



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

Department of  
Environmental Quality

Alan Matheson  
Executive Director

DIVISION OF WATER QUALITY  
Erica Brown Gaddis, PhD  
Director

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

**MINUTES**

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

**UTAH WATER QUALITY BOARD**

195 North 1950 West  
Salt Lake City, UT 84116  
January 23, 2019

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Myron Bateman	Clyde Bunker
Steven Early	Gregg Galecki
Jennifer Grant	Mike Luers
Jim Vanderslice	

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Skyler Davies	John Mackey	Kim Shelley
Jim Harris	Ken Hoffman	Marsha Case
Jerry Rogers	Brenda Johnson	Emily Cantón
Jodi Gardberg	Chris Bittner	Judy Etherington
Jeff Ostermiller	Sandy Wingert	Jim Bowcutt
Ryan Parker	Amy Dickey	Ben Holcomb

**OTHERS PRESENT**

<b><u>Name</u></b>	<b><u>Organization Representing</u></b>
Ryan Fitzgerald	Fitzgerald Dairy
Richard Fitzgerald	Fitzgerald Dairy
Heather Mckee	Mckee Dairy
Gary Vance	JUB
Marcus Simons	JUB
Kelly Field	Lewiston City
Paul Swainston	Lewiston City
Roberta Valdez	UDAF
Jay Olsen	UDAF

**Name (continued)**

**Organization Representing**

David Koltz  
Scott Baird

Barr Engineering  
Department of Environmental Quality

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

*December 3*  
**APPROVAL OF MINUTES OF THE ~~OCTOBER 24, 2018~~ MEETING**

**Motion: Mr. Luers moved to approve the minutes of the December 3, 2018 meeting. Mr. Early seconded the motion. The motion passed unanimously.**

**EXECUTIVE SECRETARY REPORT**

- Mr. Harris gave an update on the Rule Making Fiscal Accountability Amendments.
- Mr. Harris updated the Board on the Federal Government shutdown.
  - To date, there has been no impact on the Division of Water Quality's operational budgets or general operations.
  - All Federal facilities permitted by the Division of Water Quality are in compliance.
  - Several coordinating calls and webinars have been cancelled.
- The Utah Water Quality Act is up for reauthorization this coming legislative session.
- Mr. Harris reported that a Great Salt Lake Resolution (HCR10) is focused on addressing declining water levels in the Great Salt Lake.
- The Governor's budget includes \$1,000,000 (one-time) for water quality studies and \$200,000 (on-going) for the Harmful Algal Bloom (HAB) program.
- Mr. Harris reported that the new Municipal Separate Storm Sewer System (MS4) permit requirements have caused concern with home builders and with municipal stakeholders. The Division will be launching a new stakeholder process this spring.
- The Headwater Numeric Nutrient Criteria Rule will be presented in an upcoming Board meeting.
- Mr. Harris reported that the Monitoring Section has started the Colorado Basin Intensive monitoring for the year.
- The Integrated Report call for data is planned for the spring.
- Mr. Harris introduced new staff and new roles of Division staff.
  - Ryan Parker
  - Jodi Gardberg
  - Ben Holcomb

## **FUNDING REQUESTS**

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

**Lewiston City Request for Hardship Planning Advance:** Mr. Davies presented the City's request for a hardship planning advance in the amount of \$40,000. The funding will allow the City to complete a wastewater facility plan to evaluate alternatives to meet expected growth and identify needed wastewater treatment and collection system improvements.

**Motion:** **Mr. Early moved to approve the hardship planning advance in the amount of \$40,000. Mr. Bunker seconded the motion. The motion passed unanimously.**

**Approval of Interest Buy Down Program and Signing of MOU:** Mr. Bowcutt presented the request for approval of the Memorandum of Understand (MOU) of the Agricultural Resource Development Loan (ARDL) Interest Rate Buy Down Program. The program would allow the Board to authorize Hardship Grant funds to buy down the interest rate of ARDL loans for qualifying Animal Feeding Operations and Concentrated Animal Feeding Operations (AFO/CAFOs) projects. Mr. Bowcutt reviewed the process and roles of the Utah Department of Agriculture and Food (UDAF), the Utah Conservation Commission (UCC), the Water Quality Board, and the Division of Water Quality as indicated in the packet. Mr. Bowcutt explained that upon completion of the authorized project, Hardship Grant funds will be transferred to UDAF and applied to the outstanding principal of the ARDL loan. Board members noted the mechanism for reducing the interest rate is, in actuality, a principal buy down.

**Motion:** **Mr. Galecki moved to approve the signing of the MOU between UDAF and DWQ and to accept the ARDL Buy Down Program. Mr. Early seconded the motion. The motion passed unanimously.**

**Fitzgerald Dairy Interest Buy Down Approval:** Mr. Bowcutt presented the request for financial assistance in the amount of \$51,056. The Utah Conservation Committee previously approved an ARDL loan to the Fitzgerald Dairy in the amount of \$510,000. The project qualifies for the ARDL Buy Down Program.

**Motion:** **Mr. Bunker moved to approve the buy down in the amount of \$51,056. Mr. Early seconded the motion. The motion passed unanimously.**

**McKee Dairy Interest Dairy Buy Down Approval:** Mr. Bowcutt presented the request for financial assistance in the amount of \$55,261. The Utah Conservation Committee previously approved an ARDL loan to McKee Dairy in the amount of \$552,000. The project qualifies for the ARDL Buy Down Program.

**Motion:** Mr. Bunker moved to approve the buy down in the amount of \$55,261. Mr. Luers seconded the motion. The motion passed unanimously.

### **RULE MAKING**

**Request for Approval to Commence Rulemaking, R317-2 Standards of Quality for Waters of the State:** Mr. Bittner presented the request to initiate rulemaking of the Proposed Revisions of Standards of Water Quality for the State UAC R317-2.

**Motion:** Mr. VanDerslice moved to approve the commencement of Rulemaking, R317-2 Standards for Quality for Waters of the State. Mr. Early seconded the motion. The motion passed unanimously.

### **OTHER BUSINESS**

**Spring Creek (Heber) *E. coli* TMDL Introduction:** Ms. Wingert introduced the Total Maximum Daily Load (TMDL) study for Spring Creek (Heber) watershed.

**Wastewater Operator Certification Council Member Appointment Recommendations for 2019-2022:** Ms. Etherington presented recommendations for appointment to the Utah Wastewater Operator Certification Council for February 1, 2019 through January 31, 2022.

**Motion:** Mr. Luers moved to approve the Wastewater Operator Certification council member appointment recommendations for 2019-2022. Ms. Grant seconded the motion. The motion passed unanimously.


**Public Comments:** None

### **Meeting Adjournment**

**Motion:** Mr. Bunker moved to adjourn the meeting. Ms. Grant 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 – March 13, 2019**

  
Myron Bateman, Chair  
Utah Water Quality Board