



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*  
Myron E. Bateman  
David F. Echols  
Merritt K. Frey  
Darrell H. Mensel  
Leland J. Myers  
Neal L. Peacock  
Amanda Smith  
Gregory L. Rowley  
Steven P. Simpson  
Daniel C. Snarr  
Walter L. Baker  
*Executive Secretary*

**MINUTES**

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

UTAH WATER QUALITY BOARD

DEQ Building Board Room #1015

195 North 1950 West

Salt Lake City, Utah 84116

Wednesday, February 23, 2011

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Jay Olsen	Dave Echols	Daniel Snarr
Leland Myers	Steve Simpson	Darrell Mensel
Greg Rowley	Paula Doughty	
Participating by phone: Merritt Frey and Myron Bateman		

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Walt Baker, Faye Bell, Leah Ann Lamb, John Whitehead, Ed Macauley, Jeff Ostermiller, Carl Adams, Bill Damery, John Cook, Lisa Nelson, Emily Canton, Chris Bittner, John Mackey,

**OTHERS PRESENT**

<u>Name</u>	<u>Organization Representing</u>
David Torgersen	Sunrise Engineering-Huntsville
Bryce Widdell	Wildlife Spur Steering Committee-Duck Club
Trevor Lindley	JUB Engineers – Coalville
Karen Nichols	HDR Engineering
Jim Olson	HDR Engineering
John Chartier	DEQ
Theron Miller	JR/FBWQC
Duane Schmidt	Coalville City
Conae Black	City of Green River
Phil Englener	City of Green River
John Isanhr	USFWS
Lorin Gardner	JUB Engineering
John Iverson	Sunrise Engineering
Marv Wilson	Sunrise Engineering
Justin Robinson	DWR
Jefre Hicks	FOGSL
Cindy Gooch	JUB - Coalville
Darrel Leamaster	Johansen & Tuttle Eng
Ryan Tingey	Willard City
Ken Braegger	Willard City

195 North 1950 West • Salt Lake City, UT  
Mailing Address: P.O. Box 144870 • Salt Lake City, UT 84114-4870  
Telephone (801) 536-4300 • Fax (801) 536-4301 • T.D.D. (801) 536-4414

[www.deq.utah.gov](http://www.deq.utah.gov)

Printed on 100% recycled paper

Jeff Beckman	BC&A
Judy Fahys	SL Tribune
Robert Whiteley	JUB - Coalville City
Gracelynn Melville	Johansen & Tuttle Eng
Mark Whitney	Town of Stockton
Kevin Brown	Sunrise Engineering
Chad Meyerhoffer	Weber City
Curtis Christensen	Weber City
Rex Harris	Huntsville Town
Darin Robinson	Jones & DeMille Engineering
Jay Aguilar	Willard City
Mayor Robert Nilsson	Monroe City

Chair Olsen called the Board meeting to order at 10:40 a.m. and invited the members of the audience to introduce themselves.

#### **APPROVAL OF MINUTES OF THE JANUARY 26, 2011 MEETING**

Mr. Myers noted on page 3 second paragraph down, the minutes should read that Mr. Simpson made a motion to approve the original request of \$340,300. Mr. Myers original motion was considered and it passed on a vote.

**Motion:**            **It was moved by Mr. Echols and seconded by Ms. Doughty to approve the minutes of the January 26, 2011 meeting with the recommended changes suggested by Mr. Olsen. The motion was unanimously approved.**

**Executive Secretary's Report:** Mr. Baker briefed the Board on events pertaining to the Division. EPA has sent 7 auditors to audit the state revolving fund program. They will be here 3 weeks going over all the books. Mr. Baker also met with the budgetary committee at the Legislature to talk about priorities. He explained the need to increase fees 10%. The Legislature is not willing to increase pesticide fees. That element did not move forward. The division will still issue permits but there will be no money to fund it. HB 132 is legislation that is proposing replacing two Board members (1 Municipal and 1 at large) with two additional agriculture Board members. There's also HB 438 sponsored by Representative Wright that would fundamentally change how we look at agriculture waters differently. Two central elements require approval by the Commission of Agriculture for any penalty for Agriculture discharges and approval by Agriculture of more stringent rules. The bill would essentially replace the Clean Water Act. Mr. Baker said there was a meeting coming up on Thursday morning Feb. 24th at 7:30 am at the capitol to discuss the bill. It was suggested and agreed upon by the Board to have Leland Myers attend the meeting to express Board members concerns.

#### **FUNDING REQUEST**

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

**Perry/Willard Request for Funding Authorization:** Ms. Wondimu introduced Commissioner Ryan Tingey, Mayor Ken Braegger, and Jay Aguilar from Willard City, and David Torgersen from Sunrise Engineering. On December 16, 2008 the Water Quality Board (WQB) provided Perry and Willard cities \$28 million in combined funding for construction of sewer collection improvements and a new wastewater treatment facility that would discharge treated effluent to the Willard Spur. The Division of Water Quality (DWQ) is in the process of issuing a UPDES discharge permit under the condition to study and determine the effects of nutrients being discharged by the new treatment facility, and to determine if site specific

water quality standards for Willard Spur are warranted. Based on the concern that nutrient removal standards will ultimately be imposed on the plant in the not so distant future, it makes sense to construct a more long term solution rather than the short term treatment option, which has more expensive operation costs. Perry and Willard cities are requesting the Board to authorize additional hardship grant funds to construct an enhanced biological nutrient removal system in lieu of the study for a site specific determination on nutrient limits for Willard Spur. Mr. Myers moved to authorize 1.5 million be placed in a reserve/locked box for Perry/Willard while the study moves forward guaranteeing those funds will be available for up to 4 years, at which time the Board can review the progress of the study if an extension is needed.

**Motion:** It was moved by Mr. Myers to authorize a grant in the amount of \$1,500,000 to be set aside in an escrow account pending the outcome of the water quality studies on the Willard Spur. These funds are to be available through February 23, 2015 for capital improvements for nutrient removal or effluent discharge relocation for the protection of water quality in the Willard Spur. The motion was seconded by Ms. Doughty. The motion was approved on a roll call vote with Mr. Olsen, Mr. Meyers, Ms. Doughty, Mr. Rowley, Mayor Snarr, and Mr. Bateman approving and Mr. Echols, Mr. Mensel, Ms. Frey and Mr. Simpson opposing.

**Stockton Update:** Mr. Mackey introduced Mayor Mark Whitney with the town of Stockton and Mr. John Iverson with Sunrise Engineering. In 2009 the Board authorized a construction loan in the amount of \$10,764,000 to the Town of Stockton using funds from the American Recovery and Reinvestment Act (ARRA) of 2009. Due to a favorable bidding environment and specific ARRA requirements, the construction loan closed in the amount \$7,400,000, over \$3 million less than originally authorized. Construction of the sewers in the older parts of town was severely impeded due to unanticipated “groundwater” whose origin was established to be leaking from turn-of-the-century cast iron water pipes with lead joints at a rate of 200 gallons per minute. Leaks were exacerbated by sewer project heavy equipment in the vicinity. The best overall solution was to replace approximately 7,400 feet of cast iron pipe at a cost of \$558,620. The Division of Drinking Water provided a 3.41 percent interest, 20 year term loan in amount of \$389,000 toward the emergency repairs. The Division of Water Quality funded the remaining \$279,620 of the water pipes replacement cost out of the project’s contingency. Following construction of wastewater treatment plant and during clean water testing, an exterior lagoon dike was breached. The cause of the dike damage is unknown at this time. A determination of the cause of the failure is necessary before a solution can be determined and the cost of repair established. A geotechnical testing and analysis will be completed by mid-May 2011. In review the available information and in consultation with the town engineer, staff believes that a conservative upper limit estimate of the repair to be \$1 million. Staff is recommending that the Water Quality Board reserve \$1,000,000 of Hardship Grant funds for this project until May 15, 2011.

**Motion:** It was moved by Mr. Bateman to approve staff’s request to set aside \$1,000,000 in hardship grant funds through February 23, 2012. The motion was seconded by Mr. Myers. The motion was unanimously approved.

**Coalville City Introduction:** Ms. Nelson introduced Mayor Schmidt from Coalville and Ms. Gooch, Mr. Lindley, and Mr. Whiteley with JUB Engineering. Coalville is requesting financial assistance in the amount of a \$6,834,000 grant and \$2,650,000 loan at an interest rate of 0.0% repayable over 20 years for the construction of a new wastewater treatment facility to replace the existing facility that must be abandoned. The existing plant sits on land owned by the Bureau of Reclamation (Reclamation). Reclamation has said due to the changes in environmental laws and regulations, they see no legal way to allow the current wastewater treatment plant to remain at its present location. Another option they

considered was to transfer the title of the land under the plant to Coalville City in order to be in compliance with federal law, thereby removing the legal requirement. However, this option will not work since the elevation of the land is 10 feet below the elevation of the crest of the dam and is susceptible to a major flood event. The current lease will expire in October 2014. The board discussed the issue and Mr. Myers suggested they need to talk directly with representatives from Reclamation prior to the next Board meeting. Staff will arrange to have an onsite discussion with Coalville City and Reclamation.

**Green River Request for Planning Advance:** Mr. Cook introduced Conae Black and Phil Englener from Green River and Gracelynn Melville and Darrel Leamaster from Johansen & Tuttle Engineering. The City of Green River requests a Planning Advance in the amount of \$23,000 to prepare a design study which will determine the best method for disinfecting the effluent to allow it to discharge. The existing sewer system in Green River collects wastewater flow from both sides of the Green River and conveys it to a four cell total containment lagoon on the south side of the city. Green River City's total containment lagoon is currently at hydraulic capacity. Staff recommends that the Board authorize a \$23,000 Hardship Planning Advance to the City of Green River to study the disinfection alternatives and write the engineering report.

**Motion:** **It was moved by Mr. Myers to approve staff's request to authorize Green River a Hardship Planning Advance in the amount of \$23,000, with the understanding that grant funds may or may not be available for the remaining work needed. The motion was seconded by Mayor Snarr. The motion was unanimously approved.**

**Huntsville Introduction:** Ms. Wondimu introduced Kevin Brown and Dave Torgersen with Sunrise Engineering. She noted that representatives from Huntsville and Weber County had been in the audience, but due to the length of the meeting, had had to leave. Huntsville Town is requesting financial assistance in the amount of \$3,613,000 grant and a \$10,838,000 loan at an interest rate of 0.0% repayable over 30 years for construction of a wastewater collection and IFAS treatment system. Currently, wastewater treatment for the Town of Huntsville and the unincorporated areas in South Ogden Valley consists almost entirely of onsite wastewater treatment systems (septic systems). The existing on-site wastewater systems of the town and the unincorporated areas in South Ogden Valley have been considered to have an impact on the Pineview Reservoir. According to a TMDL report, the surrounding on-site wastewater treatment systems, including those located in Huntsville, are considered to be a non point source load allocation for the reservoir. Huntsville Town is proposing to construct approximately 114,000 linear feet of 8-inch, 10-inch, 12-inch and 15-inch PVC sewer lines and a new 0.3 mgd IFAS, with STM Aerator, wastewater treatment facility with sub-surface disposal using a rapid infiltration basin to dispose of the treated effluent. Staff comments and recommendation will be provided at the request for funding authorization.

**Monroe City Introduction:** Ms. Wondimu introduced Mayor Robert Nilsson from Monroe City, Darin Robinson with Jones & DeMille Engineering Inc. and John Chartier who is a district engineer from Central Valley Health Department. Monroe city is requesting financial assistance in the amount of a \$4,058,000 grant and a \$3,254,000 loan at an interest rate of 0.0% repayable over 30 years for construction of a wastewater collection system, lift station, and force main to convey its wastewater to Richfield City's wastewater treatment lagoon system. Mr. Simpson noted there seems to be a question of public support based on the first meeting. He suggested the City hold additional public meetings to determine public support before coming back before the Board to request funding. The board requested staff report back on other sources of funding that is available.

#### **PROJECT UPDATE:**

**PROJECT UPDATE BY DIVISION WILDLIFE RESOURCES:** Mr. Adams introduced Ms. Wingert from Division of Water Quality and Justin Robinson from the Division of Wildlife Resources. Justin

Robinson provided a brief summary of a river restoration project on the upper Strawberry River completed last summer utilizing ARRA funding administered by DWQ. The project has focused on protecting eroding riverbank through the installation of coconut fiber fabric coupled with extensive willow plantings that will ultimately protect the banks and provide improved aquatic habitat. This project is a critical water quality improvement project to reduce sediment and associated phosphorus loading into Strawberry Reservoir downstream that has a TMDL for total phosphorus.

**RULEMAKING:**

**Pariette Draw TMDL Update – Technical Overview & Request to Initiate Rulemaking:** Mr. Adams and Ms. Wingert said the Division received approval in September 2010 from EPA Region 8 for the Pariette Draw TMDL. This will be the final TMDL approved by EPA prior to Board approval. The Pariette Draw TMDL includes non-point source load allocations for three parameters, Selenium, Boron and Total Dissolved Solids. Staff is requesting approval by the Board to take to Rulemaking.

**Motion: It was moved by Mr. Myers to allow staff to proceed to rulemaking. The motion was seconded by Mr. Echols and was unanimously approved.**

Prior to ending the meeting the Board agreed they would like to have a half day meeting to discuss Nutrients on the morning of June 22<sup>nd</sup> prior to the Board meeting. They also agreed to skip the March Board meeting since April's meeting is at the first of the month.

**-NEXT MEETING –  
Wednesday, April 6, 2011 @ 8:30 PM  
Dixie Convention Center  
Entrada B & C  
St. George, Utah 84770**

---

Jay Olsen, Chairman  
Utah Water Quality Board