

1. What does a Petition to Re-classify an aquifer accomplish and what is the process?

(A). The Petition to Re-classify is submitted to the Water Quality Board (WQB)

(B). The Petition would classify the Spanish Valley Aquifer as Class 1A (pristine: less than 500 mg/l of total dissolved solids (TDS)) and Class II (drinking water: 500 to less than 3,000 mg/l of TDS). The aquifer is well within the established parameters.

(C). Class 1A encompasses about 13% of the valley aquifer and is located along the eastern boundary. The remaining 87% of the aquifer is to be classified as drinking water (Class II).

(D). The Petition was compiled recently (2005) by the Utah State Geological Service (USGS) under contract by the South Corridor Roundtable which included the City of Moab, Grand and San Juan Counties, the Grand Water and Sewer Agency and the State Institutional Trust Lands Administration, SITLA). Cost of the study was around \$12,000 dollars of which 1/3 was provided by the Roundtable Members.

(E). Any or all of the affected jurisdictions (Grand and San Juan Counties, City of Moab or the Grand County Water and Sewer Agency) can sign jointly or individually to initiate the reclassification of the aquifer.

(F). The Petition has been reviewed by the Department of Environmental Protection (DEQ) and is ready for submittal. If the WQB accepts the Petition a public comment period (30 days) and a public hearing (in Grand County) are initiated. Public comments are reviewed and answered by DEQ and USGS and resubmitted to the WQB for final action. Timeline is 2 months.

2. What is affect will the Reclassification have on development?

(A). Protects valley aquifer by imposing State water quality standards (TDS, Nitrate, etc). Future developments in the Spanish Valley cannot violate these established State standards.

(B). Classification, however, does not require any immediate changes in local land use regulations unless established State standards are exceeded under existing land use controls.

3. Can affected jurisdictions with control over land use (counties or cities) impose more restrictive water quality standards within their jurisdiction so as to (a) encourage sewer extension and connection or/and require larger lots where septic systems are used?

(A). Justification for requiring larger lots (or connection to sewer line) is provided by the same USGS study that supports the above Petition for Reclassification of the Spanish Valley Aquifer.

(B). The more restrictive water quality standards similar to those proposed by the USGS Study have been adopted by Wasatch and Weber Counties and are being considered by Washington County.

(C). Nitrate levels would be the primary restrictive water quality standard controlling development in Spanish Valley because septic systems are considered responsible for ½ of the existing level and almost all nitrate loading from 2002 (when the USGS study was conducted) into the foreseeable future.

4. What impact would the establishment of the more restrictive water quality standards have on future development?

(A). USGS modeled 3 different domains or zones that individually effect size of lot when septic systems are used. The domains are based on the geological and hydrological conditions of Spanish Valley. The area requirements of each domain are designed to keep future development within prescribed nitrate standards.

- (1). Domain 1: 1 dwelling per 10 acres
- (2). Domain 2: 1 dwelling per 20 acres
- (3). Domain 3: 1 dwelling per 20 acres

(B). Almost all existing and future development in Grand County is or will be connected to existing sewer lines and will not be effected by the more restrictive standards.

(B). All development in San Juan County portion of Spanish Valley is on septic systems. Future development would require larger lots or connection to a sewer system if the more restrictive standards were adopted. GCW&SA has sewer lines extending to the San Juan County line.

- (1). As of January 2005 there were an estimated 155 residences on septic systems in San Juan. 30 were added in the previous year and it is possible that at least another 30

could be added in 2005. Many of the platted lots as of 2003 are developed. New subdivisions with more lots have been and are being created.

(2). Minimum lot size for a dwelling is 1 acre though a number of the subdivided lots are larger.

(3). Almost all residential development in San Juan is located on private land lying within 4 sections (35 & 36 T26 R 22 and 1 & 2 T27 R22) which is adjacent to the Grand County line.

(4). Estimates of current density of private property for the 4 sections is 1 dwelling per 7 acres (Domain 1) and 1 dwelling per 19 acres (domain 2).

(5). 7 wells tested in Section 35 (3/4 San Juan; 1/4 Grand) have nitrate levels from .13 to 5.87 mg/l.

5. What if San Juan County does not implement USGS recommended densities or chooses to use less restrictive standards?

(A). There is no existing State law or regulation that could be used to coerce implementation of more restrictive standards. Counties and cities have almost total control of land use policies like density specified in established zones.

(B). San Juan County could not, however, permit development that exceeded the standards established by Reclassification of the aquifer.

(C). Protection of Grand County's more restrictive standards (if adopted) from contamination of septic systems in San Juan County is unknown.

6. Are there other State laws or rules that might affect size of lots where septic systems are used?

(A). DEQ is considering a change in their rules that will require a district sanitarian to consider the source of culinary water as well as the percolation rate of septic systems when approving lots for development.

(B). The USGS Study for Spanish Valley would have to be considered when approval was given because the Study is the best

available (scientific) information on potential contamination of culinary wells necessary for development in San Juan.

7. **Under what conditions might sewer lines be extended into San Juan County?**

(A). The Grand County Water and Sewer Agency or the agency or board that replaces it (as well as the other water sewer boards) would need to sign the proposed agreement or some negotiated version thereof with the City of Moab.

(B). San Juan County (or newly established water/sewer district in Spanish Valley?) would have to accept a negotiated agreement with the City of Moab or Grand County Water and Sewer Agency specifying what percentage of residential, industrial and commercial sewerage would be accepted from San Juan County portion of Spanish Valley.