

**PUBLIC PARTICIPATION SUMMARY**

**Aquifer Classification Petition  
Principal Basin-Fill Aquifer in the East Shore Area  
Davis County, Utah**

Prepared by

Utah Department of Environmental Quality  
Division of Water Quality  
Ground Water Protection Section

Petitioned to the Utah Water Quality Board by  
Davis County Health Department

August 23, 2011

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## **SECTION 1**

Board Memo Requesting Public Hearing



State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

Department of  
Environmental Quality

Amanda Smith  
Executive Director

DIVISION OF WATER QUALITY  
Walter L. Baker, P.E.  
Director

**TO:** Water Quality Board

**THROUGH:** Walt Baker, Executive Secretary 

**FROM:** Mark Novak, Environmental Scientist, Ground Water Protection Section  
MTN RPH LAL

**DATE:** April 20, 2011

**SUBJECT:** Request for Authorization to Conduct a Public Hearing for an Aquifer Classification Petition for the East Shore Area, Davis County

In accordance with provisions of UAC R317-6-5, the Utah Geological Survey submitted a petition to the Utah Water Quality Board on behalf of the Davis County Health Department to classify the principal basin-fill aquifer in the east shore area of Davis County, Utah. The petition was prepared by the Utah Geological Survey and is based on ground water quality data collected by the Utah Geological Survey, the USGS, and the Utah Division of Drinking Water. Based on ground water quality data, 85% of the aquifer is classified as Class IA Pristine Ground Water and 15% is classified as Class II Drinking Water Quality Ground Water. Plate 2 from the petition shows these ground water classification areas in Davis County (attached).

Any person may petition the Board for an aquifer classification if sufficient data are provided as required in the UAC R317-6-5, "Ground Water Classification for Aquifers", which is included on page 2 for your reference. This rule allows the Board to classify entire aquifers or parts of aquifers according to the quality of the ground water contained therein. Boundaries for the class areas are to be delineated and based on hydrogeologic properties and existing ground water quality. Parts of the same aquifer may be classified differently. Our Aquifer Classification Fact Sheet is provided on page 3 for additional information.

The staff has reviewed the petition and has determined that the criteria have been met. Therefore, it is recommended that the Board initiate action for aquifer classification. With the Board's approval, the Division of Water Quality will set a date for conducting a public hearing in the county and issue the required public notice. After holding the public hearing and consideration of any comments that are received, information will be returned to the Board for the disposition of the classification petition.

4.1

**R317-6-5. Ground Water Classification for Aquifers.**

5.1 GENERAL

- A. When sufficient information is available, entire aquifers or parts thereof may be classified by the Board according to the quality of ground water contained therein and commensurate protection levels will be applied.
- B. Ground water sources furnishing water to community drinking water systems with ground water meeting Class IA criteria are classified as Class IA.

5.2 CLASSIFICATION AND RECLASSIFICATION PROCEDURE

- A. The Board may initiate classification or reclassification.
- B. Any person may petition the Board for classification and reclassification.
- C. Boundaries for class areas will be delineated so as to enclose distinct ground water classes as nearly as known facts permit. Boundaries will be based on hydrogeologic properties, existing ground water quality and for Class IB and IC, current use. Parts of an aquifer may be classified differently.
- D. The petitioner requesting reclassification will provide sufficient information to determine if reclassification is in the best interest of the beneficial users.
- E. A petition for classification or reclassification shall include:
  - 1. factual data supporting the proposed classification;
  - 2. a description of the proposed ground waters to be classified or reclassified;
  - 3. potential contamination sources;
  - 4. ground water flow direction;
  - 5. current beneficial uses of the ground water; and
  - 6. location of all water wells in the area to be classified or reclassified.
- F. One or more public hearings will be held to receive comment on classification and reclassification proposals.
- G. The Board will determine the disposition of all petitions for classification and reclassification, except as provided in R317-6-5.2.H.
- H. Ground water proximate to a facility for which an application for a ground water discharge permit has been made may be classified by the Executive Secretary for purposes of making permitting decisions.

## Aquifer Classification Fact Sheet

When sufficient information is available, entire aquifers or parts of aquifers may be classified or reclassified by the Utah Water Quality Board upon request by submitting a classification petition to the Division of Water Quality.

### **Petition Requirements**

A petition for a ground water classification must include the following information:

- Factual data supporting the proposed classification;
- A description of the proposed ground waters to be classified or reclassified;
- Potential contamination sources;
- Ground water flow direction;
- Current beneficial uses; and
- Location of all water wells in the area to be classified or reclassified.

A petition for classification or reclassification must be performed under the direction of, and bear the seal of a Utah-licensed professional engineer or professional geologist.

### **Ground Water Classes**

In general, ground water quality classes are defined by the total dissolved solids (TDS) content. Parts of an aquifer may be classified differently and boundaries between different ground water class areas will be based on hydrogeologic properties and ground water quality data. Below are the five Utah ground water quality classes:

<b>Class</b>	<b>TDS (milligrams/liter)</b>
IA Pristine	<500
IB Irreplaceable	not specified
IC Ecologically Important	based on surface water standards
II Drinking Water Quality	501-3,000
III Limited Use	3,001-10,000
IV Saline	>10,000

### **Public Comment**

After a technical review of the petition has been conducted by Division of Water Quality staff, one or more public hearings will be held to receive comment on classification and reclassification proposals. Written comments are also solicited during the 30-day public comment period.

### **Planning Tool**

Ground water classifications are intended to be used as a planning tool by local governmental agencies to protect ground water quality. Classifications do not mandate any specific actions for local planning and zoning, nor obligate local governments to perform any technical assessments or monitoring, nor restrict existing or future land use. A summary of aquifers that have been classified by the Board is provided on the Ground Water Protection webpage at <http://www.waterquality.utah.gov/GroundWater/index.htm>.

## **SECTION 2**

### **Public Hearing Notice**

(Published in the Standard Examiner on July 20, 2011, and published in the Davis County Clipper on July 21, 2011.)

**Utah Department of Environmental Quality  
Division of Water Quality  
Ground Water Protection Section**

*Notice of Public Hearing*

**Aquifer Classification Petition  
Principal Basin-Fill Aquifer in the East Shore Area  
Davis County, Utah**

The purpose of this notice is to announce the State of Utah's intention to conduct a public hearing to receive public comment on the proposed aquifer classification for the Principal Basin-Fill Aquifer in the East Shore Area of Davis County, Utah.

The hearing will begin at 6:00 P.M. on Wednesday July 27, 2011 at:

3<sup>rd</sup> Floor Board Room  
Davis County Health Department  
22 South State Street  
Clearfield, Utah

The Davis County Health Department has petitioned the Utah Water Quality Board in accordance with UAC R317-6-5 to classify ground water in the Principal Basin-Fill Aquifer in the East Shore Area of Davis County. The petition is available for review on the DWQ website at [www.waterquality.utah.gov/](http://www.waterquality.utah.gov/) or the petition may be examined, or copies obtained by contacting Mark Novak at (801) 536-4358, Division of Water Quality, 195 North 1950 West, Salt Lake City, Utah. Written comments may be submitted at the hearing, by email to [mnovak@utah.gov](mailto:mnovak@utah.gov) or by mail until 6:00 P.M. on Monday, August 22, 2011. If mailed, comments should be addressed to: Mark Novak, Utah Division of Water Quality, P.O. Box 144870, Salt Lake City, UT 84114-4870.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Dana Powers, Office of Human Resources at (801) 536-4413 (TDD 536-4414).

## **SECTION 3**

### Public Hearing Agenda

**Utah Department of Environmental Quality  
Division of Water Quality  
Ground Water Protection Section**

**PUBLIC HEARING AGENDA**

**Aquifer Classification Petition  
Principal Basin-fill Aquifer in the East Shore Area  
Davis County, Utah**

**6:00 P.M.  
Wednesday  
July 27, 2011**

**3<sup>rd</sup> Floor Board Room  
Davis County Health Department  
22 South State Street  
Clearfield, Utah**

1. Welcome and Introduction – Merritt Frey, Utah Water Quality Board
2. Hearing Officer Statement – Merritt Frey, Utah Water Quality Board
3. Staff Statement – Mark Novak, Environmental Scientist, Ground Water Protection Section
4. Petitioner Statement – Dee Jette', Davis County Environmental Health
5. Aquifer Classification Presentation, Paul Inkenbrandt, Geologist, Utah Geological Survey
6. Informal Question and Answer Session
7. Formal Public Hearing – Merritt Frey, Utah Water Quality Board
  - Hearing Procedure
  - Receipt of Public Comments for the Record
  - Close of Public Hearing

**Hand-outs Available at the Public Hearing**

- Hearing Officer Statement
- Staff Statement
- Aquifer Classification Fact Sheet

**Public Hearing Staff**

Utah Department of Environmental Quality, Division of Water Quality

- Merritt Frey, Utah Water Quality Board
- Rob Herbert, P.G., Manager, Ground Water Protection Section
- Mark Novak, P.G., Environmental Scientist, Ground Water Protection Section

**SECTION 4**

Public Hearing Sign-In Sheet

# SIGN IN SHEET

NAME & ORGANIZATION	<input checked="" type="checkbox"/> Public Comment?	If you wish to receive written response to public comments, please provide the information below:	
		ADDRESS	EMAIL
Rob Herbert DWQ			rherbert@utah.gov
Mike Lowe UGS			mikelowe@utah.gov
PAUL INKENBRANDT UGS			paulinkenbrandt@utah.gov
Janae Wallace UGS			janaewallace@utah.gov
Mark Novak OWQ			mnovak@utah.gov
<sup>CDSO</sup> LELAND MYERS	✓		LJMYERS@CDSO.UT.ORG
Rachelle Blackham		DCHD	rblackham@w-davis-ut.us
Lorna Rosenstern	✓	Waterwatch of Utah 1421 E 300 N	UBDH@comcast.net
DAVE FENCE			DAVIDS@CO.DAVIS.UT.US
BOB BALLEW		P.O. BOX 618 FARMINGTON, UT 84025	rballew@daviscountyutah.gov

## **SECTION 5**

### Hearing Officer Statement

Utah Department of Environmental Quality  
Division of Water Quality

## **HEARING OFFICER STATEMENT**

Merritt Frey, Utah Water Quality Board

### **Aquifer Classification Petition Principal Basin-Fill Aquifer in the East Shore Area Davis County, Utah**

Wednesday  
July 27, 2011  
6:00 P.M.

3<sup>rd</sup> Floor Board Room  
Davis County Health Department  
22 South State Street  
Clearfield, Utah

Good evening. My name is Merritt Frey and I am a member of the Utah Water Quality Board. Sitting next to me is Mark Novak, an environmental scientist in the Ground Water Protection Section of the Division of Water Quality (DWQ). For this hearing tonight, I am representing the Utah Water Quality Board as the hearing officer.

This public hearing is convened under the authority of the Ground Water Quality Protection Rules (R317-6-5.2F) to receive public comment on a petition to classify ground water in the Principal Basin-Fill Aquifer in the East Shore Area of Davis County. Based on a staff recommendation, a preliminary determination has been made by the Executive Secretary of the Utah Water Quality Board that the draft aquifer classification meets the requirements of the rules and is in the best interest of the beneficial users.

A public notice of this hearing was published in the Standard Examiner on July 20<sup>th</sup> and in the Davis County Clipper on July 21<sup>st</sup>. The petition is available for review on the DWQ website at [www.waterquality.utah.gov/](http://www.waterquality.utah.gov/) or upon request by contacting Mark Novak at [mnovak@utah.gov](mailto:mnovak@utah.gov) or (801) 536-4358.

Anyone who wants to give oral comments for the record should indicate so on the sign-in sheet by the door. Oral comments will be recorded and a transcript will be available for public review from the Division of Water Quality. For those wishing to mail written comments, copies of the Public Notice are available at the sign-in table and contain the information you need to submit written comments. Written comments received no later than 6:00 P.M. on Monday August 22, 2011 will be accepted for the record.

The purpose of this hearing is to receive public comments on the proposed classification and there will be no attempt to address your comments tonight. At the conclusion of the 30-day public comment period on August 22, 2011, we will review all comments to determine if they are substantive to cause a change in the proposed classification. Prior to receiving public comments, a staff statement will be given by Mark Novak, followed by a petitioner statement by Dee Jette' of the Davis County Health Department. A technical presentation on the classification will then be given by Paul Inkenbrandt of the Utah Geological Survey followed by an informal question and answer session.

*[Staff Statement by Mark Novak]*

*[Petitioner Statement by Dee Jette']*

*[Technical Presentation by Paul Inkenbrandt]*

*[Informal Q & A Session]*

If there are no more questions, we will now proceed with the receipt of public comments. Please state your name and whether you are a citizen or representative of an organization before making your comments. I remind you that there will be no question and answer session during the receipt of public comments and your comments will not be addressed tonight.

*[Receipt of Public Comments]*

If there are no more comments, this hearing will be considered closed. Any additional written comments will be accepted until 6:00 P.M. on August 22, 2011.

Hearing adjourned at 7:00 P.M., July 27, 2011.

## **SECTION 6**

### **Staff Statement**

Utah Department of Environmental Quality  
Division of Water Quality

**PUBLIC HEARING STAFF STATEMENT**

Mark Novak, Ground Water Protection Section

**Aquifer Classification Petition  
Principal Basin-Fill Aquifer in the East Shore Area  
Davis County, Utah**

Wednesday  
July 27, 2011  
6:00 P.M.

3<sup>rd</sup> Floor Board Room  
Davis County Health Department  
22 South State Street  
Clearfield, Utah

Good evening. I'm Mark Novak with the Utah Division of Water Quality Ground Water Protection Section.

The State of Utah administers programs to protect ground water under the authority of the Water Quality Act and the Ground Water Quality Protection Rules (R317-6), which were promulgated under the Act. These Rules define ground water classes based on existing ground water quality, establish allowable levels of contaminants based on ground water class, and define procedures for formal classification of aquifers. Copies of these Rules are available on the Division of Water Quality website at: [www.waterquality.utah.gov/](http://www.waterquality.utah.gov/).

Ground water classes are protected based on their potential beneficial uses defined below:

<b>Ground Water Class</b>	<b>Total Dissolved Solids Range (mg/l)</b>	<b>Beneficial Use</b>
Class IA	Less than 500	Pristine
Class IB	Not designated	Irreplaceable
Class IC	Based on surface water standards	Ecologically Important
Class II	501-3,000	Drinking Water Quality
Class III	3,001-10,000	Limited Use
Class IV	Greater than 10,000	Saline

Part 5 (R317-6-5) of the Rules defines procedures for a formal classification of ground water quality for any aquifer. Any person may petition the Water Quality Board for classification of an aquifer or a part of an aquifer. The Rules require the petition must include the following information (R317-6-5.2.E):

1. Factual data supporting the proposed classification;
2. A description of the proposed ground waters to be classified or reclassified;
3. Potential contamination sources;
4. Ground water flow direction;
5. Current beneficial uses of the ground water; and
6. Location of all water wells in the area to be classified or reclassified.

The Rules also require one or more public hearings to receive comment on any proposed classification (R317-6-5.2.F). At the June 22nd Water Quality Board meeting, the staff requested authorization to conduct a public hearing for a Petition for Ground Water Classification of the Principal Basin-Fill Aquifer in the East Shore Area, which was submitted by the Davis County Health Department. Based on a staff technical review, the Petition was determined to be complete and the Board authorized the staff to conduct this public hearing.

Ground water classifications are intended to be used as a planning tool by local governmental agencies. **Ground water classifications do not:**

- Mandate any specific actions for local planning or zoning.
- Obligate local government agencies to perform any technical assessments or monitoring.
- Restrict existing or future land use.

The Petition was submitted by Lewis Garrett, Director of the Davis County Health Department, and Dee Jette' of Environmental Health will now give a petitioner statement.

*[Petitioner Statement by Dee Jette']*

The Petition was prepared for the Davis County Health Department by Paul Inkenbrandt of the Utah Geological Survey, who will now give a presentation on the proposed aquifer classification, followed by an informal question and answer session.

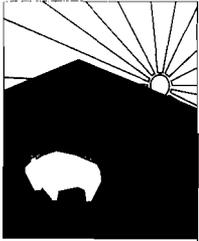
After the informal question and answer session, public comments will be received and recorded. We will not address any comments at this hearing tonight. Written responses will be prepared for all oral comments received during this hearing and written comments received throughout the entire public comment period, which ends on August 22, 2011. A public participation document with all comments and DWQ responses will be available upon request and will be posted on the DWQ website at: [www.waterquality.utah.gov/](http://www.waterquality.utah.gov/).

*[Presentation by Paul Inkenbrandt followed by informal Q & A Session]*

## **SECTION 7**

### **Petitioner Statement**

Rob H.



# DAVIS COUNTY HEALTH DEPARTMENT

## HEALTH ADMINISTRATION

js

**Lewis R. Garrett, M.P.H.**  
Director of Health  
Courthouse Annex  
50 East State Street  
P. O. Box 618  
Farmington, UT 84025  
(801) 451-3340  
(801) 451-3228 TDD  
(801) 451-3242 Fax

April 21, 2011

Walt Baker, Director  
Utah Division of Water Quality  
P.O. Box 144870  
Salt Lake City, UT 84114-4870

Dear Mr. Baker:

Davis County Health Department is petitioning the Utah Water Quality Board to classify ground water in Davis County. The county portion of the lower Weber Sub-basin is an area along the northern Wasatch Front experiencing an increase in population. Population growth is typically accompanied by changes in land-use and land-use planning. This petition was prepared for us based on data compiled by the Utah Geological Survey. We appreciate the assistance your staff has provided in reviewing drafts of this document and its maps.

We will include ground-water classification as part of Davis County's future planning. Ground-water quality is a crucial element that influences residential and other types of growth and is extremely important to the welfare of present and future County residents. Aquifer classification will provide the necessary scientific background and tools for establishing and enforcing regulations protecting ground-water quality.

The community is concerned about maintaining the water quality in the aquifer as development progresses throughout the county, including the recharge zones. The maps provided with the petition will help determine which areas are critical in terms of controlling new development.

Please let us know if there is any additional information you need, or if you have any questions concerning our request.

Sincerely,

Lewis R. Garrett, Director  
Davis County Health Department

Document Date 4/21/2011



DWQ-2011-005382

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## **SECTION 8**

### **Public Comments**

## **Written Public Comments**

# Waterwatch of Utah<sup>®</sup>

Doing our Best to Keep the Information Flowing

July 27, 2011

RE: Public Comment – Davis County, Utah  
Aquifer Classification Petition – Principal Basin-fill Aquifer in the East Shore Area

Waterwatch of Utah researches various issues that impact Utah's water. A zoning tool and a commodity, uncontaminated water is Utah's most precious natural resource.

Earlier this month, the U.S. House of Representatives passed HB 2018, legislation which stripped much of the Environmental Protection Agency's oversight abilities as it pertains to States water quality standards. Although arguments can be made for and against that action, the decision underlines the fact that it is our responsibility, as a State, a County and as a community, to protect this irreplaceable resource.

We support adopting this Aquifer Classification Petition as it simply defines the resource.

We applaud the staff members of the Davis County Environmental Health Department, the Utah Geological Survey and the Utah Department of Water Quality for the excellent work evidenced in this Aquifer classification.

Respectfully submitted,



Lorna B. Rosenstein  
Executive Director  
Waterwatch of Utah

**COMMENTS: Leland Meyers, P.E., Manager, Central Davis Sewer District**

Aquifer Classification Petition  
Principal Basin-Fill Aquifer in the East Shore Area  
Davis County, Utah

Please accept the following comments on the above referenced aquifer classification petition.

Davis County Sewer Districts (Districts) supports the maintenance of all high quality aquifers located in Davis County. We believe it is necessary to maintain these high quality water sources in order to provide for the needs of a significant and growing population. However, we believe that the current petition needs clarification to insure that inadvertent problems do not occur as a result of the aquifer classification. Specifically, the following problems are identified.

1. The petition mentions the basin fill aquifer as the classified aquifer. From our discussion with DWQ staff this is the confined aquifer under much of Davis County. The document does not, however differentiate between the confined aquifer (basin fill aquifer) and the shallow, unconfined aquifer which seeps to the Great Salt Lake. The ground water pressure in the confined aquifer is greater than the gravity pressure in the unconfined aquifer and hence the movement of water is upward from the confined aquifer not downward from the unconfined aquifer. This information is graphically shown in Figure 3 of the Petition.
2. Class IA groundwater has a TDS of less than 500 mg/L. Plate 1 shows much of the aquifer with a TDS of less than 250 mg/L and another large area with a TDS of less than 500 mg/L. R317-6-4 stipulates a groundwater protection level of 1.25 times the background level in the protected aquifer. This could mean a limit for TDS of 313 mg/L could be applied to any surface application of water. While such limitations are not currently applied to surface applications, we believe a case, under the current rule, could be made for such a limit to be applied. The Districts currently apply treated effluent to plant and farm grounds owned by the Districts that exceeds this TDS concentration. The Districts also apply treated biosolids to the farm grounds that is identified as a pollutant in the R317-6-1.32.
3. Since the ground water flow is from the confined aquifer to the unconfined aquifer, the potential for TDS or other pollutants entering the proposed classified, confined aquifer is very low or nonexistent. Yet, R317-6 does not exclude the unconfined aquifer being protected to the extent the confined aquifer classification allows.

4. Further complicating the issue is that the aquifer does not immediately stop at the edge of the Great Salt Lake. The Great Salt Lake in Farmington Bay routinely ranges from 0.5% salt up to 7% salt. If the unconfined aquifer were impacting the confined aquifer, the lake would have done it years ago.
5. Plates 3a, 3b, & 3c identify numerous surface “potential contaminant” sources that are over both recharge zones and/or the unconfined aquifer. The question begs answering, are the pollutant sources over the unconfined aquifer really a threat to the confined basin fill aquifer?

We understand that the DWQ staff evaluates site specific conditions when developing groundwater discharge permits, but if the Districts were to propose wetlands for polishing of treated effluent, what would prevent a zealous third party from claiming the wetland was actually a recharge process and then use the groundwater classification as a means of protesting such a treatment option? This same concern applies to the land application of biosolids that could be even more perplexing. Since the rule specifically identifies sewage sludge as a pollutant, and the argument is routinely made that compost created from biosolids is still classified as sewage sludge, any compost or land applied biosolids could be forced to meet the pollutant limitations of R317-6-4.2(B)(2) or land application could be prevented. Such a determination would not be consistent with 40 CFR Part 503, or current practices throughout the nation. Again, we recognize that DWQ staff would not make such an error in judgment, but we do not have as much faith in third parties.

We propose the following actions could be taken by DWQ to prevent the above, identified problems from becoming issues. First, the petition could be rewritten to identify the basin fill aquifer as the confined aquifer in areas outside the recharge zones. The petition could also specifically exclude the unconfined aquifer where the groundwater potentiometric surface is sufficient to negate the unconfined aquifer hydraulic head potential. Second, R317-6-4 can be rewritten to exclude the conditions mentioned above from TDS and pollutant discharge requirements.

Thank you for considering this information and request. Should you have any questions, please contact me.

Central Davis Sewer District  
Leland Myers, P.E., District Manager  
Office – 801-451-2190; Cell – 801-560-3938

North Davis Sewer District  
Kevin Cowan, P.E., District Manager  
Office – 801-825-0712; Cell – 801-726-5591

South Davis Sewer District  
Dal Wayment, P.E., District Manager  
Office – 801-295-3469; Cell – 801-580-3889

**DWQ Response:** Based on your comments, the petition was revised to clarify what the classification does and does not apply to. The classification does not apply to the shallow unconfined aquifer, which overlies the principal aquifer in much of the study area. This is technically justified by the presence of low-permeability confining layers between the shallow unconfined and deep aquifers, which act as an aquitard to protect the deep aquifer from surface contamination, and by the upward vertical hydraulic gradient in ground-water discharge areas underlying most of the area where a shallow unconfined aquifer exists. The classification applies to the principal drinking water aquifer, which consists of a confined aquifer underlying the shallow unconfined aquifer and upper confining layers and a deep unconfined aquifer beyond the margins of the confining layers where the shallow unconfined aquifer does not exist.

## **Oral Comments Received at the Public Hearing**

**COMMENTER: Lorna B. Rosenstein, Executive Director, Waterwatch of Utah**  
*Waterwatch of Utah researches various issues that impact Utah's water. A zoning tool and a commodity, uncontaminated water is Utah's most precious natural resource. Earlier this month, the U.S. House of Representatives passed HB 2018, legislation which stripped much of the Environmental Protection Agency's oversight abilities as it pertains to State water quality standards. Although arguments can be made for and against that action, the decision underlines the fact that it is our responsibility as a State, a County and a community, to protect this irreplaceable resource. We support adopting this aquifer classification petition as it simply defines the resource. We applaud the staff members of the Davis County Environmental Health Department, the Utah Geological Survey and the Department of Water Quality for the excellent work evidenced in this aquifer classification.*

**DWQ Response:** Thank you for your support of this aquifer classification.

**COMMENTER: Leland Myers, P.E., Manager, Central Davis Sewer District**  
*My comments are on behalf of all the wastewater treatment districts in the state of Utah. These are my written comments [Mr. Myers hands written comments to Mark Novak of DWQ]. In summary, we support classification of all drinking water aquifers. We are in favor of classification of the confined aquifer as an important source of drinking water. We do, however, have talked with the county and with UGS and want to ensure that the petition is very specific to the classified aquifer, the confined aquifer, and it does not directly include the unconfined aquifer on the surface. Principal concerns are related to R317-6-4 where there are requirements specific to classified aquifers and the concern we have is relative to the TDS standard in that rule, which if applied would be impacting almost every surface water supplied irrigation system plus any potential for current existing use of reuse water for the wastewater facility because the TDS would be higher than 25 percent greater than the underlying aquifer. So the real concern is that the petition, you know, if we had our choice we would like to see the rule modified a little too, but that the petition addressed the fact that this is for the confined aquifer, the drinking water aquifer, and that it does not apply to the unconfined aquifer. Then there's a bunch of other words on here that says kind of sort of that, maybe a little more maybe a little less. That's it.*

**DWQ Response:** Based on your comments, the petition will be revised to clarify what the classification does and does not apply to. The classification does not apply to the shallow unconfined aquifer, which overlies the principal aquifer in much of the study area. This is technically justified by the presence of low-permeability confining layers between the shallow unconfined and deep aquifers, which act as an aquitard to protect the deep aquifer from surface contamination, and by the upward vertical hydraulic gradient in ground-water discharge areas underlying most of the area where a shallow unconfined aquifer exists. The classification applies to the principal drinking water aquifer, which consists of a confined aquifer underlying the shallow unconfined aquifer and upper confining layers and a deep unconfined aquifer beyond the margins of the confining layers where the shallow unconfined aquifer does not exist.