



State of Utah

JON M. HUNTSMAN, JR.  
Governor

GARY HERBERT  
Lieutenant Governor

Department of  
Environmental Quality

Amanda Smith  
Acting Executive Director

DIVISION OF WATER QUALITY  
Walter L. Baker, P.E.  
Director

**Water Quality Board**  
Jay Ivan Olsen, *Chair*  
Paula Doughty, *Vice-Chair*  
Lou Ann Christensen  
David F. Echols  
Merritt K. Frey  
Darrell H. Mensel  
Leland J. Myers  
Amanda Smith  
Gregory L. Rowley  
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 June 24, 2009

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Lou Ann Christensen	Paula Doughty	Jay Olsen
Leland Myers	Steve Simpson	Dan Snarr
Darrel Mensel	Greg Rowley	Phil Wright
Merritt Frey	Dave Echols	

**ABSENT:** Amanda Smith

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Walt Baker, Faye Bell, John Whitehead, Leah Ann Lamb, Ed Macauley, Shelly Andrews, Emily Canton, Sandy Wingert, Kari Lundeen, Carl Adams, Scott Daly, Mike Reichert, Paul Krauth, John Mackey, John Cook.

**OTHERS PRESENT**

<u>Name</u>	<u>Organization Representing</u>
Stan Beckstrom	Utah Div. Wildlife Resources
Alan Ward	Utah Div. Wildlife Resources
Tim Heyrend	City of West Jordan
Roy Gunnell	UDAF
Marian Hubbard	Salt Lake County
Bart Forsyth	JVWCD
Jackie Maas	JVWCD
Kent Moaap	Ogden
Joe Dougherty	Deseret News
Craig Garner	Ducks Unlimited
Dale Pierson	RWAU
David C. Thurgood	J-U-B Engineers, Inc. – Lindon City
Blake Wydahl	Thanksgiving Point Institute
Vern Steel	RWAU
Craig Ashcroft	Carollo Engineers
Pryor Harrell	AVSMB
Reed Price	Utah Lake Commission
Craig Walker	Utah Division of Wildlife Resources
Frank Mille	Pleasant Grove City
John Schiess	Horrocks Engineers

Mike Evans	Myra C Evans
J Steven Hansen	USU Research Foundation
Sharon Hauri	SLC Open Space
Emy Storheim	SLC Open Space Manager
David Ariotti	DEQ/District Engineer
Chad McDonald	UACD Uintah Basin Watershed Coordinator
Adam Cowie	Lindon City
Travis Jockumsen	Orem City
Joe Piccolo	Price City
Barbara Piccolo	Price City
Justin Robinson	DNR/UDWR
Chris Crockett	DNR/UDWR/USRIP
Ray Loveless	East Canyon Steering Committee
Issa Hamud	City of Logan
Michael Boyle	SBWRD
Chris Keleher	DNR/JSRIP
Jason Carey	River Restoration.org Ogden City
Brad Nelson	Weber Basin Water
Ron Sims	USU
Byard Wood	USU
Karen Nichols	Stantec
Bob Thompson	SL County
David Anderson	Utah Botanical Center
Daniel Gunnell	UACD
Craig Miller	Utah Water Res
Steve Jackson	JSSD
Dan Matthews	JSSD
Jon Sebba	Nolte/Bluff
Kathleen Hegemann	USURF
Chet Hovey	Brian Head
Mayor Deutschlander	Brian Head
Rick Bailey	San Juan County
Mayor Matt Godfrey	Ogden City
Jim Percy	USFS

Chair Olsen called the Board meeting to order at 8:05 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

#### **APPROVAL OF MINUTES OF THE MAY 27, 2009 MEETING**

Ms. Doughty commented that on Page 2 under Board Elections, where it says Mr. Myers nominated, it should say Ms. Doughty nominated.

**Motion:**           **It was moved by Mr. Echols and seconded by Ms. Doughty to approve the minutes of the May 27, 2009 meeting, with the noted correction. The motion was unanimously approved.**

**Executive Secretary's Report:** The confirmation hearing of the new Acting Executive Director for the Department of Environmental Quality, Amanda Smith, will be held in August. The U.S. Fish and Wildlife Service (service) has written a letter to EPA Region 8 regarding Utah's recently adopted water quality standards. The service stated that the established selenium standard in the Great Salt Lake will not be sufficiently protective of avian species as it violates the Migrating Bird Treaty Act. The Service has recommended EPA not approve the standard.

**LOAN ITEMS**

**Financial Assistance Status Report** – Ms. Canton updated the Board on the “Summary of Assistance Program Funds,” as outlined on page 2.1.

**American Recovery and Reinvestment Act (ARRA) Green Project Requests for Funds** – Ms. Andrews directed the Board’s attention to the memo and *Stimulus Funds Financial Projections* just prior to Page 2.21a in the packet, which explained that at the April, 2009 Water Quality Board meeting, the Board elected to forestall action on authorizing stand-alone “Green” projects until a broader solicitation for such projects could be made. At the time the Board set aside \$4.0 million for these projects (approximately 20% of the ARRA funds). Due to outreach efforts on the part of the Division of Water Quality, eighty-seven applications for “Green” projects were received. DWQ staff evaluated each request using the ranking criteria discussed with the board at the May meeting with emphasis on the water quality benefit, and ranked projects into three tiers. Staff recommended that the Board use a two-step process to authorize funding for these projects: 1) give each applicant 5-minutes to make its case, then approve placing the funding request in one of the three tiers; and 2) after all funding requests have been placed in the approved tier, review the demand on the funds and authorize all Tier 1 and Tier 2 projects subject to special conditions. Ms. Andrews distributed an amended listing of Tier 1 projects to the board, changing the order they will be presented based on watershed. Following are the projects in the order they were presented to the Board. Detailed project descriptions and funding applications are included in the [Board packet for the meeting](#).

Project #	Order Presented	Applicant/Project/Presenters		Amount Requested
		TIER 1	Packet Pg #	
2	1	Jordan Valley Water Conservancy Dist for <i>Conservation Garden Park at Jordan Valley/Green Ed Bldg</i> Carl Adams, Bart Forseyth, Jackie Masters	Pg. 2.25	\$150,000
5	2	Salt Lake County Flood Control, <i>Stream Restore Sediment Cnl/Jordan River 561 S, 1175 S, 1552 S, and 2050 S</i> Carl Adams, Bob Thompson, Marian Hubbard	Pg. 2.30	\$577,500
6	3	Salt Lake County Flood Control <i>Stream Restore Sediment Cnl/4000 S and 4200 S</i> Carl Adams, Bob Thompson, Marian Hubbard	Pg. 2.33a	\$500,300
10	4	West Jordan/Salt Lake Co- <i>West Jordan City-Bateman Pond Const Wetland/Storm H2O</i> Carl Adams, Tim Heyrend	Pg. 2.51	\$346,376
11	5	Sevier Wildlife Resources- <i>Hatch, Utah in Garfield Cty/Stream Restoration/Fence</i> Scott Daly, Stan Beckstrom, Craig Walker	Pg. 2.55a	\$206,000
1	6	Forest Service Heber Dist-Clyde <i>Creek/Strawberry River/Phos-Sed Reduction</i> Sandy Wingert, Jim Percy	Pg. 2.21a	\$125,000
8	7	Uintah County Conservation District <i>Basin Caulder Res– Phos/Sed Reduction</i> Sandy Wingert, Chad McDonald	Pg. 2.44a	\$100,000
12	8	Wildlife Resources/Uintah Basin- <i>Strawberry R- Stream Restoration/Fence</i> Sandy Wingert, Justin Robinson	Pg. 2.63a	\$520,788
3	9	Lindon City <i>Utah Lake-Construct SW Wetland</i> Carl Adams, Travis Jockumsen, Adam Cowie	Pg. 2.28a	\$600,000

<b>Project #</b>	<b>Order Presented</b>	<b>Applicant/Project/Presenters</b>	<b>Packet Pg #</b>	<b>Amount Requesting</b>
13	10	Wildlife Resources – <i>Utah Lake-Carp Removal Methods</i> Carl Adams, Chris Keleher, Chris Crockett	Pg. 2.67a	\$251,600
4	11	Weber-Ogden City <i>Ogden River-Hydromod/Stream Restoration</i> Kari Lundeen, Mayor Godfrey	Pg. 2.34a	\$500,000
7	12	Weber-Snyderville Basin WRD <i>East Canyon-Phos/Sed Reduction</i> Kari Lundeen, Mike Boyle, Ray Loveless	Pg. 2.40a	\$300,000
9	13	Weber Basin WCD – <i>Echo/Weber-Stream Restoration/Fence</i> Kari Lundeen, Brad Nelson	Pg. 2.48	\$305,000

The next table reflects Tier 2 Projects that had representatives in attendance to present their request to the Board.

<b>Project #</b>	<b>Order Presented</b>	<b>Applicant/Project/Presenters</b>	<b>Packet Pg #</b>	<b>Amount Requesting</b>
14	14	Ashley Creek Sewer Management Board in Vernal City <i>Repair 40 Manhole Covers/TDS</i> Shelly Andrews	Pg. 2.72	\$197,777
18	15	GSL-Ducks Unlimited <i>Wetland Improve/Storm H2O</i> Craig Garner	Pg. 2.87	\$39,429
25	16	Myra C Evans – <i>Animal Waste Control-to fence off cattle access to E Canyon Creek</i> Shelly Andrews and Mike Evans	Pg. 2.114	\$101,000
28	17	Price River Conserv Dist – <i>Stream Reveg/Stabilzation of Riparian zone along Price River</i> Shelly Andrews and Daniel Gunnel	Pg. 2.123	\$52,500
29	18	Salt Lake City Corp <i>Parley's Creek – SLC Stream Restore/Sediment Cnl</i> Emy Storheim	Pg. 2.127	\$845,000
34	19	Thanksgiving Point- <i>Enhance Wetland/Stream along the Jordan River</i> Blake Wydahl, Dave Francis	Pg. 2.137	\$200,000
36	20	Uintah Cons Dist <i>Brush Creek Stream Restore/Sediment Ctrl</i> Chad McDonald	Pg. 2.146	\$100,000
37	21	UBC Botanical Center- <i>Enhance Wetlands/Habitat</i> Dave Anderson	Pg. 2.149	\$496,000 or \$150,000
38	22	USU Research Fund – Logan City, <i>Cutler Res Phos Reduc/Ww Tmt/Energy</i> Bryan Wood, Ron Sims, J Steven Hansen, Issa Hamud	Pg. 2.152	\$496,000
30	23	SL Co Flood Ctrl- <i>Jordan River - Stream Restore/Sediment</i> Bob Thompson, Marian Hubbard	Pg. 2.131	\$484,200

Following the presentations of the above (ARRA) Green Project Requests for Funds, Mr. Myers suggested board members “vote” 10 times for the projects that they would like to see funded out of either Tier 1 or Tier 2 projects, with no more than 3 votes for any one project they would like— in essence ignoring how they were originally grouped into tiers. Mr. Echols also requested that the Board agree to authorize only the \$4 million that had originally been set aside for the Green Projects at the April 2009 Board meeting.

Mr. Macauley suggested to the Board the option of funding all non-point source projects totaling less than \$150,000 through the traditional non-point source project allocation of \$1 million annually. Ms. Frey suggested the Board select which projects should be handled this way, and that these projects should be given strong consideration for funding by staff, through the traditional non-point source funding process. These projects are listed below.

Project #	Project Name	Cost
1	Clyde Cr/Straw Forest Service	\$125,000
8	Matt Warner-Uintah Cty Cons Dist	\$100,000
18	GSL Ducks Unlimited	\$ 39,429
25	Myra Evans – Animal Waste Ctrl	\$101,000
28	Price River Cons Dist-Stream Reveg	\$ 52,500
36	Brush Creek, Uintah Cons Dist	\$100,000
37	USU Botanical Ctr-Enhance wetlands	\$150,000

**Motion:** It was moved by Ms. Frey, and seconded by Ms. Doughty, to remove these projects from consideration for ARRA funds, and to approve staff giving these seven projects “strong consideration” for traditional non-point source funding. The motion was unanimously approved.

After the seven projects listed above were removed from ARRA funding consideration, each Board members “voted” on the projects they would like to see funded out of the \$4 million that had previously been set aside from the ARRA funds for “bright green” ARRA funding. Staff took those lists and compiled the following results.

Project #	Projects using \$4 Million ARRA Stimulus Fund	Amount Requested	# of Votes
4	Ogden City – Ogden River Hydromod/Stream Restoration	\$1,000,000	16
38	USU Research Fund – Logan City, Cutler Res Phos Reduc/Energy	\$500,000	16
11	Wildlife Resources – Sevier Stream Restoration/Fence	\$206,000	12
12	Wildlife Resources – Utah Lake Carp Removal Methods & Timing	\$251,600	10
30	Salt Lake Co Flood Control – Jordan River Stream Restore/Sediment Ctrl	\$484,200	10
5	Salt Lake City Corp – Jordan River Stream Restore Sediment Cnl	\$577,500	9
13	Wildlife Resources – Strawberry R Stream Restoration/Phos Rmv	\$520,788	8
2	Jordan Valley WCD – Jordan River “Green” Ed Building	\$150,000	6
7	Snyderville Basin WRD – East Canyon Phos/Sed Reduction	\$300,000	5
	Total	\$3,990,088	

**Motion:** It was moved by Mr. Myers, and seconded by Mr. Rowley, to approve funding for the nine projects listed in the table above with the special condition that these projects must meet ARRA requirements by November 15, 2009, or risk losing funding. The motion was unanimously approved.

**SRF Jordanelle Special Service District (JSSD) Introduction** – Mr. Mackey introduced Dan Matthews, General Manager of JSSD, and Steve Jackson with Jackson Engineering, LLC. JSSD is requesting a construction loan in the amount of \$3,700,000 repayable over 5 years at an equivalent interest rate of 3% to

complete construction of its advanced wastewater treatment plant and main sewer line. This project will enable JSSD to complete construction of its wastewater reclamation facility. JSSD has proactively developed and financed this advanced facility to meet a growing demand and to protect the watershed that it will serve. Without this facility, planned development in Wasatch County could revert to onsite system service rather than implementing the regionalization of services that are planned by JSSD and the County. If the facility cannot be completed in 2009, JSSD's major infrastructure investment could be at risk if it cannot legally enforce its existing assessment ordinance, which would result in an extreme hardship to JSSD and its lenders. Staff anticipates that capital facilities funding would be provided using a property assessment bond issued by JSSD, along with impact fees. The assessment bond rate would be based on an equivalent 3% interest rate loan with a 20 year term. Staff's recommendation will be provided at the request for funding authorization at the next Board meeting. The Board suggested JSSD research other funding options before coming back to the Board for funding.

**SRF Bluff Request for Authorization:** Mr. Mackey introduced Dave Ariotti, District Engineer for the Southeastern Utah Health Department, and Rod Mills and Jon Sebba with Nolte. Bluff Service Area (BSA) is requesting a construction grant in the amount of \$1,822,000; a loan in the amount of \$710,000 repayable over 30 years at an interest rate of 0% and a Design Advance in the amount of \$353,000 for the design and construction of new wastewater collection, treatment and disposal facilities. Identical grant, loan and Design Advance amounts are being requested from the Community Impact Board. Staff revised its recommendation in the Board packet to recommend only a Planning Advance in the amount of \$104,000 to complete the facilities planning and environmental work.

**Motion:**           **It was moved by Mr. Meyers to approve staff's revised recommendation to authorize a Planning Advance in the amount of \$104,000. The motion was seconded by Mayor Snarr and was unanimously approved with Steve Simpson abstaining.**

**Brian Head request for Planning Advance:** Mr. Cook introduced Mayor H.C. Deutschlander from Brian Head Town. The Town of Brian Head requests a hardship planning advance in the amount of \$80,000 to prepare a pre-design study which will allow the Town to evaluate its wastewater collection and treatment system alternatives to handle current and future demands. This Planning Advance is anticipated to lead to a request for additional planning funds to perform a complete facilities plan. If this study does not lead to a request for additional planning funds, then this advance must be repaid at the completion of the study.

**Motion:**           **It was moved by Mr. Meyers to approve Brian Head Town's request for a planning advance in the amount of \$80,000 to prepare a pre-design study. The motion was seconded by Mr. Simpson and was unanimously approved.**

**Projects to Identify Contributing Factors to dissolved oxygen Sag in the Jordan River:** Mr. Myers asked to present an informational item under "Other Business". He distributed a handout to the Board members, explaining there are two scopes of work he'd like presented for funding through the South Valley Water Reclamation Facility's nonpoint source funds. The Jordan River is unique because its flows are manipulated seasonally to meet the ever-changing needs of the water users, having a channelized flow, being an effluent-dominated stream, at times receiving large storm water flows, and discharging into the Great Salt Lake. The uniqueness of this waterway needs to be fully explored and considered when evaluating how to ensure the beneficial uses of this river are restored while the concerns of stakeholders are addressed. This grant will be used to fill gaps in the information being collected from the various phosphorus-related studies currently underway. Overseeing these studies will be Michelle Baker, of Utah State University (est. cost of \$31,000), and Sam Rushforth of Utah Valley University (est. cost of \$39,000). Both research projects will be used for evaluation of the Jordan River TMDL. No comments averse to the studies were received from the Board.

**NEXT MEETING**  
**Monday, August 24, 2009**  
@ Holiday Inn,  
838 Westwood Blvd, Price City, Utah  
Meeting will begin at 1:00 p.m.

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Jay Olsen, Chairman  
Utah Water Quality Board