



State of Utah

GARY R. HERBERT  
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*

***Utah Water Quality Board Conference Call***

Department of Environmental Quality  
288 North 1460 West  
Salt Lake City, Utah 84116  
December 16, 2009

**Board Meeting Begins @ 8:30 a.m.**

**AGENDA**

- A. **Water Quality Board Meeting – Roll Call**
- B. (Tab 1) **Approval of Minutes for November 25, 2009**
- C. **Executive Secretary’s Report**..... Walt Baker
- D. (Tab 2) **Funding Requests:**
  - 1. Financial Status Report.....Emily Canton
  - 2. ARRA Update..... Ed Macauley
  - 3. Huntsville request for planning advance .....Beth Wondimu
  - 4. Weber county request for planning advance .....Beth Wondimu

**OTHER BUSINESS**

- E. (Tab 3) **Request to proceed with public hearing for the Northern Bothwell Pocket and Whites Aquifer Classification, Box Elder County** .....Dan Hall

**-Next Meeting –  
Wednesday January 27, 2010  
Department of Environmental Quality  
168 North 1950 West, Room 101  
Salt Lake City, Utah 84116**

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**MINUTES**

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**UTAH WATER QUALITY BOARD**  
168 North 1950 West, Room 101  
Salt Lake City, Utah 84116  
Wednesday November 25, 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	

**ABSENT:** Paula Doughty

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Walt Baker, Faye Bell, Ed Macauley, Emily Canton, Kari Lundeen, Carl Adams, Jeff Ostermiller, Bill Moellmer

**OTHERS PRESENT**

<u>Name</u>	<u>Organization Representing</u>
Kevin Brown	Sunrise Engineering
Curtis Christensen	Weber County
Chad Meyerhoffer	Weber County
Rex Harris	Huntsville Town
Trevor Lindley	J-U-B Engineering
Lowell Peterson	Wolf Creek
Dale A. Christensen	SLC WREC
Craig Miller	Utah Water Resources

Chair Olsen called the Board meeting to order at 9:00 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

**APPROVAL OF MINUTES OF THE OCTOBER 28, 2009 MEETING**

**Motion:** It was moved by Ms. Frey and seconded by Mr. Wright to

**approve the minutes of the October 28, 2009 meeting. The motion was unanimously approved.**

**Executive Secretary's Report:**

The state budget for the remainder of the year and probably next year looks pretty grim. Gov. Herbert has created an optimization Task Force to look at where state funds are going and whether programs are necessary. DWQ has responded to the committee request. Presently they are looking at a 1%, 3% or 5% budget cuts the coming years and possibly the present year.

The State Revolving Fund with a new capitalization grant will include some changes. Part will go to ARRA and Green projects. All funds will be tainted by Davis-Bacon wages, which we understand will not be imposed on existing projects.

**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) Update** – Mr. Macauley updated the Board on the status of the ARRA Funds and the Financial Projections as outlined on page 2.3.

**Wolf Creek Request for Reduced Interest Rate** – Mr. Macauley introduced Lowell Peterson from Wolf Creek SID. On March 5, 2007 the Water Quality Board (WQB) authorized a \$5,300,000 loan at 3.0% interest repayable over 20 years to replace Wolf Creek SID's existing wastewater lagoon system with a membrane bioreactor (MBR) capable of producing high-quality effluent. The new MBR facility is now up and running and Wolf Creek SID has increased monthly sewer fees to \$55 per month. However, due to a dramatic decrease in growth resulting in a substantial loss of revenues combined with expensive start-up and ongoing operational costs for the MBR plant, Wolf Creek SID is unable to make its April bond payment. Therefore, Wolf Creek SID is requesting a reduced interest rate on its loan. Wolf Creek SID recognizes that Pineview reservoir is impaired, and that this impairment is due, in part, to the proliferation of septic systems in the upper Ogden Valley. Therefore, Wolf Creek SID has agreed that as a condition of this loan it will serve as the regional wastewater treatment provider in the North Fork area of the upper Ogden Valley. Staff recommends that the Board authorize Wolf Creek SID a zero percent loan in the amount of \$4,901,000 repayable over 20 years to replace the balance of the \$5,300,000 loan previously authorized March 5, 2007, subject to these special conditions. Mr. Myers suggested the Board authorize Wolf Creek interest forgiveness for three years while a master plan is developed to include the North Fork area of the upper Ogden Valley at which time the Board would re-evaluate the 3% interest rate on Wolf Creek's loan, if they've had only limited growth during that time. The motion was approved with Mayor Snarr opposing.

**Motion:**        **It was moved by Mr. Myers, and seconded by Mr. Echols, to replace the balance of Wolf Creek's 2007 loan with a new loan in the amount of \$4,901,000 at 3% interest repayable over 20 years subject to these special conditions:**

- 1. The new loan would carry no interest for the first three years.**

2. **Wolf Creek SID agrees to offer sewer service outside its current boundary to any property desiring service, including new development. Naturally, it is under no obligation to provide such service until all impact and other appropriate fees have been paid and all collection and trunk lines have been constructed, and accepted, to convey wastewater to Wolf Creek SID's sewer system.**
3. **Wolf Creek SID agrees to prepay loan principal annually in the amount of \$250 per ERU for each ERU in excess of 1,150 ERUs, where the term ERU means "active ERUs served."**
4. **Wolf Creek SID agrees not to lower its current monthly user fee of \$55 per ERU until such time as its loan reserve accounts are fully funded.**

**Request to Proceed with Rulemaking to Amend R317-1: Definitions and General Requirements; and R317-2: Standards of Quality for Waters of the State:** Mr. Ostermiller and Mr. Moellmer presented to the Board the proposed revisions to the Water Quality Standards of R317-1 and R317-2. A summary of the EPA's actions are:

Deferred Action: on the selenium numeric criterion for the Great Salt Lake (EPA letter p.17)

Disapproved the changes to R317-2-3.5(b)(5) that defines losses of assimilative capacity considered *de minimis* and not requiring a Level II review (EPA letter pp.10-15)

Disapproved of the antidegradation trigger established in the footnote for the Great Salt Lake selenium standard (EPA letter pp.10-17)

Approved all other changes to the WQ Standards approved by the Board.

Federal regulations require that any disapproval of a water quality standard be accompanied with options to solve the problem (CWA 303(b)(2) and provides States with 90-days to incorporate changes into their standards. Otherwise, the Regional Administrator is required to promulgate a federal standard. Following some discussion it was agreed that the Executive Secretary will inform the Board concerning protocols and guidelines regarding the GSL methodology as they develop.

**Motion:** **It was moved by Mr. Myers to approve staff's request to proceed with rulemaking on the proposed changes to Utah's Water Quality Standards (R317-1 and R317-2). The motion was seconded by Ms. Frey and was unanimously approved.**

#### NEXT MEETING

Conference Call Board Meeting on Wednesday, December 16, 2009 @ 8:00 a.m.

Public can attend by going to the  
Cannon Health Bldg, 288 N 1460 W, SLC Room 336

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Jay Olsen, Chairman  
Utah Water Quality Board





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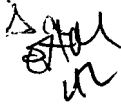
Amanda Smith  
Executive Director

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

MEMORANDUM

TO: Utah Water Quality Board

THROUGH: Walter Baker, P.E., Executive Secretary 

FROM: Shelly Andrews, Environmental Scientist 

DATE: December 8, 2009

SUBJECT: Nonpoint Source Grant Funding- Utah Association of Conservation Districts and Utah Farm Bureau - Animal Feeding Operations (AFOs)

The Utah Farm Bureau is working with Animal Feeding Operations (AFOs) to implement Utah's AFO strategy. The agency performs on-farm assessments and provides technical assistance to approximately 984 facilities. The Utah Farm Bureau received a FY 2009 Non Point Source Grant in the amount of \$145,000 to help fund three contracted employees that are currently assessing 220 facilities and providing inspections, complaint investigation, workshops and outreach for agriculture producers. The grant period is from October 2008 through December 2009. The Bureau has requested a NPS grant for \$160,000 to continue the AFO program for an additional two years. An FY 2010 NPS grant will be authorized for \$40,000 that includes the grant period of January 1, 2010 through June 30, 2010. A second grant will be authorized July 1, 2010 for \$120,000 from the FY 2011 funding. By June 30, 2011, the Farm Bureau will have completed a thorough inventory on approximately 984 AFOs including associated tasks listed below.

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 or until December 31, 2010. The Districts have been very active in assisting agriculture producers and are currently assessing 636 AFOs including providing information and education to improve manure management and implement best management practices, including the associated tasks listed below.

Without the efforts of both agencies, the Division of Water Quality would have a very limited ability to implement the program with the agriculture community. The agencies have developed trust and a working relationship with agriculture producers and have the ability to access facilities and provide information to help bring facilities into compliance with water quality rules and standards. Together both agencies are coordinating to assess 1620 AFO's and to achieve the following tasks:

2.1

**American Recovery and Reinvestment Act of 2009 (ARRA) Funds  
Financial Projections**

**American Recovery and Reinvestment Act of 2009 (ARRA) Funds Available through February 17, 2010**

	EA	FP	CP	Obligation	Contract/FA Award	Satisfy ARRA	Project Cost	Local Share	SRF Amount	ARRA Amount	20% "Green"	50% Grant (PF)	
<b>ARRA Funds Available</b>													
EPA CWSRF Award Amount (less 604(b), EPA 1%, UT 4%)											19,823,904	3,964,781	9,911,952
<b>ARRA Funds Obligated</b>													
Stockton Town	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	September 15, 2009	September 15, 2009	September 15, 2009	7,400,000		(864,390)	(6,535,610)	-	(5,423,000)	
Snyderville Basin NPS	na	na	<input checked="" type="checkbox"/>	August 6, 2009	October 16, 2009	October 16, 2009	300,000		-	(300,000)	(300,000)	(300,000)	
Salt Lake City WWTP	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	November 17, 2009	December 1, 2009	December 1, 2009	6,300,000		(562,290)	(5,737,710)	(5,737,710)	-	
Ogden City NPS	na	na	<input checked="" type="checkbox"/>	September 14, 2009	December 7, 2009	December 7, 2009	1,000,000		-	(1,000,000)	(1,000,000)	(1,000,000)	
Salt Lake City NPS	na	na	<input checked="" type="checkbox"/>	August 26, 2009	December 7, 2009	December 7, 2009	577,500		-	(577,500)	(577,500)	(577,500)	
SLCo Flood Control NPS	na	na	<input checked="" type="checkbox"/>	August 24, 2009	December 7, 2009	December 7, 2009	484,200		-	(484,200)	(484,200)	(484,200)	
Kearns ID	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	December 16, 2009	October 5, 2009	December 16, 2009	5,025,000		(925,000)	(4,100,000)	-	(1,200,000)	
Price City	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	December 21, 2009	December 16, 2009	December 21, 2009	1,100,000	(250,000)	(98,767)	(751,233)	-	-	
USURF (Logan WWTP)	na	12/16	12/31	August 4, 2009	January 15, 2010	January 15, 2010	500,000		(20,000)	(480,000)	(480,000)	(480,000)	
Wildlife Resources NPS	na	na	<input checked="" type="checkbox"/>	August 12, 2009	January 15, 2010	January 15, 2010	520,788		(20,000)	(500,788)	(500,788)	(500,788)	
<b>Total ARRA Funds Obligated</b>							<b>23,207,488</b>		<b>(2,490,447)</b>	<b>(20,467,041)</b>	<b>(9,080,198)</b>	<b>(9,965,488)</b>	
<b>Unobligated ARRA Funds Balance</b>											<b>(643,137)</b>	<b>(5,115,417)</b>	<b>(53,536)</b>

**Loan Funds  
Financial Projections**

STATE REVOLVING LOAN FUND (SRF)	2nd Qtr FY 2010	3rd Qtr FY 2010	4th Qtr FY 2010	1st Qtr FY 2011	2nd Qtr FY 2011	3rd Qtr FY 2011	4th Qtr FY 2011
	Oct - Dec 2009	Jan - Mar 2010	Apr - June 2010	July - Sept 2010	Oct - Dec 2010	Jan - Mar 2011	Apr - June 2011
<b>Funds Available</b>							
SRF - 1st Round (LOC)	\$ 11,000,000	\$ -	\$ -	\$ -	\$ 11,000,000	\$ -	\$ -
State Match	\$ 1,896,400	\$ -	\$ -	\$ -	\$ 1,896,400	\$ -	\$ -
ARRA (Stimulus) Funds	\$ 17,700,122	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SRF - 2nd Round	\$ 8,773,090	\$ 6,662,922	\$ 6,739,901	\$ 4,575,864	\$ 3,275,749	\$ 5,159,873	\$ 7,331,129
Interest Earnings at 0.8%	\$ 17,546	\$ 13,326	\$ 13,480	\$ 9,152	\$ 6,551	\$ 10,320	\$ 14,662
Loan Repayments due by first of quarter	\$ -	\$ 63,654	\$ 5,172,483	\$ 4,064,733	\$ 870,172	\$ 2,160,937	\$ 5,172,483
<b>Total Funds Available</b>	<b>\$ 39,387,158</b>	<b>\$ 6,739,901</b>	<b>\$ 11,925,864</b>	<b>\$ 8,649,749</b>	<b>\$ 17,048,873</b>	<b>\$ 7,331,129</b>	<b>\$ 12,518,275</b>
<b>Project Obligations</b>							
Central Valley	\$ (690,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Central Weber SID (w/ NPS)	\$ (909,975)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Eagle Mountain City	\$ (1,361,773)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Perry City	\$ (1,923,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Riverdale City	\$ (475,000)	\$ -	\$ -	\$ (602,000)	\$ -	\$ -	\$ -
Salt Lake City	\$ (6,040,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Stockton Town (Tier I)	\$ (5,283,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
South Valley WRF (w/ NPS)	\$ (1,830,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Loan Authorizations</b>							
"Green Projects" (Tier I)	\$ (3,382,488)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Kearns Improvement District (Tier II)	\$ (5,025,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Roosevelt City (Tier II)	\$ (2,882,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Price City (Tier II)	\$ (850,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Parowan Town (Tier II)	\$ (512,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Elwood Town (cost share USACE)	\$ (1,560,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mona City (cost share USACE)	\$ -	\$ -	\$ (7,350,000)	\$ -	\$ -	\$ -	\$ -
Santaquin Town	\$ -	\$ -	\$ -	\$ (4,772,000)	\$ -	\$ -	\$ -
Orem City (Tier II)	\$ -	\$ -	\$ -	\$ -	\$ (11,889,000)	\$ -	\$ -
Optional Loans (CWSID, Snyderville, SVSD)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (44,220,000)
<b>Total Obligations</b>	<b>\$ (32,724,236)</b>	<b>\$ -</b>	<b>\$ (7,350,000)</b>	<b>\$ (5,374,000)</b>	<b>\$ (11,889,000)</b>	<b>\$ -</b>	<b>\$ (44,220,000)</b>
<b>SRF Projected Ending Cash Balance</b>	<b>\$ 6,662,922</b>	<b>\$ 6,739,901</b>	<b>\$ 4,575,864</b>	<b>\$ 3,275,749</b>	<b>\$ 5,159,873</b>	<b>\$ 7,331,129</b>	<b>\$ (31,701,725)</b>
<b>UTAH WASTEWATER LOAN FUND (UWLF)</b>							
<b>Funds Available</b>							
UWLF	\$ 820,721	\$ (4,310,921)	\$ (3,472,246)	\$ (1,493,255)	\$ (280,580)	\$ (1,092,305)	\$ (200,630)
Sales Tax Revenue	\$ 298,958	\$ 896,875	\$ 896,875	\$ 896,875	\$ 896,875	\$ 896,875	\$ 896,875
Loan Repayments due by first of quarter	\$ -	\$ 186,000	\$ 1,326,316	\$ 560,000	\$ 432,000	\$ 239,000	\$ 1,326,316
<b>Total Funds Available</b>	<b>\$ 1,119,679</b>	<b>\$ (3,228,046)</b>	<b>\$ (1,249,055)</b>	<b>\$ (36,380)</b>	<b>\$ 1,048,295</b>	<b>\$ 43,570</b>	<b>\$ 2,022,561</b>
<b>General Obligations</b>							
State Match Transfer	\$ (1,896,400)	\$ -	\$ -	\$ -	\$ (1,896,400)	\$ -	\$ -
DWQ Administrative Expenses (TMDL, etc.)	\$ (244,200)	\$ (244,200)	\$ (244,200)	\$ (244,200)	\$ (244,200)	\$ (244,200)	\$ (244,200)
<b>Project Obligations</b>							
Enterprise City	\$ (896,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Willard City	\$ (2,394,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Loan Authorizations</b>							
None at this Time	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Obligations</b>	<b>\$ (5,430,600)</b>	<b>\$ (244,200)</b>	<b>\$ (244,200)</b>	<b>\$ (244,200)</b>	<b>\$ (2,140,600)</b>	<b>\$ (244,200)</b>	<b>\$ (244,200)</b>
<b>UWLF Projected Ending Cash Balance</b>	<b>\$ (4,310,921)</b>	<b>\$ (3,472,246)</b>	<b>\$ (1,493,255)</b>	<b>\$ (280,580)</b>	<b>\$ (1,092,305)</b>	<b>\$ (200,630)</b>	<b>\$ 1,778,361</b>

## Hardship Grant Funds Financial Projections

FEDERAL HARDSHIP GRANT FUND (FHGF)	2nd Qtr FY 2010	3rd Qtr FY 2010	4th Qtr FY 2010	1st Qtr FY 2011	2nd Qtr FY 2011	3rd Qtr FY 2011	4th Qtr FY 2011
	Oct - Dec 2009	Jan - Mar 2010	Apr - June 2010	July - Sept 2010	Oct - Dec 2010	Jan - Mar 2011	Apr - June 2011
<b>Funds Available</b>							
Beginning Balance	\$ 14,158,478	\$ 5,250,080	\$ 5,260,580	\$ 5,789,622	\$ 6,597,759	\$ 6,550,552	\$ 6,504,864
Interest Earnings at 0.8%	\$ 28,317	\$ 10,500	\$ 10,521	\$ 11,579	\$ 13,196	\$ 13,101	\$ 13,010
Hardship Grant Assessments (Transfer In)	\$ -	\$ -	\$ 518,521	\$ 796,557	\$ 8,598	\$ 10,210	\$ 518,521
Hardship Advance Repayments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Funds Available</b>	<b>\$ 14,186,795</b>	<b>\$ 5,260,580</b>	<b>\$ 5,789,622</b>	<b>\$ 6,597,759</b>	<b>\$ 6,619,552</b>	<b>\$ 6,573,864</b>	<b>\$ 7,036,394</b>
<b>Obligations - Authorized Advances/Grants</b>							
Elwood Town - Construction Grant	\$ -	\$ -	\$ -	\$ -	\$ (69,000)	\$ (69,000)	\$ -
Mona City - Construction Grant	\$ (4,019,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Stockton Town - Hardship Grant	\$ (5,715)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Ticaboo - Construction Grant	\$ (200,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Willard City - Construction Grant	\$ (4,712,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Funds Committed</b>	<b>\$ (8,936,715)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (69,000)</b>	<b>\$ (69,000)</b>	<b>\$ -</b>
<b>FHGF Projected Ending Cash Balance</b>	<b>\$ 5,250,080</b>	<b>\$ 5,260,580</b>	<b>\$ 5,789,622</b>	<b>\$ 6,597,759</b>	<b>\$ 6,550,552</b>	<b>\$ 6,504,864</b>	<b>\$ 7,036,394</b>

### STATE HARDSHIP GRANT FUND (SHGF)

<b>Funds Available</b>							
Beginning Balance	\$ 66,673	\$ (2,484,852)	\$ (2,616,026)	\$ (2,560,196)	\$ (3,372,033)	\$ (3,344,675)	\$ (3,344,445)
Interest Earnings at 0.8%	\$ 133	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
UWLP Interest Earnings at 0.8%	\$ 1,641	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Payments (Transfer In)	\$ -	\$ 3,885	\$ 190,890	\$ 188,162	\$ 27,358	\$ 230	\$ 190,890
Hardship Advance Repayments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Funds Available</b>	<b>\$ 68,448</b>	<b>\$ (2,480,967)</b>	<b>\$ (2,425,136)</b>	<b>\$ (2,372,033)</b>	<b>\$ (3,344,675)</b>	<b>\$ (3,344,445)</b>	<b>\$ (3,153,555)</b>
<b>Obligations - Authorized Advances/Grants</b>							
Bluff Service Area - Planning Advance	\$ (104,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division of Wildlife Resources - NPS Grant	\$ (251,600)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division of Wildlife Resources - NPS Grant	\$ (206,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DWQ - Nutrient Study Grant	\$ (135,059)	\$ (135,059)	\$ (135,060)	\$ -	\$ -	\$ -	\$ -
Jordan Valley WCD - NPS Grant	\$ (150,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Parowan City - Design Adv.	\$ (27,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Springdale City - Planning Adv.	\$ (34,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
West Point City - Planning Adv.	\$ (60,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
*Huntsville - Planning Adv.	\$ (33,500)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
*Weber County - Planning Adv.	\$ (100,500)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Non-Point Source Project Allocation R317-101</b>							
FY 2008 - Remaining Payments	\$ (397)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2009 - Remaining Payments	\$ (570,297)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2010 - Remaining Allocation	\$ (489,798)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2010 - Remaining Payments	\$ (391,148)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2011 Allocation	\$ -	\$ -	\$ -	\$ (1,000,000)	\$ -	\$ -	\$ -
<b>Total Funds Committed</b>	<b>\$ (2,553,299)</b>	<b>\$ (135,059)</b>	<b>\$ (135,060)</b>	<b>\$ (1,000,000)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>SHGF Projected Ending Cash Balance</b>	<b>\$ (2,484,852)</b>	<b>\$ (2,616,026)</b>	<b>\$ (2,560,196)</b>	<b>\$ (3,372,033)</b>	<b>\$ (3,344,675)</b>	<b>\$ (3,344,445)</b>	<b>\$ (3,153,555)</b>
<b>FHGF/SHGF Projected Ending Cash Balance</b>	<b>\$ 2,765,228</b>	<b>\$ 2,644,554</b>	<b>\$ 3,229,426</b>	<b>\$ 3,225,725</b>	<b>\$ 3,205,877</b>	<b>\$ 3,160,418</b>	<b>\$ 3,882,839</b>

2.4

\*Projects being presented to the WQB

Date Printed: 12/3/2009

JPC

*BW  
Ethan  
LAL*

Application Number:

Date Received: August 26, 2009

Date to be presented to the WQB: December 16, 2009

**WATER QUALITY BOARD  
PLANNING ADVANCE FOR WASTEWATER FACILITY PLAN  
AUTHORIZATION**

APPLICANT: Town of Huntsville  
P.O. Box 267  
Huntsville, Utah 84317  
Telephone: (801) 745-3420

PRESIDING OFFICIAL: James C. McKay, Mayor

CONTACT PERSON: Rex Harris, Wastewater Committee Chair

TREASURER: Ramona Clapperton, Treasurer

CONSULTING ENGINEER: Dave Torgersen, P.E., Project Manager  
Sunrise Engineering  
12227 S. Business Park Dr.  
Telephone: (801) 523-0100

CITY ATTORNEY: Jerald Engstrom  
2568 Washington Blvd.  
Ogden, Utah 84401

BOND COUNSEL: Chapman & Cutler  
201 South, Main St.  
Salt Lake City, Utah 84111  
Telephone: (801) 533-0066

**APPLICANT'S REQUEST:**

**Town of Huntsville is requesting a Planning Advance in the amount of \$33,500 to prepare a Wastewater Facilities Plan.**

4. Cost estimates
5. Perform user, impact and connection fees analysis
6. Public hearing

**IMPLEMENTATION SCHEDULE:**

It is estimated that the Planning Study will be completed approximately June 2010.

**COST SHARING:**

The following cost sharing is proposed for this planning study:

<u>Funding Source</u>	<u>Cost Sharing</u>	<u>Percent of Project</u>
Local Contribution	\$0	0%
WQB Planning Advance	<u>\$33,500</u>	<u>100%</u>
Total:	\$33,500	100%

**STAFF COMMENTS AND RECOMMENDATION:**

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 their effort to provide a central planning guide for handling sewer flows throughout the entire South Ogden Valley.

**Staff recommends that the Water Quality Board authorize a \$33,500 Planning Advance to the Town of Huntsville to complete the Wastewater Facility Plan.**

**SPECIAL CONDITIONS:**

1. 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.
2. The Division of Water Quality must approve the engineering agreement and plan of study before the Planning Advance will be executed.

Paul  
OK  
UK

Application Number:

Date Received: November 13, 2009

Date to be presented to the WQB: December 16, 2009

**WATER QUALITY BOARD  
PLANNING ADVANCE FOR EXTENDED SEWER MASTER PLAN STUDY  
AUTHORIZATION**

APPLICANT: Weber County  
2380 Washington Blv  
Ogden, Utah 84401  
Telephone: (801) 399-8374

PRESIDING OFFICIAL: Craig L. Dearden, Commission Chair

CONTACT PERSON: Curtis Christensen, County Engineer

TREASURER: Alan D. McEwan, Clerk/Auditor

CONSULTING ENGINEER: Kevin Brown, P.E., Project Manager  
Sunrise Engineering  
12227 S. Business Park Dr.  
Telephone: (801) 523-0100

CITY ATTORNEY: Dee Smith, Weber County Attorney

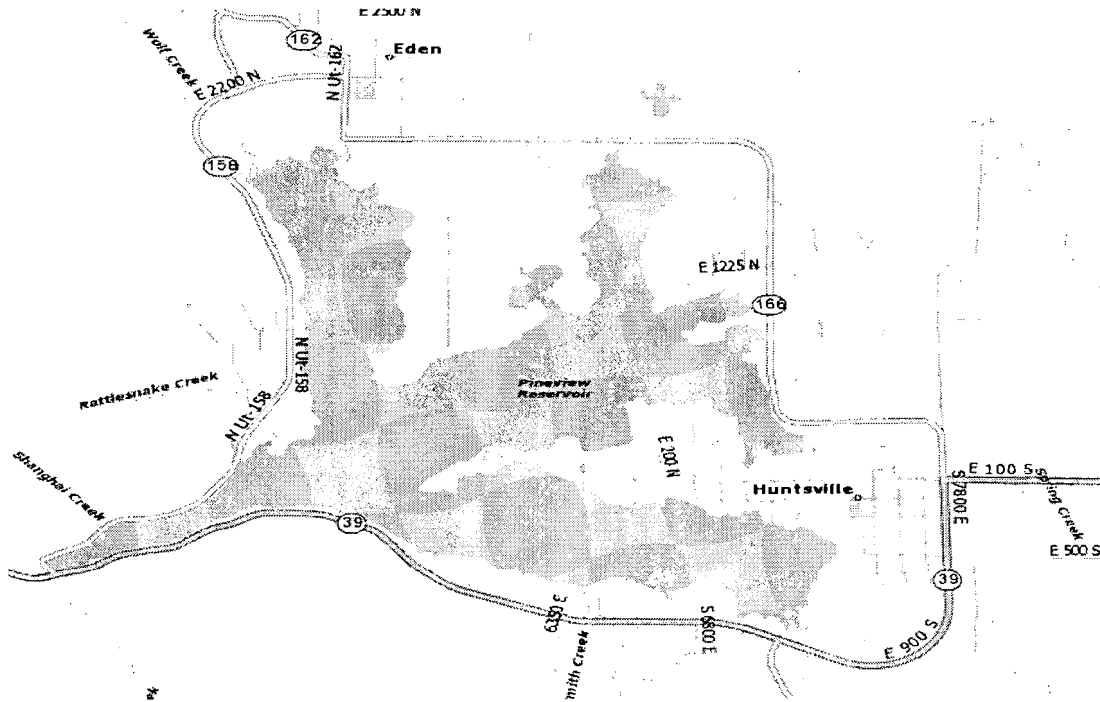
BOND COUNSEL: N/A

**APPLICANT'S REQUEST:**

**Weber County is requesting a Planning Advance in the amount of \$100,500 to prepare a Wastewater Facilities Plan.**

**APPLICANT'S LOCATION:**

Weber County is located in Weber County.



**PROJECT NEED:**

Currently, the wastewater collection and treatment practices in the unincorporated areas, outside the Town of Huntsville, are generally developer driven and do not support the direction of the South Ogden Valley General Plan. Weber County does not know how to deal with the routine requests they are receiving from developers for subdivision wastewater treatment systems. Past wastewater planning and water quality studies including TMDL studies, have cited concerns over increasing numbers of septic systems and potential groundwater impacts. The existing on-site wastewater systems in the unincorporated areas have been considered to have an impact on the Pineview Reservoir that is located just few miles away from the areas.

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.

**PROJECT DESCRIPTION:**

The facility plan will include:

1. Evaluation of alternatives
2. Environmental reviews

3. Perform data collection, survey and GIS work
4. Cost estimates
5. Perform user, impact and connection fees analysis
6. Public hearing

**IMPLEMENTATION SCHEDULE:**

It is estimated that the Planning Study will be completed approximately June 2010.

**COST SHARING:**

The following cost sharing is proposed for this planning study:

<u>Funding Source</u>	<u>Cost Sharing</u>	<u>Percent of Project</u>
Local Contribution	\$0	0%
WQB Planning Advance	<u>\$100,500</u>	<u>100%</u>
Total:	\$100,500	100%

**STAFF COMMENTS AND RECOMMENDATION:**

This project is being driven by Weber County's recognition that on-site wastewater treatment is a temporary solution to its current and future needs. The county desires to study jointly with the Town of Huntsville the different options to collect and treat wastewater and phase-out the current septic systems in Huntsville and the unincorporated areas. This extended planning document would be provided to the county to assist its efforts to formulate a regionalized sewer entity to serve the Town of Huntsville and the unincorporated areas. The study will provide better in sight of the current and future sewer needs of the areas and will aid each entity in making more informed decisions.

**Staff recommends that the Water Quality Board authorize a \$100,500 Planning Advance to the Weber County to complete the Wastewater Facility Plan.**

**SPECIAL CONDITIONS:**

1. This Planning Advance must be expeditiously repaid when a construction loan is secured to construct a regional wastewater treatment facility.
2. The Division of Water Quality must approve the engineering agreement and plan of study before the Planning Advance will be executed.





State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor


Department of  
Environmental Quality

Amanda Smith  
Executive Director

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

MEMORANDUM

TO: Utah Water Quality Board

THROUGH: Walter L. Baker, Executive Secretary 

FROM: Dan Hall, Environmental Scientist, Ground Water Protection Section

DATE: December 9, 2009

SUBJECT: Request for Authorization to Conduct Public Hearing for an Aquifer Classification Petition for the Northern Bothwell Pocket and Whites Valley, Box Elder County, Utah

In Accordance with the provisions of R317-6-5, the Bear River Water Conservancy District (BRWCD) has requested to submit a petition to the Utah Water Quality Board to classify the ground water of the Northern Bothwell Pocket and Whites Valley in Box Elder County, Utah. Attached is a copy of the petition request letter from Voneene Jorgensen, General Manager of the BRWCD. The petition was prepared for BRWCD by Hansen, Allen and Luce Inc. Technical review on the draft aquifer classification report and maps were provided by staff of the Division of Water Quality Ground Water Protection Section.

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." A copy of R317-4 "Ground Water Class Protection" and the applicable portion of R317-6-5, "Ground Water Classification for Aquifers", are included for your reference. Figure 1 from the petition shows the location and boundaries of the aquifers for which classification is requested.

Under the Division of Solid and Hazardous rules R315-302 "Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements" specifically, R302-1(e)(iii) "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 Solid and Hazardous Waste citation of R317-6-3.3 is incorrect. The correct citation of current rules should be R317-6-4.3. However, classification requested by BRWCD is 1B as stated in R302-1(e)(iii). A copy of the Solid and Hazardous rule is attached.

3.1

Aquifer petition rules allows the Board to classify entire aquifers or parts of aquifers according to the quality or use of the ground water contained therein. Boundaries for the class areas are to be delineated and based on hydrogeologic properties and existing ground water quality or usage. Parts of the same aquifer may be classified differently. When considering an aquifer classification petition, the Board should be aware of the following applications and limitations.

**Aquifer Classification is:**

1. In the absence of other more site-specific data, a predetermined basis for establishing protection levels and best available control technology in the issuance of ground water discharge permits by the Division of Water Quality.
2. A common ground water quality management objective to be maintained when used as a land use management tool by local agencies.
3. A consolidation of knowledge about a given hydrologic setting from a number of scientific and technical sources.
4. A formal administrative prioritization of the ground water resource.

**Aquifer Classification is NOT:**

1. A mandatory requirement to take specific action on the part of local government including application of any land use zoning restrictions.
2. An obligation by local government to perform technical assessments, monitoring or ongoing financial investments.
3. An assumption of the state responsibility to enforce or enact county or local ordinances on waste management practices.

The staff has reviewed the petition and supporting information and has determined that the criteria have been met. Therefore, it is recommended that the Board initiate action for aquifer classification. With the Board's approval, the Division of Water Quality will set a date for conducting a public hearing in the county and issue the required public notice. After holding the public hearing and consideration of any comments that are received, information will be returned to the Board for the disposition of the classification petition.

BEAR RIVER WATER  
CONSERVANCY  
DISTRICT

*Feb -*  
*Fyt*  
*MS*

RECEIVED

OCT 08 2009

DIVISION OF  
WATER QUALITY

9.03171

September 30, 2009

Mr. Walt L. Baker, Division Director  
Division of Water Quality  
Department of Natural Resources  
PO Box 144870  
Salt Lake City, UT 84114-4870

Dear Mr. Baker,

The Bear River Water Conservancy District is formally petitioning the Utah Water Quality Board to classify ground water in the northern area of the Bothwell Pocket and Whites Valley in Box Elder County as Class 1B - Irreplaceable Ground Water. Enclosed please find the study, Petition of Groundwater Classification, Northern Bothwell Pocket and Whites Valley, Box Elder County, Utah, as prepared by Hansen, Allen and Luce dated September 2009.

We appreciate your consideration of this petition and request further guidance in the process. Please call me or Marv Allen, of Hansen, Allen and Luce if further information is needed. We are looking forward to working with you and your staff.

Best Regards,

*Voneene Jorgensen*  
Voneene J. Jorgensen  
General Manager

Clinton Burt  
Chairman

Ross Rudd  
Vice Chairman

LaRall Thompson  
Treasurer

Reese Jensen

Brian Shaffer

Brent Baugh

Stan Stokes

David Forsgren

Brent Rose

Charles W. Holmgren

Richard E. Day

Voneene J. Jorgensen  
General Manager

3.3



## **R317-6-4. Ground Water Class Protection Levels.**

### **4.1 GENERAL**

A. Protection levels are ground water pollutant concentration limits, set by ground water class, for the operation of facilities that discharge or would probably discharge to ground water.

B. For the physical characteristics (color, corrosivity, odor, and pH) and radionuclides listed in Table 1, the values listed are the protection levels for all ground water classes.

### **4.2 CLASS IA PROTECTION LEVELS**

A. Class IA ground water will be protected to the maximum extent feasible from degradation due to facilities that discharge or would probably discharge to ground water.

B. The following protection levels will apply:

1. Total dissolved solids may not exceed the greater of 1.25 times the background or background plus two standard deviations.

2. When a contaminant is not present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 0.1 times the ground water quality standard value, or the limit of detection.

3. When a contaminant is present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 1.25 times the background concentration, 0.25 times the ground water quality standard, or background plus two standard deviations; however, in no case will the concentration of a pollutant be allowed to exceed the ground water quality standard.

### **4.3 CLASS IB PROTECTION LEVELS**

A. Class IB ground water will be protected as an irreplaceable source of drinking water.

B. The following protection levels will apply:

1. Total dissolved solids may not exceed the lesser of 1.1 times the background value or 2000mg/l.

2. When a contaminant is not present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 0.1 times the ground water quality standard, or the limit of detection.

3. When a contaminant is present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 1.1 times the background concentration or 0.1 times the ground water quality standard; however, in no case will the concentration of a pollutant be allowed to exceed the ground water quality standard.

### **4.4 CLASS IC PROTECTION LEVELS**

Class IC ground water will be protected as a source of water for potentially affected wildlife habitat. Limits on increases of total dissolved solids and organic and inorganic chemical compounds will be determined in order to meet applicable surface water standards.

#### 4.5 CLASS II PROTECTION LEVELS

A. Class II ground water will be protected for use as drinking water or other similar beneficial use with conventional treatment prior to use.

B. The following protection levels will apply:

1. Total dissolved solids may not exceed the greater of 1.25 times the background value or background plus two standard deviations.

2. When a contaminant is not present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 0.25 times the ground water quality standard, or the limit of detection.

3. When a contaminant is present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 1.25 times the background concentration, 0.25 times the ground water quality standard, or background plus two standard deviations; however, in no case will the concentration of a pollutant be allowed to exceed the ground water quality standard.

#### 4.6 CLASS III PROTECTION LEVELS

A. Class III ground water will be protected as a potential source of drinking water, after substantial treatment, and as a source of water for industry and agriculture.

B. The following protection levels will apply:

1. Total dissolved solids may not exceed the greater of 1.25 times the background concentration level or background plus two standard deviations.

2. When a contaminant is not present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 0.5 times the ground water quality standard, or the limit of detection.

3. When a contaminant is present in a detectable amount as a background concentration, the concentration of the pollutant may not exceed the greater of 1.5 times the background concentration or 0.5 times the ground water quality standard or background plus two standard deviations; however, in no case will the concentration of a pollutant be allowed to exceed the ground water quality standard. If the background concentration exceeds the ground water quality standard no increase will be allowed.

#### 4.7 CLASS IV PROTECTION LEVELS

Protection levels for Class IV ground water will be established to protect human health and the environment.

**R317-6-5. Ground Water Classification for Aquifers.**

5.1 GENERAL

A. When sufficient information is available, entire aquifers or parts thereof may be classified by the Board according to the quality of ground water contained therein and commensurate protection levels will be applied.

B. Ground water sources furnishing water to community drinking water systems with ground water meeting Class IA criteria are classified as Class IA.

5.2 CLASSIFICATION AND RECLASSIFICATION PROCEDURE

A. The Board may initiate classification or reclassification.

B. A petition for classification or reclassification must be performed under the direction, and bear the seal, of a professional engineer or professional geologist.

C. Boundaries for class areas will be delineated so as to enclose distinct ground water classes as nearly as known facts permit. Boundaries will be based on hydrogeologic properties, existing ground water quality and for Class IB and IC, current use. Parts of an aquifer may be classified differently.

D. The petitioner requesting reclassification will provide sufficient information to determine if reclassification is in the best interest of the beneficial users.

E. A petition for classification or reclassification shall include:

1. factual data supporting the proposed classification;
2. a description of the proposed ground waters to be classified or reclassified;
3. potential contamination sources;
4. ground water flow direction;
5. current beneficial uses of the ground water; and
6. location of all water wells in the area to be classified or reclassified.

F. One or more public hearings will be held to receive comment on classification and reclassification proposals.

G. The Board will determine the disposition of all petitions for classification and reclassification, except as provided in R317-6-5.2.H.

H. Ground water proximate to a facility for which an application for a ground water discharge permit has been made may be classified by the Executive Secretary for purposes of making permitting decisions.

**R315. Environmental Quality, Solid and Hazardous Waste.**  
**R315-302. Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements.**

**R315-302-1. Location Standards for Disposal Facilities.**

.....

(e) Ground Water.

(i) No new facility or lateral expansion of an existing facility shall be located at a site:

(A) where the bottom of the lowest liner is less than five feet above the historical high level of ground water; or

(B) for a landfill that is not required to install a liner, the lowest level of waste must be at least ten feet above the historical high level of ground water.

(C) If the aquifer beneath a landfill contains ground water which has a Total Dissolved Solids (TDS) of 10,000 mg/l or greater and the landfill is constructed with a composite liner, the bottom of the lowest liner may be less than five feet above the historical high level of the ground water.

(ii) No new facility shall be located over a sole source aquifer as designated in 40 CFR 149.

(iii) No new facility shall be located over groundwater classed as IB under Section R317-6-3.3.