



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
Steven K. Earley, Chair
James Webb, Vice Chair
Brandon Gordon
Michela Harris
Joseph Havasi
Trevor Heaton
Michael D. Luers
Emily Niehaus
Kimberly D. Shelley
Erica Brown Gaddis, PhD
Executive Secretary

MINUTES

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

December 15, 2021
8:30 am Work Meeting
9:30 am Board Meeting

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Steven Earley	Mike Luers
Brandon Gordon	Kim Shelley
Michela Harris	James Webb
Trevor Heaton	

Excused Emily Niehaus
 Joe Havasi

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Emily Cantón	John Mackey
Krystol Carfaro	George Meados
Eric Castrejon	Christine Osborne
Skyler Davies	Winnie Pan
Amy Dickey	Dave Pierson
Judy Etherington	Andrew Pompeo
Erica Gaddis	Jeanne Riley
Jodi Gardberg	Jen Robinson
Clanci Hawks	Jeff Studenka
Samantha Heusser	Sandy Wingert
Ken Hoffman	Beth Wondimu
Brenda Johnson	Yan Yan
Glen Lischeske	

OTHERS PRESENT

Chris Otto	DEQ
Jay Olsen	UDAF
Søren Simonson	Jordan River Commission
Daniel Hawley	Jones & DeMille
Derek Holmsted	Jones & DeMille
Joseph Ozimek	McWane Ductile
Sullivan Love	Vineyard City
Juan Garrido	Lindon City
Jeffren Pei	Hanksville City
Carley Castle	Upcoming WQB Member

Mr. Earley called the Work Meeting to order at 8:30 AM.

Introduction to the Watershed Protection Section: Ms. Gardberg introduced the Watershed Protection Section to the Board members.

Financial Burden Criteria: Mr. Hoffman presented the Board members with the Financial Burden Evaluation Policy for the Utah Wastewater Project Assistance Program.

ROLL CALL

Mr. Earley took roll call for the members of the Board and audience.

APPROVAL OF MINUTES OF OCTOBER 27, 2021 BOARD MEETING

Motion: Mr. Gordon moved to approve the minutes of the October 27, 2021 Board meeting.

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

EXECUTIVE SECRETARY REPORT

Dr. Gaddis addressed the Board with the following updates.

National

- Infrastructure Bill
 - Estimated \$66 million over next 5 years, with an additional State match of \$10 million
 - \$6.8 million for storm water
 - \$4.7 million for emerging contaminants
 - 49% principal forgiveness
 - 12% for disadvantaged communities
 - Additional funds possible

- New buy American requirements
- Coordination with DNR for competitive grants
- Schedule Finance Committee Meeting for January
- American Rescue Plan Act (ARPA) Funds
 - \$3 million – Mountain Green wastewater project
 - \$3 million – Heber City water and sewer project
 - \$2 million – Salt Lake City stormwater project
 - \$4 million – West Jordan water and sewer project
 - \$26,000 – Hanksville sewer lagoon repair
 - \$1 million – Weber River watershed restoration
 - \$175,000 – San Rafael Energy Research Center new sewer line
- ARPA Funds - Governor’s Budget
 - \$25 million – Utah Lake preservation
 - \$45 million – Great Salt Lake through DNR
 - \$100 million – local matching grant program to Governor’s Office of Planning & Budget (GOPB)
 - \$50 million – Ag Water optimization
- Waters Of The US (WOTUS)
 - Remanded and vacated in August 2021. Two anticipated rulemakings; a foundational rule to restore longstanding protections and an anticipated second rule that builds on that regulatory foundation.

State

- Utah Lake Authority bill

Water Quality Core Program Updates

- Total Maximum Daily Loads (TMDL)
 - Spring Creek TMDL public notice
- Integrated Report out for public comment
- Individual Permitting
 - Lisbon Valley Mining Company Permit at public comment
 - Hearing Officer needed on January 19, 2022 from 6:00 – 8:30 pm
- General Permitting
 - Treated groundwater permit at public comment
 - Pesticide general permit at public comment
- Incident Response
 - Citation Oil spill near Escalante

Water Quality Board

- Carly Castle will be confirmed on December 16, 2021.

Division Management

- Staff Vacancies
 - Environmental Scientists

- Assistant Director

FUNDING REQUESTS

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

Hanksville Planning Advance : Mr. Meados presented the Water Quality Board with a hardship planning advance request from Hanksville Town.

Motion: Mr. Luers moved to approve the staff recommendations of a planning advance in the amount of \$36,600 with the following special conditions.

1. **The Division of Water Quality must approve the engineering agreement and plan of study before the advance will be executed.**
2. **The Design Advance must be expeditiously repaid to the Board once long-term project financing has been secured.**
3. **The City must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).**
4. **As part of the facility planning, the City must complete a Water Conservation and Management Plan.**

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

RULE MAKING

Request to Adopt R317-1-7 Spring Creek (Heber) *E. coli* Total Maximum Daily Load (TMDL) Study: Ms. Wingert requested that the Board adopt the Spring Creek (Heber) *E. coli* TMDL into R317-1-7.

Motion: Mr. Luers moved to approve the staff recommendations of adoption of the Spring Creek (Heber) *E. coli* Total Maximum Daily Load (TMDL) into R317-1-7.

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

OTHER

Sinclair Trucking Company Notice of Violation Settlement: Ms. Heusser presented the Board with a proposed Settlement Agreement in the amount of \$29,455.00.

The terms of the financial settlement are as follows:

Total Civil Penalty	\$25,667.00
Administrative Cost Reimbursement to DWQ	<u>\$3,788.00</u>
Total Settlement	\$29,455.00

Motion: Mr. Webb moved to approve the Sinclair Trucking Company Notice of Violation Total Settlement amount of \$29,455.00

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

PUBLIC COMMENTS

No public comments.

MEETING ADJOURNMENT

Motion: Ms. Harris moved to adjourn the meeting.

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

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

**Next Meeting – January 26, 2022
Meeting begins at 8:30 am**

**In-Person
MASOB
195 North 1950 West
Board Room 1015
Salt Lake City, UT 84116**

**Via Zoom
<https://us02web.zoom.us/j/7074990271>**


Steven Earley (Feb 2, 2022 14:03 MST)

Steven Earley, Chair
Utah Water Quality Board