State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson Jr.
Executive Director

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

Water Quality Board
Myron E. Bateman, Chair
Shane E. Pace, Vice-Chair
Clyde L. Bunker
Steven K. Earley
Gregg A. Galecki
Jennifer Grant
Michael D. Luers
Alan Matheson Jr.
Hugo E. Rodier
Walter L. Baker
Executive Secretary

Utah Water Quality Board Meeting
DEQ Building Board Room 1015
195 North 1950 West
Salt Lake City, Utah 84116
June 24, 2015

Work Meeting Begins @8:30 a.m.

DWQ 101B Standards & Technical Services Section Programs ..... Jodi Gardberg

Board Meeting Begins @ 9:30 a.m.
AGENDA

A. **Water Quality Board Meeting – Roll Call**

B. (Tab 1) **Minutes:**
Approval of Minutes for April 29, 2015 & May 27, 2015 WQ Board Meetings
.....Myron Bateman

C. **Recognition Award to Amanda Smith for her service on the Water Quality Board**
.....Myron Bateman

D. **Board Elections** ..... Walt Baker

E. **Executive Secretary's Report** .....Walt Baker

F. (Tab 2) **Funding Requests:**
1. Financial Report ..... Emily Cantón

2. Logan City Authorization Update ..... Lisa Nelson

3. Moab City Project Introduction..... John Cook

4. Emigration Improvement District: *Planning Advance Request*..... John Kennington

G. (Tab 3) **Rulemaking:**
1. Request to Proceed with Rulemaking R317-101 *Utah Wastewater Project Assistance*
..... John Cook

H. (Tab 4) **Other Business:**
1. Non-point Source Annual Program Report.....Jim Bowcutt

2. Volunteer Monitoring/Utah Water Watch ..... Brian Greene

I. (Tab 5) **News Articles:**

Next Meeting August 26, 2015
DEQ Building Board Room 1015
195 North 1950 West
Salt Lake City, Utah 84116

Revised 06/17/15

In compliance with the American Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Dana Powers, Office of Human Resources, at (801) 536-4412, TDD (801) 536-4414, at least five working days prior to the scheduled meeting

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Executive Secretary

MEMORANDUM

TO: Water Quality Board

THROUGH: Walter L. Baker, P.E.

FROM: Jodi Gardberg

DATE: June 18, 2015

SUBJECT: Introduction to the Standards and Technical Services Section Programs

The Standards and Technical Service Section is part of the Planning and Assessment Branch in the Division of Water Quality and consists of the following programs and staff leads:

STS Program	Program Lead
Nutrient Reduction	Jeffrey Ostermiller
Water Quality Standards	Christopher Bittner
Wasteload Allocation, Antidegradation and Modeling	Nicholas von Stackelberg and Dave Wham
401 Water Quality Certification	William Damery
Biological Assessment	Ben Holcomb
Lake Assessment	TBD
Wetlands	Toby Hooker
Great Salt Lake	TBD
GIS	Mark Stanger

At the 06/24/2015 work meeting, the WQ Board will briefly learn about each program and how the program typically interfaces with the Board.

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Merritt K. Frey
Jennifer M. Grant
Hugh E. Rodier
Gregg Galecki
Leland J. Myers
Amanda Smith
Walter L. Baker
Executive Secretary

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD

Dixie Center
1835 S Convention Center Dr.
St. George UT 84790
April 29, 2015

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Clyde Bunker	Myron Bateman
Gregg Galecki	Merritt Frey
Shane Pace	Hugo Rodier

Excused: Jennifer Grant, Leland Myers & Amanda Smith

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Leah Ann Lamb, Erica Gaddis, Jenny Potter, Nicole Froula, Judy Etherington, John Mackey, Lisa Nelson, Emily Cantón, Mike Herkimer, Kari Lundeen, Matt Garn, Kim Shelley, Jennifer Robinson, Monique Rodriguez & Christopher Bittner

OTHERS PRESENT

Name	Organization Representing
Michael Foerster	WEAU
Philip Barlow	Hildale City
Justin Barlow	Hildale City
Mark Johnson	Central Davis Sewer
Jesse Stewart	Salt Lake City
Ruben VanTassell	JBS Hyrum
Tom Ward	Salt Lake City
Phil Heck	CVWRF
Angela Pritchett	JBS Swift
Dan Olson	Salt Lake City
Doug Nielsen	Sunrise Engineering
Marvin Wilson	Sunrise Engineering
Layne Jensen	Franson Civil Engineering
Mel Brown	NSPIC
Mark Judd	NSPIC
Ryan Jolley	Jones & DeMille

Myron Bateman called the Board meeting to order at 9:06 AM and took roll call for the members of the Board and audience.

APPROVAL OF MINUTES OF THE FEBRUARY 25, 2015 MEETING

Motion: **It was moved by Mr. Rodier to approve the minutes for the February 25, 2015 board meeting. Mr. Bunker seconded the motion. The motion was unanimously passed.**

RECOGNITION AWARDS

Merritt Frey: Mr. Bateman expressed appreciation for her service to the Utah Water Quality Board from July 2007-May 2015.

Terral Dunn & Cliff Specht: Mr. Bateman expressed appreciation for their service on the Utah Wastewater Operator Certification Council.

PRESENTATION

Annual Report: Mr. McFarland and Ms. Etherington presented the 2014 Annual Report for the Utah Wastewater Operator Certification Council to the Water Quality Board.

EXECUTIVE SECRETARY REPORT

- Mr. Baker announced that Amanda Smith has resigned as the Executive Director of DEQ. Her final day will be May 20, 2015. Amanda served for six years with DEQ. Governor Herbert will appoint a new DEQ Executive Director by the time of her departure.
- DWQ has several work groups including ones for mercury and E.coli. DWQ will be combining these two groups together and adding another that will be to address harmful algae blooms. This singular work group will engage interested stake holders and establish how to identify health related pollutants and address them.
- Union Pacific Railroad Bridge. There were two culverts along the Union Pacific Railroad (UPR) causeway in Great Salt Lake that were removed in 2013. A bridge expansion will replace the function of the culverts. DWQ was obligated to issue a 401 Certification for the removal of the culverts and construction of the bridge. The 401 Certification has been appealed by the railroad. DWQ has directed UPR to install the bridge by December 2016 or face administrative action. DWQ will keep the Board informed as this matter proceeds.
- New Board members. Two new members have been selected by the Governor to serve on the Board and their names have been forwarded to the Senate for confirmation. They are Mike Luers, to replace Leland Myers; and Steven Early, to replace Merritt Frey. Their first board meeting should be in May.
- DWQ is working on developing a strategy for optimizing wastewater treatment plants to remove nutrients that are contributing to algae blooms and reducing oxygen in our water. Rulemaking will be proposed over the next year.

FUNDING REQUESTS

Financial Reports: Ms. Cantón updated the Board on the Loan Funds, and Hardship Grant Funds, as seen in the Board Packet on pages E1-E3.

San Juan Spanish Valley SSD: The district requested a planning grant in the amount of $75,000 to evaluate its wastewater collection and treatment system needs and to prepare a master plan.

Motion: **Following a discussion Mr. Bunker made the motion to approve the grant for San Juan Spanish Valley SSD for $75,000. Mr. Pace seconded the motion. The motion was unanimously passed.**

North Summit Irrigation: North Summit Irrigation was seeking a $350,000 hardship grant to cover the increased cost of its project. Due to delays in the project connecting the Echo Dam, the cost dramatically increased. The irrigation company does not meet the normal requirement for collateral for a loan obligation as it can only pledge water shares. Therefore, staff recommends a hardship grant for funding.

Motion: **Following a discussion Ms. Frey made the motion to approve the grant for North Summit Irrigation for $350,000. Mr. Galecki seconded the motion. The motion passed, with Mr. Bunker voting in opposition.**

Hildale Request for Hardship Grant: Hildale was seeking a hardship planning advance in the amount of $40,000. It will be used to complete a wastewater treatment and collection system master plan to evaluate alternatives to address problems with the town's existing collection system and lagoon treatment facility.

Motion: **Following a discussion Mr. Bunker made the motion to approve the grant for Hildale for $40,000. Mr. Pace seconded the motion. The motion was unanimously passed.**

Tricounty Health Department: Tricounty Health Department was seeking a hardship planning grant for $45,000 to complete a facility plan to evaluate alternatives that address failing onsite systems in the Stonegate Subdivision.

Motion: **Following a discussion Mr. Pace made the motion to approve the hardship grant for $45,000. Ms. Frey seconded the motion. The motion was unanimously passed.**

SETTLEMENT AGREEMENT

Moroni Settlement Agreement: Wastewater overflows were not reported by Moroni Feed Company to the Division of Water Quality, as required by its permit. Instead the overflows were discovered by a DEQ District Engineer while visiting the treatment plant. DWQ issued a Notice of Violation for the overflows at the site, which happened at ten separate times. DWQ sought a penalty of $37,003. Because the penalty exceeded $25,000, the Board must approve the settlement.

Motion: **Following a discussion, Mr. Pace made the motion to approve the settlement agreement of $ 37, 003. Mr. Galecki seconded the motion. The motion was unanimously passed.**

RULEMAKING

Request to Adopt Rule Changes to Section R317-10-8: Ms. Etherington recommended that the Water Quality Board approve the proposed amendment to *R317-10, Certification of Wastewater Works Operators.* See Board Packet pages G-1 – G-4

Motion: **Following a discussion, Mr. Bunker made the motion to adopt the changes to R317-10. Mr. Pace seconded the motion. The motion was unanimously passed.**

Request to Proceed to Rulemaking on R317-2: Mr. Bittner recommended that the Water Quality Board allow DWQ to initiate rulemaking on *R317-2, Standards of Quality for Waters of the State.* See Board Packet pages G-5 – G-185.

Motion: **Following a discussion, Ms. Frey made the motion directing staff to initiate rulemaking for R317-2. Mr. Bunker seconded the motion. The motion was unanimously passed.**

OTHER BUSINESS

Sudweeks Committee: Mr. Baker confirmed that Mr. Galecki, Mr. Bateman, and Mr. Bunker would serve as members of the Sudweeks Committee. They will hold a conference call to discuss nominees and recommend the names of a recipient of the award.

Legislative Update:

- Mr. Baker discussed the Bear River Development project. DNR is moving forward with more outreach on the project. The Great Salt Lake has nearly reached all-time low levels, and it is important for water quality to make sure there are sufficient water flows into the lake. DWQ is engaged in the process.
- Senate Bill 200, sponsored by Senator Dayton, was passed by the legislature. The position on the Board for "water quality expert" will now be slotted to a member representing special service districts.
- Other legislation affecting DEQ also passed. SB244 changed the organization and structure of DEQ. The Division of Radiation Control and the Division of Solid and Hazardous Waste will now be combined into one division and will be called the Waste Management Division. As a result of the consolidation, DWQ will assimilate a person from the Division of Radiation Control who will become the division's spill coordinator.

Next Meeting – May 27, 2015
DEQ Building Board Room – 1015
195 North 1950 West
Salt Lake City, UT 84116

Myron Bateman, Chair
Utah Water Quality Board

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MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD

DEQ Building Board Room – 1015
195 North 1950 West
Salt Lake City, UT 84116
May 27, 2015

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Clyde Bunker	Jennifer Grant	Steven Earley
Gregg Galecki	Michael Luers	Alan Matheson
Shane Pace	Hugo Rodier	

Excused: Myron Bateman

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Leah Ann Lamb, Erica Gaddis, Jenny Potter, Marsha Case, Nicole Froula, Kim Shelley, Doug Wong, John Mackey, Emily Cantón, Lisa Nelson, Judy Etherington, Svetlana Kopytkovskiy, John Kennington, Jodi Gardberg, Bill Damery, Keith Eagan,

OTHERS PRESENT

Name	Organization Representing
Craig Ashcroft	Carollo Engineers
Lucy Jordan	Utah Geological Survey
John Guldner	Town of Alta
Jeff Beckman	Bowen Collins
Don Calderwood	Providence Mayor
James Brackner	River Heights Mayor
Issa Hamud	Logan City
Alex Buxton	Zions Public Finance
Mike Lowe	Utah Geological Survey
James Campbell	Pacific Corp
Erica Franson	Helper City Mayor

Edward Chavez	Helper City
Gary Harwood	Helper City
Chad Brown	Helper City
Del Fredde	Willard City
Ken Braegger	Willard City
Todd Godfrey	Hodges Godfrey Bell
Matt Dyall	Logan City
John Chartier	DEQ District Engineer
Nate Selin	Central Utah Health Dept.
Shawn Dustin	Nibley City
Justin Maughan	Nibley City

Shane Pace called the Board meeting to order at 9:08 AM and took roll call for the members of the Board and audience.

APPROVAL OF MINUTES OF THE APRIL 29, 2015 MEETING

Motion: The election for chair and vice chair will be held at June 2015 Board meeting.

RECOGNITION AWARDS

Leland Myers: was recognized for his 8+ years of service on the Board. He expressed appreciation for his opportunity to serve.

EXECUTIVE SECRETARY REPORT

- This morning, May 27, 2015 at 8:00 AM, EPA and Corp of Engineers issued the final Waters of the U.S. Rule. There were over a million comments received and it will change which waters are subject to federal jurisdiction. In Utah, the Sevier River Basin will be deemed non-jurisdictional. Waters of the U.S. require 404 permits through the Corps and NPDES permits issued by DWR for pollution discharges. The State will likely need to develop a state surface water permit to protect those non-jurisdictional waters.
- On May 20, 2015 a presentation was made to the Natural Resources and Agriculture Environment Interim Committee:
    - Infrastructure- Wastewater infrastructures will be needed to accommodate future growth
    - More Stringent Standards- Increased growth and depleted flows in our rivers and streams will result in higher levels of treatment being needed
    - New and Emerging Water Quality Standards
        - A more stringent ammonia standard will be required in 2017
        - Nutrient reduction limits for POTWs and water quality standards for in our lakes and streams are forth coming
    - Spills
- The Utah Tax Review Commission meets on May 28, 2015 to consider changes to the allocation of 1/16% of the sales tax revenues to five statutory funding programs for water, wastewater, conservation and transportation infrastructures

FUNDING REQUESTS

Financial Reports: Ms. Cantón updated the Board on the Loan Funds, and Hardship Grant Funds, as seen in the Board Packet on pages E1-E3.

Central Utah Public Health Department: Mr. Eagan presented the staff recommendation on a hardship grant for $49,300 which would be used to complete a baseline groundwater quality study in conjunction with the Central Utah Health Department to evaluate conditions and potential sources of pollution in the vicinity of Monroe, UT.

Motion: **Following a discussion Ms. Grant made the motion to approve the grant for Central Utah Public Health Dept. for $49, 300. Mr. Luers seconded the motion. The motion passed, with Mr. Bunker voting in opposition.**

Willard City Loan Refinancing: Ms. Nelson presented Willard City's request for the Board to refinance the city's sewer bond for $10,740,000. Willard City will make its bond payment for 2015, but without refinancing will be unable to make the bond payment for 2016. The new bond would be for $10,740,000 for 30 years at 0% with the referenced graduated repayment schedule and early principal repayment clause and the following special condition: Willard City agrees to participate annually in the Municipal Wastewater Planning Program (MWPP).

Motion: **Following a discussion Mr. Galecki made the motion to approve the loan refinancing for Willard City for $10,740,000. Ms. Grant seconded the motion. The motion was unanimously passed.**

Helper City Loan Request: Mr. Mackey presented Helper City's loan request for $2,314,000. Helper City is requesting the loan for 30 years with 0% for completion of a sewer project that would replace sewer mains throughout the city.

Motion: **Following a discussion Ms. Grant made the motion to approve the loan for Helper City for $2,314,000. Mr. Rodier seconded the motion. The motion was unanimously passed.**

RULEMAKING

R317-2 Standards of Quality for Waters of the State: Ms. Gardberg presented a request to have a Water Quality Board member serve as a hearing officer for proposed revisions to R317-2, *Standards of Quality for Waters to the State.*

Motion: **Following a discussion, Mr. Rodier noted he would attend the meeting as the public hearing officer.**

OTHER BUSINESS

Logan City Update: Ms. Nelson updated the Board on the Logan City project. The project was initially presented to the Board on January 22, 2014 when the Board authorized a $70,000,000 loan at 0.75% interest to replace Logan City's discharging lagoons and construct a new 18-mgd wastewater treatment plant. February 15, 2014 the mayors from six surrounding communities (Nibley, Hyde Park, North Logan, Smithfield, Providence, & River Heights) submitted a letter to the Board expressing concerns about the project. The Board extended the terms of its loan authorization project until November 2014, again to December 2014 and again to April 2015. As of the May Board meeting an agreement between the six cities and Logan City has not been reached. The Board stated final staff recommendations will need to be presented at the June 2015 Board meeting.

Next Meeting – June 24, 2015
DEQ Building Board Room – 1015
195 North 1950 West
Salt Lake City, UT 84116

_____
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Alan Matheson Jr.
Acting Executive Director

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

MEMORANDUM

TO: Utah Water Quality Board

FROM: Walter L. Baker
Executive Secretary

DATE: June 16, 2015

SUBJECT: Water Quality Board Elections

As per Title 19-5-103(7), the board must annually select a board chair and vice chair. This selection will occur at the June 24, 2015 Board meeting.

For your information, Myron Bateman has served a little over two years as chair and Shane Pace has served one year as vice-chair.

LOAN FUNDS
FINANCIAL PROJECTIONS

STATE REVOLVING FUND (SRF)	4th Qtr FY2015 Apr - June 2015	1st Qtr FY 2016 July - Sept 2015	2nd Qtr FY 2016 Oct - Dec 2015	3rd Qtr FY 2016 Jan - Mar 2016	4th Qtr FY 2016 Apr - June 2016	1st Qtr FY 2017 July - Sept 2016	2nd Qtr FY 2017 Oct - Dec 2016	3rd Qtr FY 2017 Jan - Mar 2017	4th Qtr FY 2017 Apr - June 2017	1st Qtr FY 2018 July - Sept 2017	2nd Qtr FY 2018 Oct - Dec 2017	3rd Qtr FY 2018 Jan - Mar 2018
Funds Available												
SRF - 1st Round (LOC) 2014 Cap Grant	5,300,381	-	-	-	-	-	-	-	-	-	-	-
Less: 2014 Principal Forgiveness Amount	(600,934)	-	-	-	-	-	-	-	-	-	-	-
SRF - 1st Round (LOC) 2015 Cap Grant	7,067,520	-	-	-	-	-	-	-	-	-	-	-
State Match	1,472,400	-	-	-	-	-	-	-	-	-	-	-
SRF - 2nd Round	80,311,566	93,336,400	93,309,094	93,360,307	67,791,793	71,448,046	61,494,432	53,193,702	46,996,051	40,783,016	32,813,949	24,050,299
Interest Earnings at 0.6%	120,467	116,670	116,636	116,700	84,740	89,310	76,868	66,492	58,745	50,979	41,017	30,063
Loan Repayments	-	1,925,024	1,603,576	4,724,786	3,571,513	1,957,076	1,622,402	4,685,856	3,728,221	1,979,954	1,195,332	4,711,189
Total Funds Available	**93,671,400**	**95,378,094**	**95,029,307**	**98,201,793**	**71,448,046**	**73,494,432**	**63,193,702**	**57,946,051**	**50,783,016**	**42,813,949**	**34,050,299**	**28,791,551**
Project Obligations												
Eureka City	-	(400,000)	-	-	-	-	-	-	-	-	-	-
Francis City	-	(1,669,000)	(1,669,000)	-	-	-	-	-	-	-	-	-
Kearns Improvement District (2011)	(335,000)	-	-	-	-	-	-	-	-	-	-	-
Loan Authorizations												
*Logan City	-	-	-	-	-	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)
Anticipated Projects												
Ammonia Projects	-	-	-	-	-	-	-	-	-	-	-	(13,647,000)
Phosphorus Projects	-	-	-	-	-	-	-	-	-	-	-	(23,377,500)
Bear Lake SSD	-	-	-	-	-	(2,000,000)	-	-	-	-	-	-
*Moab City	-	-	-	(10,510,000)	-	-	-	-	-	-	-	-
Payson City	-	-	-	(6,900,000)	-	-	-	-	-	-	-	-
Salem City	-	-	-	(13,000,000)	-	-	-	-	-	-	-	-
Wellington City	-	-	-	-	-	-	-	(950,000)	-	-	-	-
Total Obligations	**(335,000)**	**(2,069,000)**	**(1,669,000)**	**(30,410,000)**	**-**	**(12,000,000)**	**(10,000,000)**	**(10,950,000)**	**(10,000,000)**	**(10,000,000)**	**(10,000,000)**	**(47,024,500)**
SRF Unobligated Funds	**$ 93,336,400**	**$ 93,309,094**	**$ 93,360,307**	**$ 67,791,793**	**$ 71,448,046**	**$ 61,494,432**	**$ 53,193,702**	**$ 46,996,051**	**$ 40,783,016**	**$ 32,813,949**	**$ 24,050,299**	**$ (18,232,949)**

UTAH WASTEWATER LOAN FUND (UWLF)	4th Qtr FY 2015 Apr - June 2015	1st Qtr FY 2016 July - Sept 2015	2nd Qtr FY 2016 Oct - Dec 2015	3rd Qtr FY 2016 Jan - Mar 2016	4th Qtr FY 2016 Apr - June 2016	1st Qtr FY 2017 July - Sept 2016	2nd Qtr FY 2017 Oct - Dec 2016	3rd Qtr FY 2017 Jan - Mar 2017	4th Qtr FY 2017 Apr - June 2017	1st Qtr FY 2018 July - Sept 2017	2nd Qtr FY 2018 Oct - Dec 2017	3rd Qtr FY 2018 Jan - Mar 2018
Funds Available												
UWLF	$ 13,815,560	$ 10,893,635	$ 9,116,185	$ 9,925,535	$ 11,272,270	$ 13,050,632	$ 14,077,315	$ 14,886,665	$ 16,180,095	$ 18,112,850	$ 19,176,633	$ 19,985,983
Sales Tax Revenue	-	896,875	896,875	896,875	896,875	896,875	896,875	896,875	896,875	896,875	896,875	896,875
Loan Repayments	-	469,200	252,000	789,385	1,221,012	469,333	252,000	736,080	1,375,404	506,433	252,000	704,080
Total Funds Available	**13,815,560**	**12,259,710**	**10,265,060**	**11,611,795**	**13,390,157**	**14,416,840**	**15,226,190**	**16,519,620**	**18,452,375**	**19,516,158**	**20,325,508**	**21,586,938**
General Obligations												
State Match Transfer	(1,472,400)	-	-	-	-	-	-	-	-	-	-	-
DWQ Administrative Expenses	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)	(339,525)
Project Obligations												
Murray City	(1,110,000)	-	-	-	-	-	-	-	-	-	-	-
Loan Authorizations												
Eagle Mountain City - White Hills	-	(490,000)	-	-	-	-	-	-	-	-	-	-
Planned Projects												
Helper City	-	(2,314,000)	-	-	-	-	-	-	-	-	-	-
Total Obligations	**(2,921,925)**	**(3,143,525)**	**(339,525)**	**(339,525)**	**(339,525)**	**(339,525)**	**(339,525)**	**(339,525)**	**(339,525)**	**(339,525)**	**(339,525)**	**(339,525)**
UWLF Unobligated Funds	**$ 10,893,635**	**$ 9,116,185**	**$ 9,925,535**	**$ 11,272,270**	**$ 13,050,632**	**$ 14,077,315**	**$ 14,886,665**	**$ 16,180,095**	**$ 18,112,850**	**$ 19,176,633**	**$ 19,985,983**	**$ 21,247,413**

*Projects being presented to the WQB
Date Printed: 6/16/2015

HARDSHIP GRANT FUNDS
FINANCIAL PROJECTIONS

HARDSHIP GRANT FUNDS (HGF)	4th Qtr FY 2015 Apr - June 2015	1st Qtr FY 2016 July - Sept 2015	2nd Qtr FY 2016 Oct - Dec 2015	3rd Qtr FY 2016 Jan - Mar 2016	4th Qtr FY 2016 Apr - June 2016	1st Qtr FY 2017 July - Sept 2016	2nd Qtr FY 2017 Oct - Dec 2016	3rd Qtr FY 2017 Jan - Mar 2017	4th Qtr FY 2017 Apr - June 2017	1st Qtr FY 2018 July - Sept 2017	2nd Qtr FY 2018 Oct - Dec 2017	3rd Qtr FY 2018 Jan - Mar 2018
Funds Available												
Beginning Balance	$ -	$ 4,128,655	$ 2,403,875	$ 2,420,725	$ 1,656,166	$ 1,881,444	$ 1,355,645	$ 1,377,106	$ 1,642,390	$ 2,722,687	$ 2,176,852	$ 2,205,434
Federal HGF Beginning Balance	5,416,240	-	-	-	-	-	-	-	-	-	-	-
State HGF Beginning Balance	478,650	-	-	-	-	-	-	-	-	-	-	-
2014 Principal Forgiveness Amount	600,934	-	-	-	-	-	-	-	-	-	-	-
Interest Earnings at 0.6%	8,842	5,161	3,005	3,026	2,070	2,352	1,695	1,721	2,053	3,403	2,721	2,757
UWLF Interest Earnings at 0.6%	20,723	13,617	11,395	12,407	14,090	16,313	17,597	18,608	20,225	22,641	23,971	24,982
Hardship Grant Assessments	363,904	424,442	-	104,451	930,197	402,201	-	201,698	860,685	379,454	-	180,346
Interest Payments	-	58,000	2,450	53,057	216,420	53,335	2,170	43,257	197,334	48,667	1,890	33,132
Advance Repayments	1,613,500	-	-	-	-	-	-	-	-	-	-	-
Total Funds Available	8,502,794	4,629,875	2,420,725	2,593,666	2,818,944	2,355,645	1,377,106	1,642,390	2,722,687	3,176,852	2,205,434	2,446,650
Project Obligations												
Blanding City - Planning Advance	(39,900)	-	-	-	-	-	-	-	-	-	-	-
DWQ-Central Utah Pulic Health Dept - Planning Grant	(50,000)											
Eagle Mountain City - White Hills - Construction Grant	-	(580,000)	-	-	-	-	-	-	-	-	-	-
Echo Sewer SSD - Construction Grant	(251,000)	-	-	-	-	-	-	-	-	-	-	-
Eureka City - Construction Grant	-	(646,000)	-	-	-	-	-	-	-	-	-	-
Francis City - Construction Grant	-	-	-	(937,500)	(937,500)	-	-	-	-	-	-	-
Hildale City - Planning Grant	(40,000)											
San Juan Spanish Valley - Planning Grant	(75,000)	-	-	-	-	-	-	-	-	-	-	-
TriCounty Health Dept. - Planning Grant	(45,000)											
Virgin Town - Planning Advance	(36,000)	-	-	-	-	-	-	-	-	-	-	-
Wellington - Planning Advance	(32,000)	-	-	-	-	-	-	-	-	-	-	-
Planned Projects												
*Emigration Sewer Imp Dist - Planning Grant	(60,000)	-	-	-	-	-	-	-	-	-	-	-
Non-Point Source Project Obligations												
(FY11) Gunnison Irrigation Company	(48,587)	-	-	-	-	-	-	-	-	-	-	-
(FY11) DEQ - Willard Spur Study	(285,778)	-	-	-	-	-	-	-	-	-	-	-
(FY12) UDAF	(947,714)	-	-	-	-	-	-	-	-	-	-	-
(FY13) DEQ - Great Salt Lake Advisory Council	(400,000)	-	-	-	-	-	-	-	-	-	-	-
(FY14) UACD	(56,524)	-	-	-	-	-	-	-	-	-	-	-
(FY15) DEQ - Nitrogen Transformation Study	(150,000)											
(FY15) North Summit Irrigation Company	(199,526)	-	-	-	-	-	-	-	-	-	-	-
(FY15) Utah Open Lands	(100,000)	-	-	-	-	-	-	-	-	-	-	-
FY 2011 - Remaining Payments	(32,178)	-	-	-	-	-	-	-	-	-	-	-
FY 2012 - Remaining Payments	(59,713)	-	-	-	-	-	-	-	-	-	-	-
FY 2013 - Remaining Payments	(232,613)	-	-	-	-	-	-	-	-	-	-	-
FY 2014 - Remaining Payments	(506,992)	-	-	-	-	-	-	-	-	-	-	-
FY 2015 - Remaining Payments	(725,613)	-	-	-	-	-	-	-	-	-	-	-
FY 2016 Allocation	-	(1,000,000)	-	-	-	-	-	-	-	-	-	-
FY 2017 Allocation	-	-	-	-	-	(1,000,000)	-	-	-	-	-	-
FY 2018 Allocation	-	-	-	-	-	-	-	-	-	(1,000,000)	-	-
Non-Point Source Projects in Planning												
None at this time	-	-	-	-	-	-	-	-	-	-	-	-
Total Obligations	(4,374,138)	(2,226,000)	-	(937,500)	(937,500)	(1,000,000)	-	-	-	(1,000,000)	-	-
HGF Unobligated Funds	$ 4,128,655	$ 2,403,875	$ 2,420,725	$ 1,656,166	$ 1,881,444	$ 1,355,645	$ 1,377,106	$ 1,642,390	$ 2,722,687	$ 2,176,852	$ 2,205,434	$ 2,446,650

*Projects being presented to the WQB
Date Printed: 6/15/2015

State of Utah
Wastewater Project Assistance Program
Project Priority List

FY15 Rank	Project Name	Funding Authorized	Total Points	Point Categories				Description of Project Status
				Project Need	Potential Improvement	Population Affected	Special Consideration	
1	Logan City	x	159	50	39	10	60	Planning
2	Price River Water Improvement District	x	145	70	48	7	20	Design
3	Coalville City	x	142	40	40	2	60	Construction
4	Moab City		120	50	24	6	40	Design
5	Eureka City	x	118	50	0	8	60	Construction
6	Echo City	x	112	70	41	1	0	Construction
7	Snyderville Basin WRD	x	107	10	29	8	60	Design
8	White Hills - Eagle Mountain	x	106	40	5	1	60	Design
9 (Tie)	Kearns Improvement District	x	105	40	16	9	40	Construction
	Granger-Hunter Improvement District	x	105	35	0	10	60	Construction
11	Ephraim	x	102	40	16	6	40	Construction
12	Salem City	x	94	50	18	6	20	Planning
13	Helper City	x	83	40	0	3	40	Planning
14	Long Valley Sewer Improvement District	x	79	10	7	2	60	Construction
15 (Tie)	Murray City	x	78	10	0	8	60	Construction
	Wellington City	x	78	35	1	2	40	Planning
17	Francis City	x	72	10	0	2	60	Design
18	Payson City	x	70	10	13	7	40	Planning
19	Midvalley Improvement District	x	68	40	0	8	20	Design/Construction

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MEMORANDUM

TO: Utah Water Quality Board

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

FROM: Lisa Nelson, P.E.
Project Manager

DATE: June 24, 2015

SUBJECT: Logan Funding Update

On May 27, 2015, staff presented an update to the Water Quality Board (Board) on the status of the Interlocal Agreement negotiations between Logan City and the six communities that receive wastewater treatment service from Logan. These communities are Nibley, Hyde Park, North Logan, Smithfield, Providence, and River Heights

Since the May meeting, the communities have continued their negotiations and have reached an Agreement. Per the attached Letter of Intent, the six communities respectfully withdraw their previous request and request the Board reaffirm the financing that was approved on January 22, 2014.

At the May meeting staff also informed the Board that Nibley and Providence funded a planning effort to explore the feasibility of obtaining wastewater treatment services from Hyrum. On June 10th, Nibley and Providence submitted an application for additional planning funds to augment their existing plan to meet the technical and environmental requirements of the SRF program. This request will likely be presented to the Board for consideration at the August meeting.

Since an agreement has been reached, staff's recommendation is that the Board reaffirm the $70 million loan it authorized to Logan City at the same rate of 0.75% and the same term (20 years) as it did on January 22, 2014 with no additional special conditions.

Attachment: Letter of Intent

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
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RECEIVED
JUN 17 2015
Utah Division of Water Quality

Letter of Intent

Dear Members of the Water Quality Treatment Board in the State of Utah,

It is the intent of the Mayors of the following cities, contingent on ratification and appropriate approvals of the City Councils, to sign the Interlocal Agreement attached which would create a Regional Wastewater Treatment Rate Committee.

THE CITY OF LOGAN, a municipal corporation of the State of Utah (hereinafter referred to as "LOGAN"),

THE CITY OF SMITHFIELD, a municipal corporation of the State of Utah (hereinafter referred to as "SMITHFIELD"),

THE CITY OF HYDE PARK, a municipal corporation of the State of Utah (hereinafter referred to as "HYDE PARK"),

THE CITY OF NORTH LOGAN, a municipal corporation of the State of Utah (hereinafter referred to as "NORTH LOGAN"),

THE CITY OF RIVER HEIGHTS, a municipal corporation of the State of Utah (hereinafter referred to as "RIVER HEIGHTS"),

THE CITY OF PROVIDENCE, a municipal corporation of the State of Utah (hereinafter referred to as "PROVIDENCE"), and

THE CITY OF NIBLEY, a municipal corporation of the State of Utah (hereinafter
referred to as "NIBLEY").

	Signature:	Date:
Craig Peterson, Mayor – Logan City		June 17, 2015
Darrell Simmons, Mayor – Smithfield City		June 17, 2015
Brian Cox, Mayor – Hyde Park City		6-17-15
Lloyd Berentzen, Mayor – North Logan City		6-17-15
Jim Brackner, Mayor – River Heights City		6/17/15
Don Calderwood, Mayor – Providence City		6-17-15
Shaun Dustin, Mayor – Nibley City		6-17-15

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Hugo E. Rodier
Walter L. Baker
Executive Secretary

Application Number: _____
Date Received: June 4, 2015
Date to be presented to the WQB: June 24, 2014

WATER QUALITY BOARD
FEASIBILITY REPORT FOR WASTEWATER TREATMENT PROJECT
INTRODUCTION

APPLICANT:	Moab City 217 East Center Street Moab, Utah 84532
PRESIDING OFFICIAL:	Mayor David Sakrison
TREASURER/RECORDER:	Rachel Stenta, City Recorder
CONSULTING ENGINEER:	Jeff Beckman Bowen, Collins & Associates, Inc. Draper, UT 84020 Telephone: (801) 495-2224
BOND COUNSEL:	Fred Philpot Lewis Young, Robertson & Burningham, Inc. 41 North Rio Grande Street, Ste. 101 Salt Lake City, UT 84101 Telephone (801) 596-0700

APPLICANT'S REQUEST:
Moab City is requesting financial assistance in the amount of a $10,510,000 loan for the construction of its 2015 Wastewater Treatment Plant Project.

APPLICANT'S LOCATION:
Moab City is located just south of the Colorado River on the Colorado Plateau, along Highway 191. It is just south of Arches National Parks and east of Canyonlands National Park and Deadhorse Point State Park

MAP OF APPLICANT'S LOCATION

BACKGROUND:

The current population of Moab is estimated to be 5,146 people. The City's treatment plant also receives wastewater from Grand Water and Sewer Service Agency (GWSSA), to the south of the City. The treatment plant has approximately 4,405 ERUs connected to it, of which approximately 10% are commercial. Additionally, the treatment plant receives approximately 1,500,000 gallons annually from septage haulers.

Current land use within Moab's treatment plant's service area is residential, recreational, agricultural, and commercial. GOPB projects the growth rate to average at approximately 1% per year over the next 20 years.

The existing sewer system in Moab pipes wastewater flow from Moab and GWSSA and treats it in primary clarifiers, a trickling filter, and secondary clarifiers. For the last couple of years, the treatment plant has had periods of noncompliance for BOD.

PROJECT NEED:

Moab's wastewater treatment plant was constructed in the 1950s and has essentially reached the end of its design life. While the plant still has some remaining hydraulic capacity, at certain times of the year, it is organically overloaded. Additionally, trickling filter treatment plants are unlikely to be able to meet the recent technology-based phosphorus limit that has been implemented by the Division (Total Phosphorus = 1 mg/L) and would also be unlikely to be able to meet any future nutrient limits or standards that the Division may adopt.

Construction of this project would result in Moab being able regain compliance with its current UPDES Permit and meet the recently adopted phosphorus discharge limit. Additionally, because the quality of the treatment plant's effluent would be improved, there is the potential that the treatment plant's effluent could be diverted through the Matheson Wetland before being discharged into the Colorado River. The feasibility of this option is still being investigated.

ALTERNATIVES EVALUATED:

The consulting engineers evaluated the following treatment alternatives for Moab:

1. No action.
2. Optimization of plant operations.
3. Modification and/or expansion of existing treatment plant.
4. Construction of an oxidation ditches.
5. Construction of sequencing batch reactors.

POSITION ON PROJECT PRIORITY LIST:

This project is ranked No. 4 of 19 projects on the Wastewater Treatment Project Priority List.

POPULATION GROWTH:

Population and Connection Projections

Year	Residents
2010	5,046
2020	5,634
2030	6,181
2040	6,644
2050	7,164

(Source: Governor's Office of Planning and Budget 2013 estimates.)

PUBLIC PARTICIPATION AND DEMONSTRATION OF PUBLIC SUPPORT:

Moab has held public meetings regarding the treatment plant project. Moab will need to have public meetings regarding the adoption of the facility plan, rate resolutions, and the bond resolution.

IMPLEMENTATION SCHEDULE:

Apply to WQB for Funding:	June 4, 2015
WQB Introduction	June 24, 2015
WQB Funding Authorization:	August 26, 2015
Facility Plan Approval:	December 2015
Issue Construction Permit	September 2016
Bid Opening	December 2016
Complete Construction	May 2018

APPLICANT'S CURRENT USER CHARGE:

Residential:	$10.00 per month plus $1.50 per 1,000 gallons of water use
Commercial:	$13.25 per month plus $1.30 per 1,000 gallons of water use
Industrial:	$13.25 per month plus $1.30 per 1,000 gallons of water use

The average sewer rate is approximately $16.90 per month per ERU.

COST ESTIMATE:

Construction costs for the no action, optimization of plant operations, and modification and/or expansion of existing treatment plant alternatives were generated because none of these alternatives would be able to treat the effluent adequately for phosphorus removal.

Alternative	Construction Cost
SBR	$8,139,000
Ox Ditch	$8,993,000

These costs do not include contingency, engineering, legal, financial, administration, rights-of-way or property costs. In addition to the $854,000 in capital savings over the Ox-Ditch system, the SBR is $1,023,000 less expensive over a 20-year net present worth cost for operations and maintenance.

In the alternatives analysis, the SBR option was determined to have the lowest construction and 20-year life cycle cost. However, the Oxidation Ditch ranked equal to or higher than the SBR on all non-economic comparisons: noise, traffic, odors, appearance, environmental, familiarity and wide use in Utah, simplicity – ease of operation, maintenance and repair/replacement requirements, and implementability. The preferred alternative has not yet been determined by the City. The construction costs shown in the table below are for the more expensive of the two options.

Item	Cost
Legal/bonding	$50,000
DWQ Loan Origination	$105,000
Engineering - Planning	$540,000
Engineering - Special	$51,000
Engineering - CMS	$540,0000
Property / ROW	$51,000
Construction	$8,993,000
Contingency	$1,360,000
Total	**$11,690,000**

COST SHARING:
Moab is proposing the following cost sharing:

Funding Source	Cost Sharing	Percent of Project
Local Contribution	$ 262,000	2.2%
CIB Grant	$ 918,000	7.9%
WQB Loan	$ 10,510,000	89.9%
Total	$ 11,690,000	100.0%

OTHER ISSUES:
It is worth noting that Moab is the only mechanical treatment plant in the very large Southeast Utah geographic area and receives approximately 1,500,000 gallons of higher strength septage waste annually. Without the Moab plant it is unclear that the surrounding lagoon treatment plants would be capable of receiving that much septage. The Water Quality Board may wish to consider this service that Moab provides to the State when deciding upon an interest rate for when the request for authorization is made in August.

The request from Moab is for a $10,510,000 loan. In the Utah Wastewater Loan Fund, there is approximately $13,000,000 of unobligated funds. Moab may be willing to close its loan early, assisting DWQ in obligating these funds sooner rather than later

STAFF RECOMMENDATIONS:
This feasibility report serves as an introduction of the project to the Board. Staff recommendations will be made at the August Board meeting

U:\ENG_WQ\Upcook\Projects\Moab\DWQ Authorization\2015-06-08 Moab Introduction.docx
File: Moab, Admin, Section 1

WATER QUALITY BOARD STATIC COST MODEL
MOAB CITY REGIONAL WASTEWATER TREATMENT FACILITY

Project Costs

Legal/Bonding	50,000
DWQ Loan Origination Fee	105,000
Engineering - Planning, Env, & Design	540,000
Engineering - Special	51,000
Engineering - Other	-
Engineering - CMS	540,000
Property, Easements, & R.O.W.	51,000
Construction	8,993,000
Contingency (approx 15% const. cost)	1,360,000
Total Project Cost:	**11,690,000**

Project Funding

Applicant Contribution	262,000	2.2%
CIB Grant	918,000	7.9%
Other Loan	-	
WQB Loan	10,510,000	89.9%
WQB Grant	-	
Total Project Cost:	**11,690,000**	

Current Customer Base & User Charges

Total ERUs:	4,405
MAGI:	31,141
Current Impact Fee (per ERU):	$2,819.00
Current Monthly User Fee (per ERU):	$16.90
Current Sewer Property Tax Total	-
Current Sewer Property Tax per Month per ERU	$0.00
Current Monthly User Property Tax (per ERU):	$0.00
1.4% MAGI Sewer Bill:	**$36.33**
Need Grant, Reduced Interest, or Dynamic Payment?	**no**

Existing O&M expenses Treatment & Collection	$0
New O&M expenses Treatment & Collection	$1,000,000

Sewer Debt Service

Other Sewer Debt Service	$0
New Sewer Debt Service	$525,500

Funding Conditions

Loan Repayment Term:	20
Reserve Funding Period:	5

ESTIMATED COST OF SEWER SERVICE

WQB Grant Amount	WQB Loan Amount	WQB Loan Interest Rate	WQB Loan Debt Service	WQB Loan Reserve	Annual Sewer O&M Cost	Existing Sewer Debt Service	Total Annual Sewer Cost	Monthly Sewer Cost/ERU	Sewer Cost as a % of MAGI
-	10,510,000	0.00%	$525,500.00	157,650	1,000,000	$0	$1,683,150.00	31.84	1.23%
-	10,510,000	0.25%	$539,403.44	161,821	1,000,000	-	1,701,224	32.18	1.24%
-	10,510,000	0.50%	$553,524.41	166,057	1,000,000	-	1,719,582	32.53	1.25%
-	10,510,000	0.75%	$567,861.94	170,359	1,000,000	-	1,738,221	32.88	1.27%
-	10,510,000	1.00%	$582,414.96	174,724	1,000,000	-	1,757,139	33.24	1.28%
-	10,510,000	1.25%	$597,182.30	179,155	1,000,000	-	1,776,337	33.60	1.29%
-	10,510,000	1.50%	$612,162.68	183,649	1,000,000	-	1,795,811	33.97	1.31%
-	10,510,000	1.75%	$627,354.77	188,206	1,000,000	-	1,815,561	34.35	1.32%
-	10,510,000	2.00%	$642,757.11	192,827	1,000,000	-	1,835,584	34.73	1.34%
-	10,510,000	2.25%	$658,368.16	197,510	1,000,000	-	1,855,879	35.11	1.35%
-	10,510,000	2.50%	$674,186.32	202,256	1,000,000	-	1,876,442	35.50	1.37%

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Project Number:
Date Received: May 20, 2015
Date to be presented to the WQB: June 24, 2015

WATER QUALITY BOARD
REQUEST FOR HARDSHIP PLANNING ADVANCE TO PREPARE WASTEWATER COLLECTION/TREATMENT FEASIBILITY STUDY AUTHORIZATION

APPLICANT:	Emigration Improvement District PO Box 58945 Salt Lake City, Utah 84108 Telephone: 801-651-3201
PRESIDING OFFICIAL:	Chairman – Michael Hughes 5754 Emigration Canyon Rd. Salt Lake City, Utah 84108 Telephone: 435-874-2323
CONTACT PERSON:	Eric Hawkes – General Manager
TREASURER:	David Bradford - Trustee
CONSULTING ENGINEER:	Brad Rasmussen – Project Manager Aqua Engineering 533 W 2600 S Suite 275 Bountiful, UT 84010 Telephone 801.299.1327
CITY ATTORNEY:	Jeremy Cook – District Attorney Cohne/Kinghorn 111 East Broadway, 11th Floor Salt Lake City, UT 84111 Telephone 801.363.4300

APPLICANT'S REQUEST:

Emigration Improvement District (The District) requests a **hardship planning grant in the amount of $60,000** to complete an Emigration Canyon Wastewater Master Plan (Canyon Master Plan) for evaluating alternatives for wastewater management in Emigration Canyon, where Emigration Creek has been shown to be impaired for E.coli (pathogens). The District, Salt Lake County, Salt Lake City and the Division of Water Quality believe this impairment is due, at least in part, to discharges from onsite systems.

APPLICANT'S LOCATION

Emigration Canyon is located in Salt Lake County on the east side of Salt Lake City.

BACKGROUND

Emigration Canyon was originally settled as a summer home community. Over time, and with improvements in transportation and culinary water services, much of the property has been transformed into full-time residential use. All of the houses and businesses use individual onsite systems for wastewater disposal. Many of the onsite systems installed would not meet today's design standards and are believed to be inadequate due to their age and location. It is believed that some of these systems contribute to the present impairment of certain segments of Emigration Creek for E.coli or pathogens, because of this inadequate treatment of their discharges.

The Emigration Improvement District was formed in 1968 by action of Salt Lake County Commission to provide water and wastewater services to residents of the Emigration Canyon. In 1970-71, the first board of trustees proposed a canyon-wide sewer system and water system, but that proposal was met with strong opposition from the community and was not feasible at the time.

The District's primary function has been to provide water supply services, however, the District is the body politic for overseeing Ruth's Diner's wastewater system and a combined drain field system located within the District's well protection zone. The District currently has no income for wastewater related projects or services that can support wastewater services to the other residences in the canyon.

PROJECT DESCRIPTION:

The proposed Canyon Master Plan will provide a comprehensive study, including the following tasks, and will result in a prioritized system for wastewater management and implementation of improvements.

The study will include:

- Review existing planning documents – Review existing documents from previous planning exercises and other agencies such as the County and State that may have looked at the wastewater issues. The information within these reports will be summarized and updated if necessary within this planning document. This information will be used to define and establish the need and importance of implementing improvements.
- Evaluate Treatment Alternatives – The mode of disposal will affect the treatment requirements. Costs will be developed for each alternative. The following treatment alternatives will be studied:
  a. No Change alternative – This option will establish baseline conditions and potential ramifications of taking no action.
  b. Investigate Feasibility of Establishing an Onsite System Management District – Evaluate the feasibility of establishing a permanent Onsite System Management District involved in ongoing inspection or maintenance of all onsite systems in the canyon.
  c. Combined Septic Systems – Evaluate the use of cluster onsite systems in problem areas, using existing individual system components where possible. Determine the feasibilty to discharge to a combined drain field at various locations. These systems may be designed to utilize advanced treatment processes or alternate type drain fields to accommodate site conditions, as required.
  d. Full Emigration Canyon wastewater collection and treatment, with alternate disposal – Evaluate the feasibility of installing a full canyon collection system and treatment with an alternate means of disposal, including rapid infiltration basins or an injection well. Because of the canyon's location in a Category 1 watershed area, a new surface discharge to the creek is prohibited.
  e. Evaluate installation of a canyon-wide sewer collection system – Update an evaluation of the feasibility of installing a canyon-wide sewer collection system for connection to the existing Salt Lake City collection system for treatment and disposal.
- Public Involvement – Three public meetings will be held to explain the project need and alternatives to the public, and receive public comment on the proposals.
- Life Cycle Costs – The capital, and operation and maintenance costs will be evaluated, and the full life-cycle costs will be determined for each alternative.
- Alternative Evaluation and Selection – Based upon input from public involvement, the State, and the District, the alternatives will be evaluated. The alternatives will be ranked and a preferred alternative will be selected.
- Implementation Plan – An implementation plan and schedule will be developed for the preferred alternative.
- Deliverable – Six copies of the completed Canyon Master Plan will be delivered.

IMPLEMENTATION SCHEDULE:

The Canyon Master Plan is estimated to be complete by May 31, 2016.

PROJECT PRIORITY LIST

This is a planning effort that may result in a project being identified and recommended. This project will be ranked once a project has been identified.

COST ESTIMATE:

The base planning effort will cost $60,000. This will be a time and materials, not to exceed contract.

A.	Consulting Engineer	$ 45,000
B.	Other Consultants	$ 10,000
C.	Administration	$ 2,000
D.	Legal	$ 3,500
	Total	**$ 60,000**

STAFF COMMENTS AND RECOMMENDATION:

This project is being presented as an authorization from the Water Quality Board to receive a hardship planning grant. The reason for the grant request, as opposed to a planning advance, is that the District presently has no income from wastewater services with which to pay back the grant, as it presently only engaged in water supply services. It is, however, authorized as a wastewater agency. In addition, the type of project(s) that may result from this planning effort are a small number of cluster onsite projects involving a limited number of connections, which would make it difficult to re-pay this planning sum.

Staff recommends that the Board authorize the amount requested for a hardship planning grant to assist the Emigration Improvement District in their planning efforts.

SPECIAL CONDITIONS:

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

State of Utah

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MEMORANDUM

TO: Water Quality Board

THROUGH: Walter L. Baker, P.E.

FROM: Johnathan P. Cook, P.E

DATE: June 18, 2015

SUBJECT: Request for Authorization to Initiate Rulemaking on Rule R317-101, Utah Wastewater Project Assistance Program

On June 10, 2014 President Obama signed into law the Water Resources Reform and Development Act of 2014 (WRRDA). Among its provisions are amendments to Titles I, II, V, and VI of the Federal Water Pollution Control Act (FWPCA). Several of the provisions of WRRDA affect the Clean Water State Revolving Fund (CWSRF) program. In response to the provisions of WRRDA, the Division is requesting that the Board authorize initiation of rulemaking to amend Rule R317-101 to ensure our State Revolving Fund (SRF) program is in compliance. In addition to WRRDA compliance, the proposed rulemaking makes several corrections to the rule for format and reference citation consistency with Division of Administrative Rules guidelines.

Staff recommended that the Board approve initiation of rulemaking for the proposed amendment of R317-101.

Attachments: Summary of the Proposed Amendment of R317-101
Text of the amendment of R317-101 "Utah Wastewater Project Assistance Program"

File:Administrative Rule \ SRF
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SUMMARY OF THE PROPOSED AMENDMENT OF R317-101

The following changes are made:

- R317-101-2: Alphabetizing the definitions section to be consistent with Division of Administrative Rules guidelines.
- R317-101-2: Defining a "Cost Effective Analysis". Subsection D is added to address WRRDA requirements.
- R317-101-3.I: Revising "Water Conservation and Management Plan" to "Water Conservation Plan" to be consistent with Utah Code and Division of Water Resources administrative rules.
- R317-101-3.N: Issuing Construction Permits is now a duty of the Director.
- R317-101-3.P: Resolutions to amend sewer ordinance and user fee rate structures are also acceptable forms of these documents.
- R317-101-3.Q: Plans of operations relate to hiring qualified staff and asset management needed to properly operate treatment works and sewerage systems. It is necessary that new facilities have a plan of operation. Existing facilities that are merely expanding, repairing, or replacing systems, already have such management systems in place.
- R317-101-3.R: In practice, it is not necessary for the applicant to develop an entirely new O&M Manual if the new facilities are merely expanding, repairing, or replacing existing systems. Amendments to existing O&M manuals may be an acceptable alternative.
- R317-101-4.B.1: The WRRDA specifically requires the consideration of income, unemployment data, and population trends in determining the affordability of a project for a community.
- R317-101-5.A.7: Requiring applicants for financial assistance for OWS to obtain bids is a best practice.
- R317-101-9.A: Making the sentence more readable.
- R317-101-10.A: Making the sentence more readable.
- R317-101-14: The definition of a "Cost Effective Analysis" has been moved to R317-101-2.

The following general changes have also been made at various locations throughout the document:

- Correcting references to sections and subsections of State rules.
- Correcting references to the United States Code.
- Correcting references to the Utah Annotated Code
- Correcting references to definitions, programs, acronyms, and entities.
- General improvement of readability.

R317. Environmental Quality, Water Quality.
R317-101. Utah Wastewater Project Assistance Program.
R317-101-1. Statutory Authority.

The authority for the Department of Environmental Quality acting through the Utah Water Quality Board to issue loans to political subdivisions to finance all or part of wastewater project costs and to enter into [~~"~~]credit enhancement agreements[~~"~~], [~~"~~]interest buy-down agreements[~~"~~], and Hardship Grants is provided in Sections 11-8-2 and 73-10c-4 [~~Title 73, Chapter 10b and Title 73, 10c~~].

R317-101-2. Definitions[~~ and Eligibility~~].

"Cost Effective Analysis" means an analysis of feasible project alternatives capable of meeting state and federal water quality and public health requirements. The cost effective analysis shall be certified by the subdivision and it shall include:

A. monetary costs including the present worth or equivalent annual value of all capital costs;

B. operation, maintenance, and replacement costs;

C. fiscal sustainability, e.g., the cost of replacement of the project; and

D. maximizes the potential for efficient use, reuse, recapture, and conservation of water and for energy conservation to the maximum extent practicable.

"Credit Enhancement Agreement" means any agreement entered into between the Board, on behalf of the State, and a political subdivision, for the purpose of providing methods and assistance to political subdivisions to improve the security for and marketability of wastewater project obligations.

"Eligible Project Costs" means project costs that meet the financial assistance requirements established by the Board.

"Executive Secretary" means the Executive Secretary of the Water Quality Board.

"Financial Assistance" means a project loan, bond purchase, credit enhancement agreement, interest buy-down agreement or hardship grant.

"Hardship Grant" means a grant of monies to a political subdivision, individual, corporation, association, state of federal agency or other private entity that meets the wastewater project loan considerations or nonpoint source eligibility criteria whose project is determined by the Board to not be economically feasible unless grant assistance is provided. A hardship grant may be authorized in the following forms:

A. A Planning Advance is required to be repaid at a later date, unless deemed otherwise by the Board, to help meet project costs incident to planning to determine the economic, engineering and financial feasibility of a proposed project.

B. A Design Advance is required to be repaid at a later date, to help meet project costs incident to design including, but not limited to, surveys, preparation of plans, working drawings, specifications, investigations and studies.

C. A Project Grant is not required to be repaid.

"Interest Buy-Down Agreement" means any agreement entered into between the Board, on behalf of the State, and a political subdivision, for the purpose of reducing the cost of financing incurred by a

political subdivision on bonds issued by the subdivision for project costs.

"Nonpoint Source Project" means a facility, system, practice, study, activity or mechanism that abates, prevents or reduces the pollution of water of this state by a nonpoint source (NPS).

"Principal Forgiveness" means a loan wherein a portion of the loan amount is forgiven (not required to be repaid) upon closing the loan.

"Project Costs" means the cost of acquiring and constructing any project and include: the cost of acquisition and construction of any facility or any modification, improvement, or extension of such facility; any cost incident to the acquisition of any necessary property, easement or right of way; engineering or architectural fees, legal fees, fiscal agent's and financial advisors' fees; any cost incurred for any preliminary planning to determine the economic and engineering feasibility of a proposed project; costs of economic investigations and studies, surveys, preparation of designs, plans, working drawings, specifications and the inspection and supervision of the construction of any facility; interest accruing on loans made under this program during acquisition and construction of the project; and any other cost incurred by the political subdivision, the Board or the Department of Environmental Quality, in connection with the issuance of obligation of the political subdivision to evidence any loan made to it under the law.

"Political Subdivision" means any county, city, town, improvement district, metropolitan water district, water conservancy district, special service district, drainage district, irrigation district, separate legal or administrative entity created under the Interlocal Co-operation Act or any other entity constituting a political subdivision under the laws of Utah.

"Wastewater Project" means a sewer, storm or sanitary sewage system, sewage treatment facility, lagoon, sewage collection facility and system and related pipelines and all similar systems, works and facilities necessary or desirable to collect, hold, cleanse or purify any sewage or other polluted waters of this State; and a study, pollution prevention activity, or pollution education activity that will protect waters of this state.

"Wastewater Project Obligation" means, as appropriate, any bond, loan, note or other obligation of a political subdivision issued to finance all or part of the cost of acquiring, constructing, expanding, upgrading or improving a wastewater project.

~~[A. Board means Utah Water Quality Board.~~

~~B. Political Subdivision means any county, city, town, improvement district, metropolitan water district, water conservancy district, special service district, drainage district, irrigation district, separate legal or administrative entity created under the Interlocal Co-operation Act or any other entity constituting a political subdivision under the laws of Utah.~~

~~C. Wastewater Project means a sewer, storm or sanitary sewage system, sewage treatment facility, lagoon, sewage collection facility and system and related pipelines and all similar systems, works and facilities necessary or desirable to collect, hold, cleanse or purify any sewage or other polluted waters of this State; and a study, pollution prevention activity, or pollution education activity that~~

will protect waters of this state.

D. Project Costs include the cost of acquiring and constructing any project including, without limitation: the cost of acquisition and construction of any facility or any modification, improvement, or extension of such facility; any cost incident to the acquisition of any necessary property, easement or right of way; engineering or architectural fees, legal fees, fiscal agent's and financial advisors' fees; any cost incurred for any preliminary planning to determine the economic and engineering feasibility of a proposed project; costs of economic investigations and studies, surveys, preparation of designs, plans, working drawings, specifications and the inspection and supervision of the construction of any facility; interest accruing on loans made under this program during acquisition and construction of the project; and any other cost incurred by the political subdivision, the Board or the Department of Environmental Quality, in connection with the issuance of obligation of the political subdivision to evidence any loan made to it under the law.

E. Wastewater Project Obligation means, as appropriate, any bond, note or other obligation of a political subdivision issued to finance all or part of the cost of acquiring, constructing, expanding, upgrading or improving a wastewater project.

F. Credit Enhancement Agreement means any agreement entered into between the Board, on behalf of the State, and a political subdivision, for the purpose of providing methods and assistance to political subdivisions to improve the security for and marketability of wastewater project obligations.

G. Interest Buy-Down Agreement means any agreement entered into between the Board, on behalf of the State, and a political subdivision, for the purpose of reducing the cost of financing incurred by a political subdivision on bonds issued by the subdivision for project costs.

H. Financial Assistance means a project loan, credit enhancement agreement, interest buy-down agreement or hardship grant.

I. Hardship Grant means a grant of monies to a political subdivision, individual, corporation, association, state of federal agency or other private entity that meets the wastewater project loan considerations or NPS eligibility criteria whose project is determined by the Board to not be economically feasible unless grant assistance is provided. A hardship grant may be authorized in the following forms:

1. A Planning Advance which will be required to be repaid at a later date, unless deemed otherwise by the Board, to help meet project costs incident to planning to determine the economic, engineering and financial feasibility of a proposed project.

2. A Design Advance which will be required to be repaid at a later date, to help meet project costs incident to design including, but not limited to, surveys, preparation of plans, working drawings, specifications, investigations and studies.

3. A Project Grant which will not be required to be repaid.

J. Nonpoint Source Project means a facility, system, practice, study, activity or mechanism that abates, prevents or reduces the pollution of water of this state by a nonpoint source.

K. Principal Forgiveness means a loan wherein a portion of the loan amount is "forgiven" upon closing the loan.]

R317-101-3. Application and Project Initiation Procedures.

The following procedures must normally be followed to obtain financial assistance from the Board:

A. It is the responsibility of the applicant to obtain the necessary financial, legal and engineering counsel to prepare an effective and appropriate financial assistance agreement, including cost effectiveness evaluations of financing methods and alternatives, for consideration by the Board.

B. A completed application form, project engineering report as appropriate, and financial capability assessment are submitted to the Board. Any comments from the local health department or association of governments should accompany the application.

C. The staff prepares an engineering and financial feasibility report on the project for presentation to the Board.

D. The Board [~~"A~~]authorizes[~~"~~] financial assistance for the project on the basis of the feasibility report prepared by the staff, designates whether a loan, credit enhancement agreement, interest buy-down agreement, hardship grant or any combination thereof, is to be entered into, and approves the project schedule [~~(~~]see Section R317-101-14[~~)~~]. The Board shall authorize a hardship grant only if it determines that other financing alternatives are unavailable or unreasonably expensive to the applicant. If the applicant seeks financial assistance in the form of a loan of amounts in the security account established pursuant to Title 73, Chapter 10c, which loan is intended to provide direct financing of projects costs, then the Board shall authorize such loan only if it determines that credit enhancement agreements, interest buy-down agreements and other financing alternatives are unavailable or unreasonably expensive to the applicant or that a loan represents the financing alternative most economically advantageous to the state and the applicant; provided, that for purposes of this paragraph and for purposes of Subsection 73-10c-4(2), the term "loan" shall not include loans issued in connection with interest buy-down agreements as described in Section R317-101-12 hereof or in connection with any other interest buy-down arrangement.

E. Planning Advance Only - The applicant requesting a Planning Advance must attend a preapplication meeting, complete an application for a Planning Advance, prepare a plan of study, and submit a draft contract for planning services.

F. Design Advance Only - The applicant requesting a design advance must have completed an engineering plan which meets program requirements and submitted a draft contract for design services.

G. The project applicant must demonstrate public support for the project.

H. Political subdivisions which receive assistance for a wastewater project under these rules must agree to participate annually in the Municipal Wastewater Planning Program (MWPP).

I. Political subdivisions which receive assistance under these rules and which own a culinary water system must complete and submit a Water Conservation[~~ and Management~~] Plan, per Section 73-10-32.

J. The project applicant's engineer prepares a preliminary design report, as appropriate, outlining detailed design criteria for submission to the Board.

K. Upon approval of the preliminary design report by the Board,

the applicant's engineer completes the plans, specifications, and contract documents for review by the Board.

L. For financial assistance mechanisms when the applicant's bond is purchased by the Board, the project applicant's bond documentation, including an opinion from legal counsel experienced in bond matters that the wastewater project obligation is a valid and binding obligation of the political subdivision, must be submitted to the Assistant Attorney General for preliminary approval and the applicant shall publish a Notice of Intent to issue bonds in a newspaper of general circulation pursuant to Section 11-14-201[~~21~~]. For financial assistance mechanisms when the applicant's bond is not purchased by the Board, the applicant shall submit a true and correct copy of an opinion from legal counsel experienced in bond matters that the wastewater project obligation is a valid and binding obligation of the political subdivision.

M. Hardship Grant - The Board executes a grant agreement setting forth the terms and conditions of the grant.

N. The Director[~~Board~~] issues a Construction Permit/Plan Approval for plans and specifications and concurs in bid advertisement.

O. If a project is designated to be financed by a loan or an interest buy-down agreement as described in Sections R317-101-12 and 13, from the Board, to cover any part of project costs an account supervised by the applicant and the Board will be established by the applicant to assure that loan funds are used only for qualified project costs. If financial assistance for the project is provided by the Board in the form of a credit enhancement agreement as described in Section R317-101-11 all project funds will be maintained in a separate account and a quarterly report of project expenditures will be provided to the Board.

P. A copy of the applicant's Sewer Use Ordinance or Resolution and User Charge System [~~rate structure~~] must be submitted to the Division[~~Board~~] for review and approval to insure adequate provisions for debt retirement, [~~and/or~~]operation and maintenance, or both.

Q. A plan of operation must be submitted by the applicant to the Division for new treatment works, sewerage systems, and projects involving upgrades that add additional treatment, e.g., advanced treatment. The Plan must address: [~~, including~~] adequate staffing, with an operator certified at the appropriate level in accordance with Rule R317-10, training, and start up procedures to assure efficient operation and maintenance of the facilities. The plan must be[~~, is~~] submitted by the applicant in draft at initiation of construction and approved in final form prior to 50% of construction completion.

R. An O[~~o~~]peration and M[~~m~~]aintenance [~~(O and M)~~]M[~~m~~]anual (Manual) which provides long-term guidance for efficient facility operations and maintenance [~~O and M~~]is submitted by the applicant and approved in draft and final form prior to, respectively, 50% and 90% of project construction completion. Existing Manuals can be submitted or amended if the existing Manual is relevant to the funded project.

S. The applicant's contract with its engineer must be submitted to the Board for review to determine that there will be adequate engineering involvement, including project supervision and

inspection, to successfully complete the project.

T. The applicant's attorney must provide an opinion to the Board regarding legal incorporation of the applicant, valid legal title to rights-of-way and the project site, and adequacy of bidding and contract documents.

U. Credit Enhancement Agreement and Interest Buy-Down Agreement Only - The Board issues the credit enhancement agreement or interest buy-down agreement setting forth the terms and conditions of the security or other forms of assistance provided by the agreement and notifies the applicant to sell the bonds as described in [~~(see~~] Sections R317-101-11 and 12 [~~)~~].

V. Credit Enhancement Agreement and Interest Buy-Down Agreement Only - The applicant sells the bonds on the open market and notifies the Board of the terms of sale. If a credit enhancement agreement is being utilized, the bonds sold on the open market shall contain the legend required by Subsection 73-10c-6(2)(a). If an interest buy-down agreement is being utilized, the bonds sold on the open market shall bear a legend which makes reference to the interest buy-down agreement and states that such agreement does not constitute a pledge of or charge against the general revenues, credit or taxing powers of the state and that the holder of any such bond may look only to the applicant and the funds and revenues pledged by the applicant for the payment of interest and principal on the bonds.

W. The applicant opens bids for the project.

X. Loan Only - The Board gives final approval to purchase the bonds and execute the loan contract [~~(see~~] as described in Section R317-101-13~~)~~.

Y. Loan Only - The final closing of the loan is conducted.

Z. The Board gives approval to award the contract to the low responsive and responsible bidder.

AA. A preconstruction conference is held.

BB. The applicant issues a written notice to proceed to the contractor.

R317-101-4. Loan, Credit Enhancement, Interest Buy-Down, and Hardship Grant Consideration Policy.

A. Water Quality Board Priority Determination

In determining the priority for financial assistance the Board shall consider:

1. t[~~T~~]he ability of the political subdivision to obtain funds for the wastewater project from other sources or to finance such project from its own resources;

2. t[~~T~~]he ability of the political subdivision to repay the loan or other project obligations;

3. w[~~W~~]hether a good faith effort to secure all or part of the services needed from the private sector through privatization has been made; and

4. w[~~W~~]hether the wastewater project:

a. m[~~M~~]eets a critical local or state need;

b. i[~~I~~]s cost effective;

c. w[~~W~~]ill protect against present or potential health hazards;

d. i[~~I~~]s needed to comply with minimum standards of the Federal Water Pollution Control Act Amendments of 1972, U.S.C. 1251 et. Seq. [~~, Chapter 26, Title 33, United States Code~~], or any similar or successor

statute;

e. i[~~I~~]s needed to comply with the minimum standards of Title 19, Chapter 5 [~~the~~] Utah Water Quality [~~Pollution Control~~] Act, [~~Chapter 5, Title 19,~~]or any similar or successor statute;

f. i[~~I~~]s designed to reduce or prevent the pollution of the waters of this state; or

g. f[~~F~~]urthers the concept of regionalized sewer service;

5. t[~~T~~]he priority point total for the project as determined by the Board from application of the current Utah State Project Priority System (Rule R317-100);

6. t[~~T~~]he overall financial impact of the proposed project on the citizens of the community including direct and overlapping indebtedness, tax levies, user charges, impact or connection fees, special assessments, etc., resulting from the project, and anticipated operation and maintenance costs versus the median adjusted gross household income of the community;

7. t[~~T~~]he readiness of the project to proceed;

8. Consistency with other funding source commitments that may have been obtained for the project; and

9. o[~~O~~]ther criteria that the Board may deem appropriate.

B. Water Quality Board Financial Assistance Determination. The amount and type of assistance offered will be based on the following considerations:

1. f[~~F~~]or loan consideration the estimated annual cost of sewer service to the average residential user should not exceed 1.4% of the median adjusted gross household income from the most recent available State Tax Commission records. Consideration will also be given to the applicant's unemployment data, population trends, and the applicant's level of contribution to the project. For hardship grant consideration, exclusive of advances for planning and design, the estimated annual cost of sewer service for the average residential user should exceed 1.4% of the median adjusted gross household income from the most recent available State Tax Commission records. The Board will also consider the applicant's level of contribution to the project~~.~~;

2. t[~~T~~]he estimated, average residential cost (as a percent of median adjusted gross household income) for the proposed project should be compared to the average user charge (as a percent of median adjusted gross household income) for recently constructed projects in the State of Utah~~.~~;

3. maximizing[~~Optimizing~~] return on the security account while still allowing the project to proceed~~.~~;

4. l[~~L~~]ocal political and economic conditions~~.~~;

5. c[~~C~~]ost effectiveness evaluation of financing alternatives~~.~~;

6. a[~~A~~]vailability of funds in the security account~~.~~;

7. e[~~E~~]nvironmental need~~.~~; and

8. o[~~O~~]ther data and criteria the Board may deem appropriate.

C. The Executive Secretary may not execute financial assistance for NPS[~~Non-point Source~~] projects totaling more than $1,000,000 per fiscal year unless directed by the Board.

R317-101-5. Financial Assistance For Onsite[~~On-site~~] Wastewater Systems.

A. Replacement or repair of Onsite[~~On-site~~] Wastewater Systems (OWS), as defined in Section R317-4-2[~~1.45~~], are eligible for funding if they have malfunctioned or are in non-compliance with state administrative rules or local regulations governing the same.

1. Funding will only be made for the repair or replacement of existing malfunctioning OWS when the malfunction is not attributable to inadequate system operation and maintenance.

2. The Executive Secretary, [~~and/~~]or another whom the Board may designate, will authorize and execute OWS grant agreements and loan agreements with the applicant for a wastewater project as defined by Subsection R317-101-2.C[~~(C)~~].

3. OWS funding recipients must have a total household income no greater than 150% of the state median adjusted gross household income, as determined from the Utah Tax Commission's most recently published data or other means testing as approved by the Executive Secretary.

4. Eligible activities under the OWS Financial Assistance program include:

a. s[~~S~~]eptic tank;

b. a[~~A~~]Absorption system;

c. b[~~B~~]Building sewer;

d. a[~~A~~]ppurtenant facilities

e. c[~~C~~]onventional or alternative OWS;

f. c[~~C~~]onnection of the residence to an existing centralized sewer system, including connection or hook-up fees, if this is determined to be the best means of resolving the failure of an OWS[~~.~~] ; and

g. c[~~C~~]osts for construction, permits, legal work, engineering, and administration.

5. Ineligible project components include:

a. land;

b. interior plumbing components[~~include~~];

c. impact fees, if connecting to a centralized sewer system is determined to be the best means of resolving the failure of an OWS;

d. OWS for new homes or developments; and

e. OWS operation and maintenance.

6. The local health department will certify the completion of the project to the Division[~~of Water Quality~~].

7. To be reimbursed for project expenditures the borrower must solicit bids for the work, maintain and submit invoices, financial records, or receipts that[~~which~~] document the expenditures or costs.

B. The following procedures apply to OWS loans:

1. OWS loan applications will be received by the local health department which will evaluate the need, priority, eligibility and technical feasibility of each project. The local health department will issue a certificate of qualification (COQ) for projects which qualify for a OWS[~~OSW~~] loan. The COQ and completed loan application will be forwarded to the Division[~~of Water Quality~~] for its review[~~.~~] ;

2. t[~~T~~]he maximum term of the OWS[~~OSW~~] loan will be 10 years[~~.~~] ;

3. t[~~T~~]he interest rate of OWS[~~OSW~~] loans may be between 0%[~~zero percent or up to~~] and 60% [~~percent~~] of the interest rate on a 30-year U.S. Treasury bill[~~.~~] ;

4. s[~~S~~]ecurity conditions for OWS[~~OSW L~~]loans:

a. t[~~T~~]he borrower must adequately secure the loan with real property or other appropriate security[~~.~~]; and

b. t[~~T~~]he ratio of the loan amount to the value of the pledged security must not be greater than 70%[~~ percent.~~];

5. OWS loan recipients will be billed for monthly payments of principal and interest beginning 60 days after execution of the loan agreement[~~.~~];

6. t[~~T~~]he OWS loan must be paid in full at the time the property served by the project is sold or transferred[~~.~~]; and

7. t[~~T~~]he [~~Utah~~]Division[~~ of Water Quality~~], or its designee, will evaluate the financial aspects of the project and the credit worthiness of the applicant.

C. The following procedures apply to OWS grants:

OWS grants may be made to recipients that are unable to secure a loan but are otherwise eligible for funding as identified in Subsection R317-101-5.A.4[~~5(4)~~].

R317-101-6. Financial Assistance for Large Underground Wastewater Disposal Systems.

A. Large Underground Wastewater Disposal Systems (LUWDS) projects, as defined in Subsection[~~UAC~~] 73-10c-2(9), may be eligible for funding from the state revolving loan funds[~~SRF~~] and from the Hardship Grant Program. Application and project initiation procedures including loans, credit enhancement, interest buy-down and hardship grant consideration policies for LUWDS are defined in Sections R317-101-3 and R317-101-4 except as otherwise stated.

B. The following procedures apply to LUWDS project loans:

1. Projects will be prioritized according to criteria established in Section R317-100-4, Utah State Project Priority System for the Utah Wastewater Project Assistance Program.

2. The maximum term of LUWDS project loans will be twenty years but not beyond a term exceeding the depreciable life of the project.

3. The interest rate on LUWDS project loans will be determined by the Board.

C. The following procedures apply to LUWDS project grants. Hardship Grants may be considered for LUWDS projects that meet criteria established in Section R317-101-4 and that:

1. address[~~es~~] a critical water quality need or health hazard;

2. would otherwise not be economically feasible; and

3. implement[~~s~~] provisions of TMDLs.

R317-101-7. Financial Assistance for NPS[~~Non-point Source~~] Projects.

A. [~~Non-point Source Pollution (~~]NPS~~)~~ Projects, as defined in Section[~~UAC~~] 73-10c-2(9), are eligible for funding from the state revolving loan funds[~~SRF~~] and from the Hardship Grant Program.

1. Funding to [~~the~~]individuals in amounts in excess of $150,000 will be presented to and authorized funding by the Board. Funding of less than $150,000 will be considered and authorized funding by the Executive Secretary.

2. The Executive Secretary, and/or another whom the Board may designate, will authorize and execute NPS project loan agreements and /or grant agreements with the applicant.

3. Eligible projects under the NPS project funding programs

include projects that:

a. abate or reduce raw sewage discharges;

b. repair or replace failing individual on-site wastewater disposal systems;

c. reduce untreated or uncontrolled runoff;

d. improve critical aquatic habitat resources;

e. conserve soil, water, or other natural resources;

f. protect and improve ground water quality;

g. preserve and protect the beneficial uses of water of the state;

h. reduce the number of water bodies not achieving water quality standards;

i. improve watershed management;

j. prepare and implement total maximum daily load (TMDL) assessments;

k. are a study, activity, or mechanism that abates, prevents or reduces water pollution; or

l. supports educational activities that promotes water quality improvement.

B. The following procedures apply to NPS project loans:

1. Projects will be prioritized according to criteria established in Section R317-100-4, Utah State Project Priority System for the Utah Wastewater Project Assistance Program.

2. The maximum term of NPS program loans will be twenty years but not beyond a term exceeding the depreciable life of the project.

3. The interest rate on NPS project loans will be determined by the Board.

4. NPS project loans are exempt from environmental reviews under the National Environmental Policy Act (NEPA) as long as the funding of these projects is identified in Utah's NPS[~~Non-point Source~~] Pollution Management Plan.

5. Security of NPS project loans.

a. NPS project loans to individuals in amounts greater than $15,000 will be secured by the borrower with water stock or real estate. Loans less than $15,000 may be secured with other assets.

b. For NPS project loans to individuals the ratio of the loan amount to the value of the pledged security must not be greater than 70%[~~percent~~].

c. NPS loans to political subdivisions of the state will be secured by a revenue bond, general obligation bond or some other acceptable instrument of debt.

6. The Division[~~ of Water Quality~~] will determine project eligibility and priority. Periodic payments will be made to the borrower, contractors or consultants for work relating to the planning, design and construction of the project. The borrower must maintain and submit the financial records that document expenditures or costs.

7. The Division[~~ of Water Quality~~], or its designee, will perform periodic project inspections. Final payment on the NPS loan project will not occur until a final inspection has occurred and an acceptance letter issued for the completed project.

8. NPS project loan recipients will be billed periodically for payments of principal and interest as agreed to in the executed loan agreements or bond documents.

9. The [~~Utah~~]Division[~~ of Water Quality~~], or its designee, will evaluate the financial aspects of the NPS project and the credit worthiness of the applicant.

C. The following procedures apply to NPS project grants. Hardship Grants may be considered for a NPS project that:

1. addresses a critical water quality need or health hazard;

2. remediates water quality degradation resulting from natural sources damage including fires, floods, or other disasters;

3. would otherwise not be economically feasible;

4. provides financial assistance for a study, pollution prevention activity, or educational activity; or

5. implements provisions of TMDLs.

R317-101-8. Loans For Storm Water Projects.

Storm water projects are eligible for funding through the Utah Wastewater Project Assistance Program, as identified in Subsection[~~UCA~~] 73-10c-2(12). In addition to other rules identified in Rule R317-101 which may apply, the following particular rules apply to storm water project loans:

A. Loans will only be made to political subdivisions of the state.

B. The interest rate charged on storm water project loans will be equal to 60% of the interest rate on a 30-year U.S. Treasury bill.

C. Storm water project loans will be made twice per year. Projects will be prioritized so that the limited funds which are available are allocated first to the highest priority projects in accordance with R317-100-3 and 4, Utah State Project Priority System for the Utah Wastewater Project Assistance Program.

D. Storm water projects are eligible for funding provided a significant portion of the project is for the purpose of improving water quality.

R317-101-9. Planning Advance.

A. A Planning Advance can only be made to a political subdivision which demonstrates a financial hardship[~~ which prevents the completion of project planning~~].

B. A Planning Advance is made to a political subdivision with the intent to provide interim financial assistance for project planning until the long-term project financing can be secured. Once the long-term project financing has been secured, the Planning Advance must be expeditiously repaid to the Board.

C. The applicant must demonstrate that all funds necessary to complete project planning will be available prior to commencing the planning effort. The Planning Advance will be deposited with these other funds into a supervised escrow account at the time the grant agreement between the applicant and Board is executed.

D. Failure on the part of the recipient of a Planning Advance to implement the construction project may authorize the Board to seek repayment of the Advance on such terms and conditions as it may determine.

E. The recipient of a Planning Advance must first receive written approval for any cost increases or changes to the scope of work.

R317-101-10. Design Advance.

A. A Design Advance can only be made to a political subdivision which demonstrates a financial hardship [~~which prevents the completion of project design~~].

B. A Design Advance is made to a political subdivision with the intent to provide interim financial assistance for the completion of the project design until the long-term project financing can be secured. Once the long-term project financing has been secured, the Project Design Advance must be expeditiously repaid to the Board.

C. The applicant must demonstrate that all funds necessary to complete the project design will be available prior to commencing the design effort. The Design Advance will be deposited with these other funds into a supervised escrow account at the time the grant agreement between the applicant and Board is executed.

D. Failure on the part of the recipient of a Design Advance to implement the construction project may result in[~~authorize~~] the Board to seeking repayment of the Advance on such terms and conditions as it so[~~may~~] determines.

E. The recipient of a Design Advance must first receive written approval for any cost increases or changes to the scope of work.

R317-101-11. Credit Enhancement Agreements.

The Board will determine whether a project may receive all or part of a loan, hardship grant, credit enhancement agreement or interest buy-down agreement subject to the criteria in Section R317-101-4. To provide security for project obligations the Board may agree to purchase project obligations of political subdivisions or make loans to the political subdivisions to prevent defaults in payments on project obligations. The Board may also consider making loans to the political subdivisions to pay the cost of obtaining letters of credit from various financial institutions, municipal bond insurance, or other forms of insurance or security for project obligations. In addition, the Board may consider other methods and assistance to political subdivisions to properly enhance the marketability of project obligations or enhance the security for project obligations.

R317-101-12. Interest Buy-Down Agreement.

Interest buy-down agreements may consist of:

A[~~1~~]. A financing agreement between the Board and political subdivision whereby a specified sum is loaned or granted to the political subdivision to be placed in a trust account. The trust account shall be used exclusively to reduce the cost of financing for the project.

B[~~2~~]. A financing agreement between the Board and the political subdivision whereby the proceeds of bonds purchased by the Board is combined with proceeds from publicly issued bonds to finance the project. The rate of interest on bonds purchased by the Board may carry an interest rate lower than the interest rate on the publicly issued bonds, which when blended together will provide a reduced annual debt service for the project.

C[~~3~~]. Any other legal method of financing which reduces the annual payment amount on locally issued bonds. After credit enhancement agreements have been evaluated by the Board and it is

determined that this method is not feasible or additional assistance is required, interest buy-down agreements and loans may be considered. Once the level of financial assistance required to make the project financially feasible is determined, a cost effective evaluation of interest buy-down options and loans must be completed. The financing alternative chosen should be the one most economically advantageous for the state and the applicant.

R317-101-13. Loans.

The Board may make loans to finance all or part of a wastewater project only after credit enhancement agreements and interest buy-down agreements have been evaluated and found either unavailable or unreasonably expensive. The financing alternative chosen should be the one most economically advantageous for the state and its political subdivision.

R317-101-14. Project Authorization.

A project may be [~~"A~~]authorized[~~"~~] for a loan, credit enhancement agreement, interest buy-down agreement or hardship grant in writing by the Board following submission and favorable review of an application form, engineering report (if required), financial capability assessment and Staff feasibility report. The engineering report must include the preparation of a cost effective analysis according to Section R317-101-2.[~~ of feasible project alternatives capable of meeting State and Federal water quality and public health requirements. It shall include consideration of monetary costs including the present worth or equivalent annual value of all capital costs, operation, maintenance, and replacement costs. The alternative selected must be the most economical means of meeting applicable State and Federal effluent and water quality or public health requirements over the useful life of the facility while recognizing environmental and other nonmonetary considerations.~~] If it is anticipated that a project will be a candidate for financial assistance from the Board, the Staff should be contacted, and the plan of study for the engineering report (if required) should be approved before the planning is initiated.

Once the application form, plan of study, engineering report, and financial capability assessment are reviewed, the staff will prepare a project feasibility report for the Board's consideration in [~~A~~]authorizing a project. The project feasibility report will include a detailed evaluation of the project with regard to the Board's funding priority criteria, and will contain recommendations for the type of financial assistance which may be extended (i.e., for a loan, credit enhancement agreement, interest buy-down agreement or hardship grant).

Project [~~A~~]authorization is not a contractual commitment and is conditioned upon the availability of funds at the time of loan closing, or signing of the credit enhancement, interest buy-down, or grant agreement and upon adherence to the project schedule approved at that time. If the project is not proceeding according to the project schedule the Board may withdraw the project [~~A~~]authorization so that projects that [~~which~~] are ready to proceed can obtain necessary funding. Extensions to the project schedule may be considered by the Board, but any extension requested must be fully justified.

R317-101-15. Financial Evaluations.

A. The Board considers it a proper function to assist and give direction to project applicants in obtaining funding from such State, Federal or private financing sources as may be available to achieve the most effective utilization of resources in meeting the needs of the State. This may also include joint financing arrangements with several funding agencies to complete a total project.

B. Hardship Grants will be evidenced by a grant agreement.

C. Loans will be evidenced by the sale of any legal instrument which meets the legal requirements of the Title 11, Chapter 14, Local Government Bonding Act, [~~Utah Municipal Bond Act (Chapter 14, Title 11)~~] to the Board.

D. The Board will consider the financial feasibility and cost effectiveness evaluation of the project in detail. The financial capability assessment must be completed as a basis for the review. The Board will generally use these reports to determine whether a project will be [~~A~~]authorized to receive a loan, credit enhancement agreement, interest buy-down agreement or hardship g[~~G~~]rant, as described in Sections [~~(Reference~~] R317-101-5 through R317-101-9[~~)~~]. If a project is [~~A~~]authorized to receive a loan, the Board will establish the portion of the construction cost to be included in the loan and will set the terms for the loan. The Board will require the applicants to repay the loan as rapidly as is reasonably consistent with the financial capability of the applicant. It is the Board's intent to avoid repayment schedules which would exceed the design life of the project facilities.

E. In order to support costs associated with the administration of the loan program, the Board may charge a loan origination fee. A recipient may use loan proceeds to pay the loan origination fee. The loan origination fee shall be due at the recipient's scheduled loan closing.

F. The Board shall determine the date on which annual repayment will be made. In fixing this date, all possible contingencies shall be considered, and the Board may allow the system user one year of actual use of the project facilities before the first repayment is required.

G. The applicant shall furnish the Board with acceptable evidence that the applicant is capable of paying its share of the construction costs during the construction period.

H. Loans and Interest Buy-Down Agreements Only - The Board may require, as part of the loan or interest buy-down agreement, that any local funds which are to be used in financing the project be committed to construction prior to or concurrent with the committal of State funds.

I. The Board will not forgive the applicant of any payment after the payment is due.

R317-101-16. Committal of Funds and Approval of Agreements.

After the Board has approved the plans and specifications by the issuance of a Construction Permit/Plan Approval and has received the appropriate legal documents and other items listed in the authorization letter, the project will be considered by the Board for final approval. The Board will determine whether the project

loan, interest buy-down agreement or grant agreement is in proper order on the basis of the Board's authorization. The Executive Secretary may then close the loan, credit enhancement or grant agreement if representations to the Board or other aspects of the project have not changed significantly since the Board's funding authorization, provided all conditions imposed by the Board have been met. If significant changes have occurred, the Board will then review the project and, if satisfied, will then commit funds, approve the signing of the contract, credit enhancement agreement, interest buy-down or grant agreement, and instruct the Executive Secretary to submit a copy of the signed contract agreement to the Division of Finance.

R317-101-17. Construction.

The Division[~~ of Water Quality~~] staff may conduct inspections and will report to the applicant. Contract change orders must be properly negotiated with the contractor and approved in writing. Change orders in excess of $10,000 must receive prior written approval by the Division[~~ of Water Quality~~] staff before execution. Upon successful completion of the project and recommendation of the applicant's engineer, the applicant will request the Division[~~ of Water Quality~~] to conduct a final inspection. When the project is complete to the satisfaction of the applicant's engineer, the Division [~~of Water Quality~~]staff and the applicant, written approval will be issued by the Director[~~Executive Secretary~~] to commence using the project facilities.

KEY: wastewater, water quality, loans, sewage treatment
Date of Enactment or Last Substantive Amendment[~~: June 11, 2009~~]
2015 Notice of Continuation: March 28, 2013
Authorizing, and Implemented or Interpreted Law: 19-5, 73-10c

State of Utah
GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson Jr.
Executive Director

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

Water Quality Board
Myron E. Bateman, Chair
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Clyde L. Bunker
Merritt K. Frey
Jennifer M. Grant
Hugh E. Rodier
Gregg Galecki
Leland J. Myers
Alan Matheson Jr.
Walter L. Baker
Executive Secretary

MEMORANDUM

TO: Water Quality Board Members

THROUGH: Walter L. Baker, P.E.

FROM: Jim Bowcutt, Nonpoint Source Program Coordinator

DATE: June 16, 2015

SUBJECT: State Nonpoint Source Program Annual Report for Fiscal Year 2015

The Division of Water Quality receives grant funds to help implement nonpoint source pollution control projects throughout the state. These grants include Section 319(h) funds from the Environmental Protection Agency and State Nonpoint Source funds authorized by the Water Quality Board. Every year an annual report is submitted to EPA on the accomplishments of the State's Nonpoint Source Program. Staff will present a summary of this report to the Water Quality Board during the meeting scheduled for May June 24th, 2015.

Attached is an executive summary of the Annual Nonpoint Source Program Report and funding tables for the 2016 fiscal year.

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State of Utah Nonpoint Source (NPS) Annual Report
Utah Water Quality Board Meeting
June 24th, 2015

Section 319 Nonpoint source funds

- In FY-15 the State of Utah received $1,391,000 in Federal Section 319(h) funds. Of these funds, $502,379 was used for staffing and support, while the remaining $888,621 was dedicated to 7 projects.

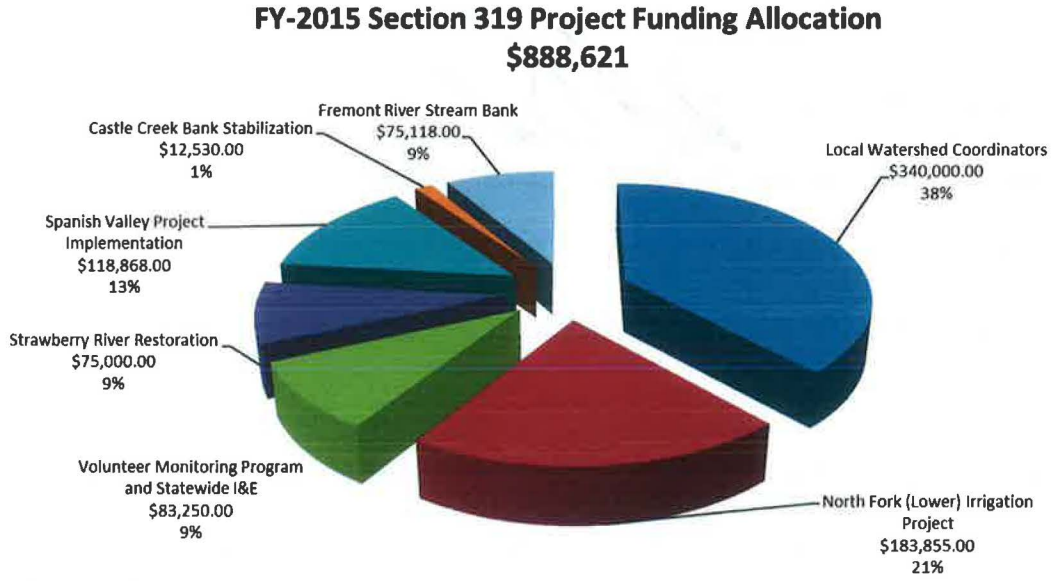


Table 1

Current Section 319(h) Nonpoint Source Funding Project Allocations				
Federal Fiscal Year	**Grant Award**	**Expenditures in FY-15**	**Total Expenditures**	**Percent Expended**
FY-09	$1,119,400	$206,697	$1,119,400	100%
FY-10	$1,065,000	$70,127	$986,840	93%
FY-11	$832,921	$6,853	$763,619	92%
FY-12	$830,800	$56,097	$591,299	71%
FY-13	$861,621	$369,189	$689,080	80%
FY-14	$893,621	$212,315	$212,315	23%
FY-15	$888,621	$0	$0	0%
Total	**$6,491,984**	**$921,278**	**$4,362,553**	**67%**

- The targeted basin funding cycle is now being fully implemented (See Table 2). Since the State has begun using the targeted basin funding cycle projects are being implemented faster, the quality

of projects has improved, the effectiveness of projects is more easily identified, and more partners have begun to align their technical and financial assistance programs with the targeted basin schedule.

Table 2

Basin Priority Funding Schedule						
Watershed	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**
(1) Jordan/ Utah lake						
(2) Colorado River						
(3) Sevier, Cedar-Beaver						
(4) Bear River						
(5) Weber River						
(6) Uinta Basin						

- The Sevier, Cedar, Beaver is the targeted basin for 2016. Table 3 shows the projects that will be funded using Section 319 funding during the FY-2016 fiscal year.

Projects Funded in FY-2016

- 77 Grant Applications were received totaling $4,058,730.
- 51% of these proposals came from the targeted basin
- 45 Projects were selected for funding (See Tables 3 and 4)
    - $1,000,000 in State NPS funding
    - $888,621 in Section 319 funding

Table 3
FY-2016 NPS Proposals Funded

Project Title	Watershed	Sponsor	Project Type	Partner Funding	Partner funding Amount	Applicant Match	Amount Awarded
Gibbons Brothers AFO Project	Bear River	Private Landowner	AFO	NRCS	$450,000	$150,000	$50,000.00
Bar JM Feedlot	Bear River	Private Landowner	AFO	NRCS	$45,792	$9,500	$17,964.00
Roy Hafen Stream Bank	Cedar/Beaver	Dixie conservation District	Riparian		$0	$12,656	$21,000.00
Brad Hafen- Irrigation	Cedar/Beaver	Dixie conservation District	Irrigation	NRCS	$122,757	$16,480	$90,000.00
Ence Stream Bank Stabilization	Cedar/Beaver	Dixie conservation District	Riparian		$0	$85,375	$128,063.00
Marsha Goodwin Stream Bank	Cedar/Beaver	Dixie conservation District	Riparian		$0	$1,560	$14,040.00
Fairchild Challenge	Jordan river	Thanksgiving Point	I&E	Union Pacific	$5,000	$12,600	$5,000.00
San Pete EQIP Strategic Funding Cost Share	San Pitch	San Pete Conservation District	Watershed Restoration	NRCS	$167,114	$21,457	$26,000.00
Bert Sorensen Stream Bank	San Pitch	Private Landowner	Riparian		$0	$5,100	$42,597.00
Cameron Parry- Irrigation Project	San Pitch	Private Landowner	Irrigation		$0	$12,344	$66,000.00
Michael Olsen- Irrigation/Riparian	San Pitch	San Pete Conservation District	Irrigation		$0	$67,942	$60,500.00
Richard Castleberry- Irrigation	San Pitch	San Pete Conservation District	Irrigation		$0	$5,000	$45,000.00
Doyce Coates- Irrigation	San Pitch	Private Landowner	Irrigation	NRCS	$0	$96,700	$31,300.00
Mill Creek Monitoring Signage	South East Colorado	Local Conservation District	I&E	Moab City/BLM	$990	$0	$652.00
USU Moab Rainwater Harvesting System	South East Colorado	Utah State University	Storm Water		$0	$5,833	$9,132.00
Pack Creek Stream Bank -2015	South East Colorado	City of Moab	Riparian	Moab city	$24,472	$0	$5,000.00
Upper Montezuma Creek Watershed Plan	South East Colorado	San Juan Conservation District	Planning		$0	$0	$5,000.00
Nutrient Producer Website	Statewide	Utah State University	I&E		$0	$0	$10,000.00
Environthon	Statewide	UACD	I&E	UCC/Farm Bureau/Cambell Scientifi	$5,000	$0	$5,000.00
Water Week 2016 Library Program	Statewide	AWWA	I&E	Various Sponsors	$12,000	$5,500	$4,000.00
Onsite Reserve	Statewide	DWQ	Septic		$0	$0	$12,538.00
Monitoring Uptake of Selenium by fish at Stewart Lake	Uinta Basin	Upper Colorado River Recovery Program	Research	UDWR/FWS	$71,608	$0	$6,380.00
Mud Creek Road Improvements	Uinta Basin	US Forest Service	Road Improvements		$0	$0	$66,980.00
Upper Strawberry Offsite Watering	Uinta Basin	US Forest Service	Grazing Management		$0	$2,768	$3,000.00
NWQI Partner Funding	Upper Sevier	Upper Sevier Conservation District	Riparian	NRCS	$320,000	$0	$100,000.00
Sevier River I&E	Upper Sevier	Upper Sevier Conservation District	I&E		$0	$4,000	$10,000.00
Upper Sevier Grazing Demonstration Project	Upper Sevier	Upper Sevier Conservation District	Grazing Management	Utah State University	$16,400	$6,000	$85,654.00
Main Creek Restoration	Utah Lake	Wasatch Conservation District	Riparian	DWR	$49,567	$2,600	$10,700.00
Spring Creek Culvert	Utah Lake	Wasatch Conservation District	Road Improvements	Wasatch County	$4,000	$3,000	$6,420.00
Spring Creek Restoration 2	Utah Lake	Wasatch Conservation District	Riparian	DWR	$37,978	$5,000	$25,680.00
Spring Creek Restoration 1	Utah Lake	Wasatch Conservation District	Riparian	NRCS	$30,337	$5,000	$21,400.00
Watershed Festival and Watershed Education Provo River	Utah Lake	Wasatch County	I&E	PRWC	$49,475	$0	$10,000.00
Ercanbrack Ranch Conservation Project	Weber River	Summit Land Conservancy	Easement	NRCS	$2,431,125	$607,781	$5,000.00
				Total	$3,843,615	$1,144,196	$1,000,000.00

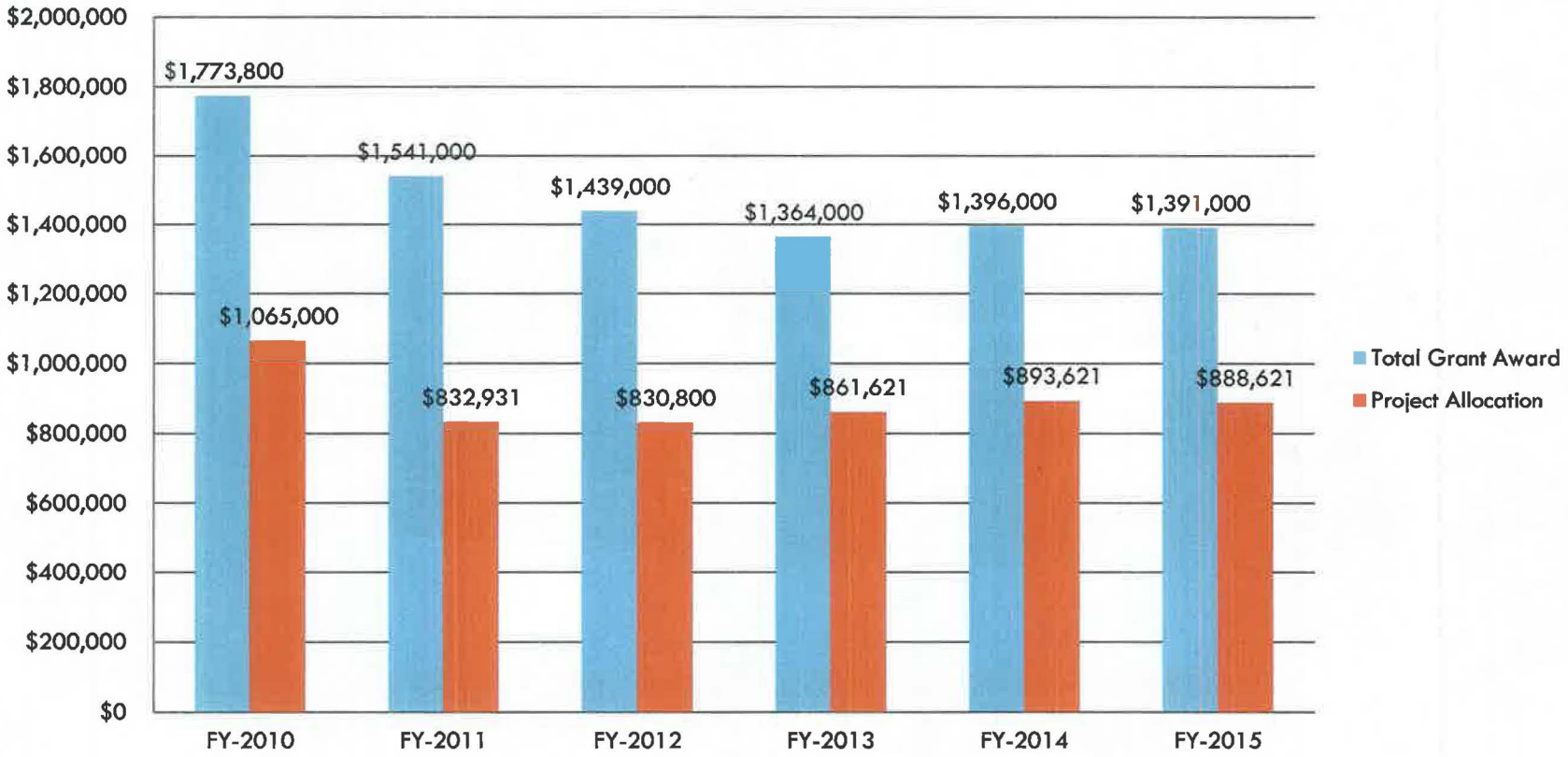
Table 4
Section 319 Projects Funded

Project Title	Watershed	Sponsor	Project Type	Partner Funding	Partner Funding Amount	Applicant Match	Amount Awarded
Utah Watershed Coordinators	Statewide	UDWQ/ UDEQ	Technical Assistance		$0	$0	$370,000.00
Volunteer Monitoring	Statewide	Utah State University	I&E		$0	$145,248	$72,595.00
DWR Sevier River #5	Upper Sevier	Division of Wildlife Resources	Riparian		$0	$4,500	$60,700.00
DWR Sevier River #1	Upper Sevier	Division of Wildlife Resources	Riparian	DWR	$16,750	$3,000	$50,250.00
DWR Sevier River #2	Upper Sevier	Division of Wildlife Resources	Riparian	DWR	$18,375	$4,500	$55,125.00
DWR Sevier River #3	Upper Sevier	Division of Wildlife Resources	Riparian	DWR	$27,875	$6,000	$83,625.00
San Pitch I&E and Monitoring	San Pitch	San Pete Conservation District	I&E/ Monitoring		$0	$10,000	$15,000.00
Michael Larson- Pasture	San Pitch	Private Landowner	Pasture Improvements	NRCS	$49,672	$9,934	$23,180.00
Quinn Beardall San Pitch River Restoration	San Pitch	Therapy Solution	Riparian		$0	$10,000	$21,500.00
Doyce Coates- Stream Bank	San Pitch	Private Landowner	Riparian		$0	$8,900	$80,100.00
Michael Olsen- Stream Bank	San Pitch	San Pete Conservation District	Riparian		$0	$9,000	$50,046.00
John Irons- Stream Bank	San Pitch	San Pete Conservation District	Riparian		$0	$650	$6,500.00
				Total	$112,672	$211,732	$888,621.00

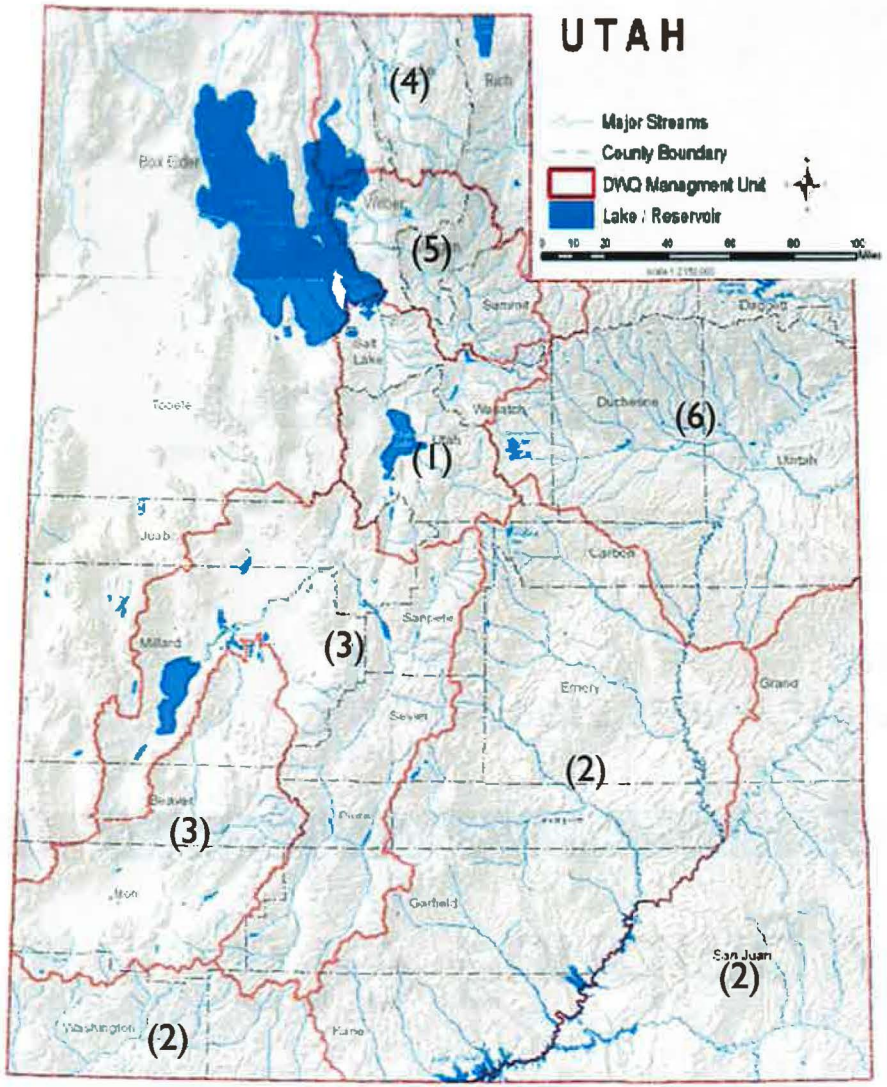
FY-2015 ANNUAL REPORT AND FY-2016 PROJECTS

Jim Bowcutt
Utah Division of Water Quality
Utah Water Quality Board meeting
June 24th, 2015

Section 319 Grant Award
(FY 2010-2015)

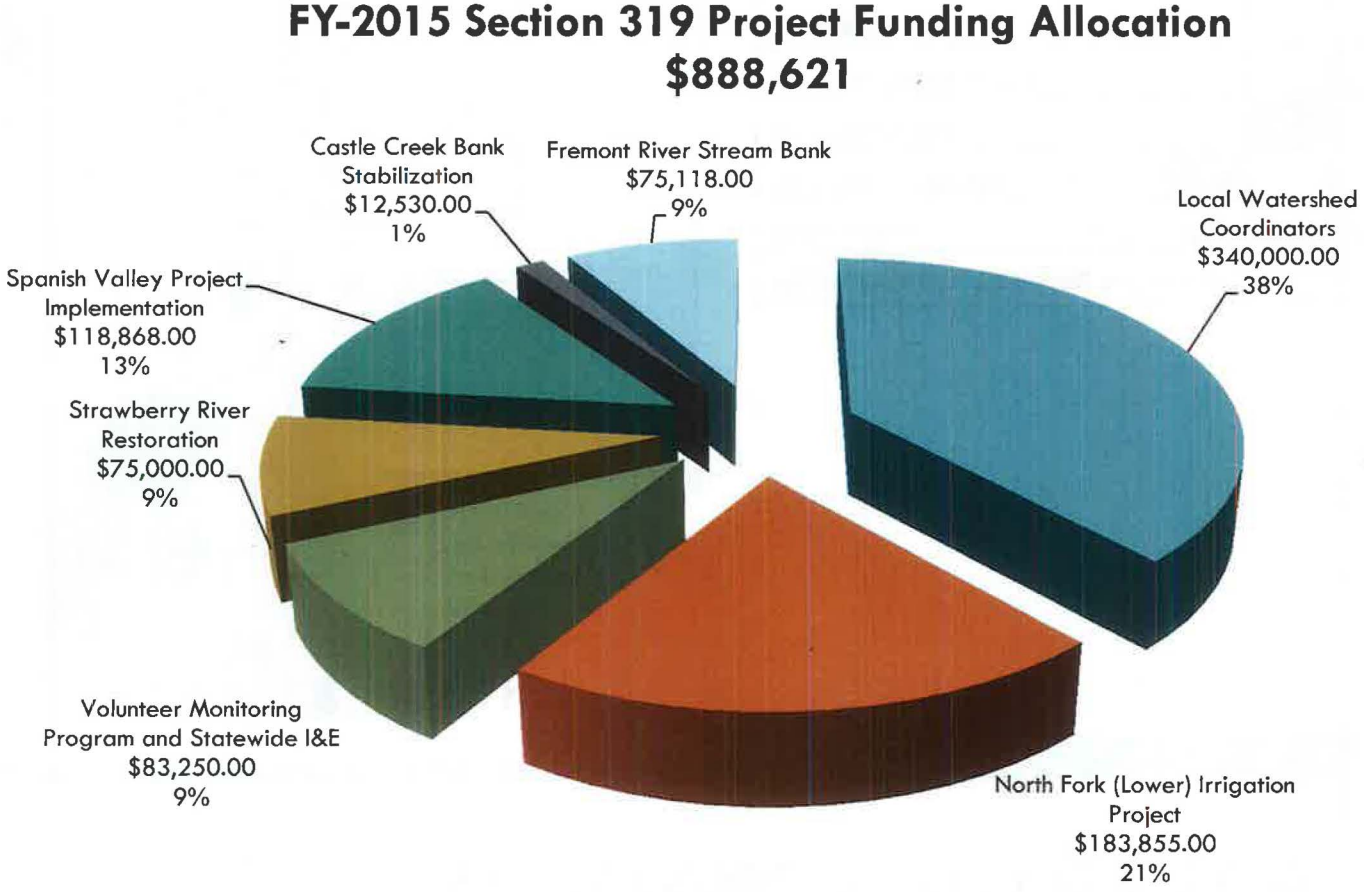


The Watershed Funding Cycle

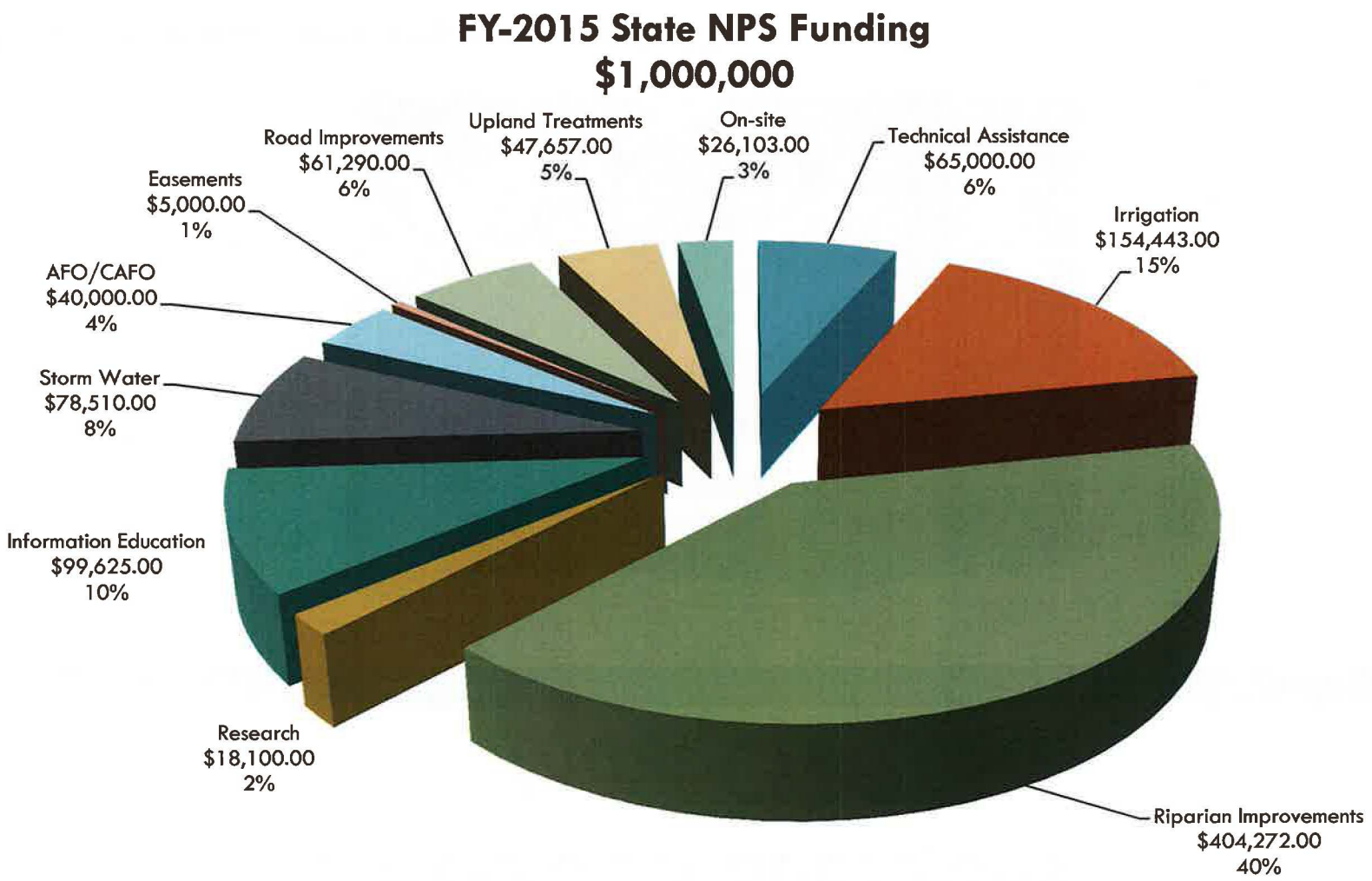


Basin Priority Funding Schedule							
Watershed	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**
(1) Jordan/ Utah lake							
(2) Colorado River							
(3) Sevier, Cedar-Beaver							
(4) Bear River							
(5) Weber River							
(6) Uinta Basin							

319 Funding Awarded in FY-15



FY-2015 State NPS Funding Allocation by Project Type



FY-2015 Successes
Main Creek

- Listed for E.coli and Temperature in 2010.
- Is a tributary to Deer Creek Reservoir which is listed for total phosphorus and low Dissolved Oxygen.
- Main Creek contributes 17% of the phosphorus load into Deer Creek

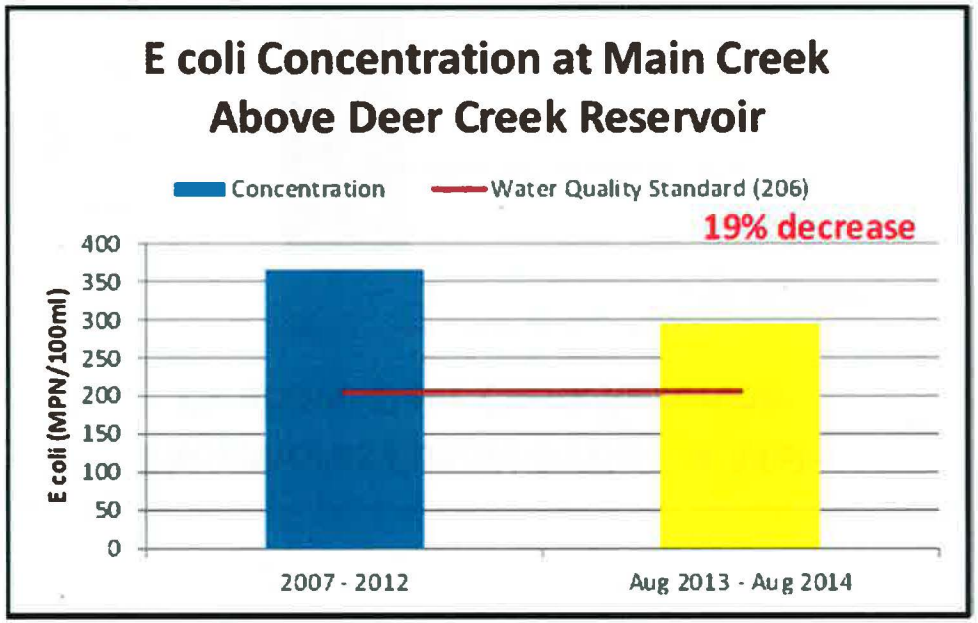
Main Creek

- 3.22 miles of stream has been restored
- Over 10,000 willow cuttings installed
- 5 miles of fencing has been installed
- Additional work is currently scheduled

Main Creek

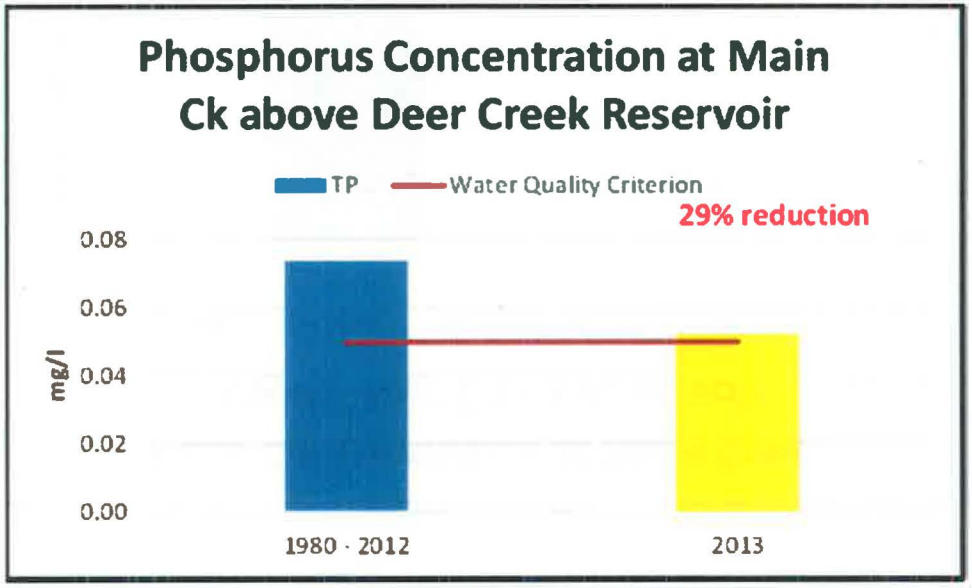
(Before and After Pictures)

Main Creek Results



Graph 1: E. coli Grab Sample Analysis from the Division of Water Quality.

Main Creek Results



Graph 1: Chemical Grab Sample Analysis from the Division of Water Quality.

Main Creek Temperature Impairment

Impaired	IR	Data	Count	# Exceeded	% Exceeded
Yes	2010	2004-2008	44	8	18%
Yes	2012	2006-2010	46	7	15%
No	2014	2008-2012	47	2	4%
No	2016	2010-2014	48	2	4%

Fisheries Data

- Fish surveys completed in 2013 show that Southern Leatherside Chub densities have increased seven times higher than fish surveys that were conducted before project implementation.

- The DWR is very optimistic with the increase in smaller native fish in the river, and it is anticipated that the restoration work will eventually help the cutthroat trout populations improve.

Strawberry River

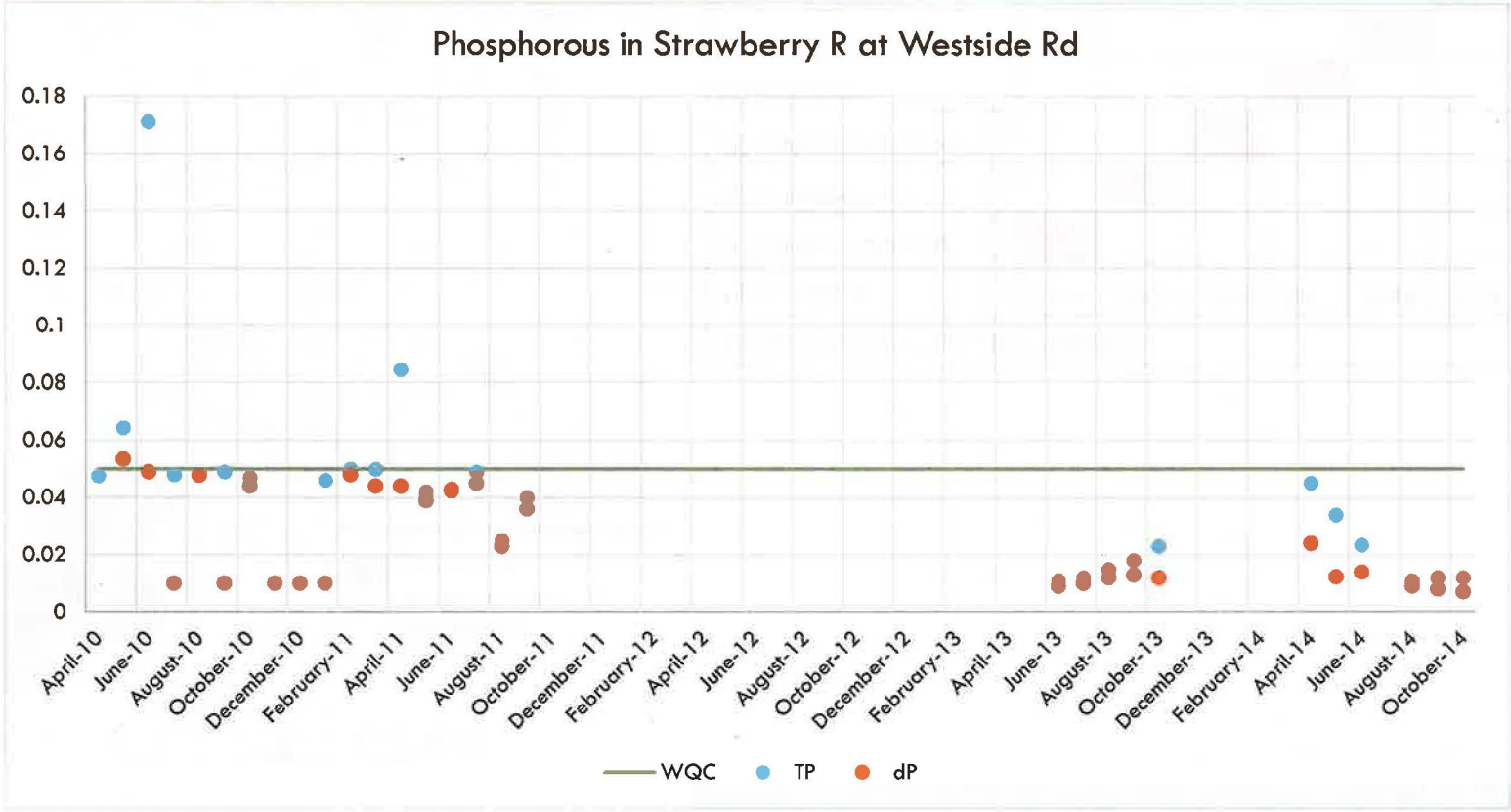
- Strawberry River is a tributary to Strawberry Reservoir which has a TMDL for total phosphorus.

- According to the Strawberry Reservoir TMDL, the Strawberry River must make the largest required phosphorus loading reductions of all the existing tributaries.

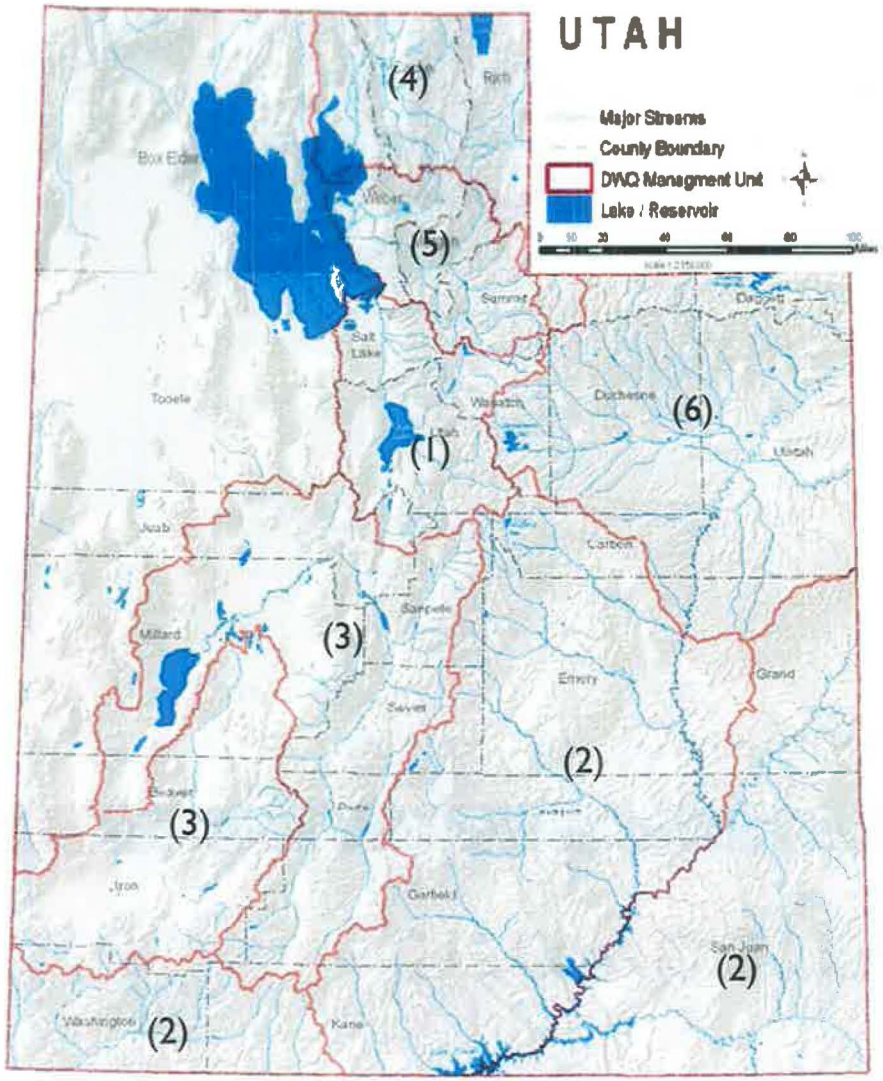
Strawberry River

- Over 12 miles of stream banks restored, and fish habitat improved.
- Limited Cattle Access, including a grazing allotment in the upper section of the Watershed.

Strawberry River Success



The Watershed Funding Cycle



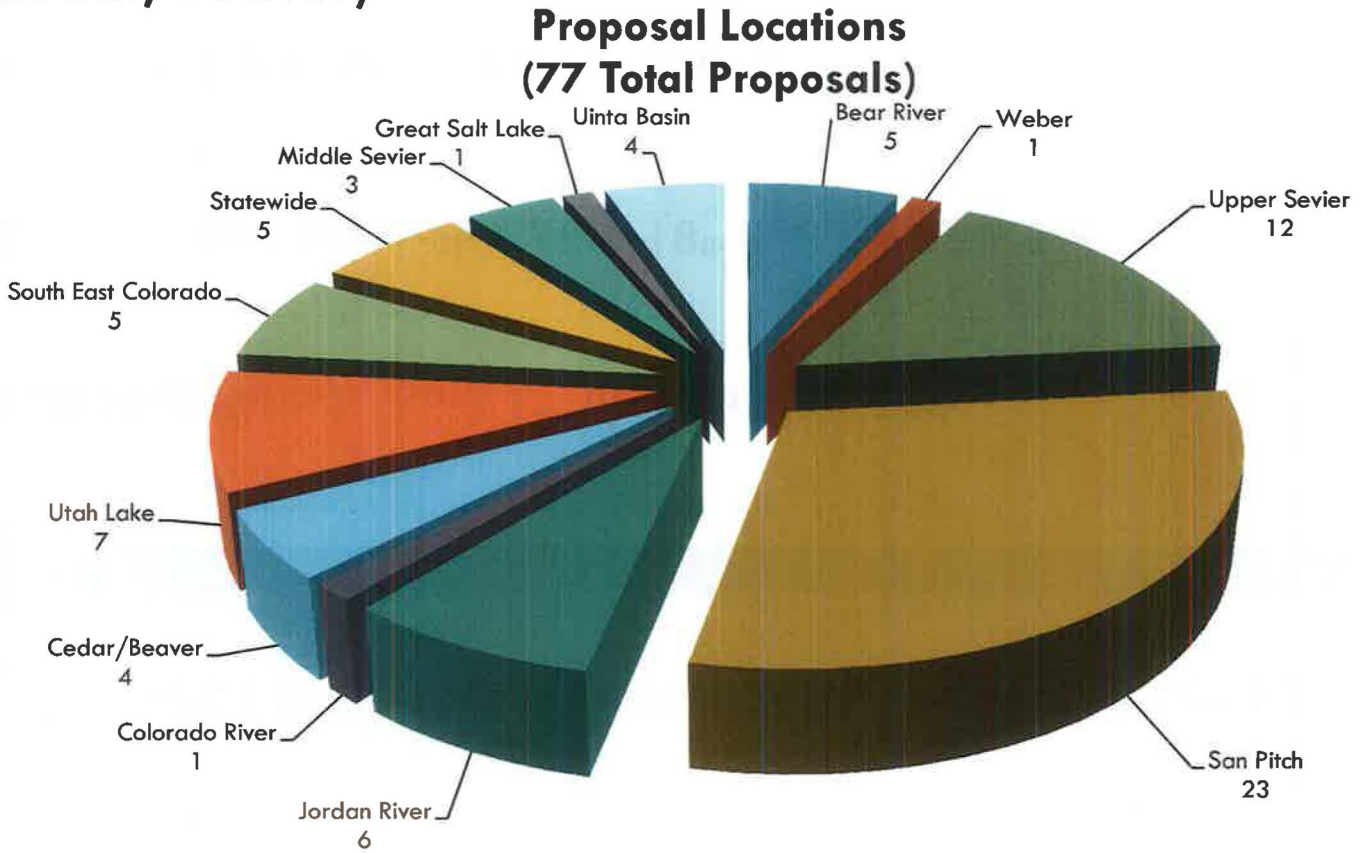
Basin Priority Funding Schedule						
Watershed	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**
(1) Jordan/ Utah lake						
(2) Colorado River						
(3) Sevier, Cedar-Beaver						
(4) Bear River						
(5) Weber River						
(6) Uinta Basin						

FY-2016 Nonpoint Source Pollution Grant Schedule

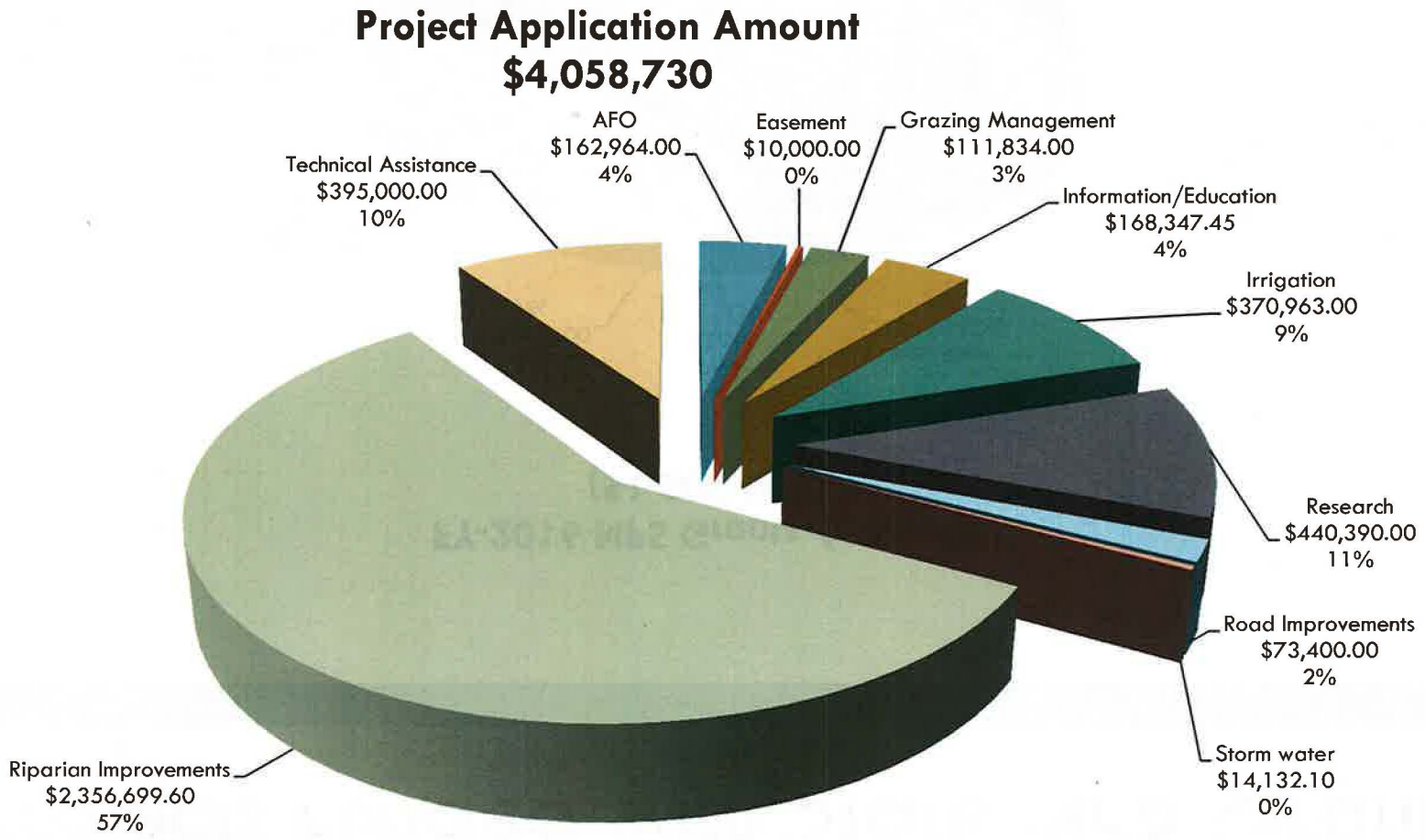
- Application Period: April 1st through May 15th
- Projects ranked internally: May 18th through June 3rd
- Meeting with partner agencies: June 4th
- Final Grant approval: June 9th
- Official announcement of grant recipients: June 11th

FY-2016 Nonpoint Source Applications Received

- 77 Grant Applications were received totaling $4,058,730.
- 51% of these proposals came from the targeted basin (Sevier, Cedar, Beaver)

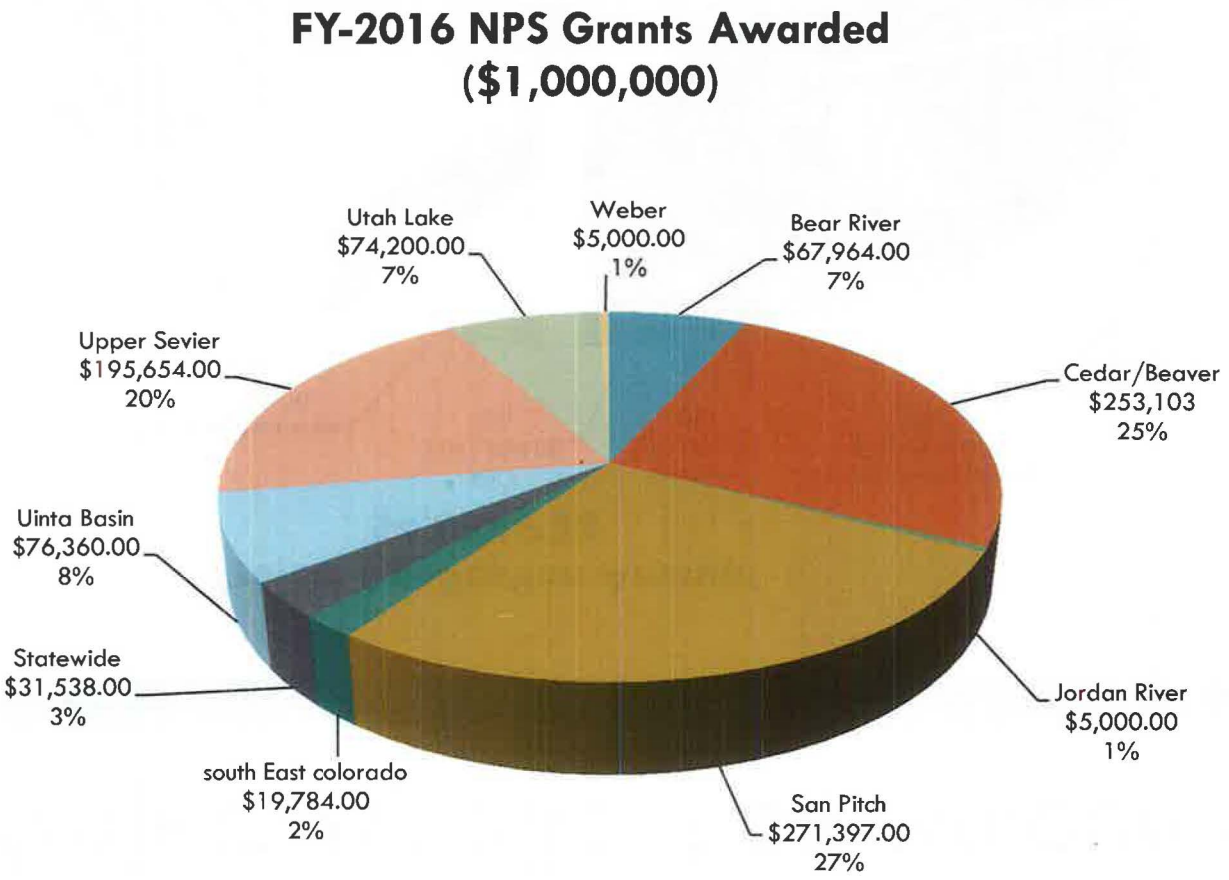


Project Application Amounts

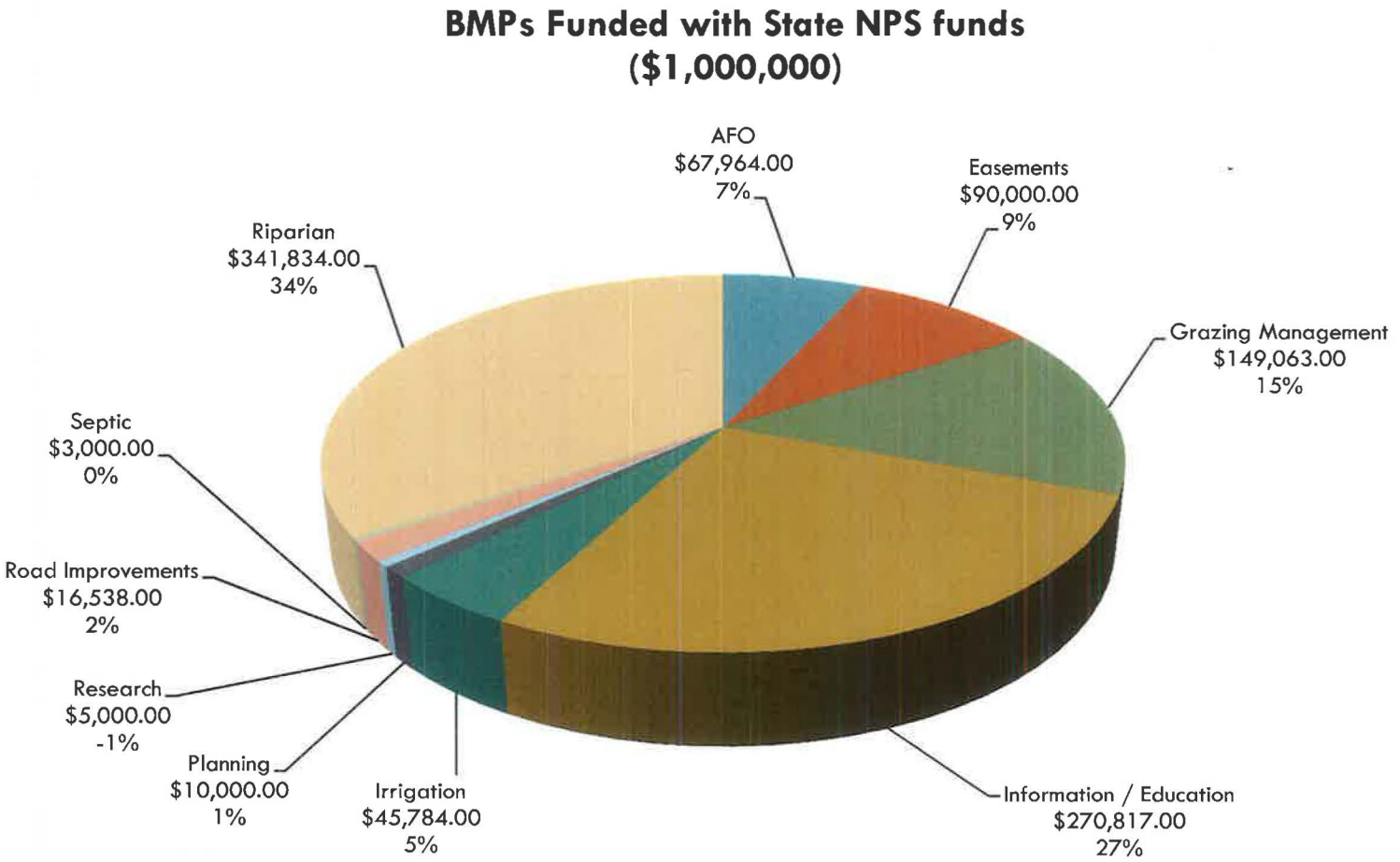


CA1

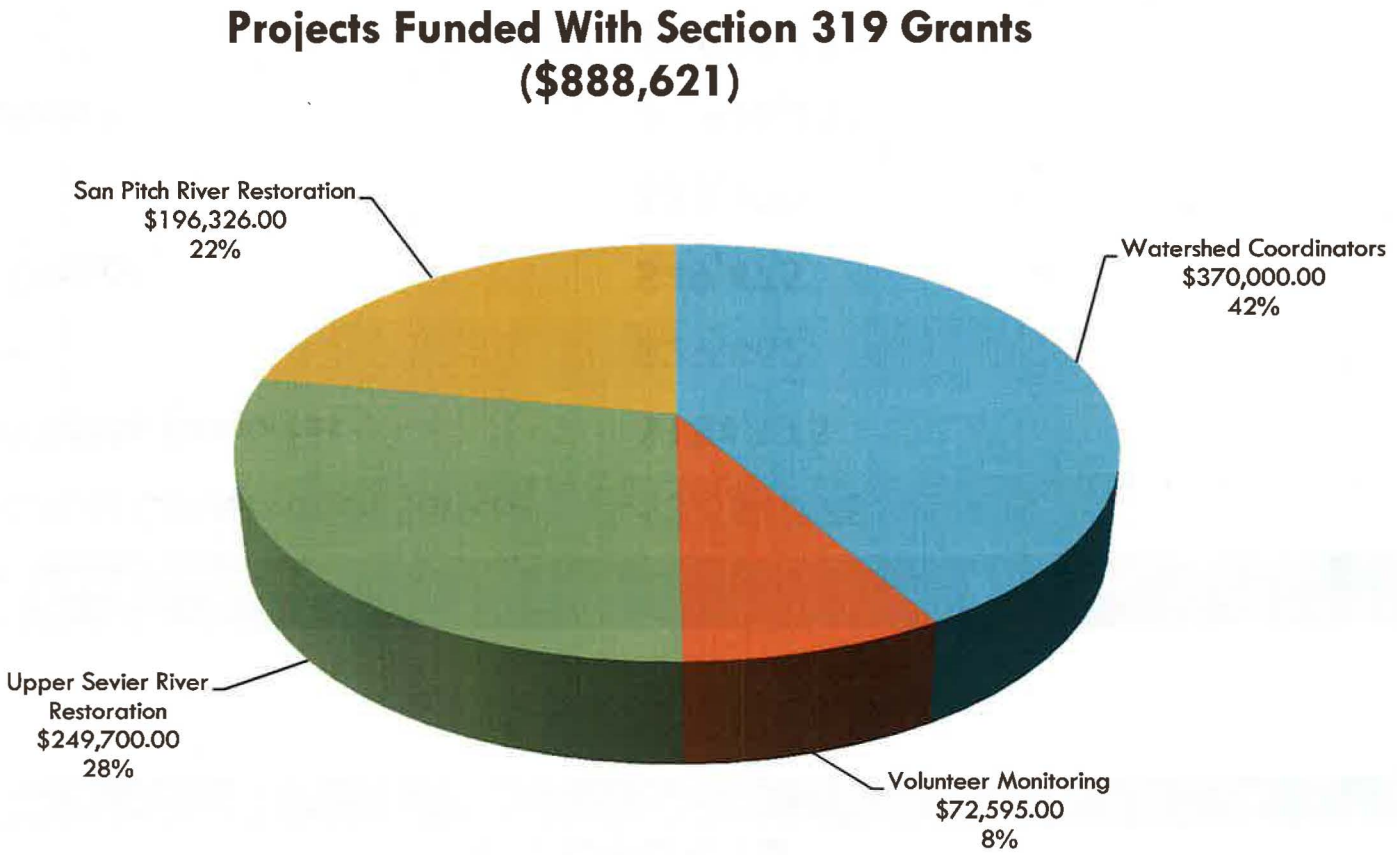
Projects Funded with State NPS Grants



BMP Types Funded with State NPS Funds



Projects Funded with Section 319 Grants



Partner Funding on FY-2016 NPS Projects

Funding Source	Amount
Natural Resources Conservation Service	$3,654,775
Division of Wildlife Resources	$184,175
City/ County	$29,462
Watershed Groups	$49,475
Other	$38,400
Landowner Match	$1,956,287
Total	$5,912,574

Almost a 3:1 Ratio

Questions???

State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

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TO: Water Quality Board

THROUGH: Walter L. Baker, P.E.

FROM: Brian Greene

DATE: June 9, 2015

SUBJECT: Utah Water Watch

Utah Water Watch (UWW) is the statewide volunteer water quality monitoring program for Utah. UWW started in 2012 as a partnership between UT Division of Water Quality and Utah State University Water Quality Extension to engage the public with monitoring lakes and streams. The dual goals of the program are to increase the public's awareness about the importance of water quality and provide useable data for water scientists and mangers. Volunteers work as a network of partners helping monitor the conditions of lakes and streams across Utah on a monthly basis. This assists the Non-point Source Program by empowering the public to be active stewards of their local water bodies.

This presentation will highlight the major accomplishments of the program and the benefits it provides. UWW is a successful method to engage people in information and education about water quality. Volunteers have recorded over 1500 monitoring reports at 200 monitoring locations across the state. This is not only an efficient way to monitor Utah's aquatic resources, but it provides volunteers an opportunity to be active partners with the UT Division of Water Quality, UT Watershed Coordinating Council, and Water Quality Extension. Volunteers also report increased knowledge and behavioral changes by participating in Utah Water Watch. UWW receives funding from the EPA 319 program, NSF iUTAH project, and USU Extension.

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Utah critics speak out against new Clean Water Act rules

THURSDAY , MAY 28, 2015 - 12:42 PM

Image by: Standard-Examiner file photo

FILE - A huge line of farm machines sponsored by the Weber County Farm Bureau take part in the Ogden Pioneer Days Parade along Washington Blvd in Ogden Thursday, July 24, 2014.

By JESUS LOPEZ JR.

Standard-Examiner staff

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The Utah farm association and politicians expressed their disdain for new Environmental Protection Agency rules in the Clean Water Act.

On Wednesday, the Obama administration issued the new rules to clear up confusion over which waters the act protects.

According to the administration, the act protects navigable waterways such as rivers and their tributaries, including the flow of streams and creeks. The rules say pollution from farming and development could impact the health of rivers and lakes.

Various local trade groups and political offices issued statements responding to the rules.

Leland Hogan, president of the Utah Farm Bureau Federation, said his group, along with its national counterparts, are undertaking a thorough analysis of the final rule to determine whether the EPA listened to the substantive comments submitted by farmers and ranchers from Utah and throughout the country during the comment period.

"Based on EPA's aggressive advocacy campaign in support of its original proposed rule — and the agency's numerous misstatements about the content and impact of that proposal — we find little comfort in the agency's assurances that our concerns have been addressed in any meaningful way," Hogan said.

The farm federation called the rule an end-run around Congress and case law — including the U.S. Supreme Court — on limitations of regulatory reach.

Sen. Orrin Hatch, R-Utah, said he was extremely disappointed to see the EPA's Waters of the United States rule finalized, describing the rule as representing Washington's regulatory bureaucracy at its worst.

"In devising this rule, the agency deliberately avoided the protections that Congress built into the rulemaking process to ensure the consideration of economic impacts and may have even violated the Anti-Lobbying Act in 'astroturfing' fabricated public support for its position," Hatch said in a statement. "The result is a disastrous outcome that threatens to extend the federal government's heavy-handed control over even small ponds and irrigation ditches on Utah's family farms and ranches. I will continue to fight this egregious abuse of the EPA's authority as well as the larger problem of regulatory overreach by the Obama administration."

EPA Administrator Gina McCarthy said the rule safeguards waters such as wetlands that adjoin those waterways.

Artificial ponds and lakes on private property are exempt, along with the majority of ditches, according to an explanation on the agency's website.

Through the new rules, the agency wanted to clear up confusion over whether a permit was

required to pollute everything from a stream near urban development to a ditch on a farm.

To create the rule, EPA and the Army Corps of Engineers looked at 1,200 peer-reviewed studies and held 400 meetings in communities with stakeholders to design the Waters of the United States rule.

Environmental groups support the rules.

Sierra Club Utah Chapter Manager Mark Clemens said the rules bring common sense and simplification to the protection of streams, waterways and wetlands.

He said in a phone interview that recent U.S. Supreme Court rulings muddled the issue and added confusion to the Clean Water Act.

"Although the Supreme Court is knowledgeable in many things," Clemens said, "biology is not one of them."

He also believes those opposed to the Act do not have the interests of residents.

"Basically, the people that are saying this will kill jobs and are saying that it is over the top regulation, are people who are lining up behind polluters," Clemens said. "They are preventing people from clean water, essentially."

The rules are essential to protect the state's access to water in the future, he said.

"Given the circumstances here in an arid state like Utah," Clemens said, "we need to be especially vigilant in protecting our water supplies."

Rep. Rob Bishop, R-Utah, said the rule undermines states' rightful primacy in water management.

"The Obama administration's latest act of executive defiance-by-fiat, the WOTUS rule, expands the EPA into a regulatory behemoth that would have been unrecognizable by the founders of the Clean Water Act," Bishop said. "It gives the agency power to bully states, Congress, and local and private water users. The implications of this expanded authority on our nation's precious water resources are disturbing, especially as the drought and the bureaucratic mess that worsens its effects are felt throughout the West. This rule severely undermines the state's rightful primacy in water management and the Committee on Natural Resources will be fighting against its implementation."

Sen. Mike Lee, R-Utah, described the rule as the EPA's latest power grab, which threatens every cog in Utah's economy

"Our farmers, ranchers, miners, oil and natural gas producers, will all face higher costs thanks to these new intrusive and unnecessary EPA regulations," Lee said. "Perhaps most troubling, is the unprecedented lobbying campaign deployed by the EPA to sell its rule to a public that did not want it. This is not how federal agencies are supposed to operate and it is long passed time these bureaucrats were made accountable to the American people."

The Associated Press contributed to this article.

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FOR PEOPLE WHO CARE ABOUT THE WEST

More waterways likely protected under new EPA rule

The controversial Clean Water Act rule protects tributaries with any sign of water, no matter the flow.

Elizabeth Shogren | DC DISPATCH | May 28, 2015 | *Web Exclusive*

The Environmental Protection Agency and US Army Corps of Engineers released a long-awaited rule (http://www2.epa.gov/sites/production/files/2015-05/documents/rule_preamble_web_version.pdf) in late May that defines which streams and wetlands will be protected under the federal Clean Water Act.

"Too many of our waters have been left vulnerable to pollution," President Obama said in a statement. "This rule will provide the clarity and certainty businesses and industry need about which waters are protected by the Clean Water Act, and it will ensure polluters who knowingly threaten our waters can be held accountable."

Congressional Republicans and some industry groups attacked the rule as an overreach by the administration that would hurt businesses and job growth.

But EPA administrator Gina McCarthy said given the impacts of climate change on water resources, such as drought in the West, "it's more important than ever to protect the clean water that we have."

EPA's new rule would protect tributaries that flow only part of the year. Las Cruces Arroyo in New Mexico.

Significantly for the arid West, the rule protects tributaries—no matter how frequently water flows in them—as long as they have signs of flow such as beds, banks and high water marks. Nearby wetlands and ponds also would be protected. Ditches would be protected only if they behave like tributaries.

"If you still look and act like a stream, you're a stream," McCarthy said in a conference call with reporters.

Some regionally specific water bodies (http://www2.epa.gov/sites/production/files/2015-05/documents/fact_sheet_summary_final_1.pdf) such as prairie potholes and western vernal pools in California would be protected, but most playas would not, according to McCarthy. Playas, flat desert basins that at times become shallow pools, would be covered only if they are within a 100-year floodplain, or are near or flow into a stream, its tributaries or adjacent wetlands.

Most desert playas, such as this one in Colorado, would not be protected.

Courtesy USFWS

Opponents and supporters of the rule differed over whether this action expands the scope of the Clean Water Act. Some ephemeral streams, waters and wetlands were federally protected before a 2001 Supreme Court decision, under the justification that migratory birds use them; the new rule, in practice, likely will increase the number of waters and wetlands that receive federal protection.

The rule is intended to clear up confusion stemming from the 2001 Supreme Court ruling and another in 2006 that narrowed the scope of the Clean Water Act and sparked a lot of questions and litigation over which wetlands and streams were covered under federal law as Waters of the United States. Uncertainty following these rulings left many waterways and wetlands "vulnerable to pollution," said Jo-Ellen Darcy, the assistant secretary of the Army for civil works.

"For ecologists and people who care about ecosystems, it's a big victory," said Ellen Wohl (http://sites.warnercnr.colostate.edu/ellenwohl/), a professor of geosciences at Colorado State University. "There's enormous scientific agreement that little streams are very important."

Streams that do not contain water year-round still play important roles, providing nutrients, sand and organisms for bigger rivers.

"From an environmental perspective, it's wonderful," Wohl added. "Scientifically, it's very obvious these streams need to be protected."

At issue is whether companies and individuals have to get permits before they pollute, fill in or destroy a waterway or wetland. In the wake of the 2001 and 2006 Supreme Court rulings, decisions about whether permits were necessary often have been subject to lengthy case-by-case consideration. The new rule is supposed to make it clear when wetlands and waterways are protected so case-by-case determinations are needed only rarely.

McCarthy said the rule would create no new permit requirements for businesses, but industry representatives disagreed, arguing that by expanding the scope of the waters and wetlands covered by federal law, the rule will increase bureaucratic burdens on all kinds of companies.

Industry groups predicted the rule would raise costs for people building homes and hurt job growth.

"EPA's final water rule will needlessly raise housing costs and add more regulatory burdens to landowners and industries that rely on a functioning permitting process to spur job and economic growth," said Tom Woods, chairman of the National Association of Home Builders.

Woods said the rule goes far beyond what Congress intended to be covered as Waters of the US by the 1972 Clean Water Act (http://www2.epa.gov/laws-regulations/summary-clean-water-act), and predicted that it soon would end up back in court.

A more pressing challenge to the rule likely will be legislative efforts in Congress to block it, including a bill shepherded by Sen. John Barrasso, R-Wyoming, which would cancel EPA's new rule and require the agency to rewrite a more limited rule that would exclude many types of waterways and wetlands.

"Under this outrageously broad rule, Washington will have control over how family farmers, ranchers and small businesses not only use their water, but also their privately owned land," Barrasso said in a statement. "Today's action ensures further momentum for our bill (https://www.congress.gov/bill/114th-congress/senate-bill/1140/text) that says yes to clean water -- and no to extreme bureaucracy."

Elizabeth Shogren is HCN's DC Correspondent.

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EPA strengthens federal protections for small streams

WEDNESDAY , MAY 27, 2015 - 1:53 PM

Image by: BENJAMIN ZACK/STANDARD-EXAMINER

Hikers cross Willard Creek as high water pours through Willard Canyon on Wednesday, May 20, 2015 following weeks of rain around Northern Utah. As of May 21, 3.7 inches of rainfall had been recorded in Ogden for the first three weeks of the month. On average, Ogden only receives around 2.2 inches for all of May.

Darryl Fears

The Washington Post

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WASHINGTON — Nearly a decade after the Supreme Court pointed out the confusion over exactly which waters fall under the Clean Water Act, the Obama administration responded with a new rule Wednesday stating what is protected and what is not.

Navigable waterways such as rivers and their tributaries are protected because the flow of streams and creeks, if polluted by farming and development, could impact the health of rivers and lakes, the rule states.

Environmental Protection Agency Administrator Gina McCarthy, who announced the rule, said it safeguards waters such as wetlands that adjoin those waterways and also protects certain unique waters, including the Delmarva and Carolina bays, western vernal pools in California and Texas coastal prairie wetlands that flow into waters downstream.

"It's an important reminder that the Clean Water Act makes it illegal to pollute or destroy our waters without a permit," Jo-Ellen Darcy, assistant secretary of the Army for Civil Works, said during a telephone news conference.

Darcy said that previously there was confusion over whether a permit was required to pollute everything from a stream near urban development to a ditch on a farm. "Needless to say it didn't make sense," she said. "We've always known streams and wetlands determine water quality."

EPA and the Army Corps of Engineers looked at 1,200 peer-reviewed studies and held 400 meetings in communities with stakeholders to design the Waters of the United States rule.

In anticipation of criticism from members of Congress, farmers and developers, McCarthy and Darcy emphasized that the new rule does not add to the waters that the act already protected and does not seek to micro-manage farming.

"It will not get in the way of agriculture and recognizes the crucial role that farmers play," McCarthy said. "Farmers, ranchers and foresters are all original conservationists and we recognize that."

Artificial ponds and lakes on private property are exempt, along with the majority of ditches, according to an explanation on the agency's Web site. Darcy said that it covers navigable waters but not the large majority of ephemeral streams that do not impact waters downstream or ditches, Darcy said.

Only "ditches that are constructed out of streams or function like streams and can carry pollution downstream" are protected. "So ditches that are not constructed in streams and that flow only when it rains are not covered," according to the agency's explanation.

The explanations did not sway powerful critics in the Senate. Sen. James Inhofe, R-Okla., chairman of the Environmental and Public Works Committee, blasted the new rule.

When the new rule was proposed, Inhofe and various Republican colleagues asked them to address elements he viewed as an overreach by adding protections for farmers. They wanted a rule that did not include waters in isolated ponds and ditches.

On top of that, they wanted exclusion for "agriculture water, storm water, groundwater, floodwater, municipal water supply systems, wastewater management systems, and streams without enough flow" to impact waters downstream, Inhofe said in a statement in response to Wednesday's announcement.

But "instead of fixing the overreach in the proposed rule, remarkably, EPA has made it even broader," Inhofe said. He called on Congress to craft legislation that better defines what the act can protect.

"The EPA has set themselves up to increase federal control over private lands, and I will not allow it," said Inhofe, whose constituents include farmers. He said his committee will take action in the summer "to halt EPA's unprecedented land grab and refocus its job on protecting traditional navigable waters from pollution."

The new rule stems from a 2006 Supreme Court case in which a Michigan developer fought an EPA fine for filling in 54 acres of wetlands on land he owned to build a shopping center without a permit. EPA and the Army Corps argued that the wetlands were covered by the 1972 Clean Water Act, but the court said the law's reach was unclear.

In an opinion, two justices wrote that all bodies of water "with a significant nexus" to "navigable waters" are covered by the act. The new rule was drafted to end confusion over the meaning of "significant nexus."

McCarthy argued that the rule does in fact address the concerns of Inhofe, his congressional allies and farmers.

"We made clear that we're looking at ditches only when they are tributaries," she said. "We've done a very good job of taking a look at the comments" to the proposed rule. "We are not going to do anything to add regulatory burdens on the agricultural community."

Brian Deese, a senior adviser at the White House, was more forceful. "This rule undoes confusion without getting in the way of farming," he said. "The only people with reason to oppose the rule are polluters who threaten our clean water . . . and they will be responsible for their actions."

Environmental groups and a number of prominent Democrats said the rule brings critical protection to the streams that are most vulnerable to development and pollution. Stopping upstream pollution is key to restoring the health of larger rivers and bays such as the Chesapeake and Puget Sound, said Margie Alt, executive director of Environment America, a Washington nonprofit.

"Our rivers, lakes, and drinking water can only be clean if the streams that flow into them are protected," Alt said. "That's why today's action is the biggest victory for clean water in a decade."

Whit Fosburgh, chief executive of the Theodore Roosevelt Partnership, for hunters and sportsmen, applauded the rule, calling it historic.

"We finally have a rule in place that will stem the tide of wetlands loss and . . . restore water quality protections to trout habitat and salmon spawning waters," Fosburgh said. "Keeping these waters healthy will also help to ensure the health of local economies that rely on the $200 billion a year generated by the outdoor recreation industry."

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Utahns ch water rules

By Brett Prettyman The Salt Lake Tribune

First Published May 27 2015 04:48PM • Last Updated May 27 2015 09:00 pm

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Utahns are panning and, alternatively, praising new federal environmental guidelines for small bodies of water.

The rules, released Wednesday by the U.S. Environmental Protection Agency and Army Corps of Engineers are meant to clarify which streams and tributaries fall under federal jurisdiction after two U.S. Supreme Court rulings dealing with the Clean Water Act muddied the issue.

Utahns echoed the complaints, and celebrations, of landowners across the country.

Land Tawney, executive director of Backcountry Hunter and Anglers, credited an "unprecedented effort to restore clarity to a bedrock natural resources law."

"The rule will conserve resources important to our fish, our wildlife, our citizens — and to the waters and wetlands that are central to our national identity," he said.

But Utah Farm Bureau CEO Randy Parker said the rules ignore everyday American property owners' rights.

"We don't think they took into account a lot of the concerns of America's food producers — farmers and ranchers across the country," Parker said.

Some farmers worry that every ditch and puddle could now be subject to federal oversight.

EPA Administrator Gina McCarthy said the rule will only affect waters that have a "direct and significant" connection to larger bodies of water downstream that are already protected. The EPA has said 60 percent of the nation's streams and waterways are vulnerable, and these rules clarify which of those waters are protected. The regulations would only kick in if a business or landowner intends to pollute or destroy those waters.

Despite McCarthy's interpretation, conservatives are casting the rules as federal overreach.

Parker said the American Farm Bureau Federation repeatedly asked for clarification of the rules, but never got simple answers.

"If you don't follow certain guidelines in removing brush or fencing, for example, you could be in violation and fined substantially," he said. "How are those tied to clean water?"

U.S. House members voted to block the regulations earlier this month. Similar legislation is making its way through the Senate.

Utah Congressman Rob Bishop said the new rules would make the Clean Water Act "unrecognizable" to those who wrote it.

"It gives the agency power to bully states, Congress and local and private water users," said Bishop, who is chairman of the House Committee on Natural Resources. "The implications of this expanded authority on our nation's precious water resources are disturbing, especially as the drought and the bureaucratic mess that worsens its effects are felt throughout the West."

He pledged that his committee will fight the rules' implementation.

Lawmakers argue the rules could greatly expand the reach of the clean water law and create confusion among officials in the field as to which bodies of water must be protected.

McCarthy acknowledged the proposed rules issued last year were confusing and said the final rules were written to be more clear. The regulations don't create any new permitting requirements for agriculture, she said, and even add some new exemptions for artificial lakes and ponds and water-filled depressions.

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EPA: Fracking not source of widespread water contamination

By Amy Joi O'Donoghue, Deseret News

Follow @amyjoi16

Published: Friday, June 5 2015 3:45 p.m. MDT
Updated: Friday, June 5 2015 8:15 p.m. MDT

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In this March 29, 2013 file photo, workers tend to a well head during a hydraulic fracturing operation at an Encana Oil & Gas (USA) Inc. gas well outside Rifle, in western Colorado.

Brennan Linsley, Associated Press

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Summary

Both sides in the fracking debate and its impact to water supplies are saying a new report by the federal government backs their position. The EPA said there is no evidence of widespread problems but did admit there are vulnerabilities.

SALT LAKE CITY — Both friends and foes of hydraulic fracturing are praising a new study by the U.S. Environmental Protection Agency that warns of potential contamination to drinking water supplies but concedes no big problems have happened to date.

That preliminary conclusion in the draft assessment published Friday by the EPA comes after the agency reviewed data from nearly 25,000 oil and gas wells, including hundreds in the Uinta Basin, culled additional records from 333 wells across the United States, and examined 12,000 records.

The agency also released nine peer-reviewed scientific reports that are part of the overall analysis, initiated in 2009 at the request of Congress.

While the EPA did find incidences of contaminated drinking water wells, it said the number of identified cases was small in comparison to the number of hydraulically fractured wells. The EPA did admit that the margin may be small because of insufficient information or other "limiting" factors.

Some say the findings back assertions by Utah and three other states that a new federal rule on "fracking" is unnecessary because local regulatory oversight is sufficiently protective of public and environmental health.

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"This report is damaging for the (Obama) administration and contradicts a predominant claim the White House has used to justify a federal fracturing rule," said Rep. Rob Bishop, R-Utah.

In May, Gov. Gary Herbert announced that Utah would join North Dakota, Wyoming and Colorado in a lawsuit against the Bureau of Land Management that asserts the rule is unnecessary, duplicative of states' efforts and a burdensome cost to industry — as much as $250,000 per well.

"I think what is safe to say from this report is that fracking is really not a water concern. It is not an issue that has had a widespread impact on the nation's water supply, and it is not going to," said Cody Stewart, Herbert's policy adviser. "This supports our position that the federal fracking rule is unwarranted and it is addressing an issue that is really not a problem."

But the EPA's assessment did warn there is ample reason for caution when it comes to fracking and safeguarding drinking water in oil and gas-producing regions.

The agency, relying on 950 sources of information, framed its research around five stages of the hydraulic fracturing water cycle:

1.) Water acquisition — the withdrawal of ground or surface water to use in hydraulic fracturing fluids.

2.) Chemical mixing to blend water, chemicals and other substances for the fluid.

3.) Well injection itself to fracture the geologic formations.

4.) The return of the injected fluid and water produced from the process and its transport.

5.) Wastewater treatment and waste.

The EPA picked five case study locations in Colorado, North Dakota, Texas and Pennsylvania, conducting two rounds of sampling at 70 domestic water wells, 15 monitoring wells, and 13 surface water sources.

The agency also is using computer models to identify conditions that may lead to impacts on drinking water supplies. In particular, the EPA has identified what is says are hypothetical but realistic scenarios around the five water cycles in the process.

"Potential impacts to drinking water sources from withdrawing large volumes of water in semi-arid and humid river basins — the Upper Colorado River Basin in the West and the Susquehanna River Basin in the East — are being compared and assessed," the report said.

Environmental groups say the study backs their fears.

"The EPA's water quality study confirms what millions of Americans already know — that dirty oil and gas fracking contaminates drinking water," said Michael Brune, the Sierra Club's director.

"Unfortunately, the EPA chose to leave many critical questions unanswered. For example, the study did not look at this issue under the lens of public health and

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ignored numerous threats that fracking poses to drinking water. The EPA must conduct a comprehensive study that results in action to protect public health," Brune said.

Earthworks policy director Lauren Pagel said the assessment should serve as a call to action for the Obama administration, Congress and state governments to step in to protect water supplies.

The study will be finalized after review by the Science Advisory Board and public review and comment.

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Amy Joi O'Donoghue is the environmental reporter the Deseret News, specializing in coverage of issues that affect land, air, water and energy development. She has worked here since 1998 and has been an assistant city more ..

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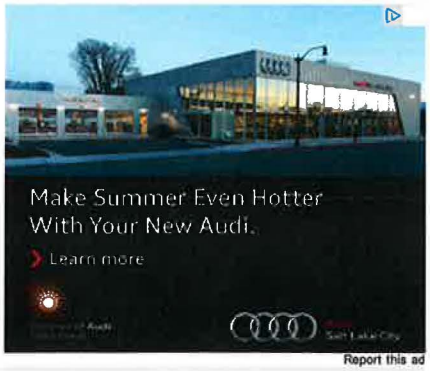

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Potash Evaporation Ponds Are A Technicolor Surprise In Utah's Desert

Suzy Strutner
Associate Lifestyle Editor, The Huffington Post

Posted: 06/01/2015

Is that a tropical beach, or the Utah desert?

If you're driving along State Route 279 near Arches National Park outside Moab, Utah, you may notice some electric-blue bodies of water popping out from the red, rocky landscape. No, it's not a mirage: You've happened upon a strange surprise known as Potash Ponds.

These man-made ponds are for collecting potash, a potassium-containing salt used in farm fertilizers. Workers pump the potash from way below the Earth's surface into the ground-level ponds, where sun evaporates the pond water and leaves potash behind. The water is dyed an eye-catching blue so that it'll absorb heat and evaporate more quickly, a process that typically takes about 300 days.

Some passersby have found it jarring when, seemingly out of nowhere, the mine pools make a surreal stark contrast to the mostly unspoiled landscape. And indeed, the ponds *do* look bizarrely tropical in their desert setting:

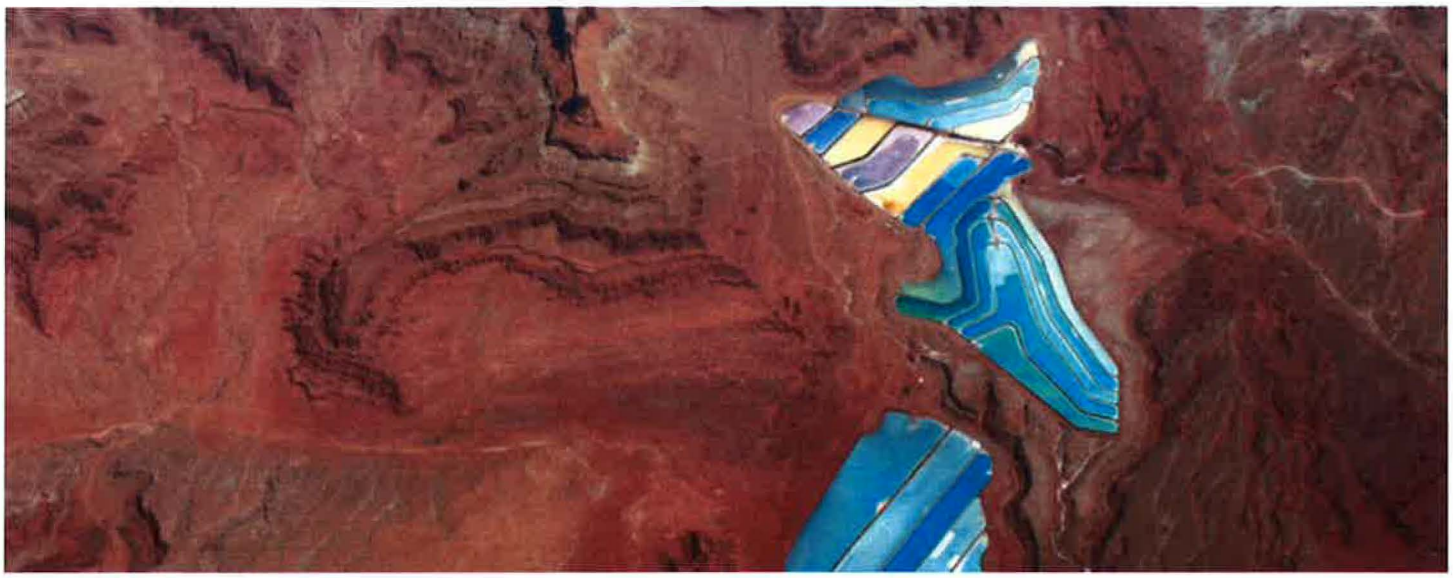
The ponds are closely monitored to make sure they comply with environmental guidelines. Intrepid Potash, the company that operates the ponds, monitors water quality around the ponds four times a year, vice president Gary Kohn told The Huffington Post.

"As long as they're meeting qualifications... there's no [negative] environmental impact," said Donna Spangler, a spokesperson for the Utah Department of Environmental Quality.

While walking right up to the ponds is not encouraged, you can glimpse them from State Route 279, also known as the Potash Scenic Byway or Potash Road, as it follows the Colorado River through sandstone cliffs and rocky outcrops. A round-trip scenic drive will take about two hours.

You can continue on to Dead Horse Point State Park, popular for camping and biking. Canyonlands National Park is also nearby, with what visitors say are among the most challenging whitewater rapids in the world.

And if you happen to travel by plane, you'll be able to see the ponds as a surprising series of stripes on an otherwise arid landscape.



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Upper Mill Creek Canyon to close temporarily

Published: Tuesday, June 2 2015 11:25 a.m. MDT
Updated: Wednesday, June 3 2015 4:54 p.m. MDT

Millcreek Canyon in Salt Lake City Tuesday, May 1, 2012. A portion of Mill Creek Canyon will be closed next week as ongoing restoration work is done.

Jeffrey D. Allred, Deseret News

Enlarge photo»

Summary

A portion of Mill Creek Canyon will be closed next week as ongoing restoration work is done.

MT. OLYMPUS — A portion of Mill Creek Canyon will be closed later this month as ongoing restoration work is done.

The next phase of the Mill Creek Restoration Project will be implemented with the installation of two culverts. The temporary closure, beginning June 15, will extend from the winter gate at Maple Grove to the area 1 mile downstream of the Big Water trailhead.

The winter gate is closed annually Nov. 1 to June 30 to vehicle traffic. The June 15-30 closure will be for all walking, biking and vehicle traffic, and is necessary to accommodate large construction vehicles and equipment that could create hazards for the public.

No hiking, biking and motor vehicle access will be allowed on the road beyond the winter gate. The road and area should be open on July 1.

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Agency Seeks Comment on Colorado River Basin Strategy

By JUDY FAHYS (/PEOPLE/JUDY-FAHYS) • MAY 27, 2015

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Rethinking how the Colorado River Basin stores water is one of the subjects considered in the U.S. Bureau of Reclamation's Moving Forward report. This is Sand Hollow Reservoir in southern Utah, a potential storage site for Colorado River water.

JUDY FAHYS/KUER

The U. S. Bureau of Reclamation has been taking a hard look at the Colorado River Basin, exploring ways to deal with the reality that the Colorado River can't always deliver all of the water that people demand.

The need for new coping strategies is clear to anyone who sees the vivid bathtub rings around Lake Powell and Lake Mead. The river serves more than 35 million people and irrigates 4.5 million acres of crops in seven states. And the pressures are only expected to grow. The agency has a new list of strategies (http://www.usbr.gov/newsroom/newsrelease/detail.cfm?RecordID=49294) to prepare for times when water demands exceed Colorado River supplies.

"Imbalance of supply and demand," says Carly, who led Reclamation's effort, "just puts a lot of stress on all of the things that are dependent on water."

That includes communities, businesses, farms, recreation and the environment. And it means conserving water, reusing it and updating the pipe network. Bart Forsyth, assistant general manager of the Jordan Valley Water Conservancy District (https://jvwcd.org/), served as Utah's representative in the cities and industry stakeholder group looking at the issue for the Bureau of Reclamation. He helped brainstorm dozens of water solutions. To him, the biggest change ahead has nothing to do with technology.

"What we're looking for is a mindset change -- a community value system," he says, "where we're all looking to save water, to understand how valuable it is as a natural resource and to basically incorporate a water conservation ethic."

One of the top ideas from Forsyth's stakeholder team is smart metering, which allows customers to monitor their water use online, as it happens. Around 8,500 of the systems will be installed and operational in a year in Salt Lake County.

The report is formally called "Moving Forward." The Bureau of Reclamation will take comments on the strategy through August 10.

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Quagga mussel inspections begin at Daniels Canyon

Published: Monday, June 1 2015 11:10 a.m. MDT
Updated: Monday, June 1 2015 11:14 a.m. MDT

In this photo released by the Utah Division of Wildlife Resources on April 17, 2008, quagga mussels cover a boat's hull.

Natalie Muth, AP

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Summary

The Utah Department of Natural Resources and the Utah Department of Transportation have opened a watercraft inspection station at the Daniels Canyon port of entry.

HEBER CITY — In an ongoing effort to stop the spread of aquatic invasive species, including quagga mussels, the Utah Department of Natural Resources and the Utah Department of Transportation have opened a watercraft inspection station at the Daniels Canyon port of entry.

Vehicles with watercraft, including boats, personal watercraft such as jet skis and WaveRunners, canoes, kayaks, float tubes and similar watercraft will be required to stop at the port of entry for inspection during hours when the station is open.

The port is along U.S. 40, just southeast of Heber City near mile marker 22.

Vehicles with watercraft traveling the opposite way down the canyon — northwest toward Heber City — will not be required to stop. When the inspection station is operating, all watercraft will be inspected.

Watercraft that have not been properly decontaminated must be decontaminated before leaving the port of entry.

To avoid the wait, watercraft owners can make an appointment at most major Utah State Parks to get your watercraft professionally decontaminated.

For a list of locations with hot water decontamination services, and for other information about aquatic invasive species and why it is critical to keep them out of Utah waters, visit www.stdofthesea.com.

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State launches planning effort for complicated Jordan River

By Amy Joi O'Donoghue, Deseret News

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Published: Monday, June 8 2015 3:40 p.m. MDT
Updated: Monday, June 8 2015 5:15 p.m. MDT

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A drainage pipe lies on the opposite side of a TRAX station at the Redwood Trailhead Park in West Valley City, Tuesday, June 2, 2015.

Chris Samuels, Deseret News

Summary

Oversight of the Jordan River and its corridor is never simple, made complicated by an urbanized setting that traverses three counties and 15 cities. State officials are beginning the process of crafting a comprehensive management plan for the bed.

SALT LAKE CITY — The inherently complicated task of trying to figure out what works best for the 53-mile-long Jordan River may one day be easier as state officials embark on the effort to craft a comprehensive management plan for the river bed.

A series of three meetings that kicks off in Davis County Thursday is part of the initial push to develop a draft plan, slated to be released next spring.

While managing the river for water quality falls to the oversight of one state entity, and the flows to a river commissioner, the actual control of the river bed itself falls to the state Division of Forestry, Fire and Sovereign Lands — which is tasked with regulatory oversight of submerged lands navigable at statehood.

The division has crafted similar plans for Utah Lake and the Great Salt Lake, but this is the first time the Jordan River will receive the benefit of a plan designed to streamline management of necessary permits that impact its river bed.

"With increasing development in the Salt Lake City area and on the Wasatch Front, there are increasing pressures to put in pipelines or infrastructure around the river," said Laura Vernon, the division's project manager. "Before (implementation of a management plan), we have to take each application as it comes in and make decisions on it and do site-specific plans on each of the proposed projects."

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each of the proposed projects.

The plan, once finalized and in effect, will help the division evaluate each application with an eye toward its overall impact on the river bed and identify best practices along the way, she said.

Managing the river and its resources has grown increasingly complicated over the decades, with 15 cities that border the Jordan River and development that has sprung up over time.

Vernon said the pipelines and other infrastructure that have accompanied that urbanization have created challenges or hazards that have their own management concerns.

As an example, a pipeline that cuts across the river at the Winchester bridge at about 6400 South creates a waterfall, and a series of rocks and concrete slab act as natural spillways.

In 2010, a pair of kayakers drowned in the river after going over these structures, becoming trapped in an undertow. Their family sued, reaching a settlement with the state and some of the involved cities that in part requires the hazard be addressed.

Remediation on that section of the river begins next week as a result of the agreement, and the plan — while not a direct result of the litigation — will help identify hazards, correct them and minimize new threats in the future, Vernon said.

"We want to identify areas of the river that are not safe, or not safely navigable," she said.

Vernon urged the public to get involved.

"This is a fantastic opportunity to get people together in the same room and talking about the same resource," she said. "Everybody has their own issue on the river, but they are often not talking together on how to collectively manage it. We are hoping to get the kind of collaboration and information that we can bottle for years to come and keep the discussion going."

Those meetings are:

• 6-8 p.m. Thursday at North Salt Lake City Hall, 10 E. Center.

• 6-8 p.m. Tuesday, June 16, at the Day Riverside Branch Library, 1575 W. 1000 North.

• 6-8 p.m. Wednesday, June 17, at the Saratoga Springs Fire Department, 995 W. 1200 North.

The planning process also includes an interactive feature on the state's website where people can mark spots along the river where they feel improvements are needed and submit suggestion cards.

Laura Hanson, executive director of the Jordan River Commission, said she hopes a list of capital improvement projects results from the development of the management plan — a list that will provide clear direction for all interested parties.

"Hopefully this will provide some consistency in how the corridor is managed," Hanson said.

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While a city or other entity may put in an attractive pedestrian bridge to cross the river, that bridge may not be a suitable height for kayakers and others, she said.

"We want to make sure those bridges are the appropriate height and width, and that any pipeline or other structure going under the river or over the river follow certain standards," Hanson said. "The more people we get down to the river, the more people fall in love with it. As they engage and recreate in the river, we want to make it safe."

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Amy Joi O'Donoghue

Amy Joi O'Donoghue is the environmental reporter the Deseret News, specializing in coverage of issues that affect land, air, water and energy development. She has worked here since 1998 and has been an assistant city more ..

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University of Utah engineers launch clean water initiative in Pakistan

By Wendy Leonard, Deseret News

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Published: Saturday, June 6 2015 5:35 p.m. MDT
Updated: Sunday, June 7 2015 7:41 p.m. MDT

The University of Utah embarked on a five-year plan to help bring clean water to parts of Pakistan.

Jordan Allred, Deseret News

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Summary

The University of Utah embarked on a five-year plan to help bring clean water to parts of Pakistan.

SALT LAKE CITY — The University of Utah embarked on a five-year plan to help bring clean water to parts of Pakistan.

The country is one of the most "water-stressed" in the world, according to the World Resources Institute. Death of children from waterborne illness, drought and flood extremes led the global research organization to identify the South Asian country one most in need of help in 2013.

"Estimates indicate at least one quarter of Pakistanis do not have safe and reliable access to clean drinking water," Steven Burian, University of Utah associate professor of civil and environmental engineering. He said the project, announced Wednesday in Pakistan, will help in many ways, beyond providing sustainable, clean water.

"The project is contributing to curriculum advancement, applied research innovations, technology and venture commercialization, business growth, stakeholder engagement, network building and workforce development to achieve water security in Pakistan," Burian said.

To address current and ongoing needs, the project will focus on developing hydraulics, irrigation and drainage systems, provide for integrated water resources

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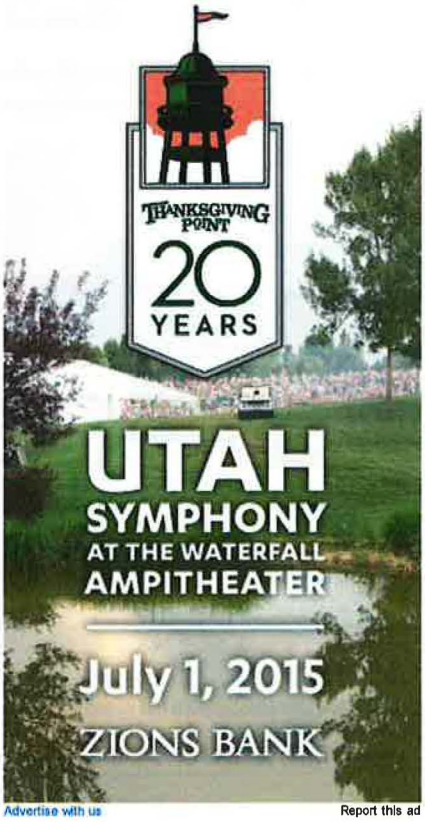

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management, standardize sanitation and hygiene processes and pioneer environmental engineering.

"By helping Pakistan, we help ourselves," Burian said. He said Utah faces many similar issues as Pakistan, including water management for resiliency to drought, rehabilitation of aging water infrastructure and protection of environmental quality and public health.

"We'll learn as we work with the Mehran University of Engineering and Technology, as well as conducting research and disseminating knowledge," Burian said.

David Pershing, University of Utah president, said the project "exemplifies a global collaboration," benefitting both Pakistan and academics at the university.

The announcement of future water security came at the launch of the United States-Pakistan Centers for Advanced Studies Initiative, which intends to expand higher education research and training opportunities to the heavily populated country.

Burian and other experts from the U. were in attendance at the announcement, to represent the upcoming water project, though, a formal signing ceremony with Pakistani dignitaries and university officials will take place Aug. 11 at the University of Utah.

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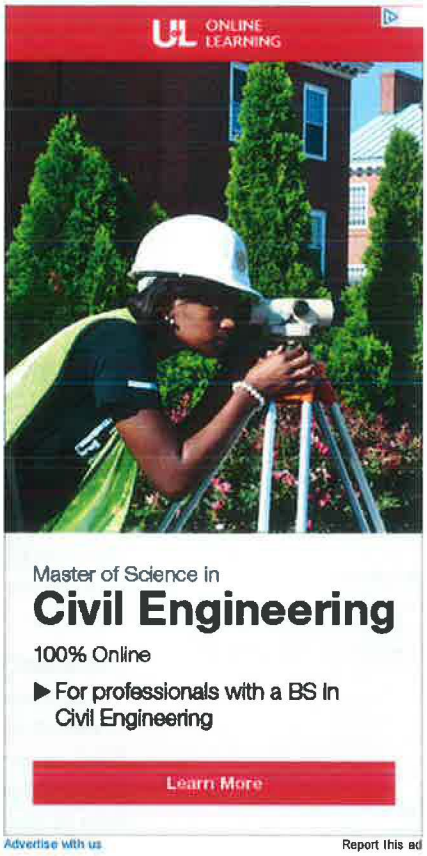

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Wendy Leonard works as a reporter for the Deseret News, and while her daily duties are dictated by breaking news, she currently focuses on writing about issues involving health care, medicine and transportation. She began more ..

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