



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*

***DRAFT MINUTES***

***UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY***

**UTAH WATER QUALITY BOARD**

DEQ Building Board Room 1015

195 North 1950 West

Salt Lake City, Utah 84116

February 25, 2015

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Clyde Bunker	Leland Myers
Gregg Galecki	Merritt Frey
Jennifer Grant	Hugo Rodier

Excused: Myron Bateman, Shane Pace & Amanda Smith

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Walter Baker, Leah Ann Lamb, Erica Gaddis, Jenny Potter, Nicole Froula, Marsha Case, Emily Cantón, John Mackey, Lisa Nelson, Carl Adams, and John Cook.

**OTHERS PRESENT**

<u>Name</u>	<u>Organization Representing</u>
Mayor Bruce Densley	Virgin Town
Theron Miller	Jordan River/Farmington Bay
Nathan Hall	Division of Drinking Water
Rod Mills	Virgin Town
Eric Johnson	Bond Counsel
Lee Snelgrove	Francis City
Scott Kettle	Francis City
Jake Baer	Francis City
Steve Jackson	Jackson Engineering
Krista Klein	South Eden Ranch

Leland Myers called the Board meeting to order at 9:06 AM and took roll call for the members of the Board and audience.

## APPROVAL OF MINUTES OF THE JANUARY 28, 2015 MEETING

**Motion:** It was moved by Mr. Galecki and seconded by Ms. Grant to approve the minutes of the January 28, 2015 Water Quality Board meeting. The motion was approved. Clyde Bunker abstained from the vote.

### EXECUTIVE SECRETARY REPORT

- Public comment period closed on 401 Certification for the bridge that will be constructed across the Union Pacific causeway. Because of the effect this will have on the eco-system, there were several comments and the certification has been changed. The Division of Forestry, Fire and State lands owns the lake, so there were some concerns on who has the right-of-way, and also who would be responsible for the long-term changes which may be necessary. Completion of construction should be 2015.  
(<http://www.deq.utah.gov/locations/G/greatsaltlake/railroadcauseway/index.htm> )
- DWQ has been quiet on the hill this year, however SB200 by Margaret Dayton (<http://le.utah.gov/~2015/bills/static/SB0200.html> ), could affect the make-up of the board, by the Board to have a member representing local services districts. DWQ is supportive of this bill.
- SB244 would combine two divisions within DEQ (<http://le.utah.gov/~2015/bills/static/SB0244.html> ), and it would combine The Division of Radiation Control and The Division of Solid and Hazardous Waste. DEQ would change from having six divisions to five. It would also reduce by one the number of DEQ Boards.
- Update on Logan, staff last met with the six communities in November. Shortly after that meeting the six communities hired an attorney to represent them. We have not seen the strawman of the agreement since then. We are meeting with them on Friday February 27, 2015 to discuss what decisions have been made. We are hopeful it hasn't been completely rewritten as this will set us back several months. The goals for the meeting are to determine: 1) Who would have voting rights. 2) The extent of the land transfer fees. 3) The equity of the user fee charged. We will have another update for the Board as soon as possible.

### FUNDING REQUESTS

**Financial Reports:** Ms. Cantón updated the Board on the Loan Funds, and Hardship Grant Funds, as seen in the Board Packet on pages D-1 & D-2.

**Francis Loan Re-Authorization:** In August 2012, the Water Quality Board authorized funding for the construction of an additional lagoon cell and an additional winter storage cell. The original construction cost estimate was \$2,285,000 with \$848,508 contingency fund. During the site investigation, it became apparent the design and construction costs would increase from the initial planning estimate. The reasons can be seen on page D-4 in the Board packet. With these estimates the lowest bid for the project was \$6,114,830, which required an additional \$2,441,322 for construction funding.

Staff recommends the Board authorize Francis a \$5,500,000, loan for 25 years at 0% and a \$2,275,000 grant for a total of \$7,775,000 with the following special conditions: 1) The bond must include an early principal repayment clause that requires an additional payment of \$378 per ERU per year when the system has more than 500 ERUs, and Francis City must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).

**Motion:** Following a discussion Mr. Galecki made the motion to approve the reauthorization of the loan for \$5,500,000 and a \$2,275,000 grant, for a total of \$7,775,000, with the noted special conditions. Board stipulation as a condition that user charges remain, as a minimum, at 1.2% of MAGI. Ms. Frey seconded the motion. The motion passed, with Mr. Bunker voting against the motion.

**Planning Advance, Virgin Town:** Virgin Town requested financial assistance in the amount of a \$36,000 Hardship Planning Advance to update the wastewater study the Town performed in 2000. This study would be a planning study to determine if the Town should consider transitioning from septic systems to a sewer collection and treatment system.

**Motion:** Following a discussion Mr. Bunker made the motion to approve the Hardship Grant for \$36,000, Mr. Galecki seconded the motion. The motion unanimously passed.

**Grant Request, Utah Open Lands:** Utah Open Lands, a non-profit land trust conservation association, requested \$100,000 in grant funds to establish a conservation easement on 50 acres of shore land on the east side of Bear Lake. This grant will be leveraged by a grant from NRCS and other private sources already secured as well as donation in value from the family owning the 50 acres and the donation in full of a conservation easement on 50 adjacent acres, resulting in the preservation of 100 acres of Bear Lake shoreline property.

**Motion:** Following a discussion Ms. Frey made the motion to approve the grant for \$100,000, Ms. Grant seconded the motion. The motion unanimously passed.

**Next Meeting – March 25, 2015  
DEQ Building Board Room – 1015  
195 North 1950 West  
Salt Lake City, UT 84116**

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Myron Bateman, Chair  
Utah Water Quality Board