



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
John K. Mackey, P.E.
Director

Water Quality Board
Steven K. Earley, Chair
James Webb, Vice Chair
Carly Castle
Michela Harris
Joseph Havasi
Trevor Heaton
Michael D. Luers
Kimberly D. Shelley
John K. Mackey
Executive Secretary

MINUTES

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

January 25, 2023
8:30 am Meeting

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Carly Castle	Trevor Heaton
Steve Earley	Mike Luers
Michela Harris	Kim Shelley
Joe Havasi	James Webb

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Jennifer Berjikian	Leanna Littler-Woolf
Paul Burnett	John Mackey
Harry Campbell	Justine Marshall
Emily Cantón	George Meados
Julian Carroll	Baylie Nusink
Eric Castrejon	Alan Ochoa
Krysta Church	Dave Pierson
Skyler Davies	Andrew Pompeo
Judy Etherington	Jen Robinson
Jodi Gardberg	Danny Ryan
Dan Griffin	Linsey Shafer
Porter Henze	Lonnie Shull
Alex Hepner	David Smith
Samantha Heusser	Jeff Studenka
Ken Hoffman	Jake Vander Laan
Ben Holcomb	Sandy Wingert
Glen Lischeske	Beth Wondimu

OTHERS PRESENT

Soren Simonson	Jordan River Commission
Brenda Johnson	DEQ – Executive Director’s Office
Haley Sousa	AG’s Office
Juliana Slurzberg	AG’s Office
Marian Rice	SLC Dept of Public Utilities
Stephanie Russell	Weber Co Economic Dev
Sean Wilkinson	Weber Co Economic Dev
Brad Rasmussen	Aqua Engineering
Craig Jackson	
Ren Lambert	Limo Tech
Austin Storey	
Kent Bradford	Little Mountain Service Area
Eddie Edmunds	
Bren Edwards	

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

ROLL CALL

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

APPROVAL OF MINUTES

Motion: Mr. Webb moved to approve the minutes of the December 14, 2022 Board meeting.

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

EXECUTIVE SECRETARY REPORT

Mr. Mackey addressed the Board regarding the following.

Water Quality Board

- Public Meeting Comments from December 14, 2022
 - Ms. Susan Klinker’s comments regarding US Magnesium will be sent to Board members as proposed by Mr. Luers.

National

- Fiscal Year 2023 Omnibus Appropriations Bill
 - \$5 million to United States Geological Survey (USGS)
 - \$10 million to Army Corps of Engineers
 - \$3.1 million to Department of Natural Resources (DNR)
- Waters of the United States (WOTUS) Definition Update

Water Quality Division

- 2022 Integrated Report Approved by EPA
- Great Salt Lake Emergency Assessment Petition
- Friends of Great Salt Lake Petition

- Utah Lake Water Quality Study
- Water Quality Division Budget
- Staff Introductions
 - Leanna Littler-Woolf
 - Linsey Shafer
 - David Smith
 - Alan Ochoa

Legislative Session

- Several Water Quality Bills (Not yet numbered)

FUNDING

ARPA – West Weber Site Sewer Infrastructure: Mr. Hoffman presented a request for authorization of ARPA funding for the West Weber Mega Site, Phase 1 from the Water Quality Board in the amount of \$5,000,000 for new construction and upgrades associated with expansion and planned growth in West Weber County.

Motion: Mr. Webb moved that the Water Quality Board authorize funding for construction of Phase 1 in the amount of \$5,000,000 with the following special conditions:

1. The body politic must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).
2. The body politic must develop, commit to adopt, and implement a capital asset management plan that is consistent with EPA’s Fiscal Sustainability Plan Guidance.
3. An interlocal agreement must be completed for treatment of the wastewater before the funding will be released.
4. Funding must be demonstrated for the remaining costs of the 14” force main from the Black Pine Lift Station and the 30” gravity line to the Central Weber connection point before the funding will be released.
5. The lagoon upgrades and Black Pine Lift Station will be fully funded with the remaining funds directed to the 30” gravity line.

Mr. Luers seconded the motion. The motion passed with a majority vote from Mr. Earley, Mr. Webb, Ms. Castle, Mr. Heaton, and Mr. Luers. Ms. Harris and Mr. Havasi abstained from the vote due a conflict of interest.

RULEMAKING

Request to Initiate Rulemaking: Asset Management Implementation R317-101-3: Mr. Campbell presented the Board with a request to initiate rulemaking to rescind and replace UAC R317-101-3 to comply with Utah Code 19-5-202(2).

Motion: Mr. Luers moved that the Water Quality Board authorize the request to initiate rulemaking to rescind and replace UAC R317-101-3 to comply with Utah Code 19-5-202(2).

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

Request to Adopt Water Quality Standards R317-2: Mr. Vander Laan presented the Board with a request to adopt rule amendments as proposed in the November 1, 2022 Bulletin as a Board Order effective immediately.

Motion: Mr. Webb moved that the Water Quality Board authorize the request to adopt Water Quality Standards R317-2 rule amendments as proposed.

Mr. Havasi seconded the motion. The motioned passed unanimously.

OTHER

Request to Appoint Wastewater Operator Certification Council Members: Ms. Etherington presented the Board with recommendations of Dr. Ben Willardson and Mr. Phil Harold for appointment to the Utah Wastewater Operator Certification Council for February 1, 2023 through January 31, 2026.

Motion: Ms. Harris moved that the Water Quality Board authorize the approval of Dr. Willardson and Mr. Harold to the Wastewater Operator Certification Council for February 1, 2023 through January 31, 2026.

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

Request to Assess Penalties in Excess of \$25,000: Ms. Heusser presented the Board with a request for approval of Stipulated Compliance Order IHC Health Services Docket No. I20-15.

Motion: Mr. Havasi moved that the Water Quality Board authorize the approval of Stipulated Compliance Order IHC Health Services Docket No. I20-15.

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

PUBLIC COMMENTS

Mr. Craig Jackson and Mr. Kent Bradford made comments regarding the West Weber Site Sewer Infrastructure packet item.

MEETING ADJOURNMENT

Motion: Ms. Harris moved to adjourn the meeting.

Mr. Webb 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 – February 22, 2023
Water Quality Board Meeting
Meeting begins at 8:30 am**

Page 5
January 25, 2023
Water Quality Board
Minutes

In-Person
MASOB
195 North 1950 West, 4th Floor
Wasatch Room 4124
Salt Lake City, UT 84116

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

Steven Earley, Chair
Utah Water Quality Board

DWQ-2023-001863

PENDING