



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Myron E. Bateman, *Chair*
Clyde L. Bunker, *Vice Chair*
Merritt K. Frey
Gregg A. Galecki
Jennifer M. Grant
Leland J. Myers
Shane E. Pace
Hugo E. Rodier
Amanda Smith
Walter L. Baker
Executive Secretary

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD
DEQ Building Board Room #1015
195 North 1950 West
Salt Lake City, Utah 84116
March 26, 2014

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Myron Bateman	Jennifer Grant	Shane Pace
Leland Myers	Amanda Smith	Gregg Galecki
Hugo Rodier	Clyde Bunker	

Excused: Merritt Frey

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Leah Ann Lamb, John Whitehead, Faye Bell, Jenny Nicholas, Carl Adams, Kari Lundeen, Emily Canton, Mike Allred, David Snyder, Jeanne Riley, Kim Shelley, Chris Bittner, Svetlana Kopytkovskiy, Jeff Studenka, John Kennington, Ken Hoffman, Dan Hall, Brian Hamos, Jeff Ostermiller

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Mike Luers	SBWRD
Jim Olson	Water Works Engineers
Michael Boyle	SBWRD
Scott Kettle	Kamas City
Gary Siddoway	Kamas City
Trevor Lindley	JUB Engineers
Erica Gaddis	SWCA
Rob Dubuc	WRA
Doug Nielsen	Sunrise Engineers
Craig Ashcroft	Carollo Engineers
Scott Paxman	Weber Basin Water
Rich Black	ENVIRON
Jake Powell	Kamas & Summit Conservation District

Myron Bateman called the Board meeting to order at 9:35 a.m. and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE JANUARY 22, 2014, AND FEBRUARY 26, 2014 MEETINGS

Motion: It was moved by Mr. Pace and seconded by Mr. Bunker to approve the minutes of the January 22nd and February 26th WQ Board. The motion was unanimously approved.

Introduction of new staff: Mr. Hall from the Ground Water Section introduced Brian Hamos who will fill the vacancy in the Groundwater section. Mr. Kennington introduced Ken Hoffman who will fill the vacancy in UPDES Engineering section. Mr. Studenka introduced Jeanne Riley who will fill the vacancy in the UPDES IES section.

Executive Secretary's Report: Mr. Baker explained to the Board that EPA came out with its Waters of the U.S. Rule. This is a monumental effort following some of the court decisions and will bring some certainty to the Waters of the U.S. discussion. It is estimated that a 3% increase in jurisdictional waters could result. Walt does not really expect it will have a far reaching effect, particularly in Utah. It has implications on three elements of the Clean Water Act: the 401 Water Quality Standards, 402 permitting program and the 404 the wetlands program administered primarily by the Corps of Engineers. There will be a 90-day public comment period to help determine if the rule will be adopted or not.

There will be a Legislative audit of four of the water programs of the State which are: the Divisions of Drinking Water, Water Quality, Water Rights, and Water Resources. This happens approximately every ten years to determine if there would be efficiencies that would result from a consolidation of the water program.

Walt is meeting with the auditors and will keep the Board informed of any discussions that come from these meetings.

As mentioned last month during the Board call, a letter from the mayors of the surrounding communities of Logan was received by the Division due to the sewer project and the impact it would have on them. Two meetings have been held as a result of this letter to try and reach a satisfactory agreement with both parties involved. Walt feels like they're making progress, he anticipates in the May board meeting some discussion about how to move forward, and resolutions to some of the conflicts. The six satellite communities would like to be treated as more than a customer and have more input in the decision making and rate structures.

SRF FY13 Annual Report: As part of fulfilling requirements for the Clean Water State Revolving Fund (SRF) program Ms. Canton presented the SRF FY13 Annual Report to the Board, which included the Annual Report and financial statements which must be submitted to EPA Region 8.

RULEMAKING

Request to adopt changes on R317-5, *Large Underground Wastewater Disposal (LUWD) Systems:* Mr. Snyder explained to the Board that the comment period ended on March 17, 2014. Only one comment was received from Glen Eurick of Rio Tinto Kennecott requesting we consider changing the definition of "suitable soil" to include the use of fill material and allow it to be used for wastewater disposal, using textural or percolation tests.

Motion: It was moved by Mr. Myers and seconded by Mr. Bunker to approve staff's recommendation to adopt changes on R317-5. The motion was unanimously approved.

Request to initiate rulemaking R317-550, *Rules for Liquid Waste Operations*: Mr. Snyder explained the purpose of this action item is to obtain approval from the Board to proceed to rulemaking and seek public comment on *R317-550, Rules for Waste Disposal by Liquid Scavenger Operations*.

Motion: It was moved by Mr. Pace and seconded by Mr. Myers to approve staff's recommendation to proceed to rulemaking on R317-550. The motion was unanimously approved.

Request to initiate rulemaking R317-1-7.62 *Echo Reservoir* and R317-1-7.63 *Rockport Reservoir*: Ms. Lundeen introduced Erica Gaddis with SWCA who gave a presentation explaining the study. Ms. Lundeen explained to the Board that the Division of Water Quality has completed a TMDL study to address impairments of Echo and Rockport Reservoirs in the Upper Weber River Watershed. Because the cost of implementing this TMDL will be more than \$10M, staff is required to present the study to the Natural Resources, Agriculture and Environmental Interim Committee for its review. Staff is requested to initiate rulemaking to incorporate these TMDL studies into, respectively, R317-1-7.62 and R317-1-7.63.

Motion: It was moved by Mr. Myers and seconded by Mr. Bunker to approve staff's recommendation to proceed to rulemaking on R317-1-7.62 and R317-1-7.63. The motion was unanimously approved.

Request to adopt rulemaking on Colorado River TMDL into R317-1-7: Mr. Adams and Mr. Allred explained the Board had previously authorized initiating the rulemaking process which closed on March 3, 2014. No comments were received. Staff recommended the Board approval to adopt the changes made to the Colorado River Selenium TMDL Water Quality Study.

Motion: It was moved by Mr. Myers and seconded by Mr. Pace to approve staff's recommendation to adopt changes on Colorado River TMDL into R317-1-7. The motion was unanimously approved.

Next Meeting – April 30, 2014 @ 9:00 a.m.
Dixie Convention Center
Entrada B & C
1835 S. Convention Center Dr.
St. George, Utah 84790

Myron Bateman, Chair
Utah Water Quality Board