



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

Department of  
Environmental Quality

Alan Matheson  
Executive Director

DIVISION OF WATER QUALITY  
Walter L. Baker, P.E.  
Director

**Water Quality Board**  
Myron E. Bateman, Chair  
Shane E. Pace, Vice-Chair  
Clyde L. Bunker  
Steven K. Earley  
Gregg A. Galecki  
Dr. James VanDerslice  
Jennifer Grant  
Michael D. Luers  
Alan Matheson  
Walter L. Baker  
Executive Secretary

**MINUTES (DRAFT)**

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

**UTAH WATER QUALITY BOARD**

195 N 1950 W

Salt Lake City, UT 84116

June 22, 2016

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Clyde Bunker	Steven Earley
Gregg Galecki	Myron Bateman
Michael Luers	James VanDerslice
Shane Pace	Alan Matheson

Excused: Jennifer Grant

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Walter Baker, Leah Ann Lamb, Jenny Potter, Nicole Froula, Linda Gould, Ally Gagon, Lisa Nelson, Calah Worthen, Beth Wondimu, Skyler Davies, Marsha Case, Jodi Gardberg, Lonnie Shull, Jake VanderLaan, Kim Shelley, Emily Cantón, John Mackey, Jim Bowcutt, Ben Holcomb, Jeff Ostermiller, Mark Stanger, Michela Gladwell, Emilie Flemer.

**OTHERS PRESENT**

<b><u>Name</u></b>	<b><u>Organization Representing</u></b>
Amy Christensen	DEQ
Donna Spangler	DEQ
Scott Baird	DEQ
Matt Masziale	Salem City
Randy Brailsford	Mayor Salem City
Jason Broome	Forsgren Association
Nick Patterson	Forsgren Association
Jordan Mathis	Tri County Health
Justin Atkinson	Sunrise Engineering
Keith Goodspeed	Tri County Health
Jesse Stewart	Salt Lake City
Michael McBride	Tri County Health
Ron Winterton	Duchesne County
RoJean Rowley	Mayor Duchesne City
Rob Dubuc	Western Resource Advocates

Chuck Richins  
Byron Colton  
Aaron Averett  
Keith Broadhead  
Bruce Ward  
Rudd Conover  
Jim Olson

Duchesne City  
Duchesne City  
Tri County Health  
Epic Engineering  
Salem City/Forsgren  
Forsgren Associates  
Olson Consulting

Myron Bateman called the Board meeting to order at 9:03 AM and took roll call for the members of the Board and audience.

### **APPROVAL OF MINUTES OF THE MAY 25, 2016 MEETING**

**Motion:** It was motioned by Mr. Luers to approve the minutes for May 25, 2016 Board meeting. Mr. Pace seconded the motion. The motion was unanimously passed. Mr. Galecki and Mr. VanDerslice abstained from voting.

### **BOARD BUSINESS**

**Introduction of New Board Member:** Dr. James VanDerslice, Research Associate Professor with the University of Utah, was introduced to board members and staff as the member representative trained in public health.

**Attendance Requirements of Water Quality Board Members:** Mr. Baker discussed with the board Rule R305-8, Board Member Attendance Requirements: “The purpose of this rule is to establish standards for board members attendance at regularly scheduled board meetings. This rule is authorized by Section 19-1-201(1)(d)(i)(A).”

**Board Elections:** Annually the board must conduct elections to choose a chair and vice-chair. Mr. Baker conducted the election.

**Motion:** Following a discussion, a motion was made by Mr. Bunker that Mr. Bateman remains Chair of the Board and Mr. Pace remain as Vice-Chair of the Board. Mr. Earley seconded the motion. The motion was unanimously passed.

### **EXECUTIVE SECRETARY REPORT**

- Mr. Baker discussed with the board that a meeting was held on June 21, 2016 with the Utah Home Builders Association to discuss new requirements for the small MS4 permit program. With urbanization becoming a much bigger deal, it is important that a numeric value on narrative criteria to prevent post-construction storm water run-off be established. This will assist in establishing a consistent framework for all development greater than one acre. Further, developers can receive credit for the design elements that are currently being used in their developments. The implementation date for the new “90<sup>th</sup> Percentile” provision has been postponed from July 1 to December 1 to allow time for this adjustment. DWQ will meet developers to come up with an agreement on EPA’s new requirements.

- Living Rivers has appealed the Executive Director's decision on the PR Springs project, and now it will go to the Utah Court of Appeals. The Court of Appeals will review the record and make a decision. DWQ will keep the board updated on the outcome process.
- The Utah Lake Commission meeting will be held tomorrow June 23, 2016. The Draft 2016 Integrated Report will be one of the topics discussed. Mr. Baker will bring to the board meeting in August the outcome and discussion from this meeting.

### 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 6-8.

**Duchesne City Project *Funding Authorization Request:*** Ms. Nelson presented to the board staff recommendations for funding Duchesne. The authorization was a grant in the amount of \$400,000 and a loan in the amount of \$2,700,000 for a 30 year term with an interest rate of 0.25% and a design advance of \$206,000. This project will be for an upgrade and rehabilitation of the City's lagoon wastewater treatment plant.

Special Conditions:

- Should Duchesne City obtain additional funding for the project from other sources that result in a substantive change in the affordability determination, the Board reserves the right to revise its authorization.
- Duchesne City must agree to continue to participate annually in the Municipal Wastewater Planning Program (MWPP).
- Duchesne City must complete a Water Conservation and Management Plan.
- Duchesne City must raise monthly sewer rates within twelve months of the Board's authorization sufficient to cover current sewer expenses and must raise rates at least one year prior to the first WQB annual debt payment sufficient to cover debt service coverage for the life of the loan.

**Motion:**            **Following a discussion, a motion was made by Mr. Early to approve the funding request of a \$400,000 grant, a loan for \$2,700,000 with an interest rate of 0.25%, with a term of 30 years, and an advance of \$206,000 to help pay for design and bidding expenses. Authorization includes all special conditions. Mr. Luers seconded the motion. The motion passed with Mr. Bunker opposing the motion.**

**Salem City *Introduction Loan Request:*** Ms. Nelson presented to the board a request for a loan for Salem City in the amount of \$13,000,000 at 1.15% interest with a term of 20 years. The loan would be used to construct a new mechanical wastewater treatment plant. The plant is necessary to meet the upcoming EPA ammonia standard. The city also requested an advance of \$875,000 to help fund the upfront pre-construction costs.

**Motion:**            **Following a discussion, a motion was made by Mr. Pace to approve the loan for Salem of \$13,000,000 at 1.15% with a term of 20 years, and an advance of \$875,000 to start the upfront pre-construction costs. Mr. Galecki seconded the motion. The motion unanimously passed.**

**Tri-County Stonegate *Grant Authorization Request:*** Ms. Nelson presented to the board a request for a grant of \$221,000 to address the public health and water quality concerns associated with failing and improperly functioning onsite systems in Stonegate Subdivision.

Special Conditions:

- TriCounty Health Department will obtain at least \$221,000 to fund the balance of the project from either the Permanent Community Impact Board (CIB) or other sources.
- TriCounty Health Department will submit written documentation of easement ownership and maintenance responsibility for the land drain until such time as it is decommissioned.

**Motion:** Following a discussion, a motion was by Mr. Bunker to disapprove the grant request. Mr. Galecki seconded the motion. The motion failed on a four to three vote.

**Motion:** Following further discussion another motion was made by Mr. Pace to approve the grant for \$221,000 provided all special conditions are met, and added three additional conditions:

- TriCounty Health Department will verify with staff that the project will be funded by EPA 1<sup>st</sup> round funds and applied to the Green Project Reserve requirement.
- TriCounty Health Department will obtain \$15,000 as local contribution from the developer, Stonegate Development, and apply those funds to the project.
- TriCounty Health Department will commit to performing routine monitoring water quality at the outfall of the land drain to ensure the land drain is not exacerbating the water quality problem.

**Mr. Earley seconded the motion. The motion passed with Mr. Galecki, and Mr. Luers opposing the motion.**

### OTHER BUSINESS

**2016 Integrated Report (IR):** Ms. Gardberg presented to the board the 2016 Integrated Report. On June 10, 2016 DWQ released the Draft 2016 IR for a 60 day public comment period. The Draft IR is available on DWQ's website, located here: <http://waterquality.utah.gov/>. Ms. Gardberg, Mr. Ostermiller, Ms. Flemer, Mr. Vander Laan, and Ms. Worthen highlighted the report for the Water Quality Board. A public hearing will be held on July 19, 2016 from 2:00 p.m.-5:00 p.m. at 195 N. 1950 W. Salt Lake City UT 84116 in the DEQ Board Room 101. Myron Bateman will serve as the hearing officer.

**State Nonpoint Source Annual Report for FY2016:** Mr. Bowcutt will present the State Nonpoint Source Annual Report to the board at the August 24, 2016 board meeting.

To listen to the full recording of the Board meeting go to: <http://www.utah.gov/pmn/index.html>

**Next Meeting August 24, 2016  
DEQ Board Room 1015  
195 N 1950 W  
Salt Lake City, UT 84116**

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Myron Bateman, Chair  
Utah Water Quality Board