



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**  
Paula Doughty, *Chair*  
Steve P. Simpson, *Vice-Chair*  
Myron E. Bateman  
Clyde L. Bunker  
Merritt K. Frey  
Darrell H. Mensel  
Leland J. Myers  
Neal L. Peacock  
Gregory L. Rowley  
Amanda Smith  
Daniel C. Snarr  
Jeffery L. Tucker  
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, December 5, 2011

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Clyde Bunker	Merritt Frey	Neal Peacock
Leland Myers	Darrell Mensel	Greg Rowley
Paula Doughty	Dan Snarr	
Steven Simpson (Called into the mtg)		

Absent: Amanda Smith, Jeffery Tucker and Myron Bateman

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Walt Baker, Faye Bell, John Whitehead, Ed Macauley, Leah Ann Lamb, Beth Wondimu, John Cook, Emily Cantón, Carl Adams, Dave Wham

**OTHERS PRESENT**

<u>Name</u>	<u>Organization Representing</u>
Dave Echols	Private Citizen
Shelly Echols	Private Citizen
Eric Johnson	Bond Counsel
Bob Allen	MAG
Chip Shortreed	Ticaboo
Nick Croxten	Ticaboo
Richard Nielson	Utah County
Rick J. Cox	URS
Karen Nichols	HDR
Andrew Jackson	MAG
Ray Loveless	UDAF
Rob Dubrc	WRA
Mike Kohler	Wasatch County
Scott Wright	HVSSD
Dave Phillips	HVSSD
Brad Rasmussen	Aqua Engineering
Wes Johnson	Horrocks Engineering

Chair Doughty called the Board meeting to order at 9:10 a.m. and invited the members of the audience to introduce themselves.

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

**Motion:** It was moved by Mr. Rowley and seconded by Mr. Bunker to approve the minutes of the October 26, 2011. The motion was unanimously approved.

**Executive Secretary's Report:** Mr. Baker told the Board that a Kaizen workgroup was formed to offer recommendation on the make-up and duties of all DEQ boards. Following 3 days of discussion they recommended all Boards in DEQ should have 9 members. The Water Quality Board currently has 13 members. A statute will be developed with minimum qualifications and standards for people selected to serve on the Boards. Many of the other Boards have an Administrative law judge. Water Quality does not need adjudication. The primary change to set policy and do investigations will not change much. The term "Executive Secretary" will no longer exist and will be instead termed as being issued by Division Director. The transition from 13 members on the WQ Board will gradually transition to 9 members as terms of existing members end. The new members will consist of 1 Executive Director of DEQ, or Director Designee (same), 1 subject matter expert, 2 Positions represent Government, 1 Industrial, 2 public and Non Government officials, and 1 Utah licensed attorney.

### **FUNDING REQUEST**

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

**Approval to take FFY2012 IUP & PPL to public comment** – Ms. Cantón explained to the Board as a condition of CWSRF funding, the U.S. EPA requires that the State of Utah provide an annual IUP and PPL. Due to the dynamic nature of wastewater projects, these documents will be updated on an ongoing basis throughout the fiscal year. The Division of Water Quality is requesting approval from the Board to receive public comment regarding the FFY 2012 Intended Use Plan (IUP) and Project Priority List (PPL).

**Motion:** It was moved by Mr. Myers to authorize taking the FFY2012 IUP & PPL to public comment. The motion was seconded by Mr. Peacock and was unanimously approved.

**Ticaboo Special Service District #1 Authorization:** Ms. Wondimu introduced Chip Shortreed and Nick Croxten from Ticaboo Electric Improvement District (EID). Ticaboo EID is requesting to borrow funds to repay Ticaboo SSD's loan to the Board, to allow it to assume Ticaboo SSD assets and dissolve Ticaboo SSD.

**Motion:** It was moved by Mr. Myers to approve Ticaboo EID's request for a loan in the amount of \$192,000 to repay Ticaboo SSD's loan to the Board and assume Ticaboo SSD's assets, subject to special conditions. The motion was seconded by Ms. Frey and was unanimously approved.

### **Introduction for Water Quality Management Plan/208 Revision for Utah and Wasatch Counties:**

Mr. Wham introduced Andrew Jackson with Mountainland Association of Governments (MAG) and Ray Loveless with Utah Department of Agriculture and Food (UDAF) and Richard Nielson from Utah County Public Works. MAG requested a Hardship Grant in the amount of \$790,000 to update the 208 Water Quality Management Plan for Wasatch and Utah Counties. Mr. Myers questioned if the Board is going to

fund all the project and who will pay for future development and what are the repercussions if the Board does nothing. Mr. Simpson requested holding a work meeting to discuss this matter further. Ms. Frey explained this is a component of Section 208 of the Clean Water Act and in the 1970s was necessary to receive funding from EPA. This included a 100% grant funds to develop the plans and for the states to be eligible for federal wastewater construction grant (75% grant) and SRF loan funds. It was agreed to put this request on hold and have a work meeting the morning of January 25<sup>th</sup> followed by the board meeting in the afternoon.

**Heber Valley Request for Planning Advance:** Mr. Cook introduced Mayor David Phillips and Scott Wright from Heber City and Brad Rasmussen with Aqua Engineering. Heber Valley Special Services District (HVSSD) requested a nonpoint source grant in the amount of \$136,000 to conduct a groundwater study to assess the potential for phosphorus movement from Rapid Infiltration Basins (RIBs) to the Provo River.

**Motion:** It was moved by Mr. Peacock to authorize a \$68,000 grant Heber Valley SSD to conduct a ground water study. The motion was seconded by Mr. Myers and was unanimously approved.

**OTHER BUSINESS:**

**Planning discussion for 2012 work meetings:** Mr. Baker asked for suggestions of topics needing to be discussed during future work meetings. A number of suggestions were offered.

**-Next Meeting –  
January 25, 2012  
DEQ Building Board Room #1015  
195 North 1950 West  
Salt Lake City, Utah 84116**

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Paula Doughty, Chairperson  
Utah Water Quality Board