



SPECIAL BIG PLAINS WATER SPECIAL SERVICE DISTRICT HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, October 09, 2024 at 6:30 PM

AGENDA

Notice is given that a meeting of the Water District of the Town of Apple Valley will be held on **Wednesday, October 09, 2024**, commencing at **6:30 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Michael Farrar

Board Members | Kevin Sair | Jane Prentice | Annie Spendlove | Scott Taylor

Please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 8266151 3795

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DECLARATION OF CONFLICTS OF INTEREST

PUBLIC HEARING

1. Public Notice - Finding of No Significant Impact (FONSI) for the Apple Valley-Cedar Point waterline connection project in Washington County.

DISCUSSION AND ACTION

2. Public Notice - Finding of No Significant Impact (FONSI) for the Apple Valley-Cedar Point waterline connection project in Washington County.
3. Oculita Roca Water Agreement Addendum.

APPROVAL OF MINUTES

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF DRINKING WATER
Nathan Lunstad, P.E.
Director

Item 2.

PUBLIC NOTICE

The Division of Drinking Water (the Division), Utah Department of Environmental Quality, herewith publishes a Finding of No Significant Impact (FONSI) for the Apple Valley-Cedar Point waterline connection project in Washington County. An Environmental Report has been developed to examine potential environmental impacts associated with this project. The Environmental Report and the FONSI are available at the Division office:

Division of Drinking Water
Utah State Department of Environmental Quality
195 North 1950 West, P.O. Box 144830
Salt Lake City, Utah 84114-4830
Phone: 801-536-4200 or 801-536-0048

FINDING OF NO SIGNIFICANT IMPACT

As required by the guidelines for the preparation of environmental impact statements, an environmental review has been performed on the proposed State of Utah, Division of Drinking water action below:

Project: Apple Valley – Cedar Point Waterline Connection

Water System: Big Plains Water Special Service District (SSD)

Office Location: 1777 N. Meadowlark Ln Apple Valley, UT 84737

Project Number: 3F2032

Total Estimated Cost: \$3,370,000

Funding: \$3,370,000 loan with 100% principal forgiveness

This project consists of Phase II to construct a 4.5-mile transmission line to connect Apple Valley Water System with the Cedar Point Water System to resolve a source capacity issue in the Cedar Point System. Phase 2 Improvements begin at the intersection of Highway 59 and 520 W. The waterline then proceeds on a south east direction paralleling Highway 59 until it reaches the

Big Plains Water SSD
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intersection of 2000 S and Highway 59. Phase 2 improvements will also include a pump station building that is located just south of the intersection of 400 N and Highway 59.

An Environmental Report has been developed for this proposed project. Letters requesting comments from federal, state, and local agencies have been sent out; comments will be summarized and included in the Report. Division of Drinking Water staff have reviewed this document. Temporary and long-term environmental impacts were identified, as well as mitigating measures to minimize these impacts. The review process indicated that no significant environmental impacts would result from the proposed action. Consequently, a decision has been made to issue a FONSI.

All contractors will be required to comply with all pertinent federal, state, and local laws, regulations, and executive orders, such as Utah State Air Quality regulations R307-309. If anything is uncovered or otherwise discovered during construction of this project that may have cultural or historic significance, work must stop, and the Division and the State Historic Preservation Officer will be notified. These two agencies will investigate any such discoveries. If it appears that part of the construction work may be causing an adverse environmental impact, construction must stop, and the Division will be notified.

The FONSI will be available for review until October 31, 2024. Any comments received during this comment period will be evaluated and incorporated as appropriate. There will be a public meeting on Wednesday, October 9, 2024 at 6:00 PM at Apple Valley Town Hall 1777 N Meadowlark Dr Apple Valley, Utah 84737, to discuss the FONSI and receive additional public comments. Questions or comments may be directed to Allyson Spevak at (385) 249-0324 or allysonspevak@utah.gov.

DIVISION OF DRINKING WATER, DEQ, STATE OF UTAH



Michael Grange, P.E.
Infrastructure Funding Section Manager



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF DRINKING WATER
Nathan Lunstad, P.E.
Director

CATEGORICAL EXCLUSION FROM ENVIRONMENTAL REVIEW

As required by the guidelines for the preparation of environmental impact statements (EIS), a preliminary evaluation has been performed on the proposed State of Utah, Drinking Water Board project identified below to determine if an environmental review or EIS is warranted. The State of Utah has elected to "Categorically Exclude from further environmental review" the proposed drinking water project.

Project: Apple Valley – Cedar Point Waterline Connection

Water System: Big Plains Water Special Service District (SSD)

Office Location: 1777 N. Meadowlark Ln Apple Valley, UT 84737

Project Number: 3F2032

Total Estimated Cost: \$3,370,000

Funding: \$3,370,000 loan with 100% principal forgiveness

This project consists of Phase I to construct a 4.5-mile transmission line to connect Apple Valley Water System with the Cedar Point Water System to resolve a source capacity issue in the Cedar Point System. Phase I improvements begin at the intersection of 2000 S and Highway 59. The waterline continues east on 2000 S until it hits 1800 E. The waterline then runs both north and south on 1800 E. The north waterline continues on 1800 E until it hits 1600 S where it will connect with existing infrastructure. The south waterline will continue on 1800 E for 1,300 ft until it connects with existing infrastructure.

The project does not cross any wetlands, does not affect any endangered or threatened species, or affect any cultural or historical properties, and will be constructed within the existing, previously disturbed, right-of-way for the existing transmission line. The project is needed in order for Big Plains Water SSD to meet current and future demand for drinking water.

The review process indicated that the proposed project will not adversely impact the environment. Consequently, a decision has been made to not prepare an EIS. The State of Utah has elected to "Categorically Exclude from further environmental review" the proposed drinking water project, based upon the careful review of the following report.

195 North 1950 West • Salt Lake City, UT
Mailing Address: P.O. Box 144830 • Salt Lake City, UT 84114-4830
Telephone (801) 536-4200 • Fax (801) 536-4211 • T.D.D. (801) 903-3978
www.deq.utah.gov
Printed on 100% recycled paper

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Environmental Assessment Apple Valley Culinary Water Pipeline Project, prepared by Sunrise Engineering, Inc.

Any and all contractors will be required to comply with all relative federal, state, and local laws, regulations, and executive orders, such as Utah State air quality regulations R307-309. If anything is uncovered or otherwise discovered during construction of the water system improvements that may have cultural or historic significance Big Plains Water SSD will be required to stop construction and notify both the Division of Drinking Water (the Division) and the State Historic Preservation Officer. These two agencies will investigate any such discoveries. If it appears that construction work may be causing an adverse environmental impact, Big Plains Water SSD will be required to stop construction and notify the Division. The Division will investigate any such discoveries.

A Categorical Exclusion (Cat Ex) from environmental review does not require a formal public hearing or a formal public comment period prior to the Cat Ex becoming effective. Therefore, this Cat Ex will become effective on the day it is published on the Utah Public Notice Website, on the system's website and in public locations around the municipality, which is expected to occur on or about September 30, 2024. Questions or comments may be directed to Allyson Spevak at (385) 249-0324 or at allysonspevak@utah.gov.

DIVISION OF DRINKING WATER, DEQ, STATE OF UTAH



Michael J. Grange, P.E.
Infrastructure Funding Section Manager

First Water Agreement Addendum

This Water Agreement Addendum ("Agreement") is made and entered into as of 9/25/24, by and between Hidden Rock Development Group ("Developer") and Big Plains Water Special Service District ("District").

Recitals:

WHEREAS, Developer and District have entered into a Water Agreement, dated June 26, 2024, in which developer and district agreed on terms regarding Developer's Project located in District's service area. This agreement amends and is supplemental to that Water Agreement.

WHEREAS, the Town of Apple Valley has established a Public Improvement District (PID) to facilitate the development of Oculta Roca;

WHEREAS, the Developer intends to construct and install a one million gallon concrete water tank to support the water supply needs of the development;

WHEREAS, Once the Town of Apple Valley has approved the PID the Developer has committed to finance the construction and installation of said water tank;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Developer's Obligations

The Developer agrees to:

- a. Design, construct and install a one-million-gallon concrete water tank along with all of the necessary water lines and hardware in accordance with the District's specifications, the Water Agreement, and applicable laws.
- b. Bear all costs associated with the construction and installation of the water tank, including but not limited to labor, materials, permits, and inspections.
- c. Complete the construction and installation of the water tank within 1 year following the approval of the PID.

2. Districts Obligations

The District agrees to:

- a. Review and approve plans for the construction and installation of the water tank in a timely manner.

3. Indemnification

The Developer agrees to indemnify and hold harmless the District from any and all claims, liabilities, losses, damages, or expenses arising from the construction and installation of the water tank.

4. Default

Default of This Agreement shall be handled in the same manner as the default provision in paragraph 12 of the Water Agreement.

5. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

6. Entire Agreement

This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof and supersedes all prior negotiations, discussions, and agreements.

IN WITNESS WHEREOF, the parties hereto have executed this Water Agreement Addendum as of the date first above written.

Hidden Rock Development Group

By: _____
 Name: _____
 Title: _____
 Date: _____

Big Plains Water Special Service District

By: _____
 Name: _____
 Title: _____
 Date: _____