



State of Utah

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DIVISION OF WATER QUALITY  
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**June 29, 2023**

DIVISION OF WATER QUALITY  
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
SECOND PUBLIC NOTICE TO ISSUE A UPDES PERMIT  
NOTICE OF PUBLIC HEARING

**PURPOSE OF PUBLIC NOTICE & PUBLIC HEARING**

The purpose of this second public notice is to declare the State of Utah's intention to issue a Utah Pollution Discharge Elimination System (UPDES) Permit under authority of the Utah Water Pollution Control Act, Section 19-5-104(9) and 107(2), Utah Code Annotated 1953, as amended. Said "permit" refers to the UPDES Permit and the Fact Sheet Statement of Basis (including Total Maximum Daily Loads (TMDL's)) if applicable, as per Section 303(d) of the Federal Clean Water Act (CWA)].

The first public notice period began on or about May 11, 2023 and concluded on or about June 12, 2023 whereas comments were received as well as requests for a public hearing. The purpose of the public hearing is to solicit additional comments regarding the draft UPDES Permit as provided under Utah Administrative Code (UAC) R317-8-6.5.

**PERMIT INFORMATION**

PERMITTEE NAME: Kane Creek Preservation and Development, LLC - Wastewater Treatment Plant  
FACILITY LOCATION: 2481 Kane Creek Boulevard, Moab, Utah  
MAILING ADDRESS: 10466 Iverson Lane, Highland, Utah 84003  
TELEPHONE NUMBER: 406-925-0590  
UPDES PERMIT NUMBER: UT0026204  
PERMITTED OUTFALL: 001  
OUTFALL LOCATION: Latitude 38° 32' 6.73" N and Longitude 109° 36' 2.94" W  
RECEIVING WATER: Colorado River

**BACKGROUND**

Kane Creek Preservation and Development, LLC is planning a new development project along the Colorado River near Moab, Utah located at the above facility address (facility).

The facility development includes recreational facilities, commercial spaces, restaurants, overnight accommodations, single family lots, mixed use residential, and including a domestic wastewater treatment plant with a total design population of 1650 served. A wastewater collection system for the development will consist of 3.75 miles of piping with 3 pump stations as well as gravity flow to a new Cloacina Membrane Bio-Reactor (MBR) wastewater processing plant to be located near the northernmost portion of the property. The final effluent discharge from the facility will have an average flow rate of 0.135 million gallons per day (MGD) and a maximum design flow rate of 0.27 MGD. This UPDES Permit will authorize the effluent discharge from the facility MBR treatment plant, as well as the management of Biosolids over the next five years as appropriate. For additional information, please refer to the draft permit and fact sheet documents, which can be found online at <https://deq.utah.gov/division-water-quality>.

### **PUBLIC HEARING INFORMATION**

The Utah Department of Environmental Quality (DEQ) Division of water quality (DWQ) is holding a public hearing to solicit further comments on the draft UPDES Permit referenced above.

Location: Grand Center, Main Hall Room  
182 N 500 W  
Moab, UT 84532

Date: Thursday August 3, 2023

Time: DWQ Informational session begins at 6:00 pm  
Public Hearing from 6:30 pm to 8:00 pm

### **PUBLIC COMMENTS**

During the second public comment period, any interested person may submit written comments on the draft UPDES Permit. All comments from both public notice and comment periods will be considered in making the final decision and shall be answered as provided in UAC R317-8-6.12. Additionally, public comments may be made in person and recorded at the public hearing on the draft UPDES Permit. Written comments will also be accepted at the public hearing. Prior to the hearing, DWQ will hold a short informational session on the draft UPDES Permit. Public comments are invited any time prior to the deadline of the close of business on **August 4, 2023**.

Written public comments can be submitted to: Jeff Studenka, UPDES Individual Permits Section, Utah Division of Water Quality, PO Box 144870, Salt Lake City, Utah 84114-4870, or by email at: [wqcomments@utah.gov](mailto:wqcomments@utah.gov). After considering public comment the Utah Division of Water Quality may execute the permit issuance, revise it, or abandon it. The permit is available for public review under "Public Notices" at <https://deq.utah.gov/division-water-quality>. If internet access is not available, a copy may be obtained by calling Jeff Studenka at 385-602-7303.