

## Legislation Text

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**File #:** Resolution 31-2016, **Version:** 2

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Agenda Date: 08/02/2016

**Subject:**

A resolution approving the Amended and Restated Intergovernmental Agreement Establishing the Chatfield Watershed Authority

Presented By: Mark Relph, Public Works and Utilities Director
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**POLICY QUESTION:**

Does city council support approving the intergovernmental agreement of the Chatfield Watershed Authority?

**BACKGROUND:**

The Chatfield Watershed Authority was established in 1993 by an agreement that expired December 31, 1996. It was replaced by the Agreement for Continuation of the Watershed Authority, dated March 26, 1997.

The Chatfield Watershed Authority is a group of cities, towns, counties, special districts and private industries, which collectively serve as the management agency for the area, which is tributary to Chatfield Reservoir. The Authority was responsible for carrying out the Chatfield Reservoir Control Regulation adopted by the Water Quality Control Commission of the State of Colorado. This regulation sets and enforces water quality standards for Chatfield Reservoir, the South Platte River and Plum Creek.

When the city annexed the Chatfield Green property (TrailMark), it assumed jurisdiction for a small part of the watershed that drains to Chatfield Reservoir. Considering the potential water quality impacts to the reservoir when Chatfield Green developed, the city joined the Chatfield Basin Authority. When the Chatfield Control Regulation was amended by the State in 1996, the Chatfield Basin Authority was renamed the Chatfield Watershed Authority.

Approving the amended and restated intergovernmental agreement, which includes amended by-laws as an attachment, will allow the City of Littleton to remain a member of the Chatfield Watershed Authority. Members of the Chatfield Watershed Authority are: Douglas County, Jefferson County, Town of Castle Rock, Town of Larkspur, Castle Pines Metropolitan District, Centennial Water and Sanitation District, Dominion Water and Sanitation District, Louviers Water and Sanitation District, Perry Park Water and Sanitation District, Roxborough Water and Sanitation District, the City and County of Denver through its Board of Water Commissioners, and the Plum Creek Water Reclamation Authority.

**STAFF ANALYSIS:**

It is important the city participate in the Chatfield Watershed Authority for a coordinated, regional approach to the watershed management as it best protects the interests of all affected parties while also protecting water quality.

At the June 7, council meeting, Council member Clark had asked for a clarification as to whether or not “point source” (e.g. waste water treatment plants) was a new responsibility being added to the proposed IGA. “Nonpoint source” (e.g. storm water runoff) was clearly identified as a responsibility of review in the 1997 IGA and is reflected in the proposed 2016 resolution. The 2016 IGA does include the addition of “point source”. This issue was referred back to the Director of the Authority and to the city’s special legal counsel, Fischer, Brown Bartlett & Gunn, for clarification.

Attached is a table provided by the Authority summarizing the major issues and any differences between the 1997 IGA (as amended over time) and the 2016 documents. This document states that “point source” is currently included as part of the Authority’s responsibilities and is proposed for the 2016 IGA with no changes. Special counsel has reviewed the information and concurs with the conclusion.

It is staff’s conclusion as well as special legal counsel, the inclusion of “point source” does not grant any special review or authority over the Littleton/Englewood waste water treatment plant. The Authority’s responsibility is limited within their designated boundary, also attached.

**FISCAL IMPACTS:**

The City of Littleton’s annual cost to participate in the Chatfield Watershed Authority is \$2,000. This is a flat fee considering the assessed valuation of the percentage of land in the watershed within Littleton’s jurisdiction.

**STAFF RECOMMENDATION:**

Staff recommends approving the amended and restated intergovernmental agreement.

**PROPOSED MOTION:**

I move to approve the resolution approving the Amended and Restated Intergovernmental Agreement Establishing the Chatfield Watershed Authority.