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Letter to the Editor

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What could go wrong?

What do you do when you want to build hundreds of luxury homes on a floodplain? You hire engineers to tell you how to raise the land 8 feet — one foot above designated flood level. Kane Creek Preservation and Development, now calling their project “Westland Reserve,” did this.

Their 2022 engineering specifications required sand and rock fill smaller than 3 inches. This plan provided “a marginally acceptable factor of safety” (cobblestones are not a great base to build a house, or a town, on). But after they started to dig fill material from the benches, they had their engineer write an updated recommendation raising the maximum fill rock size to 10 inches. (Though I’ve seen no sign of rock screening except on big boulders.)



File photo

What is the significance of 10-inch cobble fill? The last paragraph of the revised engineering recommendation reads: “The change in recycled onsite fill material will result in difficulties associated with utility installation. The increase in acceptable material size will result in sloughing and may potentially undermine constructed improvements. This material size adjustment will result in increased construction costs associated with utility installation and future repairs.”

Wait, these are supposed to be “luxury” homes. Who wants to pay millions of dollars so they can anticipate “future repairs?” Will the developers be covering those costs down the line? How many other shortcuts have they/will they take in their quest for big money?

On May 1, they filed, under a new Utah law that just happens to fit their circumstances, to make their own “preliminary municipality.”

The new law allows them to do everything a city can — except collect taxes or exercise eminent domain (on themselves, mostly). Developers appoint their own mayor and council, who write laws and hire staff to perform their own safety inspections. If they fail to transition into a real town of 100 residents within six years, the “town” reverts to the unincorporated area and the county becomes responsible for the infrastructure.

These guys have already taken shortcuts when they have to follow county codes. How will anyone know what they’re doing if they become a “preliminary municipality” and are responsible for their own laws and inspections?

And if soil falls out from under the roads and pipes and the developers have run off to a resort in the Bahamas, who cleans up the mess?

Buyers beware! And the rest of us, too.

Jerry Shue writes from Moab.