



## State of Utah

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

## Department of Environmental Quality

L. Scott Baird  
*Interim Executive Director*

DIVISION OF WATER QUALITY  
Erica Brown Gaddis, PhD  
*Director*

### Water Quality Board

Jennifer Grant, Chair  
Gregg A. Galecki, Vice Chair  
Steven K. Earley  
Brandon Gordon  
Michael D. Luers  
L. Scott Baird  
Emily Niehaus  
James Webb  
Dr. James VanDerslice  
Dr. Erica Brown Gaddis  
*Executive Secretary*

### **MINUTES**

#### **UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

#### **UTAH WATER QUALITY BOARD**

195 North 1950 West  
Room 1015  
Salt Lake City, UT 84116

**January 22, 2020**  
**8:30 am**

#### **UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Scott Baird	Mike Luers
Steven Earley	Emily Niehaus (Via Phone)
Gregg Galecki	James Vanderslice
Brandon Gordon	James Webb
Jennifer Grant	

#### **DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Marsha Case	Ken Hoffman
Skyler Davies	Brenda Johnson
Judy Etherington	John Mackey
Angela Gunderson	Jerry Rogers
James Harris	Beth Wondimu

#### **OTHERS PRESENT**

Jeanette Johnson	EDO
Donna Spangler	Holland & Hart
Melissa Reynolds	Smith Hartvigsen
Nathan Bracken	Timpanogos Special Service District
Rich Mickelsen	Timpanogos Special Service District
Brian Selck	Utah Department of Health
Alejandra Maldonado	Utah Department of Health
Nathan LaCross	Water Works Engineering
Cory Christiansen	

Ms. Grant called the Water Quality Board meeting to order at 8:30 AM and took roll call for the members of the Board and audience.

### **APPROVAL OF MINUTES OF NOVEMBER 6, 2019 MEETING**

**Motion: Mr. Earley moved to approve the minutes of the November 6, 2019 meeting. Mr. Luers seconded the motion. The motion passed unanimously.**

### **EXECUTIVE SECRETARY REPORT**

#### *National Level*

- Dr. Gaddis updated the Board regarding the comments submitted to the EPA for the National Water Reuse Action Plan.
- Dr. Gaddis also updated the Board regarding the comments submitted to the EPA for the Water Quality Trading Baseline Policy.
- The EPA is scheduled to release lake numeric nutrient criteria; this is an update to the 2000-2001 criteria.

#### *State Level*

- Dr. Gaddis reported that the Utah Legislative session begins on January 27<sup>th</sup>.
  - There will be a House Bill introduced to modernize and align the language of the Title 19-5 Water Quality Act Code.
  - HB26 – Jordan River Recreation Area Funding Management
  - HB39 – Agricultural Water Optimization Task Force Amendments
  - HB41 – State Water Policy Amendments
  - SB26 – Water Banking Amendments
- The Division was successful in getting a water quality 3 million dollar recommendation for appropriation in the Governor's budget. This is a joint initiative with the Department of Agriculture for an agriculture water improvement project.

#### *Division Level*

- Dr. Gaddis updated the Board regarding the HAB Guidance. Dr. Kate Fickas Naleway and Dr. Nathan LaCross will be presenting this update to the Board as indicated in the packet.
- Both the Gray Water Rule Making and the Public Notice Rule Making are still out for public comment. Those items will be back before the Board in March for the final rule making.
  - The Gray Water Rule Making wording decision made by the Board at the November 2019 meeting has been changed from "May" to "Should" due to DAR guidance.
- Dr. Gaddis updated the Board regarding the Storm Water – Post Construction Retention Standard aspect of the MS4 permit.

- There will be three new projects presented to the Board as indicated in the packet. These projects will be introduced at the February meeting. It is recommended that the Water Quality Board have a Finance Subcommittee meeting prior to the March meeting when the projects come before the Board for funding.
  - There have also been several other new funding requests from cities around the state.
- Dr. Gaddis informed the Board that there will be an enforcement action coming before them regarding Pitman Farms in Moroni for \$59,000 cash and approximately \$43,000 in reimbursement costs to the Division.
- The Water Quality Board appreciation gifts will be given to the board members at the February meeting.
- Dr. Gaddis reported that in connection with the Water Quality Board Continuous Improvement Project there will be a survey emailed to board members.

### **INFORMATIONAL ITEMS**

**Water Banking Legislation:** Mr. Nathan Bracken with Smith Hartvigsen presented the Board with Water Banking Legislation, SB 26.

**Utah's Recreational Health Guidance For Harmful Algal Blooms Update:** Dr. Kate Fickas Naleway with Water Quality and Dr. Nathan LaCross with the Utah Health Department presented the Recreational Health Guidance for Harmful Algal Blooms.

### **FUNDING REQUESTS**

**Financial Report:** Mr. Rogers updated the Water Quality Board on the Loan Funds and Hardship Grant Funds, as indicated in the packet.

**Summary of Current Financial Assistance Applications:** Mr. Mackey updated the Water Quality Board on the Project Assistance Applications that were received in December 2019.

#### **New Projects**

- Wellington City – Hardship Design Grant
- Millville City – Construction Assistance
- Lewiston City – Construction Assistance

#### **Existing Project**

- South Davis Sewer District – Construction Assistance

**OTHER BUSINESS**

**Utah Wastewater Operator Certification Council Recommendations.** Ms. Etherington came before the Water Quality Board to make recommendations for appointments to the Utah Wastewater Operator Certification Council for February 1, 2020 through January 31, 2023.

**Motion:** Mr. Luers moved to reappoint Dr. Jennifer Weidhaas, representing universities in Utah; and Phil Harold, representing vocational training to the Wastewater Operator Certification Council. Mr. Galecki seconded the motion. The motion passed by a majority vote with Ms. Niehaus objecting.

**Public Comments:**

- Rich Mickelsen with Timpanogos Special Service District spoke about HABs signage around Utah Lake and urged Water Quality to follow guidelines set in place.

**Meeting Adjournment**

**Motion:** Mr. Gordon moved to adjourn the meeting. Mr. Earley seconded the motion. The motion passed by a majority vote with Ms. Niehaus objecting.

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

**Next Meeting – February 26, 2020 at 8:30 am**  
195 North 1950 West  
Room 1015  
Salt Lake City, UT 84116

  
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Jennifer Grant, Chair  
Utah Water Quality Board