



State of Utah

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Governor

GREG BELL
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

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

Water Quality Board
Jay I. 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

Conference Call

288 North 1460 West Room 336

Salt Lake City, Utah 84116

Wednesday December 16, 2009

UTAH WATER QUALITY BOARD MEMBERS PRESENT

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

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, Ed Macauley, Emily Canton, Beth Wondimu, Dan Hall, John Whitehead, Leah Ann Lamb

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
David Torgersen	Sunrise Engineering
Rex Harris	Huntsville Town
Curtis Christensen	Weber County (by phone)

Chair Olsen called the Board meeting to order at 8:30 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE NOVEMBER 25, 2009 MEETING

Mr. Myers commented on page 3 in the last paragraph before the motion that the wording should read "inform the Board concerning protocols and guidelines developed by the division" instead of "inform the Board concerning protocols and guidelines regarding the GSL methodology as they develop.

Motion: It was moved by Mr. Myers and seconded by Mr. Rowley to approve the minutes of the November 25, 2009 meeting with the noted wording change. The motion was unanimously approved.

Executive Secretary's Report:

The Governor released his budget for the remainder of FY10 and FY11. His budget calls for additional cuts in the 2010 budget of up to 3%. The Governor feels that the State should be okay financially in FY2011 and has recommended no further budget cuts next fiscal year. Ms. Smith commented she is trying to get a dollar amount of what a 3% cut would mean to the DEQ.

Mr. Baker directed the Board's attention to the memo on page 2.1 in the packet. Ms. Andrews provided the Board with an explanation of the status on the Nonpoint Source Grant Funding- Utah Association of Conservation and Districts and Utah Farm Bureau – Animal Feeding Operations (AFOs). Those agencies are working with AFOs to implement Utah's AFO strategy. The Farm Bureau is performing on-farm assessments and providing technical assistance to approximately 984 facilities. By June 30, 2011, the Farm Bureau will have completed a thorough inventory on approximately 984 AFOs. The Utah Association of Conservation Districts has 38 conservation districts that participate in the implementation of the Utah AFO Strategy. In January 2009, UACD received a NPS grant for \$150,000 for 2 years and is currently assessing 636 AFOs. Without efforts of both agencies, DWQ would have a limited ability to implement the program.

LOAN ITEMS

Financial Assistance Status Report – Ms. Canton updated the Board on the “Summary of Assistance Program Funds,” as outlined on pages 2.3 and 2.4.

American Recovery and Reinvestment Act (ARRA) Update – Mr. Macauley updated the Board on the status of the ARRA Funds and the Financial Projections as outlined on page 2.2. Once Kearns Improvement District closes its loan at 10:00 am this morning, the Board will have met ARRA requirements for 95% of its allocation. Only USURF and Division of Wildlife Resources projects have yet to meet ARRA requirements and both projects are on track to do so prior to January 15, 2010.

Huntsville Request for Planning Advance – Ms. Wondimu introduced Rex Harris from Huntsville and David Torgersen from Sunrise Engineering. The town of Huntsville is requesting a Planning Advance in the amount of \$33,500 to prepare a Wastewater Facilities Plan. This project is being driven by the Huntsville Town's realization that on-site wastewater treatment is a temporary solution to its current and future needs. The Town desires to develop its own facilities plan outlining options to collect and treat wastewater and phase-out the current septic systems. The Town's plan will assist Weber County in its efforts to provide a central planning guide for handling sewer flows throughout the entire South Ogden Valley. Mr. Olsen questioned special condition #1 on page 2.6 where it stated “this Planning Advance must be expeditiously repaid at the completion of the study whether or not a project is implemented as a result of this study.” Noting in the special conditions of Weber County's request for a planning advance on page 2.9, it is not required to repay the planning advance until a construction loan is secured to construct a regional wastewater treatment facility. After some discussion the Board agreed that Huntsville should have the same special condition as Weber County, changing special condition #1 on page 2.6 to read “*This Planning Advance must be expeditiously repaid when a construction loan is secured to construct a regional wastewater treatment facility.*”

Motion: It was moved by Mr. Myers, and seconded by Mayor Christensen, to authorize a \$33,500 Planning Advance to the Town of Huntsville to complete the Wastewater Facility Plan with the noted change to special condition #1. The motion was unanimously approved.

Weber County Request for Planning Advance: Ms. Wondimu introduced David Torgersen from Sunrise Engineering and Mr. Curtis Christensen from Weber county who participated by telephone. Weber County is requesting a Planning Advance in the amount of \$100,500 to expand Huntsville's study to a regional Wastewater Facilities Plan. The proposed wastewater facilities plan will determine the needs of unincorporated areas in the South Ogden Valley. The study will serve as a comprehensive wastewater collection and treatment system planning and coordination tool between the Town of Huntsville and the unincorporated areas outside of Huntsville. This study will provide a central planning guide for handling sewer flows throughout the entire Ogden Valley. Mr. Olsen requested Weber County and Huntsville Town draw up a letter of agreement that they intend to work together on this project.

Motion: It was moved by Mr. Myers to approve staff's request to authorize a \$100,500 Planning Advance to Weber County to complete the Wastewater Facility Plan with the added special condition that Weber County provide a letter of agreement between Weber County and Huntsville Town to ensure that the two studies are united in their goals and objectives. The motion was seconded by Mr. Simpson and was unanimously approved.

OTHER BUSINESS:

Request to proceed with public hearing for the Northern Bothwell Pocket and Whites Aquifer Classification, Box Elder County: Mr. Hall explained in accordance with the provision of R317-6-5, the Bear River Water Conservancy District (BRWCD) has requested to submit a petition to the Board to classify the ground water of the Northern Bothwell Pocket and Whites Valley in Box Elder County. Based on ground water usage the classification of 1B is requested under R317-6-4(4.3) "Class 1B ground water will be protected as an irreplaceable source of drinking water". Under the Division of Solid and Hazardous rules R315-302 "Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements" states "No new facility shall be located over groundwater classed as 1B under section R317-6-3.3". This exclusion was brought to our attention by BRWCD. It is noted that the SHW citation of R317-6-3.3 is incorrect. The correct citation of current rules should be R317-6-4.3. Staff has reviewed the petition and supporting information and had determined that the criteria have been met. Therefore, it is recommended that the Board initiate action for aquifer classification and proceed with public hearing.

Motion: It was moved by Mr. Simpson to approve staff's request to proceed with a public hearing. The motion was seconded by Mayor Snarr and was unanimously approved.

NEXT MEETING

The next Board Meeting will be held on
Wednesday January 28, 2010 @ 8:30 a.m.
168 North 1950 West, Room 101
Salt Lake City, Utah 84116

Jay Olsen, Chairman
Utah Water Quality Board