



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

March 27, 2024
8:30 am Meeting

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Jim Webb
Mayor Kaufusi
Robert Fehr
Jill Jones
Joe Havasi
John Mackey
Excused
Kim Shelley
Trevor Heaton

Carly Castle
Michela Harris

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT & ONLINE

| | | |
|---------------------|-------------------|---------------|
| Emily Cantón | Skyler Davis | David Jamison |
| Ken Hoffman | Samantha Heusser | James Harris |
| Clanci Hawks | Andrew Pompeo | Benj Morris |
| Haley Sousa | Lonnie Shull | Samuel Taylor |
| 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

Travis Tyler
Greg Carling
Erin Christensen
Justin Atkinson
Janae Walt
Vern Maloy
Braxton Porter
Darlene Pope
Bobbi Lillegard
Mike Chandler
Elaine York

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 January 24, 2024 BOARD MEETING

Mr. Webb moved to approve the minutes of the January 24,2024 Board meeting.

Motion: Ms. Jones motioned to accept the minutes.

Mr. Fehr seconded the motion.

The motion passed unanimously to approve the January 24, 2024 meeting minutes.

EXECUTIVE SECRETARY REPORT

Mr. Mackey addressed the Board regarding the following:

- State/Division News:
 - Mr. Mackey expressed how there is no rest coming out of the Legislative Session, as they have come up with a number of interim items for us to work on as well as some new work associated with the new laws and he addressed the board on three of them to keep everyone up to date.
 - House Bill H.B.4,35 – This is an update of the previous bill relating to Minerals Development for the Great Salt Lake. Part of the component of this bill was development of the water distribution plan. This work will be done mostly by the State Engineer, Forestry Fire and State Lands. A part of what the water distribution looks at is how are we getting flows to the GSL and how are we going to manage the levels for example through the breach and the berm to protect lake water quality. Water Quality was tasked with development of effluent limitation on salinity for mineral producers discharging into the lake. This is something that we haven't had in the past. We were asked to complete this task by June 1, 2025 and what that means for the WQ Board is to be able to meet that schedule.

- House Bill H.B.4, 33 Brine Mining Operations. This is mostly work that would be done by the Division of Oil Gas & Mining. They were instructed to collaborate a study with WQ. What this bill looks at is there is a number of places in the State where groundwater usually deep water is highly safe. So this just isn't GSL related but there are other places like down in Creek River and other places around the State. Restrictions that may need to be in place to protect safety and to make sure that competitors are not infringing on each other's mineral rights as they sink these deep wells to be able to extract Brine. This has to do with a program that is called the Underground Projection Program, which we implement a safe drinking water and we administer is or disposal. So, this is just a study working to collaborate and make sure that we are addressing all of the concerns and issues and technical administrative needs that need to be addressed.
- House Bill H.B.2,80 – This is Water Amendments and this is a very broad bill. It is essentially a study that's looking at the mechanisms that the State has funding water structure, the priorities that the State has for using the money to fund water infrastructure and opportunities for optimizing the use of those funds. There are 5 agencies that administer those funds they are called the Water Development Boarding. The bill is asking us to look at our funds and look at the need for additional funds and help the Legislature prioritize five ways to fund major water.
- Mr. Mackey mentioned the State is nearing Spring Runoff Season, the State is seeing some flooding up in the North Agricultural areas as well as a lot of water coming out of Utah Lake and reports of flooding in the Narrows area. So, we are working to update our website. We did have some information posted last year to help people who are concerned about flooding and flood impact permits around their property.
- Mr. Mackey mentioned that South Davis Sewer District reported that they have found other funds and decided that they won't need to use WQ Board funds for their project, so that's made a little bit more money available for other funding projects.
- Mr. Mackey noted that the April 24, 2024 Board Meeting will be taking place on Tuesday April 23, 2024 at 2:00 PM in St. George during the WEAU Conference. He noted there are many good things about the conference such as the Wastewater Treatment Facilities that organize some very exciting competitions. Mr. Mackey finished his report by introducing some new WQ employees.

FUNDING

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

Kane County Water Conservancy District, Duck Creek: Mr. Davies presented on behalf of Kane County's request for supplemental funding of \$320,000 for construction of a third lagoon wastewater treatment cell. In addition, KCWCD is requesting the scope of work for the funding authorized by the WQ Board on May 24, 2023 to be modified from primary cell rehabilitation and cost overruns of the existing project to add the construction of this third cell.

Motion: Ms. Jones motioned that the Board provide loan funds to the KCWCD Duck Creek project for a grant in the amount of \$281,000 and a loan in the amount of \$549,000 with 0% interest for 30 years with the staff recommendations.

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

Ash Creek Special Services District: Mr. Lischeske presented on behalf of ACSSD request for funding from the WQ Board in the amount of \$6,876,00 for the construction of a regional sewer lift station and pressure sewer force main to connect the Town of Virgin to the ACSSD collection system in La Verkin, UT.

Motion: Mr. Webb addressed that the WQ Board is not going to take an action on this project at this time. We are going to move forward and invite them back for an authorization/funding request to take place during the April 23, 2024 WQ Board Meeting.

Groundwater Protection:

Request for Authorization to Conduct Public Hearing & Comment Period for the Aquifer Classification Petition of the Shallow Aquifer of Davis County: Mr. Hall & Mr. Morris of WQ along with Janae Wallace from the Utah Geological Survey and Greg Carling from BYU presented to the Board.

Motion: Mr. Havasi motioned to authorize WQ staff to conduct a Public Hearing on the Aquifer Classification petition and to open a 90-day Public Comment Period.

Ms. Harris seconded the motion.
The motion passed by a vote of 5 yeas and 1 nay, as follows:

Mr. Webb- Yea
Mr. Fehr- Yea
Mr. Havasi- Yea
Mayor Kaufusi- Yea
Ms. Harris- Yea
Ms. Jones - Nay

PUBLIC COMMENTS

No comments were presented.

MEETING ADJOURNMENT

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

Next Meeting – April 23, 2024
Meeting begins at 2:00 pm

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March 27, 2024
Water Quality Board
Minutes

In-Person
MASOB
Dixie Convention Center
1835 S. Convention Center Dr.
St. George, Utah 84790
Via Zoom
<https://us02web.zoom.us/j/7074990271>



04/25/2024

James Webb, Chair
Utah Water Quality Board

DWQ-2024-003219