



State of Utah

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DIVISION OF WATER QUALITY
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March 5, 2021

DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE TO DENY 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 deny a Section 401 Water Quality Certification 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: WPR Development Company
MAILING ADDRESS: 136 East South Temple, Suite 245, Salt Lake City, Utah, 84121
PROJECT LOCATION: Morgan County, UT (Latitude: 41.115927, Longitude: -111.813503)
DWQ DENIAL NO.: DWQ-2020-05001
WATERCOURSES: Weber River and the following tributaries Jacobs Creek, Peterson Creek and, Dalton Creek. 3.21 acres of wetlands.

BACKGROUND

According to the project proponent, the proposed WPRD project is a 12,831-acre recreation-driven private residential development in Morgan County, Utah with up to 750 residential units including a combination of ranch lots, single-family residences, cabins, duplexes, townhomes, and condominiums. The proposed WPRD project includes a 18-hole championship golf course, 9-hole family golf course, alpine skiing, lake camp, equestrian facilities, hiking, mountain biking and other recreational activities. The proposal also includes a base lodge and several retail and entertainment spaces for the development's residents. The project proponent proposes to impact 3.21 acres of wetlands and 18,524 linear feet (LF) of streams to accommodate utilities, roads, alpine skiing, and the proposed golf course. As part of the WQC application, the project proponent provided a description of proposed mitigation in a document titled "Wetland and Creek Mitigation Plan for the Wasatch Peaks Development Project". The project proponent proposes the relocation/reestablishment of 17,658 LF of streams and the preservation/restoration of 83,000 LF of existing streams onsite. The plan includes 190 acres of preservation/restoration of adjacent buffers (100-ft wide creek and adjacent riparian buffer). The plan also describes the proposal to establish approximately 8.2 acres of new palustrine emergent, scrub-shrub and forested wetlands from an existing upland agricultural field along the Weber River. Based on the submitted mitigation plan, the project proponent plans to conduct "permittee responsible mitigation."

PUBLIC COMMENTS

Public comments are invited any time prior to the deadline of the close of business on **April 5, 2021**. Written public comments can be submitted to: Leanna Littler-Woolf, General Permits Section, Utah Division of Water Quality,

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WPR Development Company

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 decision, revise it or abandon it. The Section 401 Water Quality Certification Denial and Level II Antidegradation Review are 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-2021-002343