

R E S O L U T I O N No. 49-93

**A RESOLUTION CONCERNING
THE EXPANSION OF THE 201 SERVICE AREA
IN CENTRAL ORCHARD MESA**

WHEREAS, The City of Grand Junction, in accordance with Section 201 of the Clean Water Act, adopted a Sewer Facilities Plan in 1974; and

WHEREAS, said Facilities Plan identified an area (201 area) planned to be served by the City's Wastewater Treatment Plant; and

WHEREAS, The City applied for an EPA grant to construct a new Wastewater Treatment plant to serve the 201 area; and

WHEREAS, In May, 1980 the City and County entered into a Joint Sewerage Agreement which stated in part that, "the parties agree to prevent sewage from any area other than that described in this Agreement or this Agreement as amended, from being discharged into the Joint Sewerage System," and said provision has not been amended; and

WHEREAS, an EPA grant was received and the Persigo Wash Wastewater Treatment Facility was constructed in 1984; and

WHEREAS, The Joint Sewage System has been co-owned, managed and operated since 1980 pursuant to the Joint Sewerage Agreement; and

WHEREAS, Mesa County Commissioners, without prior notice to the City and without approval of the City, published a notice of intent to amend the 201 area; and

WHEREAS, The Mesa County Commissioners, over the objections of the City of Grand Junction, the Mesa County Planning Commission and the Mesa County Planning Department, voted to recommend to the State Department of Health to increase the size of the 201 area by more than 2200 acres;

BE IT RESOLVED by the City Council of the City of Grand Junction, that the City objects to the inclusion of such a large area in the 201 boundary for the following reasons:

1. The impetus for an amendment to the 201 boundary was to provide sewer service to Valle Vista Subdivision which is a 36 acre subdivision containing 131 units in the vicinity of 32 Road and A 1/2 Road. The area recommended by the County Commissioners to be included into the 201 is in excess of 2200 acres.

2. There is no adopted land use plan for the area which is recommended to be included to the 201 area. The County Planning Commission and the County Planning Department both recommended that this area not be included until a land use plan has been adopted by the County. The area is currently zoned AFT (Agriculture-Forest-

Transition) and the primary uses are agricultural. The majority of lands proposed to be included consist of lands considered "potential prime farmlands" by the U.S. Soil Conservation Service. Mesa County's Land Use and Development Policy #17 discourages development of prime and important farmlands.

3. The inclusion of 2200 acres of prime agricultural land into the sewer service area will encourage urban sprawl which will increase costs to the general taxpayer for roads, public safety, traffic, and other public service costs.

4. The City's Comprehensive Wastewater Basin Study, completed in 1993 shows that the complete development of the existing 201 Sewer Service area at the current zoning will completely use all of the planned capacity of the Persigo Wash Wastewater Treatment Plant. The addition of 2200 acres of land will add an additional 1.75 million gallons of sewage flow per day. This unplanned increase will cost all rate payers of the sewer system additional money, because inadequate planning has occurred (i.e. the impacts and costs are not known) because the proposed inclusion violates existing contracts, and because no need exists for the inclusion. The City Council recommends that, as submitted, the recommendation by Mesa County be rejected.

5. Mesa County Commissioners have acknowledged that the development of Valle Vista was a mistake since it is over 2 miles from any municipal infrastructure. Mesa County and the Colorado Department of Health neglected to require that adequate sewer treatment facilities be constructed and maintained.

6. The County has refused to identify the costs of the urban sprawl which will ensue and have not studied impacts that adding 2200 acres would create. The City's comments regarding the additional flows and financial impacts were not discussed by the County Commissioner's in their deliberations.

7. The City of Grand Junction recommends that only Valle Vista and a narrow corridor along the sewer line to serve Valle Vista be included in the 201 amendment. The City of Grand Junction feels strongly that the best interests of the taxpayers within the 201 are not being served and that the County has violated the terms and spirit of the Joint Sewerage Agreement.

READ AND ADOPTED THIS 4TH DAY OF AUGUST, 1993.

President of the Council

ATTEST:

CITY CLERK

file: 201res