



State of Utah

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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
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD
195 N 1950 W
Salt Lake City, UT 84116
September 27, 2016

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Clyde Bunker
Gregg Galecki
James VanDerslice
Steven Earley
Myron Bateman
Jennifer Grant

Excused: Alan Matheson, Shane Pace, Michael Luers

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walter Baker, Leah Ann Lamb, Nicole Froula, Linda Gould, Ally Gagon, Lisa Nelson, Skyler Davies, Marsha Case, Kim Shelley, Emily Cantón, John Mackey, Jim Bowcutt, Wynn John, Judy Etherington, Jennifer Robinson, Jeff Studenka.

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Jenny Potter	DEQ
Brian Edwards	Plain City
Bruce Higley	Plain City
Justin Atkinson	Sunrise Engineering
Mark Crouter	Tetra Tech
Donna Sackett	Senator Lee's Office
Nate Talbot	Aqua Engineering/Plain City
Gary Vance	JUB Engineers
Christian Buelow	U of U/ OEHS

Myron Bateman called the Board meeting to order at 9:35 AM and took roll call for the members of the Board and audience.

APPROVAL OF MINUTES OF THE AUGUST 24, 2016 MEETING

Motion: It was motioned by Mr. Earley to approve the minutes for August 24, 2016 Board meeting. Mr. Galecki seconded the motion. The motion was unanimously passed.

EXECUTIVE SECRETARY REPORT

- Mr. Baker discussed how the Division of Water Quality (DWQ) is working to address harmful algal blooms (HABs). There have been blooms in Mantua Reservoir, Scofield Reservoir, Payson Lakes and Utah Lake. The reason for the blooms is higher temperatures, low water levels and high nutrient levels. There are things that can be done to help abate and reduce harmful blooms, including freshening up water and managing water flows better. However, if the food source cannot be controlled (nutrients that are feeding the algae), algal blooms will continue. The levels of cyanotoxins witnessed in Scofield Reservoir this summer were unprecedented. Cyanotoxin concentrations above 10 micrograms per liter pose a public health threat, Scofield Reservoir had levels exceeding 60,000 mg/l. DWQ has currently deployed data sondes onto Utah Lake for real time monitoring. An additional one or two sondes will soon be available thanks to an EPA grant that DWQ recently received. DWQ cannot prevent the algal blooms but we can work to better understand them and predict them more effectively.
- The Union Pacific Railroad causeway in the Great Salt Lake separates the north arm, Gunnison Bay, from the south arm, Gilbert Bay. The north arm has about 25% salinity while the south arm has about 14% salinity. The mineral extraction industry prefers a higher amount of salinity in the north arm and the brine shrimp industry prefers a lower amount of salinity in the south arm. With the causeway being closed for the construction of the bridge there is an increased differential between the lake elevations in the two arms of the lake. Typically, the two levels parallel each other. With the two culverts having been dismantled and replaced by the bridge (and the bridge not yet being opened) the elevation difference is growing between the north and the south arms. The north arm, that has no fresh water inputs, is decreasing faster than the south arm. An agreement has been made to allow the bridge opening to remain closed until December 1, 2016. This will help maintain salinity levels in the south arm at a concentration that is not harmful to the brine shrimp.
- Tibble Fork Reservoir had a discharge as a result of reconstruction of the dam. DWQ will be issuing a Notice of Violation (NOV) to the conservancy district that owns the reservoir and dam. The district will need to respond to several questions, including: what occurred, why it occurred and what actions should have been taken to prevent the release of large quantities of sediment. Several elected officials and stakeholders visited Tibble Fork Dam, and the Live Yankee Mine that is on Snowbird property. There is controversy over the expansion of Snowbird Ski Resort relative to the impact that it will have on the watershed. DWQ participated in this site visit. There are a number of similarly abandoned mines in Utah. DWQ intends to issue a discharge permit for the Live Yankee Mine to monitor the discharge and see what the pollutant concentrations are coming out of the mine. The entire watershed feeds into the Tibble Fork Reservoir.
- Budgetary items that DWQ will send to the Governor include funding to support a spill coordinator position and funding to support monitoring of HABs.

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 6-7.

Plain City Request for Hardship Planning Advance: Ms. Nelson presented staff recommendations for the Board to fund a hardship planning advance of \$55,000 to Plain City to be repaid when a project is identified and funded.

Motion: Following a discussion, a motion was made by Mr. Galecki to approve the hardship grant of \$55,000, with the following special conditions: DWQ must approve the engineering agreement and plan before the advance will be executed, and the facility plan must be submitted to DWQ at the completion of the project. Ms. Grant seconded the motion. The motion unanimously passed.

Request for Approval of Norbest Settlement Agreement: Ms. Robinson presented to the Board the settlement agreement between the DWQ and Norbest, Inc., formerly known as Moroni Feed Company. On June 24, June 25, and August 22, 2015, Norbest overflowed its equalization basin. These overflows were reported by Norbest to DWQ as required under its permit. DWQ subsequently issued a Notice of Violation (NOV) for these overflows and negotiated a penalty of \$57,000.

Motion: Following a discussion, a motion was made by Mr. Earley to approve the \$57,000 penalty which settles the NOV. Mr. VanDerslice seconded the motion. The motion unanimously passed.

OTHER BUSINESS

Nonpoint Source Annual Report: Mr. Bowcutt presented to the Board the FY2016 Nonpoint Source annual report. DWQ receives grants funds to help implement nonpoint source pollution control projects throughout the state. Mr. Bowcutt presented the summary of the FY2016 accomplishments submitted to EPA for the Nonpoint Source program.

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

Next Meeting October 26, 2016
DEQ Board Room 1015
195 N 1950 W
Salt Lake City, UT 84116



Myron Bateman, Chair
Utah Water Quality Board