



State of Utah

SPENCER J. COX  
Governor

DEIDRE HENDERSON  
Lieutenant Governor

Department of  
Environmental Quality

Kimberly D. Shelley  
Executive Director

DIVISION OF WATER QUALITY  
John K. Mackey, P.E.  
Director

**Water Quality Board**  
James Webb, Chair  
Michelle Kaufusi, Vice Chair  
Carly Castle  
Michela Harris  
Joseph Havasi  
Trevor Heaton  
Robert Fehr  
Jill Jones  
Kimberly D. Shelley  
John K. Mackey  
Executive Secretary

*MINUTES*

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**UTAH WATER QUALITY BOARD**  
MASOB, Board Room 1015  
and  
Via Zoom

January 24, 2024  
8:30 am Meeting

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Jim Webb  
Carly Castle  
Trevor Heaton  
Michela Harris  
Jill Jones  
Joe Havasi  
John Mackey  
**Excused**  
Kim Shelley  
Mayor Kaufusi  
Robert Fehr

Ty Howard (for Kim Shelley)

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT & ONLINE**

Emily Cantón	Skyler Davis	David Jamison
Ken Hoffman	Samantha Heusser	James Harris
Clanci Hawks	Andrew Pompeo	
Haley Sousa	Lonnie Shull	
George Meados	Judy Etherington	
Ben Holcomb	Dave Pierson	
Beth Wondimu	Alex Heppner	
Linsey Shafer	Jennifer Robinson	
Robert Beers	Jeff Studenka	
Dan Griffin	Benj Morris	
Jennifer Berjikian	Tessa Scheuer	
Eric Castrejon	Amber Loveland	
Leanna Littler-Wolf	Harry Campbell	
Paul Burnett	Porter Henze	
Adrianna Hernandez	Brendon Quirk	
Justine Marshall	Mark Stanger	

**OTHERS PRESENT & ONLINE**

Adam Richens  
Weber-Morgan Health  
Jean Krause  
Joe Phillips  
Renn Lambert

**Mr. Webb, Chair, called the Meeting to order at 8:30 AM.**

**ROLL CALL**

Mr. Webb took roll call for the members of the Board.

**APPROVAL OF MINUTES OF DECEMBER 13, 2023 BOARD MEETING**

Mr. Webb moved to approve the minutes of the December 13, 2023 Board meeting.

**Motion:** Mr. Havasi motioned to accept the minutes.

Ms. Harris seconded the motion.

The motion passed unanimously to approve the December 13, 2023 meeting minutes.

**EXECUTIVE SECRETARY REPORT**

Mr. Mackey addressed the Board regarding the following:

- State/Division News:
  - Mr. Mackey provided a description on the new bills that will be coming this Legislative Session.
    - House Bill H.B.280 – Water Related Changes: This bill addresses issues related to water modifying provisions related to the formulation of a State Water Plan and requiring a study water infrastructure project financing.
    - House Bill H.B. 230 – State Agency Application Review Requirements: This bill addresses procedures for state agencies to act on a request for agency action. It requires that specified agencies respond within a specified time period to a request for agency action.
    - House Bill H.B.335 – State Grant Process Amendments: This bill enacts provisions governing the administration of state grants. It requires that a grant recipient provide a proposed budget & agree to deliverables, reporting, and audit requirements before receiving any grant funds. It also addresses the disbursement schedule for grant funds and provides for review for ongoing appropriations.
  - Mr. Mackey mentioned EPA’s proposed amendment to the Meat and Poultry Products Effluent Guidelines. The amendment would establish more stringent effluent limitations for nitrogen, phosphorus, and E. coli for direct dischargers and extend coverage to include indirect dischargers.

- Mr. Mackey discussed holding the April Board meeting at the WEAU conference located in southern Utah. The conference is scheduled from April-23-26, 2024. Mr. Mackey noted that the Board meeting would take place on Tuesday, April 23, 2024. Further details regarding meeting time and travel will follow.

## **FUNDING**

**Financial Status Report:** Ms. Hernandez presented the financial status report to the Board as indicated in the packet.

**Sherwood Shores – Southern Utah ARPA Funding Update:** Mr. Meados & Mr. Pompeo presented Millard County’s request for the reauthorization of ARPA grant funding in the amount of \$595,000. The funding was originally authorized during the December 14, 2022 Board meeting to construct a collection system and wastewater treatment facility for reuse.

**Motion:** Ms. Jones motioned that the Board reserve the \$595,000 of ARPA funds for Sherwood Shores with the conditions recommended in the packet and require the community to present a progress report at the June 2024 Board meeting. If the Board doesn’t see evidence that the project is meeting required milestones and timelines, the Board will reassess funding at that time.

Mr. Havasi seconded the motion.  
The motion passed unanimously.

**Town of Virgin – Grant Request, Septic Density Ground Water Study:** Mr. Beers and Mr. Hoffman presented on behalf of Virgin Town’s request for a hardship planning grant in the amount of \$60,000 to conduct a hydrologic/water quality study within the town boundaries to determine sewage management recommendations.

**Motion:** Mr. Heaton motioned to authorize a short-term unsecured loan in the amount of \$60,000 with an interest rate of 0% and repayable over 5 years with the stated special conditions.

Mr. Havasi seconded the motion.  
The motion passed unanimously.

## **COMPLIANCE & ENFORCEMENT**

**Board Role in Settlements** - Presentation given by Haley Sousa, Assistant Attorney General

**Ralph L. Wadsworth Construction Company, LLC, Docket No. M21-15, Request for Approval of Settlement Agreement:** Mr. Castrejon presented to the board a request for approval of the administrative settlement agreement for Docket No. M21-15.

**Motion:** Mr. Heaton motioned to authorize the settlement agreement in the amount of \$117,243.95 as indicated in the packet.

Ms. Jones seconded the motion.  
The motion passed unanimously.

**South Davis Sewer District, North Plant, Docket No. M22-02, Request for Approval of Settlement Agreement:** Ms. Loveland presented to the board a request for approval of the administrative settlement agreement for Docket No. M22-02.

**Motion:** Mr. Havasi motioned to authorize the settlement agreement in the amount of \$80,000 as indicated in the packet.

Mr. Heaten seconded the motion.  
The motion passed unanimously.

### **RULE MAKING**

**Initiate Rulemaking for R317-16 Great Salt Lake Mineral Extraction Facility Operator Certification Approval:** Mr. Harris requested to initiate rulemaking for R317-16, which is related to HB513 Great Salt Lake Amendments.

**Motion:** Ms. Jones motioned to initiate rulemaking procedures for R317-16.

Mr. Heaton seconded the motion.  
The motion passed unanimously.

### **OTHER**

**Approval of Recommendations for Appointment to the Wastewater Operator Certification Council 2024-2027:** Ms. Etherington & Ms. Scheuer requested approval for recommendations of Chad Burrell and Rob Jaterka to renew their current positions on the Council.

**Motion:** Ms. Jones motioned to reappoint Chad Burrell & Rob Jaterka to the Council.

Mr. Havasi seconded the motion.  
The motion passed unanimously.

**PUBLIC COMMENTS**

No comments were presented.

**MEETING ADJOURNMENT**

**Motion:** Ms. Jones motioned to adjourn the meeting.  
Mr. Havasi seconded the motion to adjourn the meeting.

**Next Meeting – February 28, 2024**  
**Meeting begins at 8:30 am**

**In-Person**  
**MASOB**  
**Board Room 1015**  
**195 North 1950 West**  
**Salt Lake City, UT 84116**

**Via Zoom**  
<https://us02web.zoom.us/j/7074990271>



03/28/2024

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James Webb, Chair  
Utah Water Quality Board