



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**

October 28, 2020  
8:30 am Board Meeting

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Scott Baird	Mike Luers
Steven Earley	Emily Niehaus
Gregg Galecki	James VanDerslice
Brandon Gordon	James Webb

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Carl Adams	Samantha Heusser
Krystol Carfaro	Elise Hinman
Skyler Davies	Ken Hoffman
Amy Dickey	Brenda Johnson
Dusty Earley	John Mackey
Judy Etherington	Andrew Pompeo
Erica Gaddis	Lonnie Shull
Jodi Gardberg	Jeff Studenka
Dan Griffith	Jake Vanderlaan
Angela Gunderson	Beth Wondimu
Don Hall	

**OTHERS PRESENT**

Ashley Sumner	EDO
Austin Ballard	Granger-Hunter Improvement District
Jason Helm	Granger-Hunter Improvement District
Ann Leppanen	Town of Bluff
Jackie Warren	Town of Bluff
Amber Brown	UDAF
Jay Olsen	UDAF

**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, October 28, 2020 without an anchor location.**

**APPROVAL OF MINUTES OF AUGUST 26, 2020 MEETING**

**Motion: Mr. Galecki moved to approve the minutes of the August 26, 2020 meeting.**

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

**APPROVAL OF MINUTES OF SEPTEMBER 23, 2020 WORK MEETING**

**Motion: Mr. Earley to approve the minutes of the September 23, 2020 work meeting.**

**Mr. Gordon seconded the motion. The motion passed with Ms. Niehaus recusing herself due to being absent during the September 23, 2020 work meeting.**

**EXECUTIVE SECRETARY REPORT**

*National and Regional*

- Dr. Gaddis reported that there is an executive order for Modernizing America's Water Resource Management and Water Infrastructure. This executive order formally creates a "water subcabinet" to integrate across federal agencies on water issues. It is tasked with proposing solutions to water storage issues including Colorado Basin drought, promotes water quality trading, and implements a water reuse action plan.
- Dr. Gaddis also reported on the USACE 401 permitting. There has been a nationwide permit issued and a response is required within 60 days. The Division has asked for an extension.

*State and Division Issues and Initiatives*

- Dr. Gaddis reported that the Division is preparing for the 2021 legislative session.
  - DEQ legislative performance audit
  - HAB building block for budget
  - GSL levels (HCR10) presentations
- Integrated report (went to public notice on 10/21/2020) <https://deq.utah.gov/water-quality/combined-2018-2020-integrated-report>
- Dr. Gaddis updated the Board on the Wastewater epidemiology COVID-19 study. Due to a grant this study will transition to the Utah Department of Health on January 1, 2021.

*Division Management*

- Dr. Gaddis introduced the Division's new Compliance and Enforcement Section manager, Samantha Heusser. She also introduced Ken Hoffman as the new Engineering Section Manager.
- Dr. Gaddis informed the Board that the Division will be recruiting 2 or 3 staff members for the new Compliance and Enforcement Section and 1 staff member for the Engineering Section.

**FUNDING REQUESTS**

**Financial Report:** Mr. Mackey updated the Water Quality Board on the Loan Funds and Hardship Grant Funds.

**Request for Ken Hoffman as Official Signatory:** Dr. Gaddis requested that the Water Quality Board designate Mr. Hoffman, the Water Quality Engineering Manager, as a signatory for official documents associated with the Utah Wastewater Project Assistance Program.

**Motion:** Mr. Galecki moved to approve the recommendation that Ken Hoffman be an Official Signatory for documents associated with The Utah Wastewater Project Assistance Program.

**Dr. VanDerslice seconded the motion. The motion passed unanimously.**

**Request for John Mackey as Acting Executive Secretary:** Dr. Gaddis requested that the Water Quality Board designate Mr. Mackey as the Acting Executive Secretary to Water Quality Board. This will allow the Board to transact business should Dr. Gaddis be unavailable.

**Motion:** Mr. Luers moved to approve the recommendation that John Mackey be appointed as the Acting Executive Secretary to the Water Quality Board.

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

**Bluff Service Area Dissolution and Forgiveness of Planning Advances:** The Town of Bluff is requesting forgiveness of \$164,000 in planning advances issued to the Bluff Service Area in 2006 and 2009 for wastewater projects that did not go past the planning stages.

**Motion:** Mr. Galecki moved to approve the staff recommendation of forgiving the \$164,000 in planning advances made to the Bluff Service Area which are now obligated to the Town of Bluff.

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

**Granter-Hunter Improvement District Loan Refinancing:** GHID is requesting restructuring of their \$6,202,000, 20 year, 2.5 percent interest rate loan from the Water Quality Board that was closed on September 28, 2011 for construction of its 2011 Old Main Pump Station and

Collection System Improvements Project. The GHID requests a replacement loan in the amount of \$4,085,000 with an interest rate of 1.5 percent. In addition, GHID is requesting that normal debt service and emergency repair and replacement reserve requirements be waived for the replacement bond thereby releasing restrictions on the current reserves of approximately \$595,000.

**Motion:** Mr. Earley moved to approve the staff recommendations that the Board authorize a replacement loan to Granger-Hunter Improvement District in the amount \$4,085,000 with an interest rate of 1.5 percent and a term of 12 years. Staff further recommends that GHID not be required to build and maintain normal debt service and emergency repair and replacement fund reserves in the replacement bond, subject to the special conditions outlined below.

1. Granger-Hunter Improvement District must agree to continue to participate annually in the Municipal Wastewater Planning Program (MWPP).
2. Granger-Hunter Improvement District must agree to maintain a minimum debt service coverage ratio of 125% for the replacement loan for the life of the loan.
3. Granger-Hunter Improvement District must provide a certified annual budget and/or financial statement upon request by the division that demonstrate sufficient revenue to meet a debt service coverage ratio of 125%.
4. Granger-Hunter Improvement District must develop, fund and implement an asset management program consistent with the minimum requirements of EPA's Fiscal Sustainability Program for all of the sewerage system and treatment works assets under their management.

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

### **RULE MAKING**

**Request to Adopt Amendment R317-1-7, Fremont River Total Maximum Daily Load Study:** Ms. Dickey requested authorization from the Board to proceed with incorporating by reference the TMDL study for the Fremont River into Rule (R317-1-7.66).

**Motion:** Mr. Webb moved to initiate the change to R317-1.

Dr. VanDerslice seconded the motion. The motion passed unanimously.

**Request to Initiate Rule Make for R317-8-10, Animal Feeding Operations (AFOs) and Concentrated Animal Feeding Operations (CAFOs):** Mr. Hall requested approval from the Water Quality Board to initiate rulemaking for revisions to the Utah Concentrated Animal

Feeding Operations (CAFO) rule in R317-8-10. The Division also seeks to change language in R317-8-1-1.10(18) to clarify incorporation by reference to the federal CAFO rule.

**Motion:**      **Mr. Galecki moved to initiate the change to R317-8-10.**

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

**OTHER BUSINESS**

**2018/2020 Integrated Report:** Ms. Gardberg, Mr. VanderLaan and Ms. Hinman presented the draft combined 2018/2020 Integrated Report to the Water Quality Board.

**PUBLIC COMMENTS**

No public comments.

**MEETING ADJOURNMENT**

**Motion:**      **Dr. VanDerslice moved to adjourn the meeting. Ms. Niehaus 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 – December 2, 2020 at 8:30 am**

Via Adobe Connect

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

*Jennifer Grant*

Jennifer Grant (Dec 3, 2020 08:21 MST)

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Jennifer Grant, Chair  
Utah Water Quality Board