Cherry Creek Basin Water Quality Authority
Pollution Abatement Project Identification and Prioritization Process
Revised Draft (11/26/2025)

A. CHERRY CREEK BASIN WATER QUALITY AUTHORITY

The Cherry Creek Basin Water Quality Authority (CCBWQA) is a quasi-municipal corporation and political subdivision of the State that is the primary agency for complying with Control Regulation 72 within the Cherry Creek Reservoir Basin. CCBWQA is specifically empowered to develop and implement plans for water quality controls for the Reservoir and watershed. CCBWQA is required to allocate at least 60% of its revenue to a Pollution Abatement Fund that is used to support Pollution Abatement Projects (PAPs)[1] such as structural measures referred to as Pollution Reduction Facilities (PRFs)[2], non-structural measures such as pollution source controls, land acquisition, in-reservoir management actions, and operation and maintenance of PRFs. For structural projects, CCBWQA maintains a 10-year Capital Improvement Program (CIP) that identifies CIP projects considered for inclusion in CCBWQA's annual budget for the Pollution Abatement Fund. The CCBWQA does not have land use authority, but serves as a referral agency for local governments related to implementation of requirements in the Cherry Creek Basin Control Regulation 72, including those applicable to municipal separate storm sewer systems (MS4s).[3] Stormwater control measures (SCMs) required for stormwater treatment under MS4 permits as part of new development or redevelopment projects are typically not funded by CCBWQA unless such SCMs incorporate capacity for otherwise historically untreated stormwater.

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[1] "Pollution Abatement Project" shall be any physical structure or facility that is planned, designed, and intended to directly reduce nutrients or other pollution in the Cherry Creek Reservoir, the Cherry Creek Watershed or both (collectively the "Watershed"). By way of explanation a Pollution Abatement Project is any created wetland, berm, swale, detention area, or stream reclamation area. However, the term also includes: (i) the acquisition of property and interest in property, including easements for the purpose of controlling or reducing nutrient loading or pollution in the Watershed; and (ii) the development of any new approach, analytical tool, educational approach, or other innovative method for treating or controlling nutrient loading or pollution in the Watershed such as, but not limited to, Reservoir modeling. (CCBWQA Resolution 2018-11-05)

[2] "Pollutant Reduction Facility (PRF)" means projects that reduce nonpoint source pollutants in stormwater runoff that may also contain regulated stormwater. PRFs are structural measures that include, but are not limited to, detention, wetlands, filtration, infiltration, and other technologies with the primary purpose of reducing pollutant concentrations entering the Reservoir or that protect the beneficial uses of the Reservoir.

[2] SCMs considered for funding by CCBWQA are those not already required as part of new development or redevelopment projects under MS4 permits.

[3] "Section 72.2 Definitions "Municipal separate storm sewer system" or "MS4" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains); owned or operated by a State, city, town, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to state waters; designed or used for collecting or conveying stormwater. which is not a combined sewer; and which is not part of a Publicly Owned Treatment Works (POTW). *"Regulation No. 72 – Cherry Creek Reservoir Control Regulation 5 CCR 1002-72"*

B. PROCESS FOR REQUESTING FUNDING FROM CCBWQA

1. Local Government Submits Request for CCBWQA Financial Assistance.

CCBWQA recommends that the local government contact CCBWQA's Pollution Abatement Project Manager (PAPM) to discuss the proposed project before submitting a project request. Based on feedback from the TAC subcommittee, projects may fall into two categories further defined herein; projects may be "structural" or "non-structural". A request can be made utilizing the CCBWQA request forms (google form) which include requested information by project type based on attributes developed as part of this process:

- **PAP/CIP Request Form - Structural Projects**
- **PAP Request Form - Non-Structural Projects**

Although use of the PAP request form is preferred, the local government may alternatively submit a written request if needed (e.g., project has unique characteristics not well suited to the form). Whereas the written request will be dependent on the nature of the project, the letter should typically include, but not be limited to:

i. Address the letter to CCBWQA's Technical Manager with a copy to the PAPM. Identify a contact with the local government related to the request.

ii. A description of the project including a general location map and a more detailed project area map. Typically, this information can be obtained from local storm drainage master plans such as those prepared under the jurisdiction of the Mile High Flood District or the local government but can also be a project not identified in a master plan but as part of an equivalent study or investigation (see Project Prerequisites herein).

iii. An estimation of project costs including preliminary and final engineering, construction oversight, construction, administration, right-of-way, and operation/maintenance costs. Project costs not related to water quality enhancements, such as improvements solely related to recreation and education must be itemized separately if they are included in the cost estimate.

iv. An explanation of how the project aligns with CCBWQA's goals and objectives, as outlined in the four priority categories (described in F. below) and the CCBWQA Watershed Plan. The requestor may work with the CCBWQA PAPM to estimate the project's water quality benefits but must provide sufficient project details (e.g., stream length for stream stabilization projects) or estimates of other project water quality improvements to support this assessment.

v. Discussion of long-term maintenance agreements and/or responsibilities, including temporary/permanent construction and maintenance easement requirements and ownership.

vi. Other information deemed relevant by the local government or specifically requested by CCBWQA (e.g., relationship of project to other upstream/downstream projects).

2. Preliminary Review by the Technical Advisory Committee (TAC) CIP Subcommittee.

i. CCBWQA's Technical Manager will schedule the funding request on the agenda for initial review at the next appropriate TAC Subcommittee meeting if the request is deemed sufficiently complete. The TM/PAPM with notify the board of the request and scheduled meeting. The local government representative will be requested to make a brief presentation and to address questions.

ii. Members of the TAC CIP Subcommittee, and CCBWQA staff will be requested to score the project based on the ranking template **Exhibit A**. If TAC CIP subcommittee member is part of or the representative of the local government requesting funding for their project, they must recuse themselves from voting or participating in the scoring of the project.

iii. Scores from the project ranking will be compiled and based on the evaluation, the TAC Subcommittee may consider one or more of the following actions:

- Make a motion to accept the application for further presentation to the next appropriate TAC meeting for recommendation of the project as a potential pollution reduction facility (PRF) and include the project on CCBWQA's Master List of potential PRFs.
- Make a motion to decline the request for funding assistance, providing reasons for the denial. The local government may appeal the decision to the Board.
- Request the PAPM further review the project:
    a. For consistency with CCBWQA's Watershed Plan, or MHFD or local government Master Drainageway Plan.
    b. To provide an opinion on the water quality benefits of the project.
    c. Recommend factors for the TAC and Board to consider when selecting a level of funding participation such as:
        i. Water quality benefits and costs as compared to past projects.
        ii. Consistency with past funding levels.
    d. Recommend factors for the TAC and Board to consider regarding project prioritization, considering this prioritization guidance.
- When the TAC Subcommittee analysis is complete, the Technical Manager will take one of these actions:
    a. Schedule the funding request for the next appropriate TAC meeting; or
    b. Request additional information from the local government; or
    c. Postpone the decision on the application and schedule the request for a subsequent TAC Subcommittee meeting and/or further evaluation.

3. Review and Recommendation by the Technical Advisory Committee

i. The TAC will review the project scoring by the TAC Subcommittee and CCBWQA PAPM and any other additional information provided by the applicant and/or water quality analysis by the PAPM and consider one or more of the following actions:

- Make a motion to accept the application for further processing. The basis for the funding level and prioritization of the project shall consider:
    a. Recommendations of the PAPM.
    b. Funding levels of past projects.
    c. Available CCBWQA PAF funding.
- Make a motion to decline the request for funding assistance, providing reasons for the denial. The local government may appeal the decision to the Board.
- Request the PAPM to prepare an Action Item Memo with the TAC recommendation for Board consideration at the next appropriate Board meeting.
- If TAC member is the part of or the representative of the local government requesting funding for their project, they must recuse themselves from voting on the project.

4. Board Review.

i. CCBWQA's Technical Manager will schedule the funding request on the agenda for review at the next appropriate Board meeting. The local government representative may be requested to make a brief presentation and to address Board questions. The Board may consider one or more of the following actions:

- A motion to approve the project request for funding that includes a funding level and prioritization.
- A motion to deny the application for funding assistance from CCBWQA.
- A motion to refer the application for funding assistance back to the TAC and/or TAC Subcommittee for further consideration.
- Other motion or directive regarding the project as approved by the Board.
- Subject to available funds and if approved for funding by the Board, CCBWQA will include the project and funding level on its next capital improvement program budget or may elect to include the project in its current year budget.

C. PROJECT CONSISTENCY WITH ENABLING STATUTE

In order for projects to be considered for funding by CCBWQA, they must align with the CCBWQA's enabling statute Section 25-8.5-101:

(1) The general assembly hereby finds and declares that the organization of a Cherry Creek basin water quality authority will:

(a) Be for the public benefit and advantage of the people of the state of Colorado;

(b) Benefit the inhabitants and landowners within the authority by preserving water quality in Cherry Creek and Cherry Creek reservoir;

(c) Benefit the people of the state of Colorado by preserving waters for recreation, fisheries, water supplies, and other beneficial uses[4];

(d) Promote the health, safety, and welfare of the people of the state of Colorado.

(2) It is further declared that the authority will provide for effective efforts by the various counties, municipalities, special districts, and landowners within the boundaries of the authority in the protection of water quality.

(3) It is further declared that the authority should provide that new developments and construction activities pay their equitable proportion of costs for water quality preservation and facilities.

(4) This article, being necessary to secure the public health, safety, convenience, and welfare, shall be liberally construed to effect its purposes.

D. TYPES OF PROJECTS CONSIDERED FOR CCBWQA FUNDING UNDER POLLUTION ABATEMENT FUND

To be considered a PAP project, the project should fall into the following categories and involve permanent construction of, or rehabilitation of an existing pollution reduction facility (PRF) which

[4] Section 31.5 - "Beneficial uses" means those uses of state surface waters to be protected such as those identified in the classification system "*Regulation No. 31 – The Basic Standards and Methodologies for Surface Water 5 CCR 1002-31, Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Commission*"

would be considered a Structural project type or a Non-Structural project type which would include non-physical actions or studies to similarly benefit water quality. CCBWQA's PAP program includes a variety of different projects that are expected to improve or protect water quality in Cherry Creek and Cherry Creek Reservoir. Representative project categories include:

Structural Project (CIP) Examples

- Stream Stabilization or Restoration Project
- Shoreline Stabilization or Restoration Project
- Stormwater Control Measures (SCMs)[5]
- Retrofits of SCMs (e.g., Extended Detention Basins (EDB))
- In-reservoir projects (e.g., Reservoir Destratification System)
- Other PRFs that improve water quality and protect (or enhance) beneficial uses.

Non-Structural Project Examples

- Education and Outreach
- Land Acquisition or Preservation Easements
- Source Control Projects/Studies
- In Reservoir Treatments
- Other Special Studies (Demonstration/Pilot Projects)

E. PROJECT PREREQUISITES

To be considered for funding, the project must meet these prerequisites:

- If the project is a stream restoration project or regional stormwater facility, it must be identified in a Master Drainageway Plan (MDP) or an equivalent study or investigation; CIP development and improvements must be consistent with the plan as practical.
- Project must not harm the health, safety, and welfare of the people of the state of Colorado.
- Project must be supported by partners (e.g., USACE and CPW for in-park projects, local government jurisdiction for other projects).

F. PRIORITIZATION CATEGORY DEFINITIONS

The prioritization system identifies a series of metrics for use in project prioritization and assigns scores on a scale of 0 (least benefit) to 5 (best benefit). In addition to scoring metrics, categories are also weighted as defined below based on impact of the project and corresponding relationship to the CCBWQA's statute.

1. Project Water Quality Benefit – 50%
2. Maintainability and Sustainability -20%
3. Project Partner Support – 20%
4. Other Considerations – 10%

[5] SCMs considered for funding by CCBWQA are those not already required as part of new development or redevelopment projects under MS4 permits. Some exceptions could include SCMs that treat runoff that would not otherwise be treated, special demonstrations projects or other unique circumstances.

1. Project Water Quality Benefit

1.1 Water Quality Benefit – Direct Water Quality benefit will be evaluated for the proposed project. For Non-Structural Projects, the benefit may be estimated based on pounds of phosphorus immobilized or removed from reaching Cherry Creek Reservoir[6] as defined by the scoring metric below. For Non-Structural projects where a specific phosphorus removal value cannot be definitively defined (i.e. education and outreach), projects may be subjectively scored upon review of the benefits by CCBWQA staff and TAC subcommittee.

- 1 – 25 lbs/year **(Low – 1)**
- 25 – 75 lbs/year **(Moderate – 2)**
- 75– 150 lbs/year **(High – 3)**
- > 150 lbs/year **(Very High – 4)**

1.2 Cost/WQ Benefit ($/lb of Phosphorus)– This metric represents an annualized cost of the project based on the water quality benefit. For Structural Projects, this may be evaluated based on the annualized project cost per pound of phosphorus removed or immobilize for the completed total project assuming a 35-year lifespan at 4% inflation, which has been used as a baseline for project comparison on past projects within the basin. For **non-structural projects** where a specific phosphorus removal value cannot be defined, benefits may be subjectively scored by CCBWQA staff and the TAC subcommittee based on a review of the project's costs and expected benefits.

- >$6,000/lb **(High Cost – 1)**
- $3,000 – $6,000/lb **(Moderately High Cost – 2)**
- $1,000 – $3,000/lb **(Moderately Low-Cost– 3)**
- < $1,000/lb **(Low Cost– 4)**

1.3 Proximity to Reservoir – This metric incorporates the project's proximity to Cherry Creek and Cherry Creek Reservoir and recognizes that projects further upstream in the basin will have less direct phosphorus loading and water quality benefit. See Sub-Basin Map (**EXHIBIT B**).

- Projects within Bayou Gulch, Russellville Gulch, Lake Gulch, Antelope Creek (Douglas County), West Cherry Creek and East Cherry Creek sub-basins that are not within

[6] The immobilization of phosphorus can be evaluated with site specific testing and calculations or may utilize CCBWQA's current methods for evaluating benefits of stream restoration projects estimated on a linear foot basis "Stream Reclamation, Water Quality Benefit Evaluation - Interim Status Report (2011). The 2011 method is under review and an updated version is anticipated for released in 2026.

close proximity or along Cherry Creek mainstem and projects upstream of Rueter-Hess Reservoir **(Very Low Direct Benefit – 0)**

- Projects within Lemon Gulch sub-basin or along Cherry Creek mainstem in Bayou Gulch or Russellville Gulch sub-basins. **(Low Direct Benefit – 1)**
- Projects within Newlin Gulch sub-basin or along Cherry Creek mainstem in Lemon Gulch sub-basins. **(Moderate Direct benefit– 2)**
- Projects within Piney Creek and Happy Canyon Creek sub-basins or along Cherry Creek mainstem in Newlin Gulch sub-basin. **(High Direct Benefit – 3)**
- Project within Cherry Creek Lake Basin. **(Very High Direct Benefit – 4)**

1.4 Risk of No action – This metric captures additional water quality risks and immediate need for the project occurrence that may not be defined by previous metrics. Examples include risk to previous projects or upstream reaches, increased future phosphorus mobilization beyond current estimates and/or risk to existing utilities that could result in severe water quality impacts (i.e., broken sanitary sewer lines or other utilities).

- No risk **– 0**
- Low risk **– 1**
- Moderate risk **– 2**
- High risk **– 3**
- Very High risk **– 4**

1.5 Preservation beneficial uses

This metric captures the projects preservation of "beneficial uses" as defined in the State Use Classifications[7] as Recreation, Agriculture, Aquatic Life, Domestic Water Supply, and Wetlands.

- Project does not directly consider beneficial uses **(0)**
- Project provides some consideration for one or more beneficial uses **(2)**
- Project provides consideration for multiple beneficial uses **(4)**

2. Maintainability & Sustainability

2.1 Sustainability Design – This metric identifies whether the project plans to utilize a sustainable design approach resulting in lower long-term maintenance costs. For stream restoration projects, this can be assessed based on the extent to which the project aligns with MHFD's "high functioning, low maintenance" (HFLM) approach. **Note:** This

[7] Section 31.13(1) - State Use "Regulation No. 31 – The Basic Standards and Methodologies for Surface Water 5 CCR 1002-31, Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Commission."

metric may not apply to non-structural projects and can be excluded when comparing similar non-structural projects.

- Low Sustainability/ High Long-term Maintenance Cost **– 1**
- Moderate Sustainability/Moderate Long-term Maintenance Cost**– 2**
- High Sustainability/ Low Long-term Maintenance Cos**t– 3**
- Very High Sustainability/Very Low Long-term Maintenance Cos**t – 4**

Note: This metric may not apply to non-structural projects and can be excluded when comparing similar projects.

2.2 Assurance of Future Maintenance – Future maintenance of the project is important to the longevity of the design, such as early vegetation maintenance and routine weed management. This metric focused on the post-project maintenance plan.

- Project will not be maintained post-construction (**No maintenance - 0)**
- Long-term maintenance of project post-construction not well defined **(Infrequent/Low– 1)**
- Long-term maintenance of project post-construction, moderately to well defined, but not included on a routine maintenance schedule as deemed appropriate by the project type **(Moderate– 2)**
- Project is included on a routine maintenance and/or inspection schedule as determined appropriate by project type and need (**Moderate/High – 3)**
- Project will be maintained and included as part of a routine scheduled maintenance program post-construction (e.g., MHFD MEP[8]-eligible, accepted for maintenance by local government) **(Very High/Routine Maintenance – 4)**

Note: This metric may not apply to non-structural projects and can be excluded when comparing similar projects.

3. Project Partner support

3.1 Partner Support – This metric defines the partner support on this project.

- No Project Partner Funding **(0)**
- Partner Funding ≤ 20% **(1)**
- 20% to 35% Partner Funding **(2)**
- 35% to 50% Partner Funding **(3)**

[8] For project eligible for maintenance by MHFD, see https://www.mhfd.org/development-referrals

- More than 50% Partner Funding **(4)**

3.2 Available Funding – This metric identifies the availability of partner funding and the ability of the project to become "shovel ready" for CIP projects or otherwise included in partner funding for non-structural projects.

- Project not considered for partner CIP **(0)**
- Project considered, but not yet included in 10-year CIP for project partners **(1)**
- Project considered for partner's 10-year CIP but not included in the next 5 years for project partner funding **(2)**
- Project included to start funding in a 5-year CIP for project partners **(3)**
- Project included and fully funded in 5-year CIP for project partners **(4)**

4. Other Considerations

4.1 Project Co-Benefits – This is an additional metric that recognizes that some projects have multiple co-benefits that go beyond water quality and beneficial uses as identified in **Section 1**. These additional benefits are related to the environmental impacts and community benefits such as wildlife habitat, enhanced vegetation, floodplain impact, safe access to open space, water conservation and others. This category acknowledges a project's general alignment with MHFD's "Five Elements of Urban Stream Function"[9] which are generally accepted objectives along the Colorado Front Range. These values go beyond water quality and beneficial uses as consideration in project selection. Scoring for this metric is somewhat subjective; therefore, three scoring categories are provided that essentially correspond to a low, medium, or high level of co-benefits.

- Project provides no identified co-benefits related to the environmental impact and community benefits or other values. **(0)**
- Project provides some identified co-benefits related to the environmental impact and community benefits or other values. **(2)**
- Project provides multiple co-benefits related to the environmental impact and community benefits or other values. **(4)**

[9] See https://www.mhfd.org/the-five-elements-of-urban-stream-functions

EXHIBIT A: EXAMPLE PROJECT WEIGHTED SCORING

No.	Subcategory	Ranking Percentage	*4 -Very High*	*3 - High*	*2 - Moderate*	*1 - Low*	*0 - None*	*N/A*	Total Weighted Score
1.0	**Project Water Quality Benefit**	**50%**							**1.05**
1.1	Water Quality Benefit (e.g. overall Immobilization of Phosphorus (lbs/year)	*15%*			***x***				*0.3*
1.2	Cost/WQ Benefit (e.g. $/lb)	*15%*		***x***					*0.45*
1.3	Proximity to Reservoir	*5%*					***x***		*0*
1.4	Risk of No action	*5%*			***x***				*0.1*
1.5	Consideration of Beneficial Uses	*10%*			***x***				*0.2*
2.0	**Maintainability/Sustainability**	**20%**							**0.7**
2.1	Sustainability Design	10%	**x**						0.4
2.2	Assurance of Future Maintenance	10%		**x**					0.3
3.0	**Project Partner support**	**20%**							**0.8**
3.1	Partners	10%	**x**						0.4
3.2	Available Funding	10%	**x**						0.4
4.0	**Other Considerations**	**10%**							**0.3**
4.1	Project Co-Benefits	10%		**x**					0.3
		100%	**TOTAL PROJECT SCORE**						**2.85**

EXHIBIT B: CHERRY CREEK SUB-BASIN MAP