



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 Adobe Connect

February 24, 2021
8:30 am Work Meeting
9:30 am Board Meeting

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Steven Earley	Emily Niehaus
Gregg Galecki	Kim Shelley
Jennifer Grant	James VanDerslice
Mike Luers	James Webb

Excused Brandon Gordon

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Jennifer Berjikian	Ken Hoffman
Harry Campbell	Brenda Johnson
Emily Cantón	Jeff Kolmel
Krystol Carfaro	John Mackey
Eric Castrejon	Winnie Pan
Skyler Davies	Andrew Pompeo
Judy Etherington	Jen Robinson
Erica Gaddis	Lonnie Shull
Dan Griffith	Jeff Studenka
Angela Gunderson	Sarah Ward
Don Hall	Beth Wondimu
Samantha Heusser	Kelsee York

OTHERS PRESENT

Justin Atkinson	Sunrise Engineering
Tom Beesley	Riverton City
Carly Ferro	Sierra Club
Renn Lambert	Limno Tech
Melissa Reynolds	Holland & Hart LLP
Marian Rice	Salt Lake City Dept of Public Utilities
Kent Wilkerson	Mountain Green

Ms. Grant called the Board Work Meeting to order at 8:30 AM.

Hardship Criteria: Analysis of Board Financial Assistance Determination

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, February 24, 2021 without an anchor location.

APPROVAL OF MINUTES OF JANUARY 27, 2021 BOARD MEETING

Motion: Mr. Galecki moved to approve the minutes of the January 27, 2021 Board meeting.

Dr. VanDerslice seconded the motion. The motion passed unanimously with the correction of Kim Shelley incorrectly listed as attending the January 27th meeting. Ms. Grant recused herself as she was not present at the prior meeting.

EXECUTIVE SECRETARY REPORT

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

Division Updates

- Staff Introductions
 - Jennifer Berjikian, Compliance and Enforcement Section
 - Eric Castrejon, Compliance and Enforcement Section
 - Kelsee York, transferred from Monitoring and Reporting Section to the General Permitting Section
- Tim Davis, new Director for Division of Drinking Water

National and Regional

- A new Regional Administrator has not yet been appointed to Region 8. Deb Thomas is serving as the interim RA.
- “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis” Executive order issued by President Biden on January 20, 2021. This executive order states the administration’s commitment to the following:
 - Public health and environment
 - Environmental justice
 - Climate
 - Importance of using best science
- Agency actions related to water
 - Clean Water Act Section 401 Certification Rule
 - Waters of the United States Rule
 - Lead and Copper Rule Revisions
 - Electronic Reporting Rule for NPDES permits

Legislative Items

- House Bill
 - HB346 – Natural Resources Entity Amendment

- HB354 – Rural Municipal Economic Development Loan Program
- HB151 – State Infrastructure Bank Amendments
- HB364 – Utah Lake Authority
- HB98 – Local Government Building Regulation Amendments
- HB296 – Soil Health Amendments
- SCR006– Concurrent Resolution Supporting the Removal of Uranium Mill Tailings Near the Colorado River in Moab
- HCR10 – Concurrent Resolution Regarding and Interlocal Agreement Creating the Jordan River Commission
- Three Building Block Requests
 - Drinking Water
 - \$4.5 million one-time request to fund additional staff and technical capacity
 - Water Quality
 - \$200,000 Harmful Algal Bloom program
 - Attorney General
 - Fund vacant attorney position

Division Items

- 2021 Integrated Report submitted to EPA

Water Quality Board Upcoming

- AFO/CAFO Rule Making – February
- Stormwater Rule Making – March or April
- Mountain Green and Payson Financing – March
- South Davis Sewer District Settlement Regarding Ammonia Violations – March

FUNDING REQUESTS

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

RULE MAKING

Request to Initiate Changes to Proposed Rule Amendments to the Utah Pollutant Discharge Elimination System (UPDES) Concentrated Animal Feeding Operation (CAFO) Rule, Utah Administrative Code, R317-8-10. Mr. Hall requested approval from the Board to public notice for 30 days the following proposed rule changes to R317-8-10.2 Definitions.

1. Certified Nutrient Management Planner Definition
The proposed change will state that the certification of planners can come through training programs provided by NRCS or “an alternate training program approved by the Director.”
2. Small CAFO Definition
The new definition will state that the Director will consult with the Chair of the Utah Conservation Commission when an AFO is under consideration to be designated as a CAFO. CAFO designation means an AFO must obtain a CAFO permit resulting from illegal discharges to water of the state.

Motion: Mr. Earley moved to approve the Request to Initiate Changes to Proposed Rule Amendments to the Utah Pollutant Discharge Elimination System (UPDES) Concentrated Animal Feeding Operation (CAFO) Rule, Utah Administrative Code, R317-8-10 for a 30-day public notice without public comment for a Rule Change effective date of April 15, 2021.

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

PUBLIC COMMENTS

No public comments.

MEETING ADJOURNMENT

Motion: Dr. VanDerslice moved to adjourn the meeting.


Mr. Galecki 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 – March 24, 2021 at 8:30 am

Via Adobe Connect

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


Jennifer Grant (Mar 24, 2021 13:07 MDT)
Jennifer Grant, Chair
Utah Water Quality Board