

VII. Implementation

VII. IMPLEMENTATION

The factor that distinguishes water quality planning from most local planning is the requirement for implementation. Planners have long recognized the fact that the planning process is not an independent function of implementation. Planning is a dynamic process that requires continuous up-dating with advents in technological development. The best available alternative solutions can be realized only as far as the necessary implements can achieve them.

Therefore, implementation is often changed or overlapped by technology recognized by the planning process. This plan has attempted to identify the most realistic and implementable of solutions to identified water quality problems. These solutions represent the best range of alternatives open to Salt Lake County residents in meeting the letter and spirit of Public Law 92-500.

The purpose of this chapter is to describe the framework in which the water quality programs presented will be implemented. It consists of two parts:

1. The description of local achievements in implementing an on-going county-wide water quality planning process.
2. A description of the management agencies to be designated in implementing the water quality plan, and their organization, tasks, and responsibilities in achieving effective management of both point and non-point pollutants.

Water Quality Planning - A Success Story

Much of the implementation of 208 goals and objectives has taken place in tangent with the planning process, particularly in the area of municipal treatment facilities. This is due in part to extensive studies on wastewater treatment already undertaken during the 303e and 201 projects.

However, the primary organizational unit for carrying out implementation elements was not identified until July of 1977, when the 208 Project Steering Committee met in Alta to consider initiating some form of on-going area-wide water quality management. The 208 Project staff presented two organizational alternatives: The Special Service District, and the creation of an area-wide agency using existing flood control legislation.

After four months of debate and dialogue with the Steering Committee, the Area-wide Agency concept surfaced as the most desirable alternative. On Halloween of 1977, the Salt Lake County Commission unanimously voted "Aye" on an enabling ordinance that created the "Salt Lake County Department of Water Quality and Water Pollution Control."

The framework for continuing area-wide planning and management of water quality in Salt Lake County is thus established. Integration and coordination will be accomplished as a function of the Board of County Commissioners. Management of specific water quality treatment works, monitoring and regulatory activities, development and implementation of best management practices, etc., will be carried out on a decentralized basis by existing agencies. These include the following which have participated in the development of this plan:

- Salt Lake County Council of Governments
- Utah Water Pollution Committee
- Wasatch Front Regional Council
- Salt Lake County Public Works Department
- Salt Lake County Planning Commission
- Municipalities (Public Works & Planning Departments)
- Salt Lake City-County Health Department
- Soil Conservation District
- Salt Lake City Water Department
- Sanitary Sewer Districts in the County
- Salt Lake County Water Conservancy District
- Board of Canal Company Presidents
- Jordan River Parkway Authority
- Utah Transit Authority
- Utah Department of Transportation

Central Utah Water Conservancy District
U.S. Forest Service - Wasatch National Forest
U.S. Army Corps of Engineers
U.S. Geological Service

Each such agency will have representation in the work of the coordinating body, through the policy development and program evaluation committees and the Water Quality and Water Pollution Control Council. The specific roles of the decentralized management entities will be equitably defined and strengthened as a result of the coordination provided in the enabling ordinance, but the role of the Water Quality Coordinating Agency itself will include:

1. Continuing planning, including annual update and recertification of the 208 plan through required channels.
2. Ongoing definition and clarification of roles and responsibilities, through regular meetings and continuing discussions with all agencies involved, to formulate, review, and adopt or modify goals or objectives.
3. Administrative staff assistance and professional consultant studies where needed, to help attain water quality goals.
4. Ongoing evaluation of the program, including review of monitoring and testing activities, and facilities planning and approval procedures.
5. Public education programs to obtain broad understanding, support, and cooperation in efforts to improve water quality.
6. Recommendations to cognizant agencies for appropriate changes in policies, standards, or legislation, to meet changing conditions or requirements with respect to water quality.
7. Coordination of planning and implementation efforts with neighboring 208 organizations.
8. Adequate financing for the activities listed above.

The characteristics and authority orientation of the comprehensive management agency were identified, consistent with the functions and relationships outlined above. It was agreed that the organization's governing body (Council) should be representative of Salt Lake County, both geographically and in terms of specific functional interests. Members of the governing body should have a broad range of expertise in the various special aspects of water quality management, and be elected to serve their position as a representative of one of the following Program Evaluation Committees:

1. Wastewater Treatment
2. Real Estate/Construction
3. Agriculture
4. Watershed & Supply
5. Flood Control/Stormwater
6. Industrial Dischargers
7. General Public Interest
8. Planning
9. Recreational Development

Figure VII-1 summarizes the organization of the new Water Quality Planning Agency, while Figure VII-2 shows the process by which citizen and implementation agency participation is accomplished. Finally, the adopted enabling legislation creating the new water quality management process is included in order to further clarify the functioning of the Council, Committees, or Department.

The various elements of the Water Quality Management Plan must be organized into an implementation schedule. For example, the new wastewater treatment facilities plan, after gaining approval and certification from both the State of Utah and Environmental Protection Agency, will be broken down into the phases that include financial, design, and construction arrangements. Such arrangements will be forthcoming from the Wastewater Program Evaluation Committee, now in the process of finalizing agreements as to the nature, location, and financing of the proposed facilities.

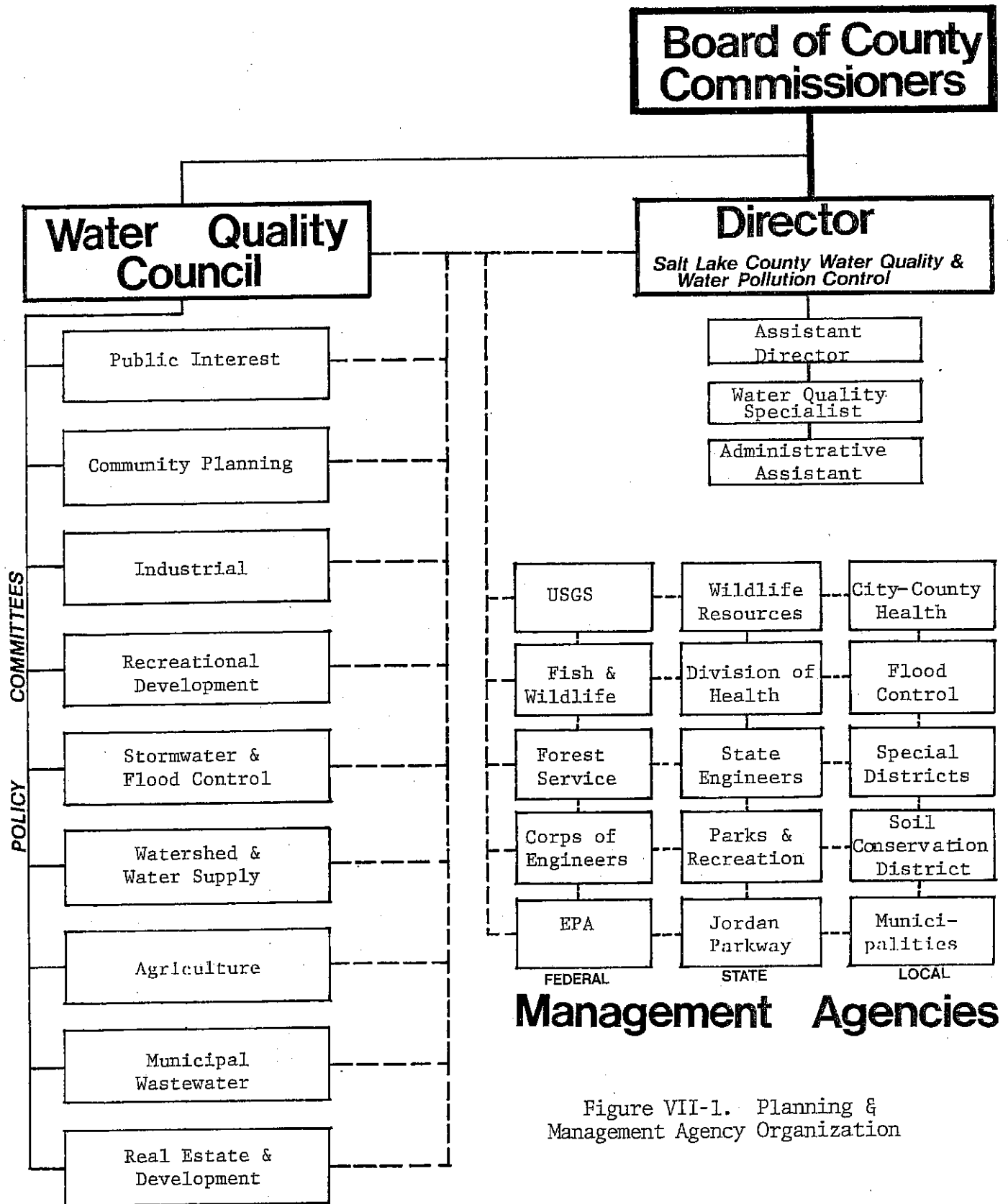


Figure VII-1. Planning & Management Agency Organization

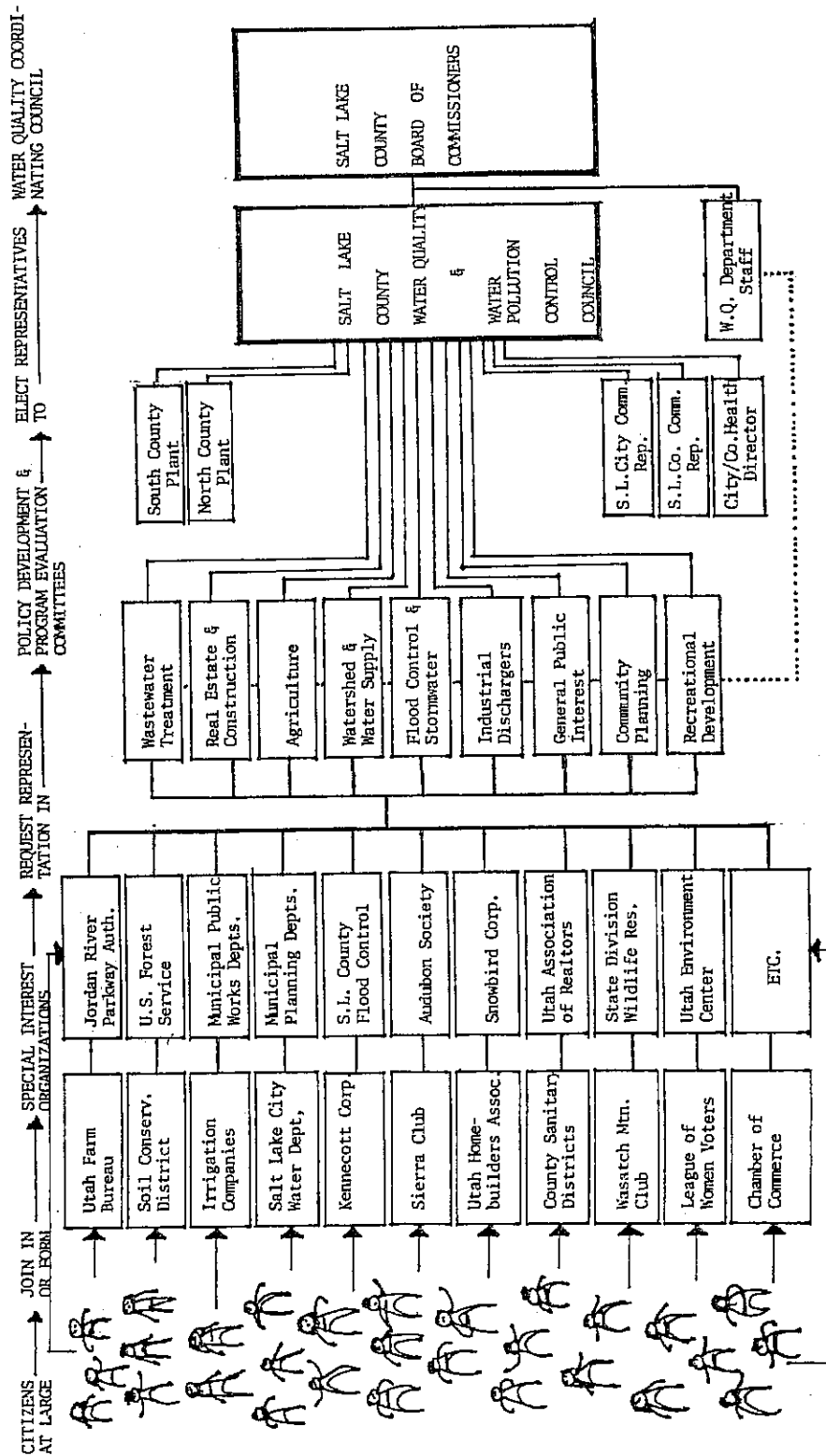


Figure VII-2. Citizen Participation In Water Quality Planning Activities

ENABLING ORDINANCE

ORDINANCE NO. 615

AN ORDINANCE ENACTING TITLE 7, CHAPTER 5, SECTIONS 1 THROUGH 9, INCLUSIVE, OF THE REVISED ORDINANCES OF SALT LAKE COUNTY, 1966, AS AMENDED, ENTITLED "WATER QUALITY AND WATER POLLUTION CONTROL"; WHICH ESTABLISHES A SALT LAKE COUNTY WATER QUALITY AND WATER POLLUTION CONTROL DEPARTMENT, AN ADVISORY COUNCIL TO THE SALT LAKE COUNTY COMMISSION FOR SAID DEPARTMENT, AND POLICY DEVELOPMENT AND EVALUATION COMMITTEES TO AID THE COUNCIL; AND FURTHER PROVIDES AREAS OF CONCERN AND ACTIVITY FOR BOTH COUNCIL AND COMMITTEES.

The Board of County Commissioners of the County of Salt Lake ordains as follows:

SECTION I. That Title 7, Chapter 5, SECTIONS 1 through 9, inclusive, of the Revised Ordinances of Salt Lake County, 1966, as amended, entitled "Water Quality and Water Pollution Control," is hereby enacted as follows:

CHAPTER 5

WATER QUALITY AND WATER POLLUTION CONTROL

Sections:

7-5-1	Preamble
7-5-2	Advisory Council
7-5-3	Composition of Advisory Council
7-5-4	Policy Development and Program Evaluation Committees
7-5-5	Selection of Committee Members and Terms of Office
7-5-6	Duties of Council
7-5-7	Duties of Policy Development and Program Evaluation Committees
7-5-8	Duties of Department
7-5-9	Severability

WATER QUALITY AND WATER POLLUTION CONTROL ORDINANCE

Sec. 7-5-1. PREAMBLE. In order to facilitate the performance of the responsibilities of the Board of County Commissioners of Salt Lake County to enforce all laws and regulations for the prevention of water pollution, and to assist in fulfilling the flood control responsibilities of the Commission, there is hereby established a department to be known as the "Salt Lake County Water Quality and Water Pollution Control Department", hereinafter referred to in this chapter as the "Department."

No provision herein shall be construed to permit or encourage the regulation, allocation or reallocation of water rights or of

culinary water collection or distribution systems.

Sec. 7-5-2. ADVISORY COUNCIL. There is hereby established as an advisory council to the Salt Lake County Board of Commissioners a "Salt Lake County Water Quality and Water Pollution Control Council" hereinafter referred to in this chapter as the "Council."

Sec. 7-5-3. COMPOSITION OF ADVISORY COUNCIL. The Council established in Section 7-5-2 above, is comprised of one representative from each of the interest groups and organizations affected by the planning for compliance to, and enforcement of, laws, ordinances and regulations, intended to prevent pollution of the general hydrologic system and specific surface and underground waters in Salt Lake County.

Sec. 7-5-4. POLICY DEVELOPMENT AND PROGRAM EVALUATION COMMITTEES. The following interest groups and organizations are entitled to membership on the Council:

1. Real Estate Development and Construction Group;
2. Wastewater Treatment and Collection Organizations;
3. Agriculture and Soil Conservation Group;
4. Water Supply Organizations;
5. Salt Lake County Flood Control Department and Municipal Public Works and Public Improvements Departments within Salt Lake County and other Drainage authorities;
6. Salt Lake County Planning Commission and Municipal Planning and Zoning authorities within Salt Lake County;
7. Individuals and organizations concerned with the preservation and enhancement of land areas and waters for recreational purposes, including operators of recreational facilities and government agencies of the United States, the State of Utah, Salt Lake County and municipalities within Salt Lake County responsible for maintenance and enforcement of laws, regulations and policies related thereto;
8. Industrial organizations whose operations effect

the water quality of the hydrologic system in Salt Lake County or who are involved in research and development of water pollution control or water purification technology;

9. All other individuals, groups, and organizations not described above, having an interest in the operation of the Department and the prevention of pollution of the hydrologic system in Salt Lake County;

10. In addition to the representative from each of the groups defined above, a member of the Salt Lake County Commission, the director of the Salt Lake City-County Health Department, a member of the Salt Lake City Commission and a representative from each of the North, Central and South regional sewage treatment plants shall be members of the Council. The regional sewage treatment area represented by the chairperson of the Wastewater Treatment and Collection organizations shall not be entitled to double representation by additional Council memberships provided herein. The chairperson of that committee shall also be the representative of the regional plant area represented.

Each of the nine interest groups and organizations set forth above shall convene separately and be known as "policy development and program evaluation committees," and shall elect by majority vote a council representative from each committee, who shall also serve as chairperson of each committee, and, who shall be approved by the County Commission before being seated on the Council.

Each committee shall be entitled to a seat on the Council for the purpose of representing the interest of each committee and for the purpose of participating in the decisions, the formation of policies and to generally serve the purposes for which the Council is organized.

Sec. 7-5-5. SELECTION OF COMMITTEE MEMBERS AND TERMS OF OFFICE.

(a) Appointment to each committee shall be by the Board of County Commissioners after receiving nominations from

each specific interest group, provided however, that each municipality, improvement district, sanitary district, or other government agency is entitled to participate in such committees as deal with the specific area of interest corresponding to the direct official district or other government agency. Any committee member may designate a substitute member for any particular purpose.

(b) Nominations for membership on the policy development and program evaluation committees shall be received in writing by the Board of Commissioners of Salt Lake County annually.

Membership on the policy development and program evaluation committees shall not be restricted to a specific number of individuals unless the Board of Commissioners of Salt Lake County determines and finds that restriction of membership to any particular committee is necessary to prevent disruption of the committee's work or prevent over-representation by a specific special interest group or organization.

The term of office for any single committee representative to the Council shall not exceed three (3) years, but the term of office may be set at a shorter period than three (3) years upon a vote by a majority of the membership of each committee. By majority vote any committee may remove its representative from the Council. Any committee representative may serve more than one term and may designate a substitute representative for any particular meeting.

(c) To provide for overlapping terms of office, the first representative to the Council shall serve terms of office staggered as follows:

- (1) Four (4) members for a term of one (1) year,
- (2) Four (4) members for a term of two (2) years.
- (3) All other members for a term of three (3) years.

At the first Council meeting, each member other than the Director of the City-County Health Department, the member of the Board of

County Commissioners and the member of the Salt Lake City Commission, shall draw lots to determine the term of office served by each member.

(d) The members of the Wastewater Treatment and Collection organizations from the regional areas not represented by the chairperson Council member shall elect by a majority vote, a representative for each regional area to the Council subject to the approval of the County Commission. The term of office and the procedure for removal from office shall be the same as that established by this ordinance for any single committee representative to the Council.

Sec. 7-5-6. DUTIES OF COUNCIL. The Council may meet as often as deemed necessary, shall elect by majority vote a chairperson and a vice chairperson, one of whom shall represent a committee with a particular interest in non-point source pollution, and shall:

(a) In conjunction with the Department prepare an annual update and recommend recertification of a long-range, comprehensive water quality management plan.

(b) Review and evaluate the progress of all phases of the water quality management plan implementation.

(c) Coordinate the planning activities of all water quality management agencies and interest groups.

(d) Promote the best management practices (BMP's) and nonstructural solutions for water quality problems.

(e) Recommend construction priorities in Salt Lake County for water quality management facilities.

(f) Recommend legislation for improvement of state and local action and funding programs affecting water quality.

(g) Provide for public education and continuing public participation in water quality matters.

(h) Encourage continuing review of new developments and considerations of innovative practices in technological, legal, and administrative aspects of water quality management.

Sec. 7-5-7. DUTIES OF POLICY DEVELOPMENT AND PROGRAM

EVALUATION COMMITTEES. Each policy development and program evaluation committee within the area of it's expertise, shall:

(a) Develop recommendations for policies and procedures pertaining to the committee's specific field of responsibility, for adoption and promulgation by the Council of the Board of County Commissioners of Salt Lake County.

(b) Annually, or more often, if needed, identify and appraise all sources, or potential sources, of pollution within the purview of the committee. Review statutes and ordinances pertaining to such pollution sources and recommend that regulatory agencies are designated, and possess adequate statutory authority, and are conducting effective pollution control programs.

(c) Recommend legislative action, or ordinance action, where needed, to improve regulatory provisions.

(d) Regularly review existing water quality standards, pertaining to the committee's field of interest, recommend changes as needed, and insure publication of such standards to agencies or persons concerned.

(e) Maintain liaison with each implementation agency involved in the committee's field of interest and insure coordination of activities relevant to that field.

(f) Develop recommendations for contracts or memorandums of agreement between implementation agencies and Salt Lake County or the Council.

(g) Receive and evaluate reports, questions, recommendations, or problems referred by the Council for study by the committee--and recommend appropriate actions by the Board of County Commissioners of Salt Lake County, the staff, or the responsible agency.

(h) Recommend construction priorities within the committee's field of expertise.

Sec. 7-5-8. DUTIES OF DEPARTMENT. The Department, under the direction of the Board of County Commissioners and in

conjunction with the Council shall:

- (a) Encourage a "planning philosophy" and assist in identifying roles among all cognizant levels and functions of government and other entities.
- (b) Develop and recommend a basic 20 year water quality plan for Salt Lake County, provide for a continuous planning process and prepare documentation for the annual plan update and recertification.
- (c) Propose legislative action required to achieve effective water quality management.
- (d) Coordinate policies and implementation with other area wide water quality programs, air quality programs, solid waste disposal planning, etc.
- (e) Develop and help implement programs for public education and participation.
- (f) Assist the Salt Lake County Commission, and all local agencies concerned with water quality, in communicating with state and federal government agencies.
- (g) Seek, obtain and administer on behalf of Salt Lake County, loans and grants for comprehensive water quality planning.
- (h) Upon request from local entities, assist local entities in preparing and processing grant applications for water quality improvement projects.
- (i) Administer and develop contracts for study programs and consulting activities.
- (j) Establish, obtain approval for, and administer the departmental budget.
- (k) Investigate and evaluate major pollution problems, including conducting cooperative monitoring of pollution problems, and encourage and assist management agencies in planning and implementation of solutions.
- (l) Conduct research and/or supervise contract research and development to develop best management practices (BMP's) in

non-point source pollution control.

(m) Encourage coordination and consistent policies and practices among local agencies, in planning and zoning, subdivision development, etc.

(n) Promote coordination in water quality control among water providers and purveyors.

(o) Review adequacy and assist in improving water quality monitoring, testing, and permit compliance activities.

(p) Continually review new research in water quality management by universities, industries, or government/non-profit agencies and assure availability of new information or developments to local agencies and organizations.

(q) Conduct such other activities as directed by the Council or the Board of County Commissioners and attend meetings of the program development and evaluation committees.

Sec. 7-5-9. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect independent from the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION II. That this ordinance shall become effective within 15 days after the enactment thereof, if, within the 15-day period, it has been published in a newspaper of general circulation within the County of Salt Lake. If not published at such time, then immediately upon its first publication thereafter.

Approved and Passed this 31st day of OCTOBER, 1977.

BOARD OF COUNTY COMMISSIONERS
OF SALT LAKE COUNTY

By William E. Dunn
WILLIAM E. DUNN, Chairman

Commissioner Dunn voting "Aye"
Commissioner Kutulas voting "Aye"
Commissioner Hutchinson voting "Aye"

ATTEST:

Other Program Evaluation Committees will develop recommendations pertaining to their specific field of responsibility, including the implementation of the Water Quality Plan elements they either affect or are affected by. Therefore a specific design for implementation of all plan elements will be based on the following factors:

1. The relative priority of all plan elements to each other.
2. The degree of critical impacts generated by each plan element.
3. Public sentiment and perception.
4. The amount of supporting data that justifies the implementation of any specific plan element.

Based on data obtained, analyzed, and evaluated during the two-year 208 planning period, the Water Quality Department staff will present recommendations for immediate implementation of those elements enumerated in the Water Quality Management Plan to the appropriate Program Evaluation Committees. Due to the nature of the elements contained in the Plan, and due to Federal and State mandates outlined under P.L. 92-500, a positive implementation program will evolve from this process. It is very doubtful that "do nothing" policies will result, particularly if research and analysis identify the existence of problems. The Water Quality Management Plan identifies those areas presently and possibly defined as problems, thus providing a basis for Committee and Council action.

Water Quality Implementation

The requirement for overall policy guidance of water quality implementation is the responsibility of Salt Lake County Water Quality and Water Pollution Control. The update of the county-wide plan will necessitate needs for data retrieval and implementation progress for inclusion into the plan. In addition

to this critical function, the planning agency has primary responsibility for identification of plan implementing management agencies and designation of those agencies by the Governor of the State of Utah. Designation of a management agency by the governor is a function of this portion of the water quality plan. Federal regulations specify that no designation is possible unless in accordance with the approved water quality plan.

The purpose of this chapter is to identify those agencies to be designated, and their role in implementation. These agencies will have responsibility for either regulatory or non-regulatory programs in dealing with identified pollution sources, and must provide the necessary legal and institutional tools to insure that the program is implemented on a county-wide basis, regardless of the form or fabric of local government.

NON-POINT SOURCE MANAGEMENT AGENCIES

Management agencies vary in their authority and role, with some agencies assuming responsibility for one to five implementation tasks. Table VII-1 summarizes which management agencies are to be initially designated for non-point source control, and the non-point source areas in which they have jurisdiction. Tables VII-2 through 4 detail these roles and responsibilities.

Management agencies are necessary from the federal level down to the local level. There are three federal offices that should sign agreements with the county-wide planning agency to insure proper coordination where federal jurisdiction predominates, and three state agencies that play key roles in implementation of park-related facilities that depend on increased beneficial use of waters resulting from improvement in water quality.

Each municipality has a responsibility for plan implementation and enforcement, particularly in the area of erosion-sediment control, stormwater detention, and septic-tank related problems. Although Salt Lake County has delegated

Table VII-1. Management Agencies
To Be Designated For
Plan Implementation

		Regulatory		Regulatory			Non-Reg.	
		URBAN RUNOFF	Detention Parks/Basins	Erosion-Sediment Control	RECREATION/WATERSHED RUNOFF	"Watch-Dog" Monitoring	Septic Tank Enforcement	AGRICULTURAL RUNOFF
FEDERAL	Forest Service				X	X	X	
	Soil Conservation Service/District			X	X			X
	Corps of Engineers		X					
STATE	Division of Jordan River Parkway		X					
	Division of Parks & Recreation		X					
COUNTY	Agricultural Extension Service			X				X
	Attorney			X	X	X		
	Health					X	X	X
	Flood Control		X	X	X			
	Planning			X	X			
	Recreation		X	X	X			
	Surveyor		X	X	X			
	Building Inspection			X	X			
MUNICIPAL	Salt Lake City		X	X	X	X	X	
	South Salt Lake City			X			X	
	Murray		X	X			X	
	Midvale			X			X	
	Sandy		X	X	X		X	
	West Jordan		x	x	x		x	
	South Jordan		X	X	X		X	
	Riverton		X	X	X		X	
	Draper		X	X	X		X	
	Town of Alta			X		X	X	

state authority for stormwater planning and enforcement, informal arrangements are all that presently exist between the county and municipalities for storm-related implementation. This condition must be formalized before designation may occur.

County management agencies can be expected to enter into inter-agency agreements with the Water Quality Planning Agency.

POINT SOURCE MANAGEMENT AGENCIES

Most of the specific requirements for 208 Management Agencies set forth in PL 92-500 relate to financing, construction, operation, and maintenance of wastewater treatment works. In this section, the existing institutional capabilities are analyzed, area-wide implementation alternatives are reviewed and evaluated, and the 208 point source management plan is evaluated in light of existing facts.

Existing Institution Capabilities

There are 20 county improvement districts, special service districts, or municipalities within Salt Lake County providing for the treatment of wastewater. Organization structures, taxing limits, and bonding capacity for each are established by state law. There are also major differences in size, financial capability, treatment capacity, and management practices and procedures.

Improvement Districts

Title 17, Chapter 6, UCA 1953, as amended, allows for the creation of improvement districts that may set a tax mill levy not to exceed 4 mills. Bonding capacity for improvement districts cannot exceed 12% of the assessed valuation of the real property within the district. The tax may be set by the board of trustees without a vote of the general public. All bonding proposals must be approved by the trustees and the voters of the district. Most of unincorporated

Table VII-2. Management Agencies to be Designated for Urban Runoff Program Category.

URBAN RUNOFF EROSION-SEDIMENT CONTROL		COUNTY	
Agency	FEDERAL	Building Inspection	Planning Commission
Agency	Soil Conservation Service	Building Inspection	Planning Commission
Institutional Responsibility	Conserve soil resources, prevent soil erosion, conserve water declared necessities.	Provide for the enforcement of zoning regulations by means of withholding bldg. permits.	Provide for physical development & zoning of the unincorporated territory of Salt Lake County
Area of Jurisdiction	County-wide	Salt Lake County	Salt Lake County
Legal Authority	62-1-8 Utah Code Ann. (1953 as amended)	Utah Code Ann. 17-5-35	Utah Code Ann. 17-27-9
Financial Source	Federal Appropriation	Department Fees	County Municipal Services Fund Federal Grants-in-Aid
Administrative Tasks	Inventories & monitor erosion from agriculture areas. Provide assistance for & develop materials on plant propagation & other techniques for erosion-sediment control	Review individual subdivision lot plans for compliance with Chapter 70, Uniform Bldg Code, concerning erosion-sediment control and/or slope stabilization. Enforce provisions of Chapter 70 on a lot-by-lot basis.	Review plans for construction or other land-disturbing activities within unincorporated Salt Lake County. Recommend standards as measures to be implemented for effective pollution control. Recommend ordinances implementing such standards or measures for effective pollution control. Coordinate with the M Planning Agency for plan review of land-disturbing activities within Salt Lake County, where soil conditions indicate potential water quality impact.
Project Initiation Date	FEBRUARY 1, 1979		
Estimated Project Completion Date	ON-GOING		
			Dejure: County-wide Defacto: Salt Lake County Utah Code Ann. 11-2-1 County Capital Improv. Budget, Fed. Grants-in-Aid Obligation & Revenue Bond

Table VII-2. Continued

PROGRAM: URBAN RIMOFF
ELEMENT: EROSION-SEDIMENT CONTROL

Level of Government	COUNTY	MUNICIPAL
Agency	Agricultural Extension Service To assist soil conservation districts and agriculture-at-large with technical information regarding conservation.	Municipalities Insure provision of adequate standards for the protection of public health, safety, and welfare.
Institutional Responsibility	Attorney: Provide legal advice and counsel to designated planning and management agencies.	
Area of Jurisdiction	Salt Lake County County-wide (Incorporated and unincorporated areas).	Within respective municipal boundaries (Ref III-10)
Legal Authority	53-52-30 Utah Code Annotated, (1955, as amended) Utah Code 17-16-1 thru 3	Utah Code 10 - Chapter 8-13
Financial Source	State Appropriation County Appropriation County General Fund	Federal Grants-in-Aid, Misc. State/County Appropriations, General Obligations & Revenue Bonds
Water Quality Managerial Tasks	Provide assistance for & develop materials on plant propagation and other techniques for erosion-sediment control.	Insure implementation of erosion-sediment control through effective coordination with other water quality management agencies and area-wide water quality planning agency.
Project Initiation Date	FEBRUARY 1, 1979	
Estimated Project Completion Date	ON-GOING	

Table VII-2. Continued

PROGRAM: URBAN RUNOFF
ELEMENT: DETENTION FACILITIES

Level of Government	FEDERAL	STATE	COUNTY	MUNICIPAL
Agency	Corps of Engineers Installation of Stormwater Detention Facilities	Div. of Parks & Recreation Development of State Park Recreational Facilities	Surveyor Provide all work & Engineering Design of all County Facilities	All Municipalities Insure provision of adequate public facilities for protection of public health, safety & welfare
Institutional Responsibility			Flood Control Implementation, Enforcement, Operation, Maintenance of Flood Control & Water Pollution Development	
Area of Jurisdiction	Jordan River State Park (Ref. Fig. VI-8)	Jordan River State Park (Ref. Fig. V-8)	County-wide (Incorp. areas & unincorp. areas Co. Defacto: (Ref. Fig. VI-14)) Utah Code 17-23-10	Within Respective Municipal Boundaries (Ref. Fig. III-10)
Legal Authority	Water Resources Planning Act, 1974 Clean Water Act as Amended, Sec. 401	65-11-17 Ut Code Ann. (1953 as amend.)	Utah Code 17-23-10 Ann. (1953 as amend.)	Utah Code 10 - Chapters 8-13
Financial Source	Federal Construction Appropriation	State Appropriations, Federal Grants-in-Aid	Salt Lake County General Fund, State Road Appropriation	Federal Grants-in-Aid, State/County Appropriations, Obligation & Revenue Bonds
Water Quality Managerial Tasks	DESIGN, CONSTRUCTION, & periodic inspection of facilities	Coordinate water quality facility construction with over-all park development	Design & inspection of water pollution control Facilities Cont. & W.Q. Facilities. Keep & enforce NPDES Permits Storm-water discharge to the Jordan R.	Coordinate development of detention facilities and, at option, assume responsibility for operation and maintenance of facilities
Project Initiation Date	FEBRUARY 1, 1979			
Estimated Project Completion Date				

Table VII-3. Management Agencies to be Designated for Recreation/Watershed Runoff Program Category.

PROGRAM: RECREATION/WATERSHED RUNOFF ELEMENT: EROSION-SEDIMENT CONTROL		COUNTY	
Level of Government	FEDERAL	COUNTY	
Agency	Forest Service Management of all land use within boundaries of Wasatch National Forest	Attorney Provide legal advice and counsel to designated planning and management agencies.	Recreation Planning, implementation & maintenance of public open-space facilities
Institutional Responsibility			
Area of Jurisdiction	Wasatch National Forest	County-wide (inc. & uninc. areas)	County-wide (inc. & uninc. areas)
Legal Authority	P.L. 85-862 Organic Act, 1891 Federal Appropriation	Utah Code 17-18-1 thru 3	Utah Code Ann. 17-2-1 (1953, as amended)
Financial Source	Federal Appropriation	County General Fund	Co. Cap. Imp. Budget Fed. Grants-in-Aid Oblig. & Revenue Rvls
Water Quality Managerial Tasks	Implement anti-degradation policy: Review all development plans within forest boundaries & on lands adjacent that drain into forest watershed. Require mandatory slope stabilization. Monitor construction & intensive recreation use areas. Provide water quality data. Coord. with planning agency on plan update.	Administer performance bonding program for erosion-sediment control (BMP's) & water quality monitoring.	Recommend measures for implementation of effective pollution control from land disturbing activities within the canyons.
Project Initiation Date	FEBRUARY 1, 1979.		
Estimated Project Completion Date	ON-GOING		

Table VII-3. Continued

PROGRAM: RECREATION/WATERSHED RINOFF
ELEMENT: EROSION-SEDIMENT CONTROL.

Level of Government	COUNTY		MUNICIPAL
Agency	Planning Commission	Surveyor	Municipalities
Institutional Responsibility	Provide for physical development & zoning of the unincorporated territory of Salt Lake County	Provide all engineering for Salt Lake County	Insure provision of adequate standards for the protection of public health, safety, and welfare.
Area of Jurisdiction	Salt Lake County	Salt Lake County	Within respective municipal boundaries (Ref III-101)
Legal Authority	Utah Code 17-27-1 thru 27	Utah Code 17-23-10	Utah Code 10 - Chapter 8-13
Financial Source	County Municipal Services Fund Federal Grants-in-Aid	Salt Lake County General Fund, State Roads appropriate.	Federal Grants-in-Aid Mis. State/Co. Appropriation Gen. Obligations & Revenue Bonds
Water Quality Managerial Tasks	Review plans for construction or other land-disturbing activities within canyons of Salt Lake Co. Recommend standards or measures to be implemented for effective pollution control. Recommend ordinances implementing such standards or measures for effective pollution control. Coordinate with the WQ planning agency for plan review of land-disturbing activities with the canyons.	Provide design criteria for slope stabilization of all new construction in Salt Lake Co. canyons on behalf of the Flood Control Dept. Provide estimate of performance bond to cover on-site and off-site improvements for erosion-sediment control. Provide engineering review of canyon development proposals for compliance with erosion-sediment control provisions. (Chapter 70, Uniform Bldg Code)	Insure implementation of erosion-sediment control through effective coordination with other water quality management agencies and arewide water quality planning agency.
Project Initiation Date	FEBRUARY 1, 1979.		
Estimated Project Completion Date	ON-GOING		

Table VII-3. Continued

PROGRAM: RECREATION/WATERSHED RUNOFF
 ELEMENT: "WATCHDOG" WATER QUALITY MONITORING

FEDERAL		COUNTY		MUNICIPAL	
Level of Government	Agency	Attorney	City-County Health	Municipalities	
Institutional Responsibility	Management of all land within boundaries of Wasatch National Forest	Provide legal advice and counsel to designated planning and management agencies.	Protection of public health, safety and welfare through the water quality monitoring and analysis of the streams, rivers, and lakes of Salt Lake County.	Insure provision of adequate standards for the protection of public health, safety, and welfare.	
Area of Jurisdiction	Wasatch National Forest	County-wide (Incorporated and unincorporated areas).	County-wide	Within respective municipal boundaries (Ref III-101)	
Legal Authority	P.L. 35-862 Creative Act, 1891 Organic Act, 1897	Utah Code 17-18-1 thru 3	Utah Code Ann. 26-5-1 [1953, as amended]	Utah Code 10 - Chapter 8-13	
Financial Source	Federal Appropriation	County General Fund	County-wide Mill Levy	Federal Grants-in-Aid, Mis. State County Appropriation, General Oligarchical Revenue Bonds	
Water Quality Managerial Tasks	Implement anti-degradation policy: To assist the water quality planning and other management agencies by providing water quality monitoring of development sites within their jurisdiction, or of those sites that may influence water quality outside such jurisdiction. To coordinate with the water quality planning agency on provision of water quality data.	Administer performance bonding program for water quality monitoring.	To assist the local water quality planning agency by providing for the chemical analysis and collection of water quality samples as specified by the planning agency.	Insure implementation of water quality monitoring through effective coordination with other water quality management agencies and area-wide water quality planning agency.	
Project Initiation Date	FEBRUARY 1, 1979				
Estimated Project Completion Date	ON-GOING				

PROGRAM: AGRICULTURAL RUNOFF
 ELEMENT: NON-REGULATORY ACTIVITIES

Level of Government		COUNTY	
Agency	Soil Conservation District	City County Health	Agricultural Extension Serv.
Institutional Responsibility	Conserve Soil Resources Prevent Soil Erosion Conserve water-declared necessities	Protection of public health, safety, and welfare through water quality monitoring & abatement of pollution conditions which degrade water quality of public watershed	To assist soil conservation districts and agriculture-at-large with technical information regarding conservation
Area of Jurisdiction	County-wide	County-wide	Salt Lake County
Legal Authority	Utah Code Ann. 62-1-8 (1953, as amended) Salt Lake Co. Appropriation	Utah Code Ann. 26-5-1 (1953, as amended) County-wide Mill Levy	53-32-30 Utah Code Ann., (1953, as amended) State Appropriation County Appropriation
Financial Source	Federal Appropriation	County-wide Mill Levy	State Appropriation County Appropriation
Water Quality Managerial Tasks	Implement non-regulatory program for non-point source management in agricultural areas.	To assist the local water quality planning agency by providing for the chemical analysis and collection of water quality samples as specified by the planning agency.	Provide assistance for & develop materials on plant propagation and other techniques for erosion-sediment control
Project Initiation Date	February 1, 1979		
Estimated Project Completion Date	On-going		

Table VII-4. Management Agencies to be Designated
 for Agricultural runoff Program Category.

Salt Lake County is organized into Chapter 6 improvement districts to provide for wastewater treatment.

Cities

Title 10, Chapter 7, UCA 1953, as amended, authorizes cities to provide wastewater treatment services. They have a ceiling of 35 mills that may be levied for general fund needs, including sewer service. In addition to the general fund ceiling, they have an additional 4 mill tax capacity to pay for construction of waste treatment facilities or to make payments on bonds issued for such capital construction. They may also charge for providing such a service and may bond for capital expenditures connected with the service. The bonding capacity for 1st and 2nd class cities is 8% of the assessed valuation, while for 3rd class cities and towns limits are set at 12%. All general obligation bonding requires public authorization. As a general rule, municipalities in Salt Lake County are not using general fund revenues for sewer services. General sources of funding for wastewater treatment are service charges or fees.

Special Service Districts

In 1975 the legislature authorized the creation of multipurpose entities called Special Service Districts, in Title 11, Chapter 23, UCA 1953, as amended, which could be established to furnish waste treatment. In 1977, the legislature amended the act in Senate Bill 148 to allow the district to be created in addition to existing districts constituting a taxing authority which could be created in addition to existing districts. The overlap permitted by S.B. 148 can only exist when consent is obtained from the existing districts or municipalities. The special service district is a separate body politic; a quasi municipal public corporation. It is not limited by statute to a specific mill levy limit. It may bond up to 12% of the district's assessed valuation.

Guaranteed bonds may exceed the 12% limitation. It may also charge fees for services. All taxes and bonds must be approved by the public in an election.

County Service Areas

Title 17, Chapter 29, UCA 1953, as amended, allows for the creation of county service areas to provide for special service, which could include sewer service. There is a 7 mill limit on the levy and presently three Salt Lake County service areas exist as a funding source for special county services. County Service area #3 is the Snowbird sewage collection system and is the only county service area act entity involved in sewage collection or treatment. The County Service Area Act has been the subject of unfavorable rulings by the Supreme Court of Utah, raising doubts about funding and bonding activities. Since bonding is generally necessary for wastewater treatment works construction, Utah's County Service Area Act is not a suitable implementation vehicle until corrected by the legislature and tested in the courts. Counties in Utah have the authority to plan, construct, operate and maintain sewage treatment facilities.

County Government

County government has been financially and structurally limited by the legislature to the point that counties have been unwilling to fund sewage collection and treatment. Counties have a general mill levy limit of 16 mills for all purposes and a bonding capacity of 2% of the assessed valuation. Because of these limits, the County has not funded waste treatment. For the foregoing reasons, funding of waste treatment has been handled by the municipalities and improvement or special districts, and not by the county.

Management Alternatives Evaluation

Institutional implementation of the wastewater treatment plan required analysis of management agency alternatives to select an appropriate institutional alternative for planning, construction, and operation of regional

facilities. The following alternative management agencies were evaluated.

1. Establishment of a management agency by interlocal agreement of the parties;
2. Salt Lake County Water Conservancy District;
3. Designation of Salt Lake County;
4. Creation of additional improvement districts;
5. Establishment of a special service district.

Alternative #1

Each existing entity has the authority to enter into interlocal agreements to consolidate functions authorized by Utah law. All of the entities are authorized to conduct sewage treatment operations and may therefore contract with each other to consolidate such functions. In the interlocal agreement agency concept, no additional funding authority is created and the existing entities retain control and ownership of treatment works.

This alternative (interlocal agreement agency) is the overwhelming choice of the entities involved.

Alternative #2

Water Conservancy Districts in Utah are not authorized to conduct sewage treatment operations.

Alternative #3

Designation of Salt Lake County would remove control from existing entities.

Alternative #4

Creation of another improvement district would pose the potential problem of loss of control from existing entities to a widely elected board of trustees of the new district, but would provide additional funding authority.

Alternative #5

Creation of a special service district would add new bonding and funding

authority but would shift control to the Board of County Commissioners who, by law, are the trustees of special service districts in Utah.

Alternative #1 (management agency through interlocal agreement) has been selected for both facilities in the Jordan planning area and is therefore politically feasible and capable of implementation.

Designated Management Agencies

South Plant

The south plant would consolidate the services for Midvale, Salt Lake City Suburban Sanitary District No. 2, West Jordan, Salt Lake County Sewage Improvement District No. 1, Sandy Suburban Improvement District, and Sandy. These entities have entered into an agreement pursuant to the Interlocal Cooperation Act to construct, operate, and maintain a regional plant. Each entity has taxing and bonding capacity sufficient to fund the plant. Because of the need and local support, bonding authorization is possible to obtain and would be necessary in order to construct the plant. Copies of the contract documents are found in the appendix.

North Plant

The north plant would consolidate services for Salt Lake City Suburban No. 1, South Salt Lake, Granger-Hunter, Murray City and Cottonwood Sanitary District. These entities have executed an interlocal agreement similar in concept to the South Valley facility agreement. Bonding may be necessary and each entity has sufficient bonding and taxing ability to fund the cooperative plan.

Salt Lake City and Magna

Salt Lake City operates a treatment plant and has the capacity to construct, operate, fund, and maintain its own plant. In the Magna planning area the Magna water and sewer improvement district operates a treatment plant and has

has the authority to plan, construct, operate and maintain appropriate facilities for the Magna area.

Management Agency Contracts and Agreements

Implementation of both non-point and point source plans will occur with the culmination of interlocal agreements, interagency agreements, and intergovernmental contracts. All documents relating to the implementation of any portion of the non-point or point source plan can be reviewed in the Appendix to the Water Quality Management Plan. The appendix is to be published as a separate document to accompany the Plan due to the lengthiness of the contract documents and other supporting material.