Release Sustainable Rivers Program Proposal

Ms. Seefus:

The Cherry Creek Basin Water Quality Authority (CCBWQA) is pleased to support the Cherry Creek Low-Level Release Sustainable Rivers Program Proposal prepared by the US Army Corps of Engineers (USACE). CCBWQA's reservoir model has shown that both watershed controls and in-reservoir management are needed to reduce nutrient loading to and within the reservoir and associated algal blooms that cause the reservoir to frequently exceed the chlorophyll-a standard assigned by Colorado Department of Public Health and Environment. We appreciate USACE's interest in exploring innovative reservoir management approaches to manage conditions that cause internal phosphorus loading from reservoir sediments.

We look forward to collaborating with you on this project. CCBWQA has long-term water quality monitoring data that we would be happy to share to support the project. Additionally, CCBWQA's reservoir model could be a tool to explore potential response to various release strategies. We would also like to coordinate sampling of the reservoir releases under these operations for nutrients and other water quality indicators (e.g., DO, pH, conductivity, temperature), particularly in the context of downstream water users.

If you have any questions regarding the Cherry Creek Basin Water Quality Authority's support or participation, please contact me.

Sincerely,

Cherry Creek Basin Water Quality Authority

By 
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COLORADO

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12/1/2023

Cherry Creek Basin Water Quality Authority

RE: Keep Colorado Wild (KCW) Update

Overview

Beginning January 3, 2023 Colorado Parks and Wildlife (CPW) offered Colorado residents a \$29 KCW pass during their annual vehicle registration through the Co Division of Motor Vehicles (DMV). The KCW pass is available to passenger vehicles, light trucks, motorcycles and recreational vehicles.

Quick Facts

- The pass is only offered to Colorado residents during the Colorado vehicle registration process.
- The \$29 pass fee is included in your vehicle registration price total unless you choose to decline (opt out).
- The pass is not transferable between vehicles and is linked to your license plate and registration card.
- A Colorado Parks and Wildlife logo will be printed on your vehicle registration card which will give you access to state parks.
- You can decline or subtract (opt out) the cost of the pass when you register your vehicle with the DMV online, through a kiosk, through mail-in options or with a customer service representative in-office.
- Stickers can only be obtained from Cherry Creek State Park.
- All regularly priced Colorado state park passes are still available.
- Cherry Creek Basin Water Quality Authority (CCBWQA) fee is not included with KCW and will be assessed when visiting the park
- Approximately 18,000 stickers were purchased this year (2023).



Updates for 2024

After one year of KCW, here are some suggestions/updates for sticker improvements.

- No change in current sticker vendor (customerstickersnow.com). Their sticker quality is excellent and have been resistant to fading and premature peeling.
- Increasing sticker size from 2 inch to 3 inch for better visibility for gate staff.
- Adding months along the outer edge of the sticker (see below) to mark month of purchase. This will coincide with vehicle registration.
- Month of vehicle registration will be hole punched at the time of purchase.
- 2025 vehicle registration stickers will be orange.
- First order of 10,000 stickers will be approximately \$1,400 excluding shipping. Sticker price will increase from \$0.08/ea to \$0.14 with the increase in size.
- CCSP is in need of updated Water Quality brochures.
 - We do not have any brochures left. Gate staff have been informed to hand out a brochure with every water basin sticker purchase.



CHERRY CREEK BASIN WATER QUALITY AUTHORITY
2023 Capital Project Status Report
December 28, 2023

RESERVOIR PROJECTS

1. East Shade Shelters Phase III and Tower Loop Phase II Shoreline Stabilization (CCB-17.5.1 and CCB-17.7)
 - a. Description: These projects were identified in 2014 through the annual inspection. The Tower Loop Phase II connects to the Phase I project and extends shoreline protection 570 feet to the southeast towards Dixon Grove. The East Shade Shelters Phase III starts on the north end of the Shade Structure and goes 400-feet to the south.
 - b. Status: Consultant selection is scheduled for the 1st quarter. A consultant selection committee will be set in February (1/29/21). At the February TAC meeting Jason Trujillo, Jon Erickson, Lanae Raymond, Bill Ruzzo were interested in serving on the consultant selection committee (2/11/21). This selection committee was discussed at the 3/18/21 Board Meeting, and no further members were added. The Request for Proposals (RFP) has been posted on BidNet and Proposals are due 04/21/21 (3/25/21). The pre-proposal meeting was held on 4/7/21. 5 proposals were received on 4/28/21; the selection committee is reviewing them. Interviews were held and a selection is being brought to the May Board meeting (5/14/21). Board authorized negotiations with RESPEC (5/27/21). Agreement has been executed with RESPEC (10/15/21). Field Survey of project areas and topographic mapping is underway (12/30/21). A design kickoff meeting was held on 4/22/22. A design sprint workshop was held on 7/12/22 which included a site visit and evaluation of alternatives. RESPEC is developing a recommended alternative (9/8/22). RESPEC provided updated project costs for budgeting (10/13/22). The 30% submittal was received on 11/16/22 and is under review. CCBWQA provided comments on 30% review on 1/17/23; a value engineering effort is recommended as the project costs exceed the budget. The value engineering meeting was held on 2/24/23. RESPEC's request for additional services was approved by TAC and Board in May (5/25/23). The reservoir water level has come down since the May and June storms and additional erosion was observed on 7/14/23; a site visit was made with RESPEC on 8/1/23 and the erosion areas at East Shade Shelters were measured. It has been estimated that roughly 14 cubic yards of soil was eroded from the 2023 storms (9/15/23). A progress meeting was held on 9/15/23, RESPEC will refine the breakout of components between recreational (CPW responsibility), water quality (CCBWQA responsibility), and shared (both CPW and CCBWQA responsibilities) costs and work on 408 review submittal to US Army Corps of Engineers. RESPEC was provided the US Army Corps of Engineers' guidance on cut and fill and asked to prioritize the 408 application and review; they are coordinating with Gene Seagle in preparation for this submittal (12/1/23).
 - c. Next steps and schedule for 2024:
 - Lead Agency – CCBWQA
 - Partners - CPW
 - East Shade Shelters Phase III –
 1. In 1st and 2nd quarters, RESPEC completes the final design and bid package of East Shade Shelters. PAMP to attend design progress meetings and coordinate with Technical Manager, Executive Committee, TAC, and Board as needed.

2. In 1st quarter, RESPEC/Corvus prepares and submits 404 permit application to USACOE. 404 permit is needed before construction.
3. In 1st quarter, RESPEC/Corvus to prepares 408 submittal. PAMP assists RESPEC with coordination of USACOE cut and fill requirements and clarification (on-going with Gene Seagle). PAMP prepares 408 project summary letter on behalf of CCBWQA to USACOE and CPW. PAMP coordinates 408 support letter from CPW (Michelle Seubert) for the project. 408 approval is needed before construction.
4. In 2nd quarter, PAMP seeks consensus from CPW and CCBWQA that the project will fall under existing agreement and amendment between parties Pollution Abatement Projects/Pollution Reduction Facilities.
5. In 2nd quarter, PAMP finalizes partner participation/breakdown and begins IGA preparation and coordination. CCBWQA's construction funding is budgeted for 2024 (see row 11 of 10-year CIP). Construction requires funding from CPW for the park amenities (including additional staircase already agreed to by CPW and other amenities still being negotiated).
6. In 3rd quarter of 2024, PAMP works with CCBWQA staff to finalize IGA and takes it to TAC and Board for authorization.
7. In 3rd quarter of 2024, PAMP requests proposal from RESPEC for engineering services during construction and reviews it. PAMP works with CCBWQA staff to prepare corresponding agreement and takes it to TAC and Board for authorization.
8. In 3rd quarter, PAMP coordinates with CCBWQA staff and prepares Action Item Memo for TAC and Board authorization for construction, and coordinates with CCBWQA's Administrative Manager on the public bid of project.
9. In 4th quarter, PAMP assists CCBWQA in administration of construction and attends construction progress meeting, with RESPEC doing the day-to-day effort at the construction site.

Tower Loop Phase II –

1. In 1st and 2nd quarters, PAMP receives design submittal that includes revisions from value engineering effort. Final design and construction are currently scheduled for 2032 and 2033 (see row 12 of 10-year CIP).

STREAM RECLAMATION PROJECTS

1. Cherry Creek Stream Reclamation at Arapahoe Rd. - Valley Country Club to Soccer Fields, Reaches 3 to 4 (CCB-5.14C)
 - a. Description: This project continues the work on Cherry Creek by CCBWQA, MHFD, and local partners. It ties into the previous stream reclamation projects of Cherry Creek Eco Park to Soccer Fields (CCB-5.14A) and Cherry Creek at Valley Country Club (CCB-5.14B). The 5,167 Linear Feet of stream reclamation reduces bed and bank erosion immobilizing approximately 88 pounds of phosphorus annually. The project is anticipated to be funded over several years and likely be broken into phases.
 - b. Status: In 2021, and IGA was executed between CCBWQA, MHFD, City of Aurora, and SEMSWA to begin this work. IGA Amendment that brings in 2022 funding is under review (5/13/22). Board authorized IGA Amendment for 2022 funding on 7/21/22 (8/12/22). IGA Amendment has been revised to show Aurora's lower participation; CCBWQA's participation was lowered accordingly to meet 25% partner project level; revised IGA Amendment received TAC recommendation and is being

taken to Board for their consideration in October (10/13/22). Board authorized the IGA Amendment for 2022 funding at their 10/22/22 meeting. It appears that CCBWQA's 2023 participation will be reduced as a result of less partner funding available for this project (2/24/23). The IGA Amendment that brings in 2023 funding was recommended by the TAC and authorized by the Board at their June meetings (6/29/23). MHFD is starting consultant selection process (10/13/23). Jacobs, Olsson, and Muller were shortlisted for interviews which are scheduled for mid-December (11/10/23). *Muller was selected as the consultant (12/28/23).*

c. Next steps and schedule for 2024:

Lead Agency – MHFD

Partners – CCBWQA, Aurora, and SEMSWA

Stakeholders/Potential Funding – Arapahoe County Open Space and CWCB

1. In 1st quarter, PAMP works with Technical Manager (Jane is assisting with coverage of this effort during gap between PAMPs) to review Muller's scope of work and fee and they coordinate CCBWQA's acknowledgment of this agreement.
 2. In 1st and 2nd quarters, Muller to works on alternatives and provides initial project cost estimate to incorporate in to CCBWA's and partners' CIPs/budgets. PAMP attends design progress meetings, advocates for CCBWQA interests, and coordinates with Technical Manager, Executive Committee, TAC, and Board as-needed.
 3. In 3rd quarter, PAMP coordinates IGA Amendment (MHFD prepares) to bring in 2024 funding (see row 16 of CIP), coordinates with CCBWQA staff, and takes it to TAC and Board for their authorization.
 4. In 3rd quarter, PAMP evaluates whether CWCB funding is needed for project. If so, discuss with CCBWQA staff and partners whether project is ripe to submit for CWCB grant by December 2024 deadline.
 5. All year, PAMP coordinates with Technical Manager and Arapahoe County Open Space, Jane Clary is attending the Dove Valley Working Group on January 11, 2024, get an update and coordinate on future meetings.
 6. All year, PAMP works with Muller and other partners on defining property acquisition and degerming permits/licenses needed for the project. PAMP works with partners to determine who will lead property acquisition effort and coordinates with Technical Manager, Executive Committee, TAC, and Board on eligibility of property acquisition for funding from CCBWQA under PRF Preservation (see row 29 of CIP).
2. Cherry Creek - Reservoir to Lake View Drive Alternatives Analysis and Development of Preferred Alternative (CCB-5.16A)
- a. Description: This project is in follow up to CCBWQA's study of Cherry and Piney Creeks in Cherry Creek State Park (CCSP). Muller completed two reports on Cherry Creek from Reservoir to State Park Boundary, Stream and Water Quality Assessment and Baseline Channel Monitoring Report, in 2022. These reports highlight the need for this project.
 - b. Status: A workshop is scheduled for the 3/16/23, to seek CCBWQA Board and TAC input on this project and Cherry and Piney Creeks in CCSP (3/10/23). *The follow up from workshop is underway – project overview and funding flyer has been created,* Muller is scoping the next step of design for Reach 1 and providing a fee, and multi-pronged approach is in development for workshop priority reaches that prioritizes Reach 1 and reduces risk from upstream reaches; these items will be

brought to TAC and Board for discussion, direction, and/or action at upcoming meetings (3/30/23). A site visit for partner outreach and funding was held on 5/25/23 at 1-4 pm (6/8/23). A coordination meeting was held with Aurora on 6/23/23 and they showed interest in partnering on the project to protect their water lines. The Mile High Flood District has provided their budget/CIP schedule and Arapahoe County Open Space has been contacted to investigate potential partnering opportunities (7/13/23). The TAC created a subcommittee for this project on 8/3/23; which will attend progress meetings, provide timely feedback to Muller, and to coordinate with TAC as needed. The alternatives analysis kickoff meeting was held on 8/29/23. A site visit was held on 9/22/23 to look at multiple flow paths and potential risks for consideration in alternatives analysis. *It was verbally reported at the 11/16/23 Board meeting that Colorado Parks and Wildlife's repair of Lake View Drive is underway which includes the alternatives of concrete pipe and trash racks, cleaning out of culverts 1-9 and the beaver debris, and it is scheduled for completion by mid-December. Muller was provided US Army Corps of Engineers' guidance on cut and fill for consideration in their alternatives analysis (12/1/23).*

c. Next steps and schedule for 2024:

Lead Agency – CCBWQA

Partners – CPW and Aurora (other possible partners are CWCB, USACOE, MHFD, Arapahoe County - Open Space for potential funding, and Arapahoe County - Public Works for MHFD funding request).

1. In 1st and 2nd quarters, Muller completes alternatives analysis which includes updated cost information in time for partners CIP/Budget cycles. PAMP assists Muller, attends progress meetings, reports and coordinates project through the alternatives analysis. CCBWQA has created a sub-committee for this work, PAMP coordinates and solicits sub-committee input at key milestones and critical decisions. Muller's alternatives analysis scope of work includes TAC and Board presentation, PAMP coordinates with Technical Manager and Executive Committee on logistics and content of presentation.
2. In 3rd quarter, PAMP coordinates authorization of optional task in Muller's agreement for selected alternative with Technical Manager and Executive Committee or proposes a revision to scope of work and fee based on findings from alternatives analysis (requires additional TAC and Board approval).
3. All year, PAMP coordinates with Technical Manager and Arapahoe County open space, Jane Clary is attending the Dove Valley Working Group on January 11, 2024, get an update and coordinate on future meetings.

3. Cherry Creek Stream Reclamation – Upstream of Scott Road (CCB-5.17)

- a. Description: Design and construction of stream reclamation is in partnership with Douglas County and MHFD. It improves 4,100 feet of Cherry Creek and is located upstream of Scott Road.
- b. Status: IGA was approved by the Board at their April 2020 meeting. Muller had been selected as consultant, and design scope of work is being prepared. Kickoff meeting was held on 12/11/20; a follow-up field visit will be scheduled for early 2021. Site visit was held on 1/29/21. Conceptual design is complete, negotiations are underway to contract for 60% design (4/8/21). Muller is working on alternatives (4/30/21). Muller is working on preliminary design and an IGA Amendment to bring in additional 2021 funding from Douglas County is being brought to the Board in

October (10/15/21); IGA Amendment has been executed (11/11/21). Muller is preparing 60% Design Submittal (1/28/22). Muller submitted 60% Design on 2/2/22; comments have been provided on 60% Design Submittal (3/10/22). IGA Amendment bringing in 2022 funding is scheduled for TAC and Board consideration in June (5/27/22). IGA Amendment was authorized at the June 16th Board Meeting (6/30/22). Muller is working on Final Design and held a progress meeting on 4/14/23, a site visit is being scheduled to support the 90% design submittal. The 90% site visit was held on 5/22/23. Muller submitted their 90% design submission on 9/14/23; the engineer's estimate confirms that additional funding is needed for construction. IGA Amendment for additional funding is scheduled for TAC and Board consideration at October meetings and 90% review meeting was held on 10/13/23. Comments were provided for 90% submittal and discussed at the review meeting (11/10/23).

c. Next steps and schedule for 2024:

Lead Agency – MHFD

Partners – CCBWQA and Douglas County

1. It is expected that the project was fully funded in 2023, so no additional funding was included in CCBWQA's CIP.
2. In 1st and 2nd quarters, Muller completes final design. PAMP reviews 100% submittal, advocates for CCBWQA's interests, and attends review meeting.
3. In 1st and 2nd quarters, Muller/ERO continue their work to obtain 404 permit for project, 404 permit is needed before construction. PAMP monitors 404 permit status, report, and adjust construction schedule as-needed.
4. In 3rd quarter, construction is anticipated to start. PAMP reviews construction and engineering support agreements (MHFD prepares), coordinates with CCBWQA staff, and works with Administrative Manager on CCBWQA's acknowledgement.
5. In 3rd and 4th quarters, PAMP provides construction assistance with other partners taking the lead on this work. PAMP attends the pre-construction meeting, progress meetings near 1/3 and 2/3 completion points, and final walk-through/punch list meeting. PAMP advocates for CCBWQA's interests and reports on progress accordingly.
6. Construction of this project will likely continue into 2025.

4. Cherry Creek Stream Reclamation at Dransfeldt (CCB-5.17.1B)

- a. Description: Design and construction of stream reclamation is in partnership with Town of Parker and MHFD. It improves 2,400 feet of Cherry Creek near the future location of Dransfeldt bridge which is just downstream of the Cherry Creek at KOA project.
- b. Status: Initial scoping has begun, and a partners meeting was held on 1/30/21. IGA is scheduled for CCBWQA's May TAC and Board meetings (4/30/21). IGA was approved by all parties and has been executed (6/25/21). Muller Engineering has submitted their Draft Scope of Work for Design Services, and the project sponsors have reviewed it (7/8/21). Design kickoff meeting was held on 10/14/21. Alternatives are being evaluated (12/9/21). Pre-submittal meeting for the 404 permit is being scheduled (12/30/21). CLOMR is being prepared for project (3/10/22) and was submitted to FEMA on 3/31/22. CEI was selected for as project partner to provide contractor input during the design (5/27/22). CLOMR is under review by FEMA (8/12/22). Muller has received comments on CLOMR and is preparing

- responses; 90% Submittal is scheduled for early February (1/27/23). Comments on 90% Submittal were provided on 2/22/23; project is experiencing substantive cost increases due to current market conditions (2/24/23). TAC at their 3/2/23 meeting recommended that the Board authorized the IGA Amendment to bring in 2023 funding along with an increase in CCBWQA's 2023 funding from \$170,000 to \$570,000. The Board authorized the IGA Amendment with the increased 2023 funding of \$570,000 at their 3/16/23 meeting. The Conditional Letter of Map Revision (CLOMR) was issued by the Federal Emergency Management Agency (FEMA) on April 28, 2023 (5/12/23). The sanitary sewer relocation will be contracted to start with, in order to avoid a pipe material cost increase, and to get it out of the way for the forthcoming stream reclamation (7/13/23). The sanitary sewer relocation has been contracted for with Concrete Express Inc. or CEI (8/11/23). Construction of stream reclamation will start once 404 permit has been received (11/10/23).
- c. Next steps and schedule for 2024:
- Lead Agency – MHFD
 - Partners – CCBWQA and Parker
1. It is expected that the project was fully funded in 2023, so no additional funding was included in CCBWQA's CIP.
 2. Sanitary sewer relocation was completed first in anticipation that the stream reclamation to be done next.
 3. Parker is coordinating this project with their Dransfeldt bridge crossing of Cherry Creek project. PAPM monitors the construction interface between projects, reports on any impacts, and works with partners to adjust construction schedule of stream reclamation as-needed.
 4. In 1st quarter of 2024, PAMM to monitor 404 permit status, report, and adjust construction schedule of stream reclamation as needed.
 5. When construction can proceed, PAMM reviews construction and engineering support agreements (MHFD prepares), coordinates with CCBWQA staff, and works with Administrative Manager on CCBWQA's acknowledgement.
 6. When construction is underway, PAMM provides construction assistance with other partners taking the lead on this work. PAMM attends the pre-construction meeting, progress meetings near 1/3 and 2/3 completion points, and final walk-through/punch list meeting. PAMM advocates for CCBWQA's interests and reports on progress accordingly.
 7. When construction is completed, PAMM prepares Project Summary for inclusion in CCBWQA's 2024 Annual Report.
5. Piney Creek - Cherry Creek to Parker Road, Reaches 1 to 2 (SEMSWA) (CCB-6.5)
- a. Description: This project includes 2900 liner feet of stream reclamation on Piney Creek. The project partners are SEMSWA and CCBWQA.
 - b. Status: Project coordination meeting was held with SEMSWA on 6/29/22. IGA drafted and is being reviewed by SEMSWA (8/12/22). IGA was approved by CCBWQA at the 9/15/22 Board meeting. IGA Amendment to bring in 2023 funding was recommended by the TAC and authorized by the Board in May (5/25/23). CCBWQA sent the Draft IGA Amendment to SEMSWA for review on 6/29/23. SEMSWA has no comments on the IGA Amendment and plans to take it to their Board in October (8/11/23). The project site was walked with SEMSWA and Olsson and Associates on 8/30/23, Olsson is preparing their scope of work and fee for design. Comments on Olsson's scope of work and fee were provided to and coordinated with SEMSWA (11/10/23). *Olsson's scope of work and fee have been*

finalized and SEMSWA is planning on contracting for the initial design phase in early 2024 (12/1/23).

c. Next steps and schedule for 2024:

Lead Agency – SEMSWA

Partners – CCBWQA

1. In 1st quarter, SEMSWA prepares draft agreement for Olsson's initial design phase. Olsson's scope of work and fee have already been reviewed by CCBWQA and the Technical Manager was copied to facilitate transition between PAPMs. PAM reviews agreement (prepared by SEMSWA) and coordinates CCBWQA's acknowledgement.
2. In 1st and 2nd quarters, Olsson provides alternative analysis and updated cost information in time for CCBWA's and partners CIPs/budget cycles. PAM to review, coordinate, and report on alternatives analysis.
3. All year, PAM attends design progress meetings, advocates for CCBWQA interests, and coordinates with Technical Manager, Executive Committee, TAC, and Board as-needed.
4. In 2nd quarter, PAM coordinates IGA or Amendment (CCBWQA prepares) to bring in 2024 funding (see row 19 of CIP) and takes it to TAC and Board for their authorization.
5. Design and permitting of project will likely continue into 2025.

6. Piney Creek south of Orchard Rd., Reaches 4 to 5 (SEMSWA) (CCB-6.6)

a. Description:

b. Status:

c. Next steps and schedule for 2024:

Lead Agency – MHFD

Partners – SEMSWA and CCBWQA

1. This is a new project for 2024.
2. In 1st quarter, PAM fills out description line above from information in the 10-year CIP. PAM coordinates with MHFD and SEMSWA on project schedule and when to bring in 2024 funding.
3. After the schedule is coordinated, PAM coordinates IGA (MHFD prepares) to bring in 2024 funding (see row 20 of CIP) and takes it to TAC and Board for their authorization.
4. After the schedule is coordinated, PAM to work with partners on next steps for design.
5. Funding and design of this project will likely continue into 2025.

7. McMurdo Gulch Priority 3 Stream Reclamation (CCB-7.4)

a. Description: The design and construction of stream reclamation is in partnership with Castle Rock. Castle Rock is the lead agency. This phase continues the work from the previous phase. Muller Engineering is the design consultant.

b. Status: Board authorized IGA for Priority 3 at their May 19,2022 meeting. Muller submitted their 30% deliverable on 10/31/22, review comments were returned on 11/8/22. Easements needed for projects have been identified (1/23/22). The 60% Submittal was received on 1/30/23 and comments have been provided on 2/7/23. Muller is working on updating their construction cost estimate (2/8/23). On 2/23/23, Castle Rock requested that CCBWQA's 2023 funding be deferred to 2024 to match their schedule.

c. Next steps and schedule for 2024:

Lead Agency – Castle Rock

Partners – CCBWQA

1. In 1st quarter, Muller completes final design. PAPM reviews 100% submittal, advocates for CCBWQA's interests, and attends review meeting.
 2. Project is broken into 2 phases. Castle Rock is pursuing a grant for the upstream reach, known as the CCC reach.
 3. In 1st and 2nd quarters, PAPM coordinates IGA or Amendment (CCBWQA prepares) to bring in 2024 funding (see row 21 of CIP) and takes it to TAC and Board for their authorization. CCBWQA's 2024 funding of \$1,121,000 consists of \$869,000 in new funding (see CCBWQA's budget) and \$252,000 of transferred left over funds (see notes CCBWQA's CIP and corresponding spreadsheet) from the completed McMurdo Gulch Priority 1 and 2 projects.
 4. In 1st and 2nd quarters, Muller/ERO to obtain 404 permit for project, 404 permit is needed before construction. PAPM monitors 404 permit status, reports, and works with partners to adjust construction schedule as needed.
 5. When construction can start, PAPM reviews construction and engineering support agreements (Castle Rock prepares), coordinates with CCBWQA staff, and works with Administrative Manager on CCBWQA's acknowledgement.
 6. When construction is underway, PAPM provides construction assistance with other partners taking the lead on this work. PAPM attends the pre-construction meeting, progress meetings near 1/3 and 2/3 completion points, and final walk-through/punch list meeting. PAPM advocates for CCBWQA's interests and reports on progress accordingly.
 7. When construction is completed, PAPM prepares Project Summary for inclusion in CCBWQA's 2024 Annual Report.
8. Lone Tree Creek in CCSP downstream of Pond (CCBWQA Only) (CCB-21.1)
- a. Description:
 - b. Status:
 - c. Next steps and schedule for 2024:
Lead Agency – CCBWQA
 1. Stakeholders - CPW
 2. This is a new project for 2024.
 3. In 1st quarter, this project is contingent upon completion of the Master Planning effort by WWE in CCSP. PAPM coordinates with Technical Manager and Executive committee to determine whether this project is ripe and ready to start in 2024.
 4. If project is ready to go, PAPM fills out description line above from information in the 10-year CIP and begins design of project.
9. Lone Tree Creek in Cherry Creek State Park (CCB-21.3)
- a. Description: This project includes a trail connection to Cherry Creek State Park and includes 570 linear feet of stream reclamation on Lone Tree Creek from the State Park Boundary to the Windmill Creek Loop Trail. The City of Centennial is the project lead. CCBWQA participation is for stream reclamation only.
 - b. Status: 95% submittal is under review (5/13/22); review comments have been returned (5/27/22). Project funding was brought to TAC at their 7/7/22 meeting, during drafting of IGA it was discovered that future maintenance of stream

reclamation should be considered, project will be brought back to TAC at an upcoming meeting for maintenance discussion and recommendation (8/12/22). A stakeholder meeting was held on 9/29/22 to discuss maintenance. A stakeholder meeting was held on 11/2/22 to discuss findings from CCBWQA's site visit and findings included in Wright Water Engineers report. The Board supports CCBWQA's partnering with Centennial at their 11/17/22 meeting. A Memo of Understanding is under review by Colorado Parks and Wildlife (CPW) affirming maintenance responsibilities for the stream reclamation fit under the current agreement between CCBWQA and CPW (3/30/23). CCBWQA sent the Draft IGA to Centennial for review on 5/23/23. The project is included in CCBWQA's 2024 Budget and 10-year CIP (11/10/23).

c. Next steps and schedule for 2024:

Lead Agency – Centennial

Partners – CCBWQA

Stakeholders - CPW

1. In 1st quarter, PAMP and Technical Manager coordinate with Centennial on schedule of project.
2. When final design is completed, PAMP reviews 100% submittal, advocates for CCBWQA's interests, and attends review meeting.
3. When project receives approval from USACOE (404 permit and 408 review) and CPW, PAMP coordinates IGA. IGA needs to be finalized (draft has been sent to Centennial) and executed, Board action was previously taken coordinate with Technical Manager and Legal to see if any further action is needed.
4. PAMP provides construction assistance with other partners taking the lead on this work. PAMP attends the pre-construction meeting, progress meetings frequently (higher level of involvement here, as this will be a Pollution Abatement Project/Pollution Reduction Facility maintained by CPW and CCBWQA), and final walk-through/punch list meeting. PAMP advocates for CCBWQA's interests and reports on progress accordingly.
5. When construction is completed, PAMP prepares Project Summary for inclusion in CCBWQA's 2024 Annual Report.

10. Happy Canyon Creek at Jordan Road (SEMSWA) (CCB-22.1)

- a. Description: The design and construction are in partnership with Southeast Metro Stormwater Authority and MHFD and includes 2,500 feet of stream reclamation. The Authority's water quality component share for design and construction is estimated to be \$325,000. The total project cost is estimated at \$1,300,000.
- b. Status: IGA is scheduled for June TAC and Board meetings (5/27/21). IGA has been approved and executed by all parties (7/29/21). Jacobs has been selected as design consultant and project scoping is underway; limits have been extended upstream to the County Line and sediment capture area and transport will be included with the project (10/15/21). Jacobs has submitted their scope of work and fee for design which is under review by project sponsors (11/11/21). Project sponsors have completed a review of Jacobs' fee and scope of work and the agreement is being routed for signatures (1/28/22). IGA Amendment to bring in 2022 funding is in process (3/10/22). A project kickoff meeting was held on 3/28/2022. A site visit was performed on 4/12/22 to document existing conditions and identify sediment source/transport/deposition areas. Project Team is preparing a sampling plan for bank and bed materials to determine phosphorus content (5/13/22). The project team met on 5/24/22 to discuss project goals and Jacobs is progressing

through the study. Jacobs and ERC are working on sediment transport analysis and model (6/30/22). The results from the sediment transport model were presented at the 8/23/22 progress meeting and an upstream sediment capture area just south of the JWPP was included in the alternatives analysis (8/26/22). The alternative analysis report is expected to be completed before the end of 2022 (10/13/22). Lab results from stream soil samples were sent to Jacobs so that they include phosphorus reduction in the alternatives analysis report; a groundwater investigation is needed to inform sediment capture facility and stream reclamation alternatives, scoping and negotiations are in progress (11/11/22). Groundwater scope of work has been reviewed and approved by project sponsors (1/13/23). The IGA Amendment bringing in the 2023 funding was recommended by TAC and authorized by the Board in April (5/12/23). Progress meeting was held on 10/30/23 where the groundwater information was reviewed and the impacts from the 2023 storms were discussed; MHFD is planning additional sediment removals accordingly.

c. Next steps and schedule for 2024:

Lead Agency – MHFD

Partners – CCBWQA and SEMSWA

1. In 1st and 2nd quarters, Jacobs completes alternatives analysis and provides initial cost information to incorporate in to CCBWA's and partners' CIPs/budgets. PAMP attends progress meetings and advocates for CCBWQA's interests. PAMP reviews alternatives analysis and attends review meeting.
2. In 3rd quarter, PAMP coordinates IGA Amendment (MHFD prepares) to bring in 2024 funding (see row 26 of CIP) and takes to TAC and Board for their authorization.
3. In 3rd and 4th quarters, PAMP coordinates with project partners on requesting and reviewing scope of work and fee from Jacobs for the next level of design.
4. Funding and design of this project will likely continue into 2025.

11. Happy Canyon Creek - Upstream of I-25 (CCB-22.2)

- a. Description: The design and construction are in partnership with Douglas County, City of Lone Tree, and MHFD and includes 2,500 feet of stream reclamation. The Authority's water quality component share for design and construction is estimated to be \$500,000. The total project cost is estimated at \$2,000,000.
- b. Status: Douglas County, City of Lone Tree, and MHFD have initially funded and selected Muller Engineering as the design engineer. Design has started and a progress meeting was held on 1/27/21. Design is progressing (2/11/21). Muller has submitted 60% Design Deliverables (5/27/21). IGA for 2021 Funding is being brought to Board in September (9/9/21). 2021 IGA Amendment has been executed (11/11/21). Coordination with CDOT and Amendment at their June 16th meeting (6/30/22). The project received environmental clearance from CDOT (8/12/22). The 90% design submittal is scheduled for delivery by end of September (8/26/22). The 90% design submittal is being reviewed (10/13/22). Comments were provided on 90% submittal (11/11/22). Muller completed the 100% design submittal on 11/22/22. CDOT permit was issued, and pre-construction meeting was held on 1/10/23; construction start is scheduled for 1/30/23 pending execution of easement documents from Surrey Ridge which has agreed to terms and easement language. Notice to Proceed on construction is pending execution of easement documents (1/27/23). Easements have been signed by property owners and Notice to Proceed has been issued to Naranjo Civil Constructors (2/8/23). Construction is underway

with initial construction BMPs/stormwater controls in place; water diversion and control is being set up for the downstream section of the project (3/10/23). Water control is in place and construction of stream reclamation is underway for downstream sections of the project (3/30/23). Riffle and Boulder Cascade drop structures on downstream third of project are nearing completion (4/13/23). Construction is underway in the middle third of the project; efforts consist of stream grading and installation of Riffle and Boulder Cascade drop structures (5/12/23). The storm damage from May 11 to 13, 2023 event is being identified and repaired (5/25/23). Construction on the middle third is substantially complete and work has begun on the upstream third (7/27/23). The construction is nearly complete with the punch list walk on 9/13/23; contractor is working on completing plantings and resolving punch list items. Asphalt repairs on the frontage road are being scheduled and some of the plantings will need to be done during the 2024 spring planting window to improve their chance for success (11/10/23). *Asphalt repairs have been made and the project summary has been prepared (12/1/23).*

c. Next steps and schedule for 2024:

Lead Agency – MHFD

Partners – CCBWQA, Douglas County, and Lone Tree

1. Project is substantially complete.
2. In 2nd quarter, MHFD to contract for remaining revegetation items to be installed within spring planting window. PAMP monitors and reports as needed.
3. Until permits are cleared and vegetation established, PAMP coordinates CCBWQA acknowledgement of necessary agreements prepared by MHFD (i.e. weed control, maintenance, supplemental plantings, etc.)
4. After permits are cleared and vegetation established, PAMP and Technical Manager get final accounting from MHFD and refund of any unused balance, if any.

12. Dove Creek - Otero to Chambers Rd. (CCB-23.1)

- a. Description: The design and construction are in partnership with Southeast Metro Stormwater Authority (SEMSWA) and with Mile High Flood District (MHFD) being a key stakeholder; it includes 1,300 feet of stream reclamation. The Authority's water quality component share for design and construction is estimated to be \$175,000. The total project cost is estimated at \$700,000.
- b. Status: SEMSWA is drafting the Intergovernmental Agreement to bring in the 2021 funding for the project (3/12/21). RESPEC is the design consultant; two conceptual design alternatives have been prepared and reviewed during meeting on 3/15/21. IGA is scheduled for CCBWQA's May TAC and Board meetings (4/30/21). IGA has been approved and executed by all parties (7/29/21). 30% Design Review Meeting was held on 8/23/21. A Progress meeting is scheduled for 2/26/22 with 60% Plan submittal expected to follow (1/28/22). The 60% Design was submitted on 2/16/2022, comments were provided, and a design review meeting was held on 2/23/2022. IGA Amendment to bring in 2022 funding is in process (3/10/22). Construction costs were prepared by CEI based on 60% submittal (5/13/22). A design progress meeting was held 6/14/22 and 90% design submittal is being prepared (6/30/22). 90% design submittal is expected by the end of July (7/15/22). The 90% design submittal was reviewed, and comments were submitted on 8/22/22. Construction is anticipated in 2023 (10/13/22). A progress meeting was held on 11/8/22, project will likely be done in 2 phases, IGA Amendment will be needed early in 2023 so that construction can start ahead of storm season. Dove Creek IGA for

construction of Phase 1 is scheduled for TAC and Board in January 2023, construction is expected to start shortly afterwards (12/30/22). Construction is scheduled to start mid-February; construction agreement and engineering construction services amendment are currently being reviewed (1/27/23). Construction and engineering construction services have been finalized and a preconstruction meeting was held on 2/2/23. Notice to Proceed has been issued to Concrete Express; construction is underway with initial construction BMPs/stormwater controls in place (3/10/23). Water control is in place and construction of stream reclamation is on-going (3/30/23). Step pool drop structures have been constructed and work on soil wraps is underway (4/13/23). Low-flow or bank full channel work (soil wraps and erosion control blanket) and step-pool structures are complete, water diversion has been removed, and is active to storm flows; work continues in upland areas and higher elevations of stream reclamation (5/12/23). Storm damage from May 11 to 13, 2023 event is being repaired (5/25/23). Construction punch list is being completed (6/29/23). Construction of Phase 1 is complete (7/27/23). *Project summary has been prepared (12/1/23).*

c. Next steps and schedule for 2024:

Lead Agency – SEMSWA

Partners – CCBWQA

1. Project is substantially complete in 2023.
2. Until permits are cleared and vegetation established, SEMSWA is monitoring and working on clearing GESC permit, which PAMP monitors and reports on as needed. PAMP coordinates CCBWQA acknowledgement of necessary agreements prepared by SEMSWA (i.e. weed control, maintenance, supplemental plantings, etc.).
3. After permits are cleared and vegetation established, PAMP and Technical Manager obtain final accounting from SEMSWA and refund of any unused balance, if any.

13. Dove Creek - Chambers Rd. to Pond D-1 (CCB-23.1)

- a. Description: The design and construction are in partnership with Southeast Metro Stormwater Authority (SEMSWA) and with Mile High Flood District (MHFD) being a key stakeholder; it includes 1,300 feet of stream reclamation. Construction was broken into 2 phases with Phase 2 scheduled for 2024.
- b. Status: CCBWQA acted at their October meeting to advance their funding for Phase 2 Construction to 2023 with SEMSWA's funding scheduled for 2024, IGA has been prepared and scheduled for signatures after SEMSWA's November Board meeting, phosphorus estimates for sediment capture areas for the project were provided to Technical Manager (11/10/23).
- c. Next steps and schedule for 2024:

Lead Agency – SEMSWA

Partners – CCBWQA

1. In 1st quarter, project is scheduled for construction. PAMP reviews construction agreements (SEMSWA prepares), coordinates with CCBWQA staff, and works with Administrative Manager on CCBWQA's acknowledgement.
2. In 1st quarter, PAMP coordinates CCBWQA's acknowledgement of construction and engineering support agreement (SEMSWA prepares). RESPEC provided scope and fee for engineering support during construction and SEMSWA prepared agreement, CCBWQA has

reviewed, returned comments, and Technical Manager was copied to facilitate transition between PAPMs.

3. In 1st and 2nd quarters, PAMP provides construction assistance with other partners taking the lead on this work. PAMP attends, advocates for CCBWQA's interests, and reports progress meetings near 1/3 and 2/3 completion points (minimum level of involvement anticipated).
4. When construction is completed, PAMP prepares Project Summary Report for inclusion in CCBWQA's 2024 Annual Report.

14. Mountain and Lake Loop Shoreline Stabilization Phase II (OM-)

- a. Description: This project was identified through the 2020 annual inspection and design and permitting started in 2021. It adds about 40 feet of shoreline protection where it has eroded leaving a 1-2 foot tall vertical bank.
- b. Status: Construction Plans have been prepared and the GESC was submitted to Arapahoe County for review (1/13/22). Plans are being reviewed by US Army Corps of Engineers for 408 clearance (5/13/22). *Comments were received from the US Army Corps of Engineers on 8/29/23. A meeting has been scheduled for 11/16/23 with USACOE's local staff and CPW staff to discuss the cut and fill balance requirements on this project and other planned projects in Cherry Creek State Park (11/10/23). A site meeting with CPW is being scheduled to determine the feasibility of the project after the 2023 storm damage (12/1/23). The 12/20/23 site meeting with Michelle Seubert identified 2 possible alternatives to address 2023 storm damage and meet USACOE cut and fill requirements while maintaining access to the swim beach. An updated project cost is about \$90,000 which is over the \$65,000 budgeted in 2024 (12/28/23).*
- c. Next steps and schedule for 2024:
 - Lead Agency – CCBWQA
 - Stakeholders – CPW
 1. In 1st quarter, PAMP evaluates and coordinates whether it still makes sense to move forward with this project with the increased cost. The project is estimated to immobilize 5 pounds of phosphorus annually, this equates to a unit cost increase from \$889 to \$1102 per pound of phosphorus immobilized using CCBWQA's method.
 2. If project moves forward, PAMP coordinates contracts with Loewen and ERO for design and permitting support. ERO has submitted a proposal for the environmental permitting, work with Val on work order, cost is above ERO's on-call contract amount for 2024, so it may need additional Board approval. Loewen has submitted a rough scope of work and estimate for evaluation of alternatives and revised design, PAMP facilitates contracting for CCBWQA including any approvals (need TAC and Board?). PAMP reviews scope of works, assists consultants through design and permitting, coordinates 408 review including preparation of project summary letter on behalf of CCBWQA to USACOE and CPW. PAMP coordinates support letter from CPW (Michelle Seubert).
 5. If project moves forward, PAMP assists CCBWQA in contracting, helps to determine whether a direct selection of contractor can be done or whether it needs to go to public bid, and gets TAC and Board authorization, if needed. If public bid is required, then PAMP coordinate with CCBWQA's Administrative Manager on bid process.
 6. If project moves to construction, PAMP assists CCBWQA with construction observation.

7. If project completes construction, PAMP to prepare project summary for inclusion in CCBWQA's 2023 annual report.