



State of Utah

SPENCER J. COX  
Governor

DEIDRE HENDERSON  
Lieutenant Governor

Department of  
Environmental Quality

Kimberly D. Shelley  
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  
Emily Niehaus  
Kimberly D. Shelley  
Dr. James VanDerslice  
James Webb  
Dr. Erica Brown Gaddis  
Executive Secretary

*MINUTES*

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
UTAH WATER QUALITY BOARD  
Via Zoom**

March 24, 2021  
8:30 am Board Meeting

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Gregg Galecki	Emily Niehaus
Jennifer Grant	Kim Shelley
Brandon Gordon	James Webb
Mike Luers	

Excused      Steven Earley  
                    James VanDerslice

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Jennifer Berjikian	Samantha Heusser
Harry Campbell	Ken Hoffman
Emily Cantón	Brenda Johnson
Krystol Carfaro	Danielle Lenz
Eric Castrejon	Leanna Littler-Woolf
Skyler Davies	John Mackey
Judy Etherington	Winnie Pan
Erica Gaddis	Andrew Pompeo
Dan Griffith	Lisa Stevens
Angela Gunderson	Sarah Ward
Dan Hall	Beth Wondimu

**OTHERS PRESENT**

Jared Andersen	Sunrise Engineering
Melissa Reynolds	Holland & Hart LLP
Marian Rice	Salt Lake City Dept of Public Utilities
Kent Wilkerson	Mountain Green
Cliff Linford	Mountain Green
KUTV News	KUTV News
Jay Olsen	UDAF
David Tuckett	Payson City

**OTHERS PRESENT (continued)**

Travis Jockmusen	Payson City
Mayor Bill Wright	Payson City
Brian Baker	Zion Bank
Mike Keller	Zion Bank
Bill Coutts	

**Ms. Grant called the Board Meeting to order at 8:30 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, March 24, 2021 without an anchor location.**

**APPROVAL OF MINUTES OF FEBRUARY 19, 2021 BOARD WORK MEETING**

**Motion: Mr. Gordon moved to approve the minutes of the February 19, 2021 Board work meeting.**

**Ms. Niehaus seconded the motion. The motion passed unanimously with Ms. Niehaus, Mr. Galecki and Mr. Gordon recusing themselves as they were not present at the work meeting.**

**APPROVAL OF MINUTES OF FEBRUARY 24, 2021 BOARD MEETING**

**Motion: Ms. Niehaus moved to approve the minutes of the February 24, 2021 Board meeting.**

**Mr. Galecki seconded the motion. The motion passed unanimously with Mr. Gordon recusing himself as he was not present at the meeting.**

**EXECUTIVE SECRETARY REPORT**

Dr. Gaddis updated the Water Quality Board regarding the following items.

- Congress passed the Federal \$1.9 trillion Stimulus Package, which will bring significant funding to Utah.
- EPA is reviewing both Waters of US Rule and the 401 Rule.
- Upcoming rulemakings include stormwater (March 2021) and a structural revision to R317-8 this summer/fall.
- Significant progress has been made on the Utah Lake Water Quality Study and an update will be presented to the Board this summer.
- There will be a Hardship Criteria Work Meeting in April 2021
- Jeanne Riley will fill vacant Assistant Director position for the next six months.
- Leanna Littler-Woolf will oversee the General Permitting Section for the next six months.
- The Division is working to fill 4 staff vacancies in General Permitting, Watershed Protection, and Engineering.
- Recognized the passing of DWQ employee Svetlana Kopytkovskiy on March 1, 2021. Svetlana joined the DEQ team in 2003 and served as an outstanding engineer throughout her career with the state of Utah. During her time with DEQ, she worked in Air Quality, Drinking Water, and since 2006 for Water Quality. Born and raised in Belarus, Svetlana had experience working as an engineer in both countries and always brought intelligence and integrity to her work. She was

dedicated to engineering principles and always set high professional standards for herself and insisted on the same from others. She was complimented many times for her thoroughness, which in the end served our customers and the waters we protect.

### **FUNDING REQUESTS**

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

**Mountain Green Sewer Improvement District Project Authorization:** Mr. Davies presented a request to the Water Quality Board for authorization of funding assistance in the amount of \$23,000,000.

**Motion:** Mr. Luers moved to approve the staff recommendation that the Board authorize a loan to Mountain Green Sewer Improvement District (MGSID) of \$7,000,000 at an interest rate of 1.3% repayable over 30 years. The loan will be subject to the following conditions:

1. MGSID must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).
2. MGSID must pursue and retain remaining funding necessary to fully implement the project.
3. MGSID must develop and implement an asset management program that is consistent with EPA's Fiscal Sustainability Plan guidance.

Ms. Niehaus seconded the motion. The motion passed unanimously.

**Payson City Wastewater Treatment Project Authorization:** Mr. Pompeo presented a request to the Water Quality Board for authorization of \$23,000,000.

**Motion:** Mr. Galecki moved to approve the staff recommendation that the Board authorize: a loan to Payson City of \$11,500,000 at an interest rate of 1.11 % repayable over 20 years. The loan will be subject to the following conditions:

1. Payson must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).
2. Payson must pursue and retain remaining funding necessary to fully implement the project.
3. Payson must develop and implement an asset management program that is consistent with EPA's Fiscal Sustainability Plan guidance.

Mr. Gordon seconded the motion. The motion passed unanimously.

### **RULE MAKING**

**Request to Adopt Rule Making for R317-8-3, R317-8-4 and R317-8-11, Storm Water Discharges:** Ms. Stevens requested to adopt rulemaking for revisions to the Utah storm water discharge rules in Part R317-8.

**Motion:** Mr. Galecki moved to adopt the revision to R317-8-3, R317-8-4 and R317-8-11.

Ms. Niehaus seconded the motion. The motion passed unanimously.

**OTHER BUSINESS**

**Request to Approve NOV Settlement with South Davis Sewer District:** Ms. Littler-Woolf requested that the Board approve the negotiated penalty of \$232,831.00.

Penalty Held in Abeyance	\$155,221
Penalty to a Mitigation Project	\$ 38,805
Penalty Paid to the State of Utah	<u>\$ 38,805</u>
Total Civil Penalty	\$232,831
Administrative Cost Reimbursement to DWQ	\$ 15,345
<b>Total Settlement</b>	<b><u>\$248,176</u></b>

**Motion:** Mr. Webb moved to approve the South Davis Sewer District NOV Settlement in the amount of \$248,176 with \$155,221 penalty held in abeyance for a total civil penalty of \$232,831.

Mr. Luers seconded the motion. The motion passed unanimously.

**PUBLIC COMMENTS**

No public comments.

**MEETING ADJOURNMENT**

**Motion:** Ms. Niehaus moved to adjourn the meeting.

Mr. Luers seconded the motion. The motion passed unanimously.

To listen to the full recording of the Water Quality Board meeting.  
<https://deq.utah.gov/boards/utah-water-quality-board-meetings>

**Next Meeting – April 28, 2021**  
**Work Meeting begins at 8:30 am**  
**Via Zoom**  
<https://us02web.zoom.us/j/7074990271>

*Jennifer Grant*  
Jennifer Grant (Apr 29, 2021 11:54 MDT)

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Jennifer Grant, Chair  
Utah Water Quality Board