

**Upper Clear Creek Watershed Association
Meeting Minutes
November 10, 2022**

Call to Order/Establish Quorum

A regular meeting of the Upper Clear Creek Watershed Association was called to order at 8:37 am by Chair Kerry Major on November 10, 2022. A quorum was declared established.

Agenda Approval

It was moved and seconded to approve the agenda as presented with CDPHE presenting first and the Budget session moved to after the Secretary/Treasurer report on the agenda; motion carried unanimously.

Approval of Minutes

It was moved and seconded to approve the minutes of the October 13, 2022, UCCWA meeting; motion carried unanimously.

Secretary/Treasurer Report

It was moved to approve Kielty Diversified Projects October 2022 Invoice #566 for \$750.00 and Clear Creek Consultants Invoice #2606 for \$700.00 for a total of \$1,450.00; motion carried unanimously.

Clear Creek TMDL Update – Tristan Acob, CDPHE

A June presentation to UCCWA discussed TMDL coming to Clear Creek. They are organizing CDPHE data currently. EPA and the River Watch program have provided additional data. They can come to UCCWA in the spring to share a map of all the data. This mapping will be an opportunity to identify any data gaps. They asked that any members who would like to be included in the CDPHE updates on the TMDL let Diane Kielty know, and she will share their contact information with CDPHE. CDPHE will also be hosting TMDL meetings and discussing the next decade of TMDLs.

2023 Budget Committee Update (Pat O’Connell) – The 2023 dues will mimic 2021 dues for members. The contingency refund is not in play because 55% was spent of the Contingency Fund. Changes to interest income decreased from \$1,000 to \$100 to reflect actual numbers more accurately. A new line item was created for developing and maintaining a website or webpage for UCCWA of \$5,000. Increased the office supply to \$360 annually to cover expenses including a portion of the internet costs, computer, etc. The Sustaining Colorado Watersheds Conference fund was increased from \$500 to \$1,500. There was discussion on keeping the Contingency Fund at \$15,000 and removing the Special Projects and Member Support Fund line items. Those expenses would be applied to the Contingency Refund when projects are approved.

A motion was made by Lisa Leben to approve the budget as presented and include the removal of line items 35 and 26 and seconded by Geoffrey Niggeler; Motion carried unanimously.

Referrals

Referral response requested on the Field House Private Lift Station in Clear Creek County from Diamondback Engineering & Surveying. David Hach with Diamondback Engineering Inc. was present. There will be a 30 gallon per day lift station. It is a prefab system with multiple redundancies built in and an integrated alarm with auto dialer. The project is not located within any wetlands or floodplains. It will have 4” pumps so will not use grinder pumps. Idaho Springs has approved the application. There is not a dedicated overflow tank. They did perform a peak storage capacity flow.

Action: Secretary/Treasurer will send a letter of approval to CDPHE.

Land Use request for the Walstrum (Frei) Quarry property located near the intersection of US Highway 6 and Interstate 70 in Clear Creek County. If you wish to provide comments on the proposal, please do so no later than November 23, 2022. The full application for the request can be found at the following link under case # RZ2022-0001 (Application link):

- <https://www.clearcreekcounty.us/477/Active-Cases>

Al Frei, Jr. was present to answer questions. The quarry remains the same, but the disturbed area is increasing to get high level aggregates. Water will go into existing quarry. They have been collaborating with CDOT to set up detention basin in the area of high truck use. The stormwater plan is in the application for UCCWA review.

Action: Secretary/Treasurer schedule a March hybrid meeting at the Frei Quarry.

Water Quality Incident Reports

- On October 22nd at 5:35 AM Jeffcom Dispatch received information of a possible contamination of the water in Clear Creek at highway 6 near mm 261 due to a vehicle in the creek. Golden's water treatment plant was notified.

Presentations

- CO School of Mines Missouri Creek Restoration Project Update - James Felmlee, CSM – Presentation reviewed activities to date, site visit outcomes, and water quality testing sites and results. There are benthic bugs but no fish in the stream. Aquatic life may also be improved through improvements. Recommended they investigate the need for a 404 permit to incorporate elements of their design. It depends on how they move forward with this project if they utilize CERCLA (it may qualify based on the concentrations of metals) then they will not need a 404. If they use NEPA, they will have to pursue a 404. They are moving into estimating costs. Presentation available by request.

Other Business

- Election of officers for 2023 – We lost our quorum. This item will be moved to the December meeting.
 - Brad Benning, Gilpin County – Chair
 - Geoff Niggeler, Henderson Mine – Standing for Vice-Chair
- Call-Down List Update (Lisa Leben & Ben Moline) – No update
- 2021 Annual Report presentation to the Water Quality Control Commission December Meeting will be hybrid on Dec 12, 2022 at 9:00 am.
 - 4 PPT slides for UCCWA – Find the slides from the last commission presentation. Bring the four slides to members for the December UCCWA meeting.

Member Updates

Standing Items:

- LRE Regulatory Bulletin (Jessica DiToro) - Report provided in meeting packet.
- Clear Creek Watershed & Forest Health Partnership Update (Diane Kielty) – Bakerville SWEEP is starting. Kerry Major will attend as the UCCWA representative.
- Integrated Watershed Management Plan (Ashley Giles) No report.
- CDPHE Stormwater Weblink: [Notice of Responsive comment period for Stormwater Discharges Associated with Active and Inactive Mining Industrial Activity COR040000](#) – They will be issuing independent permits. This may impact individual landowners. There is not a clear definition around areas where organizations or

NGOs may want to make improvements. Until they determine how to regulate, UCCWA will want to keep an eye on this to see how it may impact small independent projects. Individual permits could have associated high costs with significant costs to meet standards.

Announcements

- **Small Surface Water and Groundwater Storage Projects Grants:** [R23AS00019](#) The objective of this NOFO is to invite sponsors of small surface water and groundwater storage projects (projects) to request cost-shared funding for the planning, design, and/or construction of those projects
- **River Network** is looking to launch 5-7 NEW [Community-Led Research \(CLR\) projects](#) and [Leadership Development \(LD\) programs](#) in partnership with local organizations. Selected organizations receive up to \$8,000 in funding and direct technical assistance to advance their project. They are particularly interested in partnering with organizations that are: (1) working to advance climate resilience, (2) focused on equitable outcomes and a credible stakeholder with communities that are at greatest risk, and (3) able to leverage or contribute to existing climate resilience initiatives. If your organization is interested in this opportunity or know of others that might be, [please fill out this simple interest form](#).
- Governor Polis has put in for funding for thirty new permit writers with additional each year to address backlog.

Adjournment

At 10:22 am, Chair Major adjourned the meeting. The next meeting will be Thursday, December 8, 2022.

Diane Kielty, Secretary/Treasurer

MEMBERS ROLL CALL:

Albert Frei & Sons: Al Frei, Jr.
Black Hawk: Excused
Black Hawk/Central City San. Dist.: Excused
CDOT: Josh Giovannetti
Central City: Absent
Central Clear Creek San. Dist.: I (opted)
Clear Creek County: Lisa Leben
Clear Creek Ski Corp.: Cindy Olson
Empire: Absent
Georgetown: Absent
Gilpin County: Brad Benning
Golden: Kerry Major, Samuel Zrust
Henderson Mine: Geoff Niggeler
Idaho Springs: John Curtis, John Bordoni
Jefferson County: Pat O’Connell
Molson Coors: Excused
Saddleback: I (opted)
Silver Plume: Absent
St. Mary’s Water & San. Dist.: Chris Oeland
Trout Unlimited: Lauren Duncan

Mary Boardman, CDPHE
Barbara Bennett, CDPHE
Trea Nance, City of Westminster
Kelly Cline, City of Westminster
CSM - Stream Team, Missouri Creek Project
James Felmlee, CSM
David Hach, Diamondback Engineering Inc.

Others Present:

Diane Kielty, Secretary/Treasurer UCCWA
Shelley Stanley, City of Northglenn
Andy Cross, City of Westminster