



State of Utah

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Leland J. Myers
William J. Sinclair
Jay Ivan Olsen
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Steven P. Simpson
Daniel C. Snarr
Phil Wright
Walter L. Baker,
Executive Secretary

MINUTES

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

UTAH WATER QUALITY BOARD

168 North 1950 West, Room 101

Salt Lake City, Utah 84116

Wednesday February 25, 2009

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Joe Piccolo	Paula Doughty	Jay Olsen
Leland Myers	Steve Simpson	Dan Snarr
Darrel Mensel	Greg Rowley	Phil Wright
Bill Sinclair	Dave Echols	

ABSENT: Merritt K. Frey

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, John Whitehead, Leah Ann Lamb, Ed Macauley, Rob Herbert, Dan Hall, Don Hall, Bill Damery, Paul Krauth, Lisa Nelson, Svetlana Kopytkovski, John Mackey, John Cook, Kari Lundeen, Mike Allred, Shelly Andrews

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Jason Linford	Sunrise Engineering
Trevor Lindley	J-U-B Engineers
Jim Olson	Brown and Caldwell
Christina Osborn	JUB Engineers
Tom Ward	Salt Lake City Public Utilities
Dale A. Christensen	Salt Lake City Water Reclamation
James Degraffenried	Santaquin City
James Linford	Santaquin City
Dennis Marker	Santaquin City
Kelly Payne	Kennecott Utah Copper
Cheryl Fox	Summit Land Conservancy
Greg Peters	Summit Land Conservancy
Mark Christensen	City of Washington Terrace
Steve Harris	City of Washington Terrace
Shari Garrett	City of Washington Terrace
Dave Covington	ATK Launch Systems
Blair Palmer	ATK Launch Systems
Lorin Gardner	JUB Engineering

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Lynn Hardy	Elwood
Steve Wolviner	Elwood
Kunun Nelson	Elwood
Garth Day	Elwood
John Bjerregaard	Wasatch Civil
Pam Adams	Langdon Group
David Stringham	Bear Lake SSD
Mark Stringham	Bear Lake SSD

Chair Piccolo called the Board meeting to order at 10:20 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE JANUARY 28, 2009 MEETING

Mr. Simpson noted the year on the minutes was still showing 2008.

Motion: It was moved by Mr. Myers and seconded by Mr. Simpson to approve the minutes of the January 28, 2009 meeting, with the noted correction. The motion was unanimously approved.

Executive Secretary's Report: There are four members of the Board eligible for reappointment to serve another four years on the Water Quality Board. One Board member has served the maximum time allowed and we are presently recruiting to fill that position. We have begun the recruitment process and have notified those eligible for reappointment to get the necessary paperwork completed.

In April the Water Quality Board will be presenting the 2009 Sudweeks Award Nominee. Steve Simpson, Paula Dougherty, Joe Piccolo and Dave Echols agreed to be part of the selection committee.

Legislative Budget issues: Presently the legislature seems to have settled on 15% cuts in DEQ's budget. We have also been informed that we should receive some funds from the stimulus package that could go towards some water projects that are "shovel ready" now. The Board agreed to meet on March 19th for a work meeting to discuss the use of the funds.

On the National level EPA has decided to implement nutrient standards in Florida and raise significant questions about antidegradation policies in Kentucky. These may have significant ramifications effects nationally. The Board may need to revisit the issue to see where Utah stands.

Bill Sinclair explained to the Board that last week he informed the Board of a senate hearing on SB70. Also HB434 will increase the number of members on the Air Quality Board. SB143, which is a sunset review received a hearing and the legislature voted to extend enabling legislation for the Utah Water Quality Act another 10 years.

Long Term Ground-Water Monitoring in Utah; Water Quality, Water Levels, and Withdrawals:

Mr. Damery from the Division of Water Quality (DWQ) introduced Cory Angerth from US Geological Survey (USGS). Included in the Board packet was the monitoring report "*Ground-Water Conditions in Utah*" 2008. USGS along with DWQ collects ground water data from a network of wells across the state. This monitoring program provides critical data for managing the State's ground water resources.

LOAN ITEMS

Financial Assistance Status Report – Mr. Macauley updated the Board on the “Summary of Assistance Program Funds,” as outlined on page 3.1.

Update Nonpoint Source Financial Assist Program: Fiscal Year 2009: Ms. Andrews explained to the Board that South Utah Valley Municipal Water Association’s Board approved the Utah Lake Studies for funding on January 15, 2009 and Central Weber Sewer Improvement District board approved funding for the conservation easement projects on February 9, 2009. The agreements are currently being prepared between the municipalities and the grant recipients. To date, the NPS loans authorized for FY2009 total \$114,400 and the NPS grants authorized for FY2009 total \$539,100 for a subtotal of \$653,500.

Fawcett Ranch Conservation Easement: Central Weber SID/NPS – Ms. Lundeen introduced Cheryl Fox, who represents Summit Land Conservancy. Together they explained to the Board about Fawcett Ranch Conservation Easement. Summit Land Conservancy plans to purchase 42 acres south of the Henefer town line which contains 2 bends of the Weber River. The purpose for the Easement is to prohibit residential development, improve water quality, preserve agricultural use, preserve wetlands, wildlife habitat and preserve public values – fishing access, view shed, historic site. The property value is \$800,000; the owner will donate \$280,000 leaving a balance of \$424,500. The Summit Land Conservancy has applied for funding from various sources and hopes that the Division of Water Quality will contribute \$140,000 to help close the purchase of the conservation easement.

Request to approve Bear Lake SSD Funding Request: Mr. Cook introduced Mark Stringham and David Stringham from Bear Lake SSD and Mr. Jason Linford from Sunrise Engineering. Bear Lake SSD (BLSSD) is requesting financial assistance in the amount of a \$4,674,000 loan at an interest rate of 3.0% repayable over 20 years for the construction of the 2009 Parallel Collection Sewer System to bring the capacity of the West Shore area of the District to ultimate build-out. A design advance of \$475,000 is also being requested. Staff recommends that the WQ Board authorize a \$4,674,000 loan to Bear Lake Special Sewer District for this project with a repayment term of 20 years at 3.0% interest with a design advance of \$475,000 that conforms to the attached authorization schedule. Staff also recommends that the authorization of this project be contingent upon the State of Utah receiving Federal American Recovery and Reinvestment Act funds. Mr. Myers suggested staff ignore the special condition concerning the Federal American Recovery and Reinvestment Act and replace that condition with a Design Advance only authorization of \$475,000 out of the Hardship money. Mayor Piccolo suggested authorizing the advance subject to repayment if the Board does not authorize loan funds at a subsequent meeting.

Motion: **It was moved by Mr. Myers to authorize a design advance of \$475,000 out of the Hardship Grant funds, subject to repayment. The motion was seconded by Mr. Olsen and was unanimously approved.** (Note: There was no motion relative to the requested loan funds at this time.)

Request to approve Washington Terrace Funding Request: Ms. Nelson introduced Mark Christensen, Steve Harris, and Shari Garrett representing the City of Washington Terrace. The City of Washington Terrace is requesting financial assistance in the amount of a \$614,000 loan at an interest rate of 0% repayable over 20 years to replace existing 8” and 10” RCP sewer line with 8” and 10” PVC sewer line. Following a discussion about the upcoming stimulus funds being made available to help with such projects, Mr. Myers requested any action on this request be delayed until the Board knows more about the stimulus dollars. The City of Washington Terrace agreed to wait.

Request to approve Elwood Funding Request: Mr. Cook introduced Mayor Lynn Hardy, from Elwood Town, Mike Allred with the Division of Water Quality and John Bjerregaard with Wasatch Civil Consulting Engineering. Elwood Town is requesting financial assistance in the amount of a \$550,000 grant and a \$1,560,000 loan at an interest rate of 0% repayable over 30 years for the construction of the 2009 Sewer Collection System and Lagoon. In addition, Elwood is requesting a Design Advance in the amount of \$144,000 to provide a match for the United States Army Corps of Engineers (USACE) 595 design funds that are expected to be committed to this project as part of a \$5,000,000 USACE 595 grant. The total project cost is \$7,110,000. Mr. Olsen asked staff to include in the Special Conditions that Elwood have a policy in place to assure that all new development must connect to the proposed sewer system. Mr. Macauley assured him that a borrower must have a mandatory connection ordinance consistent with state law as a requirement for loan closing. In addition, staff typically requires that communities have mandatory connection requirements in a subdivision ordinance as well.

Motion: It was moved by Mr. Myers, and seconded by Mr. Echols, to approve staff's recommendation to authorize Elwood's request for a \$550,000 grant and a \$1,560,000 loan at an interest rate of 0% subject to special conditions and a mandatory connection ordinance for new subdivisions. The motion was approved with Mr. Olsen abstaining.

Request to approve Santaquin Funding Request: Ms. Nelson introduced Mayor James Degraffenried and James Linford from Santaquin City. The City of Santaquin is requesting financial assistance in the amount of a \$4,772,000 loan at an interest rate of 3.0% repayable over 20 years to construct a new mechanical wastewater treatment plant and add to the collection system to meet current and future needs. Staff recommends that the Water Quality Board authorize Santaquin City's request.

Motion: It was moved by Mr. Rowley, and seconded by Mr. Simpson, to approve staff's recommendation to approve Santaquin's request for \$4,772,000 loan at an interest rate of 3%. The motion was unanimously approved.

NEXT MEETING –
Thursday, March 19, 2009 (Work Meeting)
168 North 1950 West, Room 101, Salt Lake City, Utah 84116
Work meeting will begin at 9:00 a.m.

Joe Piccolo, Chairman
Utah Water Quality Board