



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**

Via Adobe Connect

August 26, 2020  
8:30 am Work Meeting  
9:30 am Board Meeting

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Gregg Galecki	Emily Niehaus
Jennifer Grant	James VanDerslice
Mike Luers	James Webb

Excused: Scott Baird  
Steven Earley  
Brandon Gordon

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Mike Allred	Dan Hall
Robert Beers	Ken Hoffman
Chris Bittner	Brenda Johnson
Jim Bowcutt	John Mackey
Harry Campbell	Duncan Nelson
Emily Cantón	Christine Osborne
Skyler Davies	Lucy Parham
Dusty Earley	Andrew Pompeo
Judy Etherington	Jen Robinson
Erica Gaddis	Lonnie Shull
Jodi Gardberg	Jeff Studenka
Dan Griffith	Sandy Wingert
Angela Gunderson	Beth Wondimu

**OTHERS PRESENT**

Chris Otto	EDO
Ren Lambert	Limnotech
Jed Maxwell	Salina City
Jon Maxwell	Salina City
Newell Hales	Salina City
Mike Stevens	Salina City
Kathy Maxwell	Salina City
Ashley Larson	Salina City
Bradley Allen	Salina City
Steve Leifson	Spanish Fork City
Chris Thompson	Spanish Fork City
Cory Pierce	Spanish Fork City
Gary Vance	JUB
Steven Lord	Mapleton City
Jessie Ralphs	Sunrise Engineering
Trenton Brown	Sunrise Engineering
Jay Olsen	UDAF
Tom Ward	

**WORK MEETING**

**Introduction to Watershed Protection Section: Impairment to Implementation:** Ms. Gardberg presented the Board with the Water Quality Watershed Protection Section Integrated Report, TMDL and Nonpoint Source – Impairment to Implementation.

**Ms. Grant called the Board meeting to order at 9:30 AM and took roll call for the members of the Board and audience.**

**Ms. Grant read the Electronic Meeting Notice with regards to the Water Quality Board meeting being held electronically, August 26, 2020 without an anchor location.**

**APPROVAL OF MINUTES OF JUNE 24, 2020 MEETING**

**Motion:** Dr. VanDerslice moved to approve the minutes of the June 24, 2020 meeting. Mr. Luers seconded the motion. The motion passed with Ms. Grant recusing herself due to being absent during the June 24, 2020 meeting.

**APPROVAL OF MINUTES OF JULY 22, 2020 MEETING**

**Motion:** Ms. Niehaus moved to approve the amended minutes (*added Mr. Mike Noel of Kane County to attendee list*) of the July 22, 2020 meeting. Mr. Webb seconded the

**motion. The motion passed with Mr. Galecki recusing himself due to being absent during the July 22, 2020 meeting.**

### **EXECUTIVE SECRETARY REPORT**

#### *National and Regional*

- Dr. Gaddis gave the Board an update on the Gold King Mine settlement.
  - The Division will receive a \$3 million Grant.
  - The EPA will initiate a removal site evaluation at the following locations.
    - Mill D Fork and Cardiff Fork in Big Cottonwood Canyon.
    - Bauer Dump and Tailings area of the Ophir Mining District in Tooele.
    - Lisbon Valley Legacy Uranium Mining operations in San Juan County.
- Dr. Gaddis also informed the Board that there is a Harmful Algal Bloom (HAB) funding grant in the amount of \$104,000 from the EPA. EDO chose to direct the grant to the HABs program.

#### *State and Division Issues and Initiatives*

- Dr. Gaddis updated the Board on the Harmful Algal Blooms in Utah. Currently, there are 5 active HABs public health advisories across the state.
  - Utah Lake – 3 marinas
  - Yuba Lake
  - Mantua Reservoir
  - Otter Creek Reservoir
  - Virgin River
- Dr. Gaddis updated the Board on the Legislative Division performance audit. The audit found that the Division needs to improve tracking of regulatory data.

#### *Division Management*

- Dr. Gaddis introduced John Mackey as the new Assistant Director.
- Due to the Legislative audit the Division is updating the permitting Sections and consolidating into two Sections that Dan Hall and Jeanne Riley will manage. The manager for a third Section, Compliance and Enforcement is being recruited at this time.
- Also included in the Division recruitment is the Engineering manager to replace John Mackey.

### **FUNDING REQUESTS**

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

**Salina City Request for Hardship Planning Advance:** Ms. Wondimu presented the Board with a request from Salina City for a hardship planning grant in the amount of \$50,000 and a planning advance in the amount of \$49,500 to complete a wastewater facility plan to evaluate alternatives to identify needed wastewater collection and treatment system improvements.

**Motion:** **Mr. Galecki moved to approve the staff recommendations that the Board authorize a hardship planning grant of \$50,000 and a planning advance of \$49,500 to Salina**

**City with special conditions that the Division of Water Quality must approve the engineering agreement and plan of study before the advance will be executed. Dr. VanDerslice seconded the motion. The motion passed unanimously.**

**Spanish Fork City WRF Introduction:** Mr. Davies presented to the Board that at a future Water Quality Board meeting Spanish Fork City will be requesting a grant in the amount of \$3,500,000 to be issued over 7 years in \$500,000 annual increments, to enhance the City's credit position in bonding to construct their new \$94.1 Million plant.

### **RULE MAKING**

**Request to Adopt Rule Making for R317-1-3.2, Compliance with Secondary Treatment Requirements:** Ms. Robinson requested authorization from the Board to adopt the proposed rulemaking to revise Utah Administrative Code (UAC) Rule 317-1-3.2. The proposal is to amend UAC R317-1-3.2 to be consistent with 40 CFR 125.3 by removing "all persons" and replacing it with "publically owned treatment works". The public notice occurred from July 15, 2020 until August 14, 2020. During the public comment period no comments were received.

**Motion: Mr. Galecki moved to adopt the change to R317-1-3.2. Ms. Niehaus seconded the motion. The motion passed unanimously.**

**Request to Initiate Rule Making for R317-2, Standards of Water Quality for Waters of the State:** Mr. Bittner requested authorization from the Board to initiate the rulemaking process to update the Colorado River Salinity Standards in R317-2-4 and changes to the total dissolved solids (TDS) criteria for segments of Kanab Creek.

Mr. Bittner also invited a Board member to serve as a hearing officer for the rulemaking. The public hearing is scheduled for Wednesday, October 21, 2020 from 6:00 until at least 7:00 PM in accordance with federal and state directives regarding Covid-19, the hearing will be convened virtually.

**Motion: Mr. Luers moved to initiate the change to R317-2 and that a Division of Water Quality staff member can serve as the hearing officer. Ms. Niehaus seconded the motion. The motion passed unanimously.**

**Request to Initiate Rule Making for R317-1-7, Fremont River Total Maximum Daily Load Study:** Ms. Dickey requested authorization from the Board to initiate the rulemaking process to adopt TMDL by reference into R317-1-7.

**Motion: Mr. Luers moved to initiate the change to R317-1. Mr. Galecki seconded the motion. The motion passed unanimously.**

**OTHER BUSINESS**

**Nonpoint Source Pollution Control Program FY20 Annual Report:** Mr. Bowcutt, the Nonpoint Source Program Coordinator presented a summary of this report to the Board.

**2019 MWPP Results Summary:** Mr. Campbell presented to the Board the results of the 2019 Municipal Wastewater Planning Program (MWPP).

**PUBLIC COMMENTS**

No public comments.

**MEETING ADJOURNMENT**

**Motion:** Ms. Niehaus moved to adjourn the meeting. Mr. Galecki seconded the motion. The motion passed unanimously.

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

**Next Meeting – September 23, 2020 at 8:30 am**

Via Adobe Connect

<https://utdeq.adobeconnect.com/wqb/>

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Jennifer Grant, Chair  
Utah Water Quality Board