



State of Utah

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DIVISION OF WATER QUALITY
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April 7, 2021

DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE TO ISSUE A SECTION 401 WATER QUALITY CERTIFICATION

PURPOSE OF PUBLIC NOTICE

The purpose of this public notice is to declare the State of Utah's intention to issue a Section 401 Water Quality Certification with Conditions under the authority of the Federal Clean Water Act (33 U.S.C. § 1341), and consistent with the Utah Water Quality Act, Title 19, Chapter 5, Utah Code Ann. 1953, as amended and Utah Administrative Code R317-15.

PERMIT INFORMATION

PERMITTEE NAME: Arive Homes (Dean Ingram)
MAILING ADDRESS: 733 North Main Street, Spanish Fork, UT 84660
PROJECT LOCATION: Latitude 40.059830°, Longitude -111.661263°
DWQ CERTIFICATION NO.: DWQ-2021-03001
WATERCOURSES: Beer Creek and Palustrine Emergent Wetlands (PEM)

BACKGROUND

The Project Proponent (Arive Homes) is proposing to retain and fill approximately 2.0 acres of Waters of the United States (WOTUS), including wetlands to resolve a Clean Water Act violation associated with the construction of the Ranch meadows Subdivision and construction of a proposed outbuilding. The 2016 construction of the subdivision resulted in the filling of 1.83-acres of palustrine emergent wetland. The project proponent proposes filling the remaining 0.17 acres of wetland to accommodate the construction of an outbuilding on a lot that has previously been developed. The project proponent indicated that the project purpose is to retain the fill associated with a completed cul-de-sac, one completed home, a completed foundation for a second home, and subsurface infrastructure. The additional discharge into the remaining wetland would provide a level pad for construction of a shop and barn within an already developed residential lot. The applicant has proposed to offset the unauthorized activity and the proposed wetland impacts with the wetland creation, enhancement, and preservation on a 9.8 site located approximately 1.75-miles northwest of the project site.

PUBLIC COMMENTS

Public comments are invited any time prior to the deadline of the close of business on **May 7, 2021**. Written public comments can be submitted to: Leanna Littler-Woolf, General Permitting Section, Utah Division of Water Quality, PO Box 144870, Salt Lake City, Utah 84114-4870 or by email at: lnlittler@utah.gov. After considering public comment the Utah Division of Water Quality may execute the Certification issuance, revise it or abandon it. The permit is available for public review under <https://deq.utah.gov/water-quality/water-quality-public-notices>. If internet access is not available, a copy may be obtained by calling Leanna Littler-Woolf at 801-536-4397.

DWQ-2021-005773