

The background features a light gray gradient with several realistic water droplets of various sizes scattered across the frame. A faint, circular, textured pattern is centered in the upper half of the image.

SOURCE WATER PROTECTION

... ORDINANCE STRATEGIES TO PROVIDE LONG-TERM BENEFITS

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HIGH COST OF FAILING TO PROTECT SOURCE WATER

- CONSEQUENCES ARE FAR GREATER THAN MONETARY LOSS
- REMEDIATION ALWAYS COSTS MULTIPLES OF THE EXPENSES OF PREVENTION – IF REMEDIATION IS EVEN ECONOMICALLY OR PRACTICALLY FEASIBLE
- REPUTATIONAL INJURY CAN PRODUCE BOTH NEAR-TERM AND PERSISTENT HARM
- ECONOMIC FALLOUT CAN BE IRREVERSIBLE FOR GENERATIONS
- RECOGNIZE THAT WATER RESOURCES DO NOT RESPECT JURISDICTIONAL BOUNDARIES

COOPERATION WITH IDEQ

- DESPITE ENFORCEMENT AUTHORITY, IDEQ KNOWS BETTER THAN MOST THE VALUE OF PREVENTION OF CONTAMINATION OF DRINKING WATER
- DEQ HAS SOUGHT THE DEVELOPMENT OF EFFECTIVE TOOLS TO PROTECT DRINKING WATER SOURCES
- FUNDING HAS BEEN PROVIDED TO DEVELOP A TEMPLATE FROM WHICH LOCAL ORDINANCES CAN BE SHAPED
- KEY CONSIDERATIONS INCLUDE:
 - EASE OF IMPLEMENTATION
 - STRAIGHTFORWARD SIMPLICITY OF ADMINISTRATION
 - ABILITY TO FOSTER PUBLIC UNDERSTANDING

APPROACH THROUGH LOCAL ORDINANCES

- TWO-STEP METHODOLOGY PROPOSED
- PUBLIC SAFETY ORDINANCE TO IDENTIFY SPECIFIC TIES TO RESOURCES THAT PROVIDE BACKGROUND INFORMATION TO PROTECT SOURCE WATER
- ZONING ORDINANCE AMENDMENT TO INCORPORATE THE PUBLIC SAFETY ORDINANCE DETAILS BY REFERENCE TO AVOID MAPPING DIFFICULTIES
- INFORMATION CHANGES ARE AUTOMATICALLY INCORPORATED BY REFERENCE TO THE IDEQ WEBSITE THAT CHANGES AS NEW INFORMATION IS KNOWN

SOURCE WATER PROTECTION ORDINANCE

- AUTHORIZES SOURCE WATER PROTECTION OVERLAY DESIGNATIONS BASED UPON TIME OF TRAVEL OF CONTAMINANTS
- ESTABLISHES TIERS OF RISK BASED UPON TIME OF TRAVEL
- REQUIRES DEMONSTRATION OF COMPLIANCE WHEN NEW PERMIT IS SOUGHT
- PROVIDES OPPORTUNITIES FOR APPEAL
- ESTABLISHES PENALTIES FOR VIOLATION (CRIMINAL MISDEMEANOR PENALTIES)
- RECOGNIZES EXISTING USES AND REQUIRES COMPLIANCE WITH MODIFICATION
- AUTOMATICALLY MAPS SOURCE WATER BY REFERENCE TO DEQ WEBSITE

COMPLEMENTARY ZONING ORDINANCE REQUIREMENTS

- TIES LAND-USE PROHIBITIONS TO DESIGNATIONS PROVIDED IN RESPECTIVE TIERS OF SOURCE WATER PROTECTION ORDINANCE
- ALLOWS MANY USES UPON SHOWING THAT CONTAMINANT RISK HAS BEEN DESIGNED AWAY – BY CLEAR AND CONVINCING EVIDENCE
- ONLY COMES INTO PLAY WHEN USES THAT PRODUCE RISKS OF CONTAMINATION ARE PROPOSED WITHIN SPECIFIC VULNERABILITY TIERS
- DOES NOT REQUIRE WATER PROVIDERS TO SEEK SPECIFIC PROTECTION FOR THEIR WATER SOURCES
- RECOGNIZES INFLUENCES WITHIN JURISDICTION – NEEDS COOPERATION



BEST PRACTICES

- WORKING WITH NEIGHBORING JURISDICTIONS TO ENCOMPASS THE FULL EXTENT OF THE WATER RESOURCE - NOT MERELY STOPPING AT JURISDICTIONAL BOUNDARIES
 - BASING DECISIONS ON SCIENCE, WITH RECOGNITION THAT COMPROMISE IN ONE JURISDICTION CAN AFFECT THE WELL-BEING OF OTHERS
 - SEEKS TO SIMPLIFY IMPLEMENTATION BY NOT INVOLVING THOSE WHOSE ACTIONS POSE LITTLE RISK OF SOURCE WATER CONTAMINATION
 - ALLOWS GREATEST FLEXIBILITY TO ALLOW LANDOWNER TO DEMONSTRATE DESIGN SOLUTIONS TO PROTECT WATER RESOURCES
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