



STAFF REPORT

To: Honorable Mayor and Members of Town Council

Through: David L. Corliss, Town Manager

From: Mark Marlowe, P.E., Director of Castle Rock Water
J. David Van Dellen, P.E., Assistant Director

Title: **Informational Item Pertaining to the Proposed Senate Bill SB23-267
Concerning Protecting Water Quality in Chatfield Reservoir and the
Watershed**

Executive Summary

In November 2022, the Chatfield Watershed Authority contracted with lobbyists Steve Balcerovich and Amy Attwood (Lobbyists) to identify a funding source and introduce a fee bill during the 2023 Colorado Legislative Session to address a \$1.2 million shortfall over the next five years in Authority funding needed to address water quality issues at the reservoir and within the watershed. The Lobbyists worked with the Authority to identify that a water quality fee which mimics that which is applied through state statute at Cherry Creek State Park would cover the funding shortfall needed over the five-year term. A late bill was authorized and introduced on the senate floor on April 4, 2023 (**Attachment A**) proposing the water quality fee to be paid by visitors of Chatfield State Park in the amount of \$1 per vehicle per day or \$3 per annual pass, collected by Colorado Parks and Wildlife and distributed to the Authority on a quarterly basis. The proposed bill is anticipated to generate approximately \$250,000 annually and includes a repeal date of January 1, 2029 on the basis of the currently justified needs of the Authority.

The bill would allow for the Authority to apply funds from the water quality fee toward nutrient and nonpoint source pollution controls, construct, operate and maintain nonpoint source projects and enhanced water quality monitoring, stormwater runoff mitigation and erosion control within the Chatfield Watershed.

The Authority currently relies exclusively on voluntary member dues and has an annual budget of approximately \$200,000 to cover basic responsibilities according to Water Quality Control Regulation No. 73 including water quality monitoring, annual reporting of water quality compliance with the nutrient and chlorophyll-a standards and baseline modeling efforts. The Authority is charged with implementing nonpoint source pollution controls within the Watershed and implementing a Total Maximum Annual Load (TMAL) for phosphorus according to the

Control Regulation. The proposed funding source will allow for the Authority to begin addressing these issues in partnership with member entities.

A factsheet has been developed for this proposed fee bill and is included as Attachment B for reference.

On April 12th, 2023, the Agriculture and Water Resources Committee (Committee) heard the bill and voted to support the bill out of committee 4-3. They then referred the bill to the Finance Committee. Castle Rock is working with the Chatfield Watershed Authority on a white paper to answer some additional questions from the Committee. Douglas County, Jefferson County, Roxborough Water, Colorado Agricultural Leadership Foundation, and Castle Rock Water spoke in favor of the bill. Colorado Water Congress and South Metro Water Supply Authority are also supporting the bill.

Attachments

Attachment A:	Draft Water Quality Fee Bill SB23-267
Attachment B:	Factsheet