



State of Utah

SPENCER J. COX
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DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF WATER QUALITY
Candice A. Hasenyager, P.E.
Director

Water Quality Board
James Webb, Chair
Trevor Heaton, Vice Chair
Jeannie Simmonds
Robert Fehr
Michela Harris
Joseph Havasi
Jill Jones
Tim Davis
Candice A. Hasenyager, P.E.
Executive Secretary

Utah Water Quality Board Meeting
MASOB (Board Room)
195 North 1950 West
Salt Lake City, Utah 84116
And
[Google Meet](#)

April 22, 2026
Board Meeting Begins at 8:30 AM

AGENDA

Water Quality Board Meeting Call to Order & Roll Call

James Webb

Minutes:

Approval of Minutes for February 25, 2026
Water Quality Board Meeting

James Webb

Executive Secretary Report

Candice A. Hasenyager

Funding:

1. Funding Request for JH Land & Livestock, LLC,
Interest Rate Buy-Down

Emily Canton

Rule Making:

1. Initiate Rule Making for the Addendum to the Jordan River
Watershed *E.coli* Total Maximum Daily Load

Sam Taylor & Sandy Wingert

Other:

1. Unified Water Infrastructure Plan (UWIP)
Board Presentation

UWIP Team

2. Per- and Polyfluoroalkyl Substances (PFAS) and Biosolids:

- a. Wastewater Treatment Plant Challenges with PFAS in Biosolids
- b. Request to Initiate Informal Rulemaking

WFWQC
Leanna Littler-Woolf

Public Comment Period

Meeting Adjournment

James Webb

Next Meeting
May 27, 2026, at 8:30 am
MASOB & Via [Google Meet](#)
195 North 1950 West
Salt Lake City, Utah 84116



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MINUTES

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD**

MASOB

and

Via [Google Meet](#)

February 25, 2026

8:30 am Board Meeting

UTAH WATER QUALITY BOARD MEMBERS PRESENT

James Webb
Michela Harris
Jill Jones
Joe Havasi
Jeannie Simmonds
Rob Fehr
Tim Davis

DIVISION OF WATER QUALITY STAFF MEMBERS' PRESENT

Candice A. Hasenyager
Clanci Hawks
Deidre Beck
George Meados
Henry Willmes
Sandy Wingert
Jacob Ridgway
Samuel Taylor
Linsey Shafer
Danielle Lenz
Porter Henze
Emily Cantón
Christa Hutchison
Adriana Hernandez
Toby Hooker
Dave Pierson
Sami Heusser
Leanna Littler-Woolf
Lonnie Shull
John Schwarz
Alex Heppner

OTHERS PRESENT

Rob Dubuc
Tom Ward
Liz Harris
Scott Taylor

Mr. Webb 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 – January 28,2026 Meeting

Motion: Ms. Jones moved to approve the meeting minutes.
Ms. Simmonds seconded the motion.
The motion passed unanimously.

EXECUTIVE SECRETARY REPORT:

Mrs. Hasenyager addressed the Board with the following updates:

- Abundance Accelerator has launched- stay tuned for more information on how DWQ will implement.
- NRAE Appropriations
- 10 days left in the legislative session...and here's what we're watching closely:
 - HB501-Water Modifications
 - HB509-Wetland Study Amendments
 - HB489-Water Infrastructure Amendments
 - SB229-State Employee Benefit Amendments
 - HB575-Fuel Tax & Supply Amendments
 - SB234-Rulemaking Amendments
 - HB533-Groundwater Amendments
 - SB100-Federalism Revisions
 - HB147-Government Form Submission Amendments
 - HB437-Environmental Permitting Amendments
 - SB-LHD & LDH Coordination
 - SB254-Critical Mineral Amendments
 - SCR 9-Concurrent Resolution Regarding Critical Minerals Development & Funding
 - SB008-State Agency & Higher Education Compensation Appropriations.
- A full description of each Bill may be viewed at the following link: [Bills By Session](#)

FUNDING:

Change in Scope of Work in St. George City, Grant Agreement Southern Utah Reuse ARPA Grant Program: Mr. Pompeo recommended the Board authorize the Scope of Work Project Statement in the St. George City ARPA Grant Agreement to be amended to: "This project will fund the upgrade of St. George Regional Water Reclamation Facility biological treatment system to produce Type I Reuse Water. The funds in the Grant Agreement may be used for the construction of the A2O treatment system to meet Type I Reuse standards at the St. George Water Reclamation Facility."

Motion: Ms. Simmonds moved to authorize the Scope of Work Project Statement to be amended as listed in the packet.
Ms. Harris seconded the motion.
The motion passed with 5 Ayes & 1 Nay.

OTHER:

Draft 2026 Integrated Report: Mr. Ochoa presented the Draft 2026 Integrated Report, no motion was required at this time. The Draft Report may viewed via this link: [Draft 2026 Integrated Report](#)

PUBLIC COMMENTS: None

MEETING ADJOURNMENT

Motion: Ms. Jones moved to adjourn the meeting.
Mr. Fehr seconded the motion.
The motion passed unanimously.

The full recording of the February 25, 2026 Water Quality Board Meeting may be viewed here [Google Meet](#)

Next Meeting – April 22, 2026
Meeting begins at 8:30 am

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

James Webb, Chair
Utah Water Quality Board



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MEMORANDUM

TO: Water Quality Board

THROUGH: Candice A. Hasenyager, P.E.
Director, Division of Water Quality

FROM: Emily Cantón
Assistant Director, Division of Water Quality

DATE: April 22, 2026

SUBJECT: Funding Request for JH Land and Livestock, LLC Interest Rate Buy-Down

Background

In 2018, the Division of Water Quality (DWQ) and Utah Department of Agriculture and Food (UDAF) developed a collaborative funding mechanism to help Animal Feeding Operations and Concentrated Animal Feeding Operations (AFO/CAFO) meet water quality standards. This initiative uses Hardship Grant funds to lower the cost of compliance for producers by subsidizing interest rates on Agricultural Resource Development Loans (ARDL). The program follows a structured vetting and implementation cycle to ensure environmental and fiscal accountability:

- **Screening & Planning:** Applicants are screened by UDAF and DWQ to identify high-risk discharge sites. UDAF planners then work with producers to create conservation and nutrient management plans that align with state standards.
- **Eligibility Verification:** UDAF confirms the applicant's loan eligibility and collateral.
- **Board Approval:** Projects are presented to the WQB for approval, including the total loan amount and estimated interest costs over a 15-year term.
- **Funding Execution:** Upon project completion and certification by a conservation planner, the WQB pays the total interest amount directly to UDAF. This lump-sum payment is applied to the producer's remaining loan balance.
- **Reporting:** Producers must submit a final report to the DWQ within 90 days of completion.

Applicant's Request

JH Land and Livestock LLC is requesting financial assistance in the form of an interest rate buy-down for an Agricultural Resource Development Loan (ARDL) as approved by the Utah Conservation Commission on March 3, 2026. The total loan amount is \$735,000 with a full interest rate of 2.75% and a term of 15 years. ARDL staff are presenting a request for approval of an interest rate reduction to 1.375% and a waiver of the 1% administrative fee on April 16, 2026. The total amount being requested for the interest rate buy-down is \$75,000.

Additional details are found in the attached UDAF memo and application documentation.

Project Description

JH Land and Livestock LLC is proposing the following:

- New liquid storage
- Facility reorganization to improve waste collection
- Grading to eliminate runoff and prevent groundwater contamination
- New storage structures to prevent leaching
- Removal of broken concrete pads and installation of new concrete lanes

Water Quality Benefit

JH Land and Livestock LLC is located in Benson, Utah, near the Bear River, which is on the 303(d) list of impaired waterbodies for low dissolved oxygen (DO) and total phosphorus. The Division of Water Quality is currently implementing the Bear River Middle and Cutler Reservoir Total Maximum Daily Load (TMDL) which outlines agricultural Best Management Practices (BMPs) for pollutant loading reduction.

Staff Recommendation

Staff recommend the Water Quality Board authorize JH Land and Livestock LLC an interest rate buy-down in the amount of up to \$75,000 for the approved loan through UDAF's ARDL program. The agreement will be between the Utah Department of Environmental Quality (DEQ) and UDAF. Once the project is completed and certified by a certified conservation planner, DEQ will issue payment to UDAF and the interest rate buy-down will be applied directly to the ARDL loan held by JH Land and Livestock LLC.

Staff also recommend the following special conditions:

1. JH Land and Livestock LLC must adhere to the developed nutrient management plan.
2. A final project report will be submitted to DWQ within 90 days of project completion.



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Department of Agriculture and Food

KELLY PEHRSON
Commissioner

TROY FORREST
Deputy Commissioner

JIM BOWCUTT
Director, Conservation Division

April 3, 2026

To the Utah Division of Water Quality and Water Quality Board,

We are writing on behalf of JH Land and Livestock, LLC (Ryan and Michelle Merrill) regarding their AFO/CAFO project funding.

The Merrills have recently been approved for an Agriculture Resource Development Loan (ARDL) to fund a portion of this project, which is being developed in conjunction with NRCS funding. We would like to formally request that this project be reviewed and presented to the Water Quality Board for participation in the Interest Buydown Program.

Based on current projections and the scope of the infrastructure improvements, we estimate the following:

- Anticipated Interest Buydown Request: Approximately \$75,000 based on loan amount and term.
- Contingency: This estimate is subject to final review by loan staff and approval by both the Utah Conservation Commission (UCC) and the Water Quality Board (WQB).

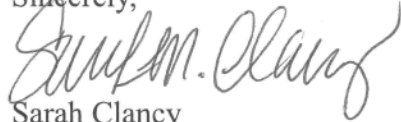
To initiate this process, we have included the following materials for your review:

- Project Screening Tool: A preliminary version has been completed. We value your expertise and assistance in reviewing this document and helping us finalize the remaining sections where possible. I will also be coordinating with the UDAF planner to assist with this and ensure all information is accurate.
- Project Map: Basic site layouts provided at the time of the initial application.
- Initial ARDL Application (with SSN and Credit Reference information removed): High-level details regarding the intended water quality benefits and conservation goals.

We understand that this is the initial phase of the application process. If the Board or UDWQ requires further technical specifications, detailed engineering plans, or wishes to arrange a site visit, we would be happy to facilitate those requests.

Thank you for your time and for your continued support of Utah's agricultural community and water quality initiatives. We look forward to working with you to move this project toward completion.

Sincerely,

A handwritten signature in cursive script that reads "Sarah M. Clancy".

Sarah Clancy

Program Manager, Agricultural Loans
Utah Department of Agriculture and Food



AFO Interest Rate Buy-down Screening Tool

1) Does the project have a direct water quality benefit?

Yes

No Per information supplied to the loan department by the UDAF planner, the project will have numerous direct water quality benefits for the Bear River and Cutler Reservoir through management and structural changes including new liquid storage, reorganization of facilities to improve waste collection, and grading to eliminate runoff and prevent groundwater contamination. All the new storage structures will be designed to prevent leaching. Additionally, broken concrete pads will be removed, and new concrete lanes will be installed.

2) Has the Producer ever received an NOV from the Division of Water Quality

Yes

No

3) Will the project result in a "very Low" ranking from the UAFRRI Spread sheet?

Yes

No

4) Is the project adjacent to a waterbody that is currently implementing a TMDL, or that is listed on the 303(d) list?

Yes

No Project located near the Bear River (HUC-12 is 160102020703) Cutler Reservoir and Middle Bear TMDLs.

5) Is the project located in a source water protection area?

Yes

No

6) What is the Estimated Load reduction as determined by the UAFRRI Spreadsheet?

7) What is the cost per pound of pollutant that will be eliminated by the project?

8) Will the landowner be willing to develop, and follow, a Nutrient Management plan as part of the overall project?

Yes. Confirmed with the UDAF AgVIP program that the producer has previously developed a CNMP. The producer included a detailed waste management plan developed with NRCS in their ARDL application package. NRCS practice code 590 Nutrient Management is also included on the approved cultural resource review and plan documents provided to the loan program.

9) Will the applicant be eligible for an ARDL Loan?

Yes. The producer's ARDL loan was approved by the UCC at the full rate of 2.75% for 15 years for a loan amount of \$735,000.00 on 3/3/2026. While they are eager to work with UDAF and DEQ on this interest buy-down process, the producer signed and closed this loan on 3/31/2026 because they have already begun the project, and some vendors are awaiting payment.

It is the ARDL loan staff's plan to present a request to the UCC on 4/16/2026 to ask for approval for the interest rate to be reduced to 1.375% and the 1% administrative fee to be waived as UDAF's participation in this partnership.



Date Rec'd: 3/20/25
SCD: NECD # _____
Zone: 1
Loan Amt: \$ 1,005,325
Signed: [Signature]
Zone Coordinator

UTAH CONSERVATION COMMISSION

P O Box 146500
Salt Lake City, Utah 84114-6500

Application for
AGRICULTURE RESOURCE DEVELOPMENT LOAN (ARDL)
(Project planning approval and financing)

Complete all sections, type or print legibly.

1. Full Name: Ryan Merrill Social Security Number _____
Co-applicant's Full Name: Michelle Merrill Social Security Number _____

Name of any partnership or corporation: JH Land & Livestock

Address: 3402 W. 3000 N. Benson UT 84335
Street number PO Box City State Zip

Please include your correct mailing address in addition to your street address if they are not the same.

Home Phone: (435) 757 - 6811 Business Phone: (____) ____ - _____

Email Address: merrillmasonry1@yahoo.com

2. LOAN PURPOSE: Please check applicable conservation program(s):

Range Development Water Conservation Manure Management
 Flood Damage Watershed Improvement Energy Conservation
 Other Disaster Mitigation Other

3. Total Project Cost: \$1,800,000 USDA Grants _____ Amount: \$ _____
Other funding NRCS Amount: \$ about \$370,000

4. Estimated amount of ARDL funds needed: \$ \$1,005,325

5. Loan term requested: (Maximum is 15 years for real estate secured, 5-7 years for chattel Secured, Consolidated loans 12 years, Irrigation Company loans 10 years): 15

6. Describe location of the project (relative to town or other well-known landmark), and acreage affected.

Location is Benson, UT and will affect approximately 5 acres

7. Describe the conservation problem to be addressed by your proposed plan:

Waste and runoff management

8. Describe specific improvements and major items required:

Removal of existing free stalls, build additional solid waste storage, liquid storage, and covered structure for cattle housing

9. Describe the benefits to be realized by the project:

We were directed by NRCS years ago to plug all drains that drained liquid waste runoff to the slough below the property. Plugging drains has created a liquid and solid waste management problem. This project would help separate runoff water from waste and be environmentally compliant. Cattle housing would lower the liquid storage requirements and enhance animal welfare and coincide with industry standards.

10. Are you currently a district cooperator? yes no

11. full time part time farmer/rancher landowner lessor

12. Total acreage worked 1236 owned Estimated acreage to be improved by project 5

13. Estimated value of land to be improved: Before improvements: \$ \$1,500,000
After improvements: \$ \$3,500,000

14. Proposed security for loan: Real estate Water stock Chattel.
(Loans of more than \$52,000 and for more than seven years may not be secured by chattel).

15. List two credit references:

Name/company	Address	Phone
Name/company	Address	Phone

I am willing to: (1) Comply with all applicable laws and work with designated technical personnel as assigned by the Conservation District (CD) in preparation of proposed land treatment practices; (2) allow continued monitoring and evaluation of the impacts resulting from the land treatment and management activities implemented on my property throughout the duration of the loan; and (3) submit detailed financial information to the Conservation Commission as requested for evaluation to determine repayment ability.

Ryan Merrill Michelle Merrill

03/19/2025

Signature(s)

Date

TO BE COMPLETED BY CONSERVATION DISTRICT BOARD

Application approved for planning by: Conservation District Chairman or designee

Signature: [Signature]

Date: 3-20-25

Technical assistance and monitoring assigned to:




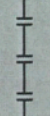
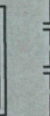
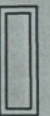
Note: ARDL funds can be used to improve land located within the boundaries of the State of Utah. All such loans will be secured by marketable real and/or personal property.

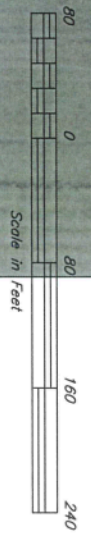
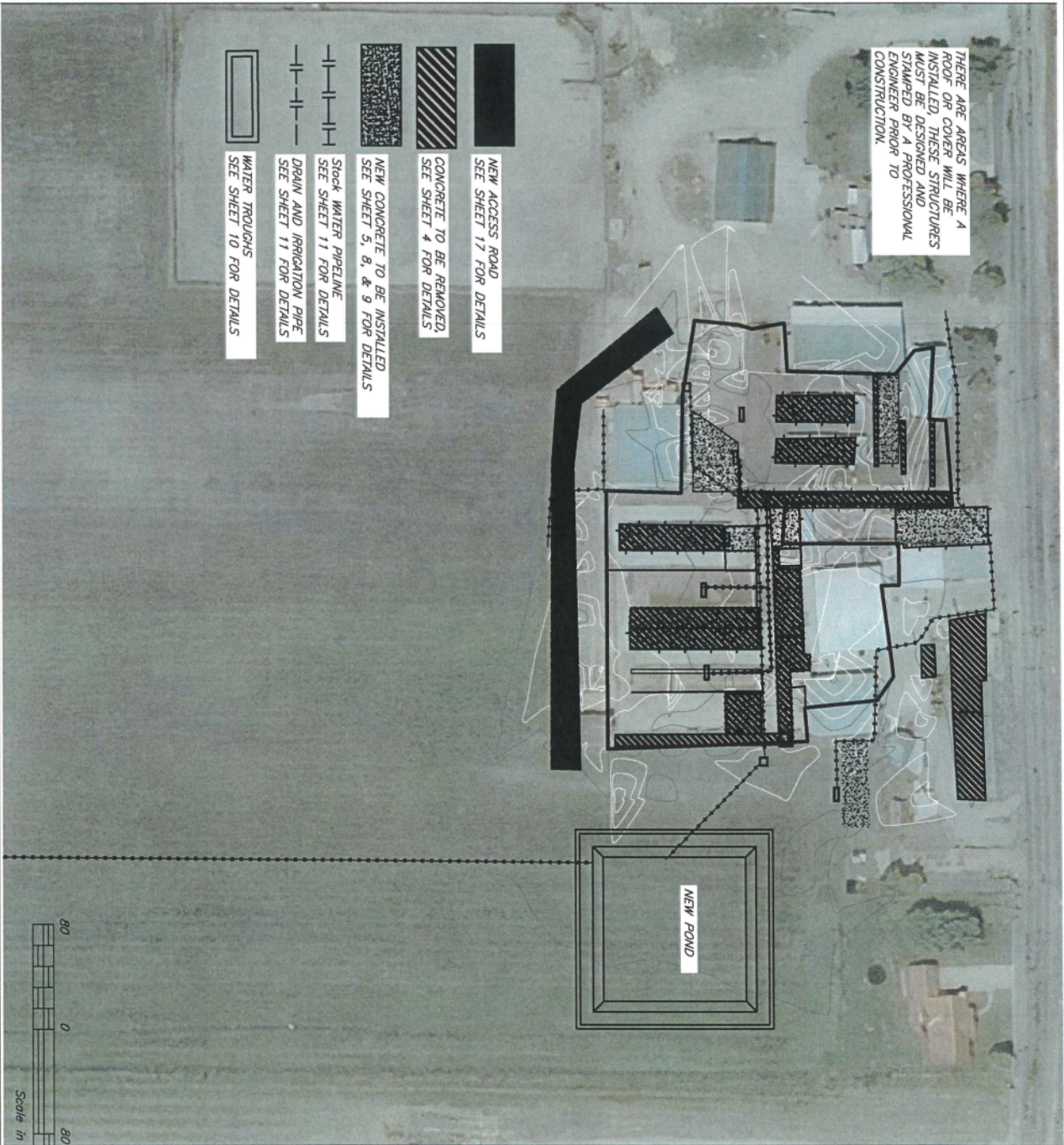
Referred to UDAF Loan Office

[Signature]
Resource Coordinator

3/20/25
Date

THERE ARE AREAS WHERE A ROOF OR COVER WILL BE INSTALLED, THESE STRUCTURES MUST BE DESIGNED AND STAMPED BY A PROFESSIONAL ENGINEER PRIOR TO CONSTRUCTION.

-  NEW ACCESS ROAD
SEE SHEET 17 FOR DETAILS
-  CONCRETE TO BE REMOVED
SEE SHEET 4 FOR DETAILS
-  NEW CONCRETE TO BE INSTALLED
SEE SHEET 5, 8, & 9 FOR DETAILS
-  STOCK WATER PIPELINE
SEE SHEET 11 FOR DETAILS
-  DRAIN AND IRRIGATION PIPE
SEE SHEET 11 FOR DETAILS
-  WATER TROUGHS
SEE SHEET 10 FOR DETAILS





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MEMORANDUM

TO: Water Quality Board

THROUGH: Candice Hasenyager, P.E., Director

FROM: Sam Taylor and Sandy Wingert, Watershed Protection Section

DATE: April 22, 2026

SUBJECT: Jordan River Watershed *E. coli* TMDL: 2026 Addendum

Board Action: Initiate rulemaking to adopt Total Maximum Daily Load (TMDL) by reference into R317-1-7 for the Jordan River Watershed *E. coli* TMDL: 2026 Addendum

In February 2023, Total Maximum Daily Load (TMDL) studies were completed for *Escherichia coli* (*E. coli*) in 14 subwatersheds within the Jordan River Watershed. Since completion and approval of these TMDLs, new waterbodies (Bingham Creek and City Creek) within the Jordan River Watershed have been listed for *E. coli* on the Clean Water Act 303(d) list of impaired waterbodies. The Division of Water Quality (DWQ) has completed TMDLs to address *E. coli* in Bingham Creek and City Creek to be added to the 2023 Jordan River Watershed *E. coli* TMDLs as a 2026 Addendum. *E. coli* is an indicator of fecal contamination from human or animal waste and is a potential risk to human health. Point sources that contribute to *E. coli* include stormwater, although Municipal Separate Storm System (MS4) permittees are already complying with the TMDL requirements, so no additional actions are required. The nonpoint sources identified (e.g., pet waste, unhousehold, and recreationist waste and agricultural activities) are not regulated by DWQ and instead addressed through voluntary and incentive-based grants. Therefore, there are no costs associated with these TMDLs.

Please refer to the following TMDL document: [Jordan River Watershed *E. coli* TMDL: 2026 Addendum and Appendices DRAFT](#)

Finalization Timeline

- April 22, 2026: Water Quality Board preliminary approval of TMDL / Petition to initiate rulemaking
- May 15, 2026 – June 16, 2026: 30-day Division of Administrative Rule Public Notice Period
- June 24, 2026: Petition Water Quality Board for formal adoption of TMDL into R317-1-7
- June 25, 2026: Submit TMDL to the Environmental Protection Agency (EPA) for approval

Background

The Clean Water Act (CWA) requires states to develop TMDLs for waters that do not meet water quality standards for their designated beneficial uses. Waterbodies that do not protect their beneficial uses are added to the 303(d) list, which is updated every two years as part of DWQ's Integrated Report. The purpose of a TMDL is to establish an allowable amount of pollutants to a waterbody and use data to determine why a waterbody is not meeting its beneficial use. Although not required by EPA, DWQ includes an implementation plan with each TMDL that acts as a guide for projects, financial assistance, and to foster community support for improving water quality.

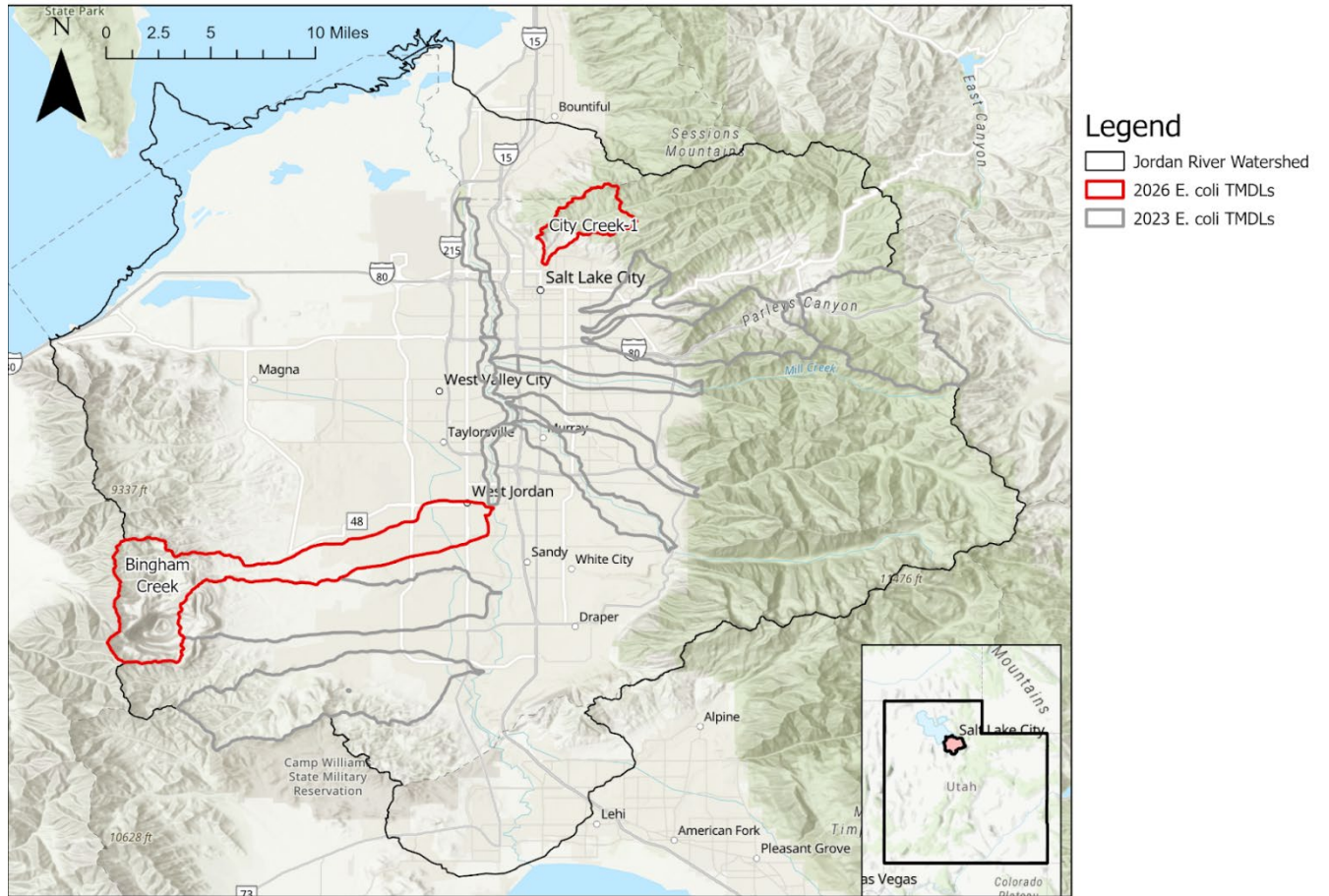
In 2023, *E. coli* TMDLs were approved for 14 Assessment Units (AUs) within the Jordan River Watershed. Since completion of the 2023 document, new waterbodies in the watershed were listed as impaired for *E. coli* in the 2024 Integrated Report. The 2023 document provided a framework for additional AUs to be added within the study area. TMDLs for two AUs, Bingham Creek and City Creek-1, have been developed and included in the 2026 Addendum to the Jordan River Watershed *E. coli* TMDLs.

DWQ coordinated and collaborated with stakeholders including Salt Lake City, Rio Tinto, Salt Lake County and the Conservation Districts throughout the development of the TMDLs. Stakeholders reviewed the TMDL document and staff addressed their comments.

Results

The TMDL analysis for Bingham Creek and City Creek-1 incorporated ten years of *E. coli* data. Results from this study determined that *E. coli* reductions needed to protect recreational beneficial uses are: 76% in Bingham Creek and 49% in City Creek-1. Bingham Creek shows high *E. coli* values year-round with peaks in January, September, and December. Analysis for Bingham Creek determined that the main sources of *E. coli* are agricultural activities. City Creek shows an increase in *E. coli* levels in the late summer to early fall. Analysis for City Creek determined that the main sources of *E. coli* are pets and recreation.

Jordan River Watershed E. coli TMDLs





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MEMORANDUM

TO: Water Quality Board

THROUGH: Candice A. Hasenyager, P.E.
Director, Division of Water Quality

FROM: Emily Cantón
Assistant Director, Division of Water Quality

DATE: April 22, 2026

SUBJECT: Unified Water Infrastructure Plan (UWIP) Board Presentation

During the 2024 and 2025 General Sessions, the Utah Legislature created the Unified Water Infrastructure Plan (UWIP) to outline collaboration between funding agencies and create a prioritized list of water infrastructure projects. The Division of Water Quality has been identified as a relevant agency and is participating in this effort through the Water Development Coordinating Council (WDCC). Members of the UWIP team will be presenting an overview of UWIP, discuss key findings, and outline impacts to Boards and funding processes. The presentation will also include Q&A opportunity for Board members.

DWQ-2026-002216



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MEMORANDUM

TO: Water Quality Board

THROUGH: Candice A. Hasenyager, P.E., Director

FROM: Leanna Littler-Woolf, Assistant Director

DATE: April 22, 2026

SUBJECT: Per- and Polyfluoroalkyl Substances (PFAS) and Biosolids

Board Action: Request to Initiate Informal Rulemaking

The Division of Water Quality (Division) met with Wasatch Front Water Quality Council (WFWQC) on March 11, 2026, to discuss Per- and Polyfluoroalkyl Substances (PFAS) and Biosolids. WFWQC approached the Division with an opportunity to collaborate on a forward-looking approach regarding PFAS in Biosolids, through establishment of monitoring requirements and recommended actions associated with certain monitoring results. Their proposed approach was based on information gathered from other states. The monitoring requirements would be implemented through the Division's Utah Pollutant Detection Elimination System (UPDES) Biosolid Permits.

The Division is supportive of making progress regarding PFAS in Biosolids however, before requirements can be implemented into the Division's UPDES Biosolids permits, the Division must first establish Rules. WFWQC has provided a proposed draft Rule that the Division feels is a step in the right direction. More work is needed to ensure that the Division meets all Rule requirements and ensures sufficient stakeholder engagement prior to formal rulemaking. Before any work is completed in support of WFWQC's proposal, it is appropriate to obtain Water Quality Board (Board) support.

Requested Board Action: The Division requests the Board's approval to initiate informal rulemaking associated with PFAS in Biosolids.

If the Board is supportive of moving forward, the Division also requests 1 or 2 Board members interested in being involved in the rulemaking process.