



State of Utah

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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
Shane Emerson Pace, Vice-Chair
Clyde L. Bunker
Merritt K. Frey
Jennifer M. Grant
Hugh E. Rodier
Gregg Alan Galecki
Leland J. Myers
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
August 27, 2014

UTAH WATER QUALITY BOARD MEMBERS PRESENT

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

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Leah Ann Lamb, Erica Gaddis, Jeff Studenka, Kari Lundeen, Jim Bowcutt, John Mackey, Lisa Nelson, John Cook, Emily Cantón, Judy Etherington, Chris Bittner, Jeff Ostermiller, Carl Adams, Marsha Case, Jenny Nicholas.

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Dale A Christensen	SLCWREC
Jim Olson	Water Works Eng.
Jeff DenBleyker	CH2M Hill
Johnathan Ward	Zions Bank
Tom Ward	Salt Lake City
Jeff Hiatt	Payson City
Travis Jockumsen	Payson City
David Tuckett	Payson City
Mike Luers	Snyderville Basin
Mike Boyes	Snyderville Basin
Craig Ashcroft	Carollo Engineers
Jesse Stewart	Salt Lake City
Brad Rasmussen	Aqua Engineering
Gary Vance	J-U-B Engineers
Jeff Beckman	Bowen Collins
Cory Christiansen	Water Works Engineers

Myron Bateman called the Board meeting to order at 9:36 a.m. and took roll call for the members of the Board.

APPROVAL OF MINUTES OF THE JULY 29, 2014 MEETING

Motion: It was moved by Mr. Pace and seconded by Mr. Myers to approve the minutes of the June 25, 2014 Water Quality Board meeting with one correction. Rule Making R317-1-7.62, “Representative Ure”, should read as “Commissioner Ure”. The motion was unanimously approved.

EXECUTIVE SECRETARY REPORT

- Mr. Baker acknowledged Faye Bell’s retirement to the board; Jenny Nicholas will be coordinating the Board Meetings moving forward.
- Carl Adams will go over the legislative audit on how funding to Conservation Districts will be affected, and how roles may be changing.
- John Mackey has accepted the position as Section Manager of the Engineering Section.
- Recruitment starts for John Whitehead’s position in the next few weeks.

FUNDING REQUESTS

Financial Status Report: Ms. Cantón updated the Board on the “Summary of Assistance Program Funds” as shown on page 2.1 of the Board Packet.

Snyderville Basin Water Reclamation District Funding Authorization: Ms. Nelson introduced Mike Luers, General Manager; Mike Boyle, Operations Manager; and Craig Ashcroft, Carollo Engineers. Snyderville is requesting funding in the amount of \$22,150,000, with an interest rate of 2.5%, for a 20-year term period. This is a change from the previous request of \$19,350,000 and interest rate of 2.8%. The change is due to the cost increasing by \$3.7 million as a direct result of the Echo-Rockport TMDL. Ms. Nelson noted that special consideration #2 regarding the Water Conservation and Management plan does not apply to the District, and should not be included in the authorization. Ms. Nelson also requested that Snyderville lower the interest rate to one percentage point below the commercial bond market. Currently that rate is 3.5%.

Motion: Following the discussion concerning the proposed loan and interest rate, Mr. Myers made the motion to approve the loan and interest rate with amended loan terms to include that the interest rate will either be 2.5% OR one percentage point below the commercial bond market, as determined by the financial advisor, at the time of pre-closing conference call, whichever is greater. Mr. Bunker seconded the motion. The motion was unanimously approved.

Payson City Request for Planning Advance: Mr. Cook introduced Brad Rasmussen, Aqua Engineering; Travis Jockumsen, Public Works Director; David Tuckett, City Manager; and Jeff Hiatt, Waste water Manager. Payson City is requesting planning advance in the amount of \$88,000, to investigate improving redundancy in the existing treatment system, expansion of the existing system, and treatment for nutrient removal. Payson City requested that repayment date be August 27, 2019.

Motion: Mr. Myers moved we authorize the Planning Advance with the change of the repayment date to September 1, 2017. If requested by Payson, the date could be extended to 2019, if necessary. Mr. Pace seconded the motion. The motion was unanimously approved.

RULEMAKING

Request to Adopt R317-10 *Certification of Wastewater Works Operators*: Ms. Etherington explained the public notice for comments was out for 30 days. With no comments received on the proposed rule change Ms. Etherington requested the rule be approved and take effect immediately.

Motion: It was moved by Mr. Bunker and seconded by Mr. Myers to approve R317-10 effective August 27, 2014. The motion was unanimously approved.

Request to Adopt R317-12, *Sales Tax Rule*: Mr. Cook explained the public notice for comments was out for 30 days. With no comments received on the proposed rule change, Mr. Cook requested the rule be approved and take effect immediately.

Motion: It was moved by Mr. Myers and seconded by Mr. Pace to approve R317-12 effective August 27, 2014. The motion was unanimously approved.

Change in Proposed Rule, R317-1-3.3, *Technology-based Limits for Phosphorus*: Mr. Mackey explained that the draft rule was out for public comment for 60 days. Comments were received and a response summary was prepared and included in the memo to the Board. Changes were made to the rule to address the comments, thus the request to proceed with a Change in Proposed Rule (also attached to the Board memo). Mr. Mackey requested that the Change in Proposed Rule go out for an additional 30-day public comment period, as required.

Motion: Following the discussion concerning the comments and rule changes, it was moved by Ms. Frey, and seconded by Mr. Galecki to approve the Change in Proposed Rule for R317-1-3-1, and have an additional 30-day public comment period, as required. The motion was unanimously approved.

Information Item: *Water Quality Standards 2014 Triennial Review*: Mr. Bittner updated the Board on the status of the 2014 Water Quality Standards Triennial Review process. WQ conducted a public hearing and comment period on the draft list of priorities and only received comments from EPA. The list of priorities was discussed with the Water Quality Standards work group who will advise on any changes. Staff will return to the Board with any proposed changes to the Standards. The Board had no questions, and no motion was necessary.

OTHER BUSINESS

- i. **Update on the Utah Department of Agriculture and Food (UDAF) /Conservation Commission Audit:** Mr. Adams discussed the Legislative Performance Audit of the Governance of Conservation Districts and how its recommendations could affect DWQ. Utah Association of Conservation Districts (UACD) technical staff could be made employees of the Utah Conservation Commission/UDAF. DWQ prefers to retain technical staff as "District employees." Changes subsequent to the audit have yet to be decided.
- ii. **Proposed FY2016 Fee Schedule:** Mr. Baker discussed the fee schedule for FY2016. No action from the Board was required. Proposed changes to our fees include:

- Construction Dewatering Permit from \$110 to \$150, a revenue increase of \$6,000
- Instituting an Industrial Stormwater No Exposure Certification Fee, in lieu of a permit, proposed at \$100 each good for five years with a total projected revenue increase of \$15,000.
- Instituting a Construction Stormwater Low Erosivity Waiver Fee, in lieu of a permit, proposed at \$50 each and to be a one-time, project based fee with a total projected revenue increase of \$1,000 annually.
- A total of \$22,000 per year revenue increase.

Next Meeting – October 29, 2014
DEQ Building Board Room 1015
195 N 1950 W
Salt Lake City, UT 84116

Myron Bateman, Chair
Utah Water Quality Board