State of Utah
SPENCER J. COX
Governor
DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF DRINKING WATER
Nathan Lunstad, Ph.D., P.E.
Director

DRINKING WATER BOARD MEETING
April 28, 2026 1:00pm - 4:00pm
Via Zoom Webinar & In Person:
Multi-Agency State Office Building
195 North 1950 West Rm 1015
Salt Lake City, UT 84116

Russell Seeley Cell # 435-650-8519

MINUTES - DRAFT

1. Call to Order

Justin Maughan, called the Drinking Water Board (Board, DWB) meeting to order at 1:07PM.

2. Roll Call – Nathan Lunstad

Board Members present at Roll Call: Justin Maughan, Corinna Harris, Shazelle Terry, Jason Luettinger, Blake Tullis, Bryan Cox, and Hollie McKinney.

Division of Drinking Water (DDW, Division) Staff Present: Steph Alpizar, Chris Ledding, Jessica Fitzgerald, Kcris Hunter, Michelle Deras, Ken Hoffman, Allyson Spevak, Russell Seeley, Heather Pattee, Kjori Shelley, Helen Lau, Colt Smith, Sarah Romero, and Misty Woods.

Other Attendees: Dale Pierson, Shannon Rasmussen, Janelle Braithwaite, Jake Wood, Eric Dixon, Marisa Heiling, Ruston Monson, Andrew Hill, Michael Hallett, Brady Herd, Ryan Roger, Bren Edwards, Mike Durtschi, and Leo Brancheau.

3. Approval of Meeting Minutes
February 26, 2026

- Shazelle Terry moved to approve the Drinking Water Board meeting minutes on February 26, 2026. Holly McKinney seconded. <u>The motion was carried unanimously by the Board.</u>

4. Disclosure for Conflict of Interest

There were no conflicts of interest

5. Directors Report – Nathan Lunstad
A. Enforcement Report (Board Packet Item Only)

The Enforcement Report can be found in the Drinking Water Board Packet

Russell Seeley briefed the Board on several Division updates.

New Division of Drinking Water Employees
Russell introduced Misty Woods, Field Services Environmental Program Coordinator, and Ken Hoffman, Infrastructure Funding Manager.

- Justin Maughan motioned to award Ken Hoffman the title of Assistant Executive Secretary of the State of Utah Department of Environmental Quality Drinking Water Board. Hollie McKinney seconded. The motion was carried unanimously by the Board.

Intended Use Plan Draft
Russell explained that this plan is open to public comment until May 28th and hopes to support funding for the state's water infrastructure projects.

6. Rural Water Association Report – Dale Pierson and Janell Braithwaite

Dale Pierson announced this would be his last DWB Meeting as Shannon Rasmussen will soon be taking over the role of Executive Director of RWAU. Janell gave a brief overview of the items RWAU has been working on.

7. Rule Changes
A. LCRI Rule - Sarah Romero

Sarah Romero explained that the proposed changes to the LCRI Rule will enable the Division to reapply for the Lead and Copper Federal Rule for primacy. Their team requested approval to begin the rule making in order to meet the EPA's primacy deadline of October 30, 2026. Romero gave a brief overview of the SCRI and commented that there were no comments received by stakeholders. The formal public comment period will begin in mid-June and will be presented again at the June 30th DWB Meeting. They hope to present the final adoption of the rule at the August 25th DWB Meeting with an effective date of November 1, 2027. Romero explained the cost estimate that was conducted. She shared that about 98-99% of water systems in Utah will not have to perform any lead line replacement costs but will have to incur treatment and corrosion control treatment costs. DW Staff is assisting water systems that are still working on service line inventories. There may be additional small costs for sampling and education.

- Shazelle Terry motioned that the Board authorize proposed amendments to the LCRI rules. Corinna Harris seconded. The motion was carried unanimously by the Board.

B. R309-225 Consumer Confidence Reports and R309-220 Public Notification Requirements - Colt Smith

Colt Smith presented the proposed rules changes to Consumer Confidence Reports and Public Notification Requirements. He explained where the rules changes stem from.

- Shazelle Terry motioned that the Board authorize proposed amendments to the Consumer Confidence Reports and Public Notification Requirements rules. Jason Luettinger seconded. The motion was carried unanimously by the Board.

C. R309-400 Water System Rating Criteria (Improvement Priority System) - Colt Smith

Colt Smith presented the proposed rules changes to the Water System Rating Criteria. He explained how the new rule would function.

Board Discussion
Justin Maughan asked if it had been discussed to include a method for systems to challenge the inspector's evaluation of IPS points. Smith explained that systems have always had a method of appealing their assessments and typically have a timeline of 30 days to do so after the assessment has been made.

- Corinna Harris motioned that the Board authorize Division staff to begin the rulemaking process for Water System Rating Criteria (Improvement Priority System) rules. Hollie McKinney seconded. The motion was carried unanimously by the Board.

8. Financial Assistance Committee Report

A. Status Report and Cash Flow – Chris Ledding

Chris Ledding, DDW Financial Manager, provided an overview of the Status Report and Cash Flow included in the packet. This report covers various financial aspects such as Federal SRF, ARPA, Authorized Projects, Lead Service Line, Emerging Contaminants, and State SRF.

Chris highlighted the current SRF funds remaining is about $41.8 million. This amount includes current awards plus expected future funding. This amount includes what is being requested in the current IUP.

The ARPA Funds remaining that need to be obligated is about $168,871. About $6.4 million is the current unspent balance.

The Federal Lead Funds availability is at about -$20.2 million. However, after the 2025 EPA grant of about $28 million has been utilized, the remaining funds should be about $7.8 million.

The Federal Emerging Contaminants Funds availability is at about $8.5 million.

The State SRF availability is at about $31 million.

B. Project Priority List – Ken Hoffman

Ken Hoffman reported there is one (1) new project being added to the Project Priority list:

1. **Taylor West Weber Water Improvement District** scored 4.5 points on the project priority list. Install filtration system to treat iron and manganese.

The Financial Assistance Committee recommends the Drinking Water Board approve the updated Project Priority List.

- Corinna Harris moved that the Board approve the updated Project Priority List. Shazelle Terry seconded. The motion was carried unanimously by the Board.

C. SRF Applications

i. Federal

a. Ogden City - Heather Pattee

Representing Ogden City was Ruston Monson, Andrew Hill, Michael Hallett, and Brady Herd.

Heather Pattee presented Ogden City's financial assistance request. Project details can be found in the Drinking Water Board Packet.

Board Discussion
Shazelle Terry asked if the project was solely for surface water. Heather Patte confirmed that was the case. Terry asked if there are any groundwater sources. Patte confirmed there are. Justin Maughan asked for clarification of Ogden City's plan for the construction. Ruston Monson explained their priority for Phase II is focused on finding out what kind of possible manganese loading could be occurring from their source waters, and investigate distribution system monitoring. They also intend to create a roadmap for areas that will need further treatment. Maughan asked where the manganese levels are currently at. Monson stated there are some areas that have higher than desirable levels, they're in the secondary level of the EPA guidelines and want to stay ahead of things so it does not get worse.

Jason Luettinger asked if the construction would be monitored or if they have a final deliverable as part of the contract. Monson stated that the Phase II priorities are as follows; the investigative distribution system monitoring to assess the release risks, source water quality monitoring, and then, ultimately, there'll be drawings created for planned unidirectional flushing throughout the distribution system. The deliverables are, developing a treatment process basis of design. He advised that representatives from the engineering group could provide further information. Monson explained parts of Phase III. Michael Rustin with Confluence Engineering gave an overview of the project goals. Justin Maughan asked for the best and worst case scenarios for Phase III. Rustin stated that the best case would be to line up the city with a really robust mains cleaning program that they can implement in most of their system. Worst case scenario would be that the city can't really get at the legacy deposits in their system effectively. they can't flush well enough to remove it.

Blake Tullis asked if there is some sense of how widespread manganese problems are, and if there is a threshold for the allowable amount. Pattee stated they were not sure of the limits off the top of their head, but there has been a significant increase in systems requesting assistance with manganese. Shazelle Terry added that from Jordan Valley Water's perspective, residents complain about the discoloration and fear that the water is unsafe to drink, regardless of the allowable levels, causing consumer discontent. Jason Luettinger asked Shazelle if it is common for the manganese to be in surface water. Michael Rustin explained that it is more common than one would expect, as Confluence Engineering has worked on other projects in the Pacific Northwest with high manganese surface water, he spoke about the science behind it.

Hollie McKinney expressed concern for the amount of money being asked for without clear details about the engineering plan and deliverables in the funding application. Shazelle Terry asked if the costs include sampling costs and analytical work. Ruston Monson explained that they would pay for the sampling themselves. Michael Rustin stated that the financing plan has set aside a budget of $50,000 for lab work. He explained that due to the size of Ogden City, a large portion of the budget will be for planning Phase IV tasks. Shazelle Terry shared that in comparison to projects that Jordan Valley Water has completed, this cost is reasonable considering all of the costs included for sampling and the flushing and the hydraulic modeling and the piloting that need to take place.

Justin Maughan asked why emerging contaminant funding was attached to this application. Pattee explained that there are federal funds specifically for projects like this one. Hollie McKinney expressed concern for the lack of details in the application for the engineering plan and cost breakdown.

- Shazelle Terry moved that the Board authorize a planning loan of $849,700 with 100% in principal forgiveness to Ogden City. Corinna Harris seconded. <u>The motion passed with six 'ayes'and one 'nay'.</u>

b. Taylor-West Weber WID - Allyson Spevak

Representing Taylor-West Weber WID was Ryan Roger, Bren Edwards, and Mike Durtschi.

Allyson Spevak presented the Taylor-West Weber WID's financial assistance request. Project details can be found in the Drinking Water Board Packet.

Ryan Rogers and Bren Edwards shared more background information regarding their application. Edwards explained that even flushing the system is becoming challenging. Mike Durtschi, Rogers, and Edwards all thanked the Division staff for their support through this process.

<u>Board Discussion</u>
Justin Maughan asked why the water bill would go up if the loan is all principal forgiveness. Allyson Spevak explained that upon review, Division staff recognized that the water system is not charging enough in general. Edwards explained that the cost will go up due to other projects that they have yet to charge consumers for. He explained that they've been hesitant to do so since it is such a large jump and majority of the land is used for dairies. Corinna Harris asked if they expect

the manganese issue to be worse in two years. Edwards stated that with the proposed improvements, they hope it will not be worse but without them they do expect it to be worse.

Jason Luettinger asked where they are currently in terms of engineering planning. Edwards explained they've completed a pilot study as well as majority of the engineering designs. Durtschi elaborated that they will have two buildings, the planning for one has been completed, the other has a pilot study already scheduled that will determine if the engineering design will work. Luettinger asked if they have contingency plans for the project, any other bids and so forth. Edwards explained that once they present the final pilot study to the city and county, they can move forward with the bidding process.

Jason Luettinger asked Division staff how emergent contaminants are defined. Sarah Romero explained that the EPA has a list of substances ranked with different priority levels and manganese has risen to the secondary level. Manganese research specifically has shown to cause neurotoxicity especially in children and babies. Hollie McKinney expressed appreciation that this application contained more detailed information regarding what the funding was for and the water system representatives were able to thoroughly answer the Board's questions.

- Corinna Harris moved that the Board authorize a construction loan of $7,072,000 with $7,072,000 in principal forgiveness from the Emerging Contaminants Small and Disadvantaged Communities fund to Taylor-West Weber Water Improvement District. Jason Luettinger seconded. <u>The motion was carried unanimously by the Board.</u>

c. High Country Estates - Allyson Spevak

Representing High Country Estates was Leo Brancheau.

Allyson Spevak presented High Country Estates' financial assistance request. Project details can be found in the Drinking Water Board Packet.

- Hollie McKinney moved that the Board amend their authorization to be a construction loan of $1,270,000 with $381,000 in principal forgiveness with a repayable loan amount of $889,000 at 1.00% for 39 years, and a design advance of $99,000 to Hi-Country Estates Homeowners Association. Shazelle Terry seconded. <u>The motion was carried unanimously by the Board.</u>

9. Moratorium Update - Ken Hoffman

Ken Hoffman presented the moratorium update to the Board. He suggested having all new project applications for SRF and Federal funding be submitted on an annual basis to keep a clear understanding of what funds are available. He also mentioned that the Mid-Year Rural Water Conference is the first week of September. That is typically a primary outreach item for the funding program. With this in mind, Hoffman recommends having the annual project application due date be September 15, 2026. He clarified that all other funding such as ECSDC funding applications can continue to submit throughout the year.

- Justin Maughan moved that the Board approve the next round of applications be submitted by September 15th. Jason Luettinger seconded. The motion was carried unanimously by the Board.

Hoffman asked the Board if there's any helpful information to add to future funding applications and suggested having the scope of work detailed as well as other information. Justin Maughan agreed that would be a helpful improvement.

10. UWIP Information and Q&A - Eric Dixon

Eric Dixon presented the UWIP information to the Board. Justin Maughan asked for clarification on the submittal process. Dixon explained that their initial submission does not have to be a full application. The application will receive an automated score, including consideration for how soon they will need the funds, that will then go to the WDCC for evaluation. The Division will receive 45% of funding from WIF to distribute to project proposals. Dixon explained that there are a couple exemptions from going through this whole process. One is emergencies, and the other is small projects, which we've determined to be classified as under $300,000. Chris Ledding explained a bit of the history behind the evolution of this initiative.

11. Attorney General's Office Training - Marisa Heiling

A. Roles and Open Meetings

Marisa Heiling presented the information to the Board.

12. Public Comment Period

None.

13. Open Board Discussion

The Board requested future training be placed after the Public Comment Period at future meetings.

14. Other

15. Next Board Meeting

Date: June 30, 2026
Time: 1:00pm - 4:00pm MST
Place: Multi-Agency State Office Building
195 North 1950 West Rm 1015
Salt Lake City, UT 84116

16. Adjourn

- Jason Luettinger moved to adjourn the meeting. Justin Maughan seconded. The motion was carried unanimously by the Board.

The Meeting adjourned at 3:54 pm MST.