Bear River Water Conservancy District (BRWCD)

Culinary Water

Impact Fee Facility Plan

Impact Fee Analysis

April 2025

EFG Consulting
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IMPACT FEE FACILITY PLAN (IFFP) & IMPACT FEE ANALYSIS (IFA) CERTIFICATION

EFG certifies that the attached impact fee analysis:

1. includes only the costs of public facilities that are:
    a. allowed under the Impact Fees Act; and
    b. actually incurred; or
    c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
    a. costs of operation and maintenance of public facilities;
    b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
    c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
3. offsets costs with grants or other alternate sources of payment; and,
4. complies in each and every relevant respect with the Impact Fees Act.

EFG Consulting makes this certification with the following caveats:

1. All of the recommendations for implementations of the IFFP made in the IFFP documents or in the IFA documents are followed by District staff and elected officials.
2. If all or a substantial portion of the IFFP or IFA are modified or amended by the District, this certification is no longer valid.
3. All information provided to our team is assumed to be correct, complete, and accurate. This includes information provided by the District as well as outside sources.

EFG Consulting

Contents

SECTION 1: AMENDMENTS TO THE IMPACT FEE FACILITY PLAN

Bear River Water Conservancy District (District) adopted an Impact Fee Facility Plan (IFFP) dated August 2023. The following are amendments to be adopted to that IFFP.

Table 4. Summary of Water Distribution Excess Capacity Consumed by Future Growth is modified to the following:

Description	Available Distribution Line Capacity (gpm)	Maximum ERCs Served	Original Construction Cost	Existing ERCs Served	Future Growth ERCs Served	Cost to Future Growth
Collinston System						
Distribution System	1,000	807	$2,833,682	84	723	$2,538,726
Flat Canyon Pump Station and Pipeline		200	$1,744,341	84	116	$1,011,718
2022 Bonds (Flat Canyon Project)		200	$3,280	84	116	$1,902
2022 Grant (Flat Canyon Project)		200	$ (912,781)	84	116	$ (529,413)
Total			$3,668,522			$3,022,933
Harper Ward System						
Distribution System	700	774	$872,398	105	669	$753,988
South Willard System						
Distribution System	1,200	2,765	$680,047	4	2,761	$679,063

Table 7. Future Improvement Projects is modified to the following:

	Estimated Year of Construction	Maximum ERCs Served	Total Project Cost	Funding from Grants	Existing ERCs Served	Cost to Existing	Future Growth ERCs Served	Cost to Future Growth
Bothwell System								
Pipe Segment A (10800 West & 12800 North to I-84)	2025	622	$1,058,180	$-	-	$-	622	$1,058,180
Pipe Segment B (Tank & 10800 West to 13600 North)	2025	706	$3,487,615	$-	-	$-	706	$3,487,615
Pipe Segment C (Along I-84 from 12800 North to 1000 North in Tremonton)	2030	1,294	$3,716,103	$-	-	$-	1,294	$3,716,103
2m Gallon Storage Tank with Segment B	2025	4,000	$6,660,000	$-	-	$-	4,000	$6,660,000
Subtotals for Bothwell			$14,921,898	$-	-	$-		$14,921,898
Collinston System								
Additional Source - Future Well East Side	2027	1,000	$3,000,000	$454,853	84	$252,000	916	$2,293,147
Subtotals for Collinston		1,000	$3,000,000	$454,853		$252,000	916	$2,293,147
Harper Ward System								
Harper Well	2025	685	$2,814,560	$1,330,527	105	$360,752	580	$1,123,281
500,000 Gallon Storage Tank	2025	211	$1,800,000	$850,914	105	$603,357	106	$345,729
Transmission Line	2025	866	$390,000	$184,365	105	$62,741	761	$142,891
Subtotals for Harper Ward System			$5,004,560	$2,365,806		$1,026,850		$1,611,904
South Willard System								
South Willard Well #2	2025	957	$2,000,000	$481,249	-	$-	957	$1,518,751
Transmission Line	2025	1,805	$300,000	$72,187	-	$-	1,805	$227,813
Subtotals for South Willard System			$2,300,000	$553,436		$-		$1,746,564
Total Improvement Project Costs			**$25,226,458**	**$3,374,095**		**$1,278,850**		**$20,573,513**

SECTION 2: IMPACT FEE EXECUTIVE SUMMARY

The purpose of this Impact Fee Analysis (IFA) is to fulfill the requirements of the Utah Code Title 11 Chapter 36a (Impact Fee Act) to enable Bear River Water Conservancy District (District) to update its Culinary Water impact fee for the District. The following is a summary of the IFA inputs.

SERVICE AREA:

The District includes multiple service areas as follows:

- Beaver Dam
- Bothwell
- Collinston
- Harper Ward
- South Willard

An impact fee has been calculated for all of these services areas.

DEMAND ANALYSIS:

The demand unit utilized in this analysis was an equivalent residential connection (ERC). The existing and future demand for each service area is shown in the table below.

System	Existing ERCs (2023)	2033 ERCs	Notes
Beaver Dam	42	56	Based on anticipated 3% annual growth
Bothwell	60	400	Based on anticipated development areas
Collinston	84	113	Based on anticipated 3% annual growth
Harper Ward	105	122	Based on anticipated 1.5% annual growth
South Willard	4	200	Based on anticipated development areas

LEVEL OF SERVICE:

The level of service (LOS) for water is provided in the following table.

Category	Existing Level of Service					
	Beaver Dam System	Bothwell System (Indoor & Outdoor Use)	Bothwell System (Indoor Use Only)	Collinston System	Harper Ward System	South Willard System
Average Annual Demand (ac-ft/ERC)	0.37	0.88	0.48	1.0	0.73	0.35
Peak Day Demand (gpd/ERC)	661	1,571	857	1,785	1,303	625
Min. Fire Flow Residual Pressure	20 psi	20 psi	20 psi	20 psi	20 psi	20 psi

Category	Existing Level of Service					
	Beaver Dam System	Bothwell System (Indoor & Outdoor Use)	Bothwell System (Indoor Use Only)	Collinston System	Harper Ward System	South Willard System
Min. Peak Instantaneous Demand Pressure	30 psi	30 psi	30 psi	30 psi	30 psi	30 psi
Min. Peak Day Demand Pressure	40 psi	40 psi	40 psi	40 psi	40 psi	40 psi
Max. Distribution Pipe Flow Velocity	5 ft/s	5 ft/s	5 ft/s	5 ft/s	5 ft/s	5 ft/s
Storage (gal/ERC) + Fire Flow)	628	1,264	440	1,474	1,223	440

EXCESS CAPACITY:

Based upon the current LOS, some service areas have excess capacity in water supply, storage, and distribution.

Supply:

- The Bothwell System has excess water supply capacity in the Newman Well. This excess capacity should serve an additional 2,595 ERCs with the cost to growth $1,221,751.
- The South Willard System has excess water supply capacity in the South Willard Well #1 Pump House. This excess capacity will serve an additional 342 ERCs with the cost to growth $421,315.

Storage:

- The Beaver Dam System has excess storage capacity equal to an additional 181 ERCs with the cost to growth $428,748.
- The Bothwell System has excess storage capacity equal to an additional 828 ERCs with the cost to growth $466,216.
- The Collinston System has excess storage capacity equal to an additional 472 ERCs with the cost to growth $785,560.
- The South Willard System has excess storage capacity equal to an additional 1,996 ERCs with the cost to growth $708,465.

Distribution:

- The Collinston System has excess distribution capacity equal to 723 ERCs with the cost to growth $2,538,625. The addition of the Flat Canyon Pump Station and Pipeline in 2022 can serve 116 ERCs at a cost of $1,011,718 plus the proportionate share of interest cost form the 2022 Bonds of $3,280 and minus a grant of $912,781.
- The Harper Ward System has excess distribution capacity equal to 669 ERCs with the cost to growth $753,988.
- The South Willard System has excess distribution capacity equal to 2,761 ERCs with the cost to growth $679,063.

CAPITAL FACILITIES ANALYSIS:

The District plans to construct the following source, storage and distribution projects for the various service areas. All costs shown are associated to future growth after accounting for the portion needed

to cure deficiencies and for funding received from grants. The total cost associated with growth for all capital projects is $20,573,513.

Bothwell System

- Distribution projects: $8,261,898
- Storage projects: $,6,660,000

Collinston System

- Future Well East Side: $2,293,147

Harper Ward System

- Harper Well: $1,123,281
- 500,000 Gallon Storage Tank: $345,729
- Transmission Line: $142,894

South Willard System

- South Willard Well #2: $1,518,751
- Transmission Line: $227,813

FUNDING OF FUTURE FACILITIES:

The District anticipates funding the future facilities with debt.

PROPOSED IMPACT FEE

Based upon the inputs described above and in the body of this report, the maximum allowable impact fee for water in the various service areas is as follows.

Service Area	Impact Fee per ERC	Wholesale Impact Fee per Acre Foot
Bothwell System	$13,058	$14,838
Collinston System	$12,868	$12,868
Harper Ward	$8,410	$11,521
South Willard	$3,886	$11,102
Beaver Dam*	$2,367	$6,398
**This fee will not be charged at this time. It may be considered in the future as development plans are considered.*		

SECTION 3: DEMAND ANALYSIS

The purpose of this section is to describe the demand unit and estimate future demand. Demand units are measured in equivalent residential connections (ERCs). The existing and future demand for each service area is shown in the table below.

System	Existing ERCs (2023)	2033 ERCs	Notes
Beaver Dam	42	56	Based on anticipated 3% annual growth
Bothwell	60	400	Based on anticipated development areas
Collinston	84	113	Based on anticipated 3% annual growth
Harper Ward	105	122	Based on anticipated 1.5% annual growth
South Willard	4	200	Based on anticipated development areas

SECTION 4: LEVEL OF SERVICE

The current LOS for water is provided in the following tables.

Category	Existing Level of Service					
	Beaver Dam System	Bothwell System (Indoor & Outdoor Use)	Bothwell System (Indoor Use Only)	Collinston System	Harper Ward System	South Willard System
Average Annual Demand (ac-ft/ERC)	0.37	0.88	0.48	1.0	0.73	0.35
Peak Day Demand (gpd/ERC)	661	1,571	857	1,785	1,303	625
Min. Fire Flow Residual Pressure	20 psi	20 psi	20 psi	20 psi	20 psi	20 psi
Min. Peak Instantaneous Demand Pressure	30 psi	30 psi	30 psi	30 psi	30 psi	30 psi
Min. Peak Day Demand Pressure	40 psi	40 psi	40 psi	40 psi	40 psi	40 psi
Max. Distribution Pipe Flow Velocity	5 ft/s	5 ft/s	5 ft/s	5 ft/s	5 ft/s	5 ft/s
Storage (gal/ERC) + Fire Flow)	628	1,264	440	1,474	1,223	440

SECTION 5: EXCESS CAPACITY ANALYSIS

Based upon the current LOS, the water system has excess capacity in water supply, storage, and distribution.

Supply

The Bothwell System and the South Willard System currently have excess capacity in water supply. The following table outlines these sources and the future ERCs these sources can serve.

Water Supply Excess Capacity						
Description	**Available Peak Day Demand from BRWCD Sources (gpm)**	**Maximum ERCs Served**	**Original Construction Cost**	**Existing ERCs Served**	**Future Growth ERCs Served**	**Cost to Future Growth**
Bothwell System						
Water Supply (Newman Well)	1,610	2,655	$1,250,000	60	2,595	$1,221,751
South Willard System						
Water Supply (South Willard Well #1 Pump House)	150	346	$426,243	4	342	$421,315

Storage

The Beaver Dam System, Bothwell System, Collinston System, and South Willard System have excess capacity in storage as illustrated in the table below.

Storage Excess Capacity						
Description	**Available Storage Capacity (gal)**	**Maximum ERCs Served**	**Original Construction Cost**	**Existing ERCs Served**	**Future Growth ERCs Served**	**Cost to Future Growth**
Beaver Dam System						
Water Storage Tank	200,000	223	$528,236	42	181	$428,748
Bothwell System						
Water Storage Tank	500,000	888	$500,000	60	828	$466,216
Collinston System						
Water Storage Tanks	1,000,000	556	$925,363	84	472	$785,560
South Willard System						

Water Storage Tank	1,000,000	2,000	$709,884	4	1,996	$708,465

Distribution

The Collinston System, Harper Ward System, and South Willard System have excess capacity in water distribution. This capacity is outlined in the table below.

Water Distribution Excess Capacity						
Description	**Available Distribution Line Capacity (gpm)**	**Maximum ERCs Served**	**Original Construction Cost**	**Existing ERCs Served**	**Future Growth ERCs Served**	**Cost to Future Growth**
Collinston System						
Distribution System	1,000	807	$2,833,682	84	723	$2,538,625
Flat Canyon Pump Station and Pipeline		200	$1,744,341	84	116	$1,011,718
2022 Bonds (Flat Canyon Project)		200	$3,280	84	116	$1,902
2022 Grant (Flat Canyon Project)		200	$ (912,781)	84	116	$ (529,413)
Total			$3,668,522			$3,022,933
Harper Ward System						
Distribution System	700	774	$872,398	105	669	$753,988
South Willard System						
Distribution System	1,200	2,765	$680,047	4	2,761	$679,063

SECTION 6: CAPITAL FACILITY AND FUNDING ANALYSIS

CAPITAL FACILITIES ANALYSIS:

The District plans for the following future facilities in the various service areas.

Future Facilities Impact Fee Eligible								
	Estimate Year of Const	Max ERCs Served	Total Project Cost	Funding from Grants	Exis ERCs Served	Cost to Existing	Future Growth ERCs Served	Cost to Future Growth
Bothwell System								
Pipe Segment A (10800 West & 12800 North to I-85	2024	622	$1,058,180	$-	-	$-	622	$1,058,180
Pipe Segment B (Tank & 10800 West to 13600 North)	2026	706	$3,487,615	$-	-	$-	706	$3,487,615
Pipe Segment C (Along I-84 from 12800 North to 1000 North in Tremonton)	2030	1,294	$3,716,103	$-	-	$-	1,294	$3,716,103
2m Gallon Storage Tank with Segment B	2025	4,000	$6,600,000	$-	-	$-	4,000	$6,600,00
Subtotals for Bothwell			$14,921,898	$-		$-		$14,921,898
Collinston System								
Future Well East Side	2027	1,000	$3,000,000	$454,853	84	$252,000	916	$2,293,147
Subtotals for Collinston		1,000	$3,000,000	$454,853	84	$252,000	916	$2,293,147
Harper Ward System								
Harper Well	2025	685	$2,814,560	$1,330,527	105	$360,752	580	$1,123,281
500,000 Gallon Storage Tank	2025	211	$1,800,000	$850,914	105	$603,357	106	$345,729
Transmission Line	2025	866	$390,000	$184,365	105	$62,741	761	$142,894
Subtotals for Harper Ward			$5,004,560	$2,365,806		$1,026,850		$1,611,904
South Willard System								
South Willard Well #2	2025	957	$2,000,000	$481,249	-	$-	957	$1,518,751
Transmission Line	2025	1,805	$300,000	$72,187	-	$-	1,805	$227,813
Subtotals for South Willard			$2,300,000	$553,436		$-		$1,746,564
Total Improvement Project Costs			$25,226,458	$3,374,095		$1,278,850		$20,573,513

FUNDING OF FUTURE FACILITIES:

The District anticipates funding the future facilities with debt.

SECTION 7: IMPACT FEE CALCULATION

BOTHWELL SYSTEM

Based upon the inputs herein, the maximum allowable impact fee for water for the Bothwell Service Area is $13,058/ERC. The following describes the calculation.

Bothwell System							
Excess Capacity	**Purpose**	**Total Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Supply Excess Capacity							
Water Supply (Newman Well)	Supply	$1,250,000	2,655	2,595	98%	$1,221,751	$471
Water Storage Tank	Storage	$500,000	888	828	93%	$466,216	$563
Interest Expense 1993/2008A Bonds		$360,881	2,655	2,595	98%	$352,725	$136
Credit for Fund Balance		$(65,592)		2,176		$(30)	$(0)
Subtotal Excess Capacity		$2,045,289				$2,040,663	$1,170
Future Facilities	**Purpose**	**Total Impact Fee Eligible Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Distribution Future Facilities							
Pipe Segment A (10800 West & 12800 North to I-85	Distribution	$1,058,180	622	622	100%	$1,058,180	$1,701
Pipe Segment B (Tank & 10800 West to 13600 North)	Distribution	$3,487,615	706	706	100%	$3,487,615	$4,940
Pipe Segment C (Along I-84 from 12800 North to 1000 North in Tremonton)	Distribution	$3,716,103	1,294	1,294	100%	$3,716,103	$2,872
2m Gallon Storage Tank with Segment B	Supply	$6,660,000	4,000	4,000	100%	$6,660,000	$1,665
2022 Bond	Interest	$2,840,000	4,000	4,000	100%	$2,840,000	$710
Subtotal Future Facilities		$17,761,898				$17,761,898	$11,888
Total Impact Fee Bothwell System							**$13,058**

Wholesale Impact Fee Calculation

The impact fee for wholesale contract purchases is $13,058 per 0.88 acre feet or $14,838 per acre foot.

Non-Standard Impact Fees

For connections that can demonstrate a different demand on the system than assumed by ERC, the District reserves the right under the Impact Fee Act to use a multiplier to calculate the equivalent impact fee at $13,058 per ERC.

COLLINSTON SYSTEM

Based upon the inputs herein, the maximum allowable impact fee for water for the Bothwell Service Area is $12,868/ERC. The following describes the calculation.

Collinston System							
Excess Capacity	**Purpose**	**Total Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Distribution Excess Capacity							
Distribution System	Distribution	$2,833,682	807	723	90%	$2,538,726	$3,511
Flat Canyon Pump Station and Pipeline	Distribution	$1,744,341	200	116	58%	$1,011,718	$8,722
2022 Bonds (Flat Canyon Project)	Distribution	$3,280	200	116	58%	$1,902	$16
2022 Grant (Flat Canyon Project)	Distribution	$(912,781)	200	116	58%	$(529,413)	$(4,564)
Total	Distribution	$3,668,522			82%	$3,022,933	$7,686
Storage Excess Capacity							
Water Storage Tanks	Storage	$925,363	556	472	85%	$785,560	$1,664
Interest Carry Cost & Fund Balance							
2014 Bond	Interest	$279,810	617	547	89%	$248,270	$454
Credit for Fund Balance		$(50,423)		561		$(90)	$(0.16)
Subtotal Excess Capacity		$4,823,272				$4,056,673	$9,804
Future Facilities	**Purpose**	**Total Impact Fee Eligible Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Supply Future Facilities							
Well East Side	Supply	$3,000,000	1,000	916	92%	$2,748,000	$3,000

2022 Bond	Interest	$64,152	210	210	100%	$64,152	$305
Subtotal Future Facilities		$3,064,152				$2,806,763	$3,064
Total Impact Fee Collinston System							**$12,868**

Wholesale Impact Fee Calculation

The impact fee for wholesale contract purchases is $12,868 per acre foot.

Non-Standard Impact Fees

For connections that can demonstrate a different demand on the system than assumed by ERC, the District reserves the right under the Impact Fee Act to use a multiplier to calculate the equivalent impact fee at $12,868 per ERC.

HARPER WARD SYSTEM

Based upon the inputs herein, the maximum allowable impact fee for water for the Bothwell Service Area is $8,410/ERC. The following describes the calculation.

Harper Ward System							
Excess Capacity	**Purpose**	**Total Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Distribution Excess Capacity							
Distribution System	Distribution	$872,398	774	669	86%	$754,049	$1,127
Interest Carry Cost & Fund Balance							
1994/2008B Bonds	Interest	$90,079	774	669	86%	$77,859	$116
Credit for Fund Balance		$(16,071)		669		$(24)	$(0.04)
Subtotal Excess Capacity		$946,406				$831,884	
Future Facilities	**Purpose**	**Total Impact Fee Eligible Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Distribution Future Facilities							
Transmission Line	Distribution	$205,635	866	761	88%	$180,703	$237
Supply Future Facilities							
Harper Well	Supply	$1,484,033	685	580	85%	$1,256,553	$2,166
2022 Bond	Interest	$181,566	685	580	85%	$153,735	$265

Storage Future Facilities							
500,000 Gallon Storage Tank	Storage	$949,086	211	106	50%	$476,792	$4,498
Subtotal Future Facilities		$2,820,320				$2,067,783	$7,167
Total Impact Fee Harper Ward System							**$8,410**

Wholesale Impact Fee Calculation

The impact fee for wholesale contract purchases is $12,868 per .73 acre feet or $11,521 per acre foot.

Non-Standard Impact Fees

For connections that can demonstrate a different demand on the system than assumed by ERC, the District reserves the right under the Impact Fee Act to use a multiplier to calculate the equivalent impact fee at $8,410 per ERC.

SOUTH WILLARD SYSTEM

Based upon the inputs herein, the maximum allowable impact fee for water for the Bothwell Service Area is $3,886/ERC. The following describes the calculation.

South Willard							
Excess Capacity	**Purpose**	**Total Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Supply Excess Capacity							
Water Supply (South Willard Well #1 Pump House)	Supply	$426,243	346	342	99%	$421,315	$1,232
Distribution Excess Capacity							
Distribution System	Distribution	$680,047	2,765	2,761	100%	$679,063	$246
Storage Excess Capacity							
Water Storage Tank	Storage	$709,884	2,000	1,996	100%	$708,464	$355
Interest Carry Cost							
2008 Bond Interest	Interest	$458,433	1,898	1,894	100%	$457,467	$242
Subtotal Excess Capacity		**$2,274,607**				**$2,266,309**	**$2,074**
Future Facilities	**Purpose**	**Total Impact Fee Eligible Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Distribution Future Facilities							
Transmission Line	Distribution	$227,813	1805	1,805	100%	$227,813	$126

Supply Future Facilities							
South Willard Well #2	Supply	$1,518,751	957	957	100%	$1,518,751	$1,587
2022 Bond	Interest	$94,063	957	957	100%	$94,063	$98
Subtotal Future Facilities		$1,840,627				$1,840,627	$1,811
Total Impact Fee South Willard System							**$3,886**

Wholesale Impact Fee Calculation

The impact fee for wholesale contract purchases is $3,886 per .35 acre feet or $11,102 per acre foot.

Non-Standard Impact Fees

For connections that can demonstrate a different demand on the system than assumed by ERC, the District reserves the right under the Impact Fee Act to use a multiplier to calculate the equivalent impact fee at $3,886 per ERC.

BEAVER DAM SYSTEM (NOT CHARGED)

Based upon the inputs herein, the maximum allowable impact fee for water for the Beaver Dam Service Area is $2,367/ERC. The following describes the calculation.

Beaver Dam System							
Excess Capacity	**Purpose**	**Total Cost**	**Total ERCs**	**Growth ERCs**	**% to Growth**	**Growth Costs**	**Growth/ ERC**
Storage Tank Excess Capacity							
Water Storage Tank	Storage	$528,236	223	181	81%	$428,748	$2,369
Credit for Fund Balance		$(50,708)		181		$(280)	$(2)
Total Impact Fee		$477,528				$428,467	$2,367

Wholesale Impact Fee Calculation

The impact fee for wholesale contract purchases is $2,367 per .37 acre feet or $6,398 per acre foot.

Non-Standard Impact Fees

For connections that can demonstrate a different demand on the system than assumed by ERC, the District reserves the right under the Impact Fee Act to use a multiplier to calculate the equivalent impact fee at $2,367 per ERC.

APPENDIX A – DRAFT IMPACT FEE ENACTMENT

Impact Fee Resolution

Bear River Water Conservancy District, Utah

Resolution Number:

RESOLUTION ADOPTING AN IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS AND IMPOSING CERTAIN IMPACT FEES FOR CULINARY WATER; PROVIDING FOR THE CALCULATION AND COLLECTION OF SUCH FEES; PROVIDING FOR APPEAL, ACCOUNTING AND SEVERABILITY OF THE SAME, AND OTHER RELATED MATTERS

WHEREAS, On February 6, 2025, Bear River Water Conservancy District, Utah (the "District") posted notice through the Box Elder County Commission as to its intention to prepare an impact fee facilities plan ("IFFP") and impact fee analyses ("IFA") for culinary water impact fees and invited all interested parties to participate in the impact fee preparation process, consistent with UCA Section 11-36a-501;

WHEREAS, the District is a local political subdivision, authorized and organized under the provisions of Utah law and is authorized pursuant to the Impact Fees Act, Utah Code Ann. 11-36a-101 et seq. to adopt impact fees; and

WHEREAS, on April 9, 2025, the District provided reasonable notice of the public hearing including on the District's Website in accordance with 17B-1-111 to consider the assumptions and conclusions of the Impact Fee Facilities Plans and the Impact Fee Analyses;

WHEREAS, on April 9, 2025, EFG-Consulting LLC (the "Consultant") certified their work under UCA section 11-36a-306(1) and (2);

WHEREAS, on April 9, 2025, a copy of the IFFP and IFA and the proposed Impact Fee Resolution, along with a summary of the analyses that was designated to be understood by a lay person, were made available to the public and deposited at the District's administrative office and on the District's Website; and

WHEREAS, the District Board (the "Board") met in a regular meeting on April 23, 2025, to convene a public hearing and to consider adopting the IFFP and IFA, imposing culinary water impact fees, providing for the calculation and collection of such fees, and providing for an appeal process, accounting and reporting method and other related matters; and

WHEREAS, on April 23, 2025, the Board held a public hearing regarding the IFA and the Impact Fee Resolution; and

WHEREAS, on April 23, 2025, after considering the input of the public and stakeholders and relying on the professional advice and certification of the Consultant, the District adopted the findings, conclusions, and recommendations of the culinary water IFFP prepared by the

Consultants, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the Consultant in connection with the District prepared a schedule of impact fees for each type of development activity that specifies the amount of the impact fee to be imposed for each type of system improvement. A copy of such Schedule of Fees is attached hereto as Exhibit "B" and incorporated herein by reference; and

WHEREAS, based on the input of the public and stakeholders and relying on the professional advice and certification of Consultant; and

WHEREAS, after careful consideration and review of the comments at the public hearing, the Board has determined that it is in the best interest of the health, safety and welfare of the inhabitants of the District to adopt the findings and recommendations of the IFFP and IFA to address the impacts of development upon the culinary water system, to adopt the IFFP as proposed, to approve the IFA as proposed, to adopt culinary water impact fees, to provide for the calculation and collection of such fees, and to provide for an appeal process, and an accounting and reporting method of the same.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. **Findings.** The Board finds and determines as follows:

1.1. All required notices have been given and made and public hearings conducted as requested by the Impact Fees Act with respect to the IFFP, the IFA, and this Impact Fee Resolution (this "Resolution").

1.2. Growth and development activities in the District will create additional demands on its infrastructure. The facility improvement requirements that are analyzed in the IFFP and the IFA are the direct result of the additional facility needs caused by future development activities. The persons responsible for growth and development activities should pay a proportionate share of the costs of the facilities needed to serve the growth and development activity.

1.3. Impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison with the benefits already received and yet to be received.

1.4. In enacting and approving the IFA including the impact fees recommended and this Resolution, the District has taken into consideration, and may consider on a case-by-case basis in the future, the future capital facilities and needs of the District, the capital financial needs of the District that are the result of the District's future facilities' needs, the distribution of the burden of costs to different properties within the District based on the use of water of the District by such properties, the financial contribution of those properties and other properties similarly situated in the District at the time of computation of the required fee and prior to the enactment of

this Resolution, all revenue sources available to the District, and the impact on future facilities that will be required by growth and new development activities in the District.

1.5. The provisions of this Resolution shall be liberally construed in order to carry out the purpose and intent of the Board in establishing the impact fee program.

Section 2. **Definitions.**

2.1. Except as provided below, words and phrases that are defined in the Impact Fees Act shall have the same meaning in this Resolution.

2.2. "Service Area" shall mean one of the following service areas within the District: Beaver Dam System, Bothwell System, Collinston System, Harper Ward System, South Willard System. These service areas are defined in the IFFP.

2.3. "Project Improvement" does not mean system improvement and includes, but is not limited to, those projects identified in the plans for the benefit of growth.

2.4. "Utah State Impact Fees Act" shall mean Title 11, Chapter 36a, Utah Code Annotated or its successor state statute if that title and chapter is renumbered, recodified, or amended.

Section 3. **Adoption.**

The Board hereby approves and adopts the IFA including the recommended impact fees attached and the analyses reflected therein. The IFFP and the IFA are incorporated herein by reference and adopted as though fully set forth herein.

Section 4. **Impact Fee Calculations.**

4.1. *Impact Fees.* The impact fees imposed by this Resolution shall have one component; a future facilities impact fee. The Impact Fee shall be calculated as set forth below.

4.2. *Developer Credits/Developer Reimbursements.* A developer, including a school district or charter school, may be allowed to receive a credit against or proportionate reimbursement of impact fees if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement, or dedicates a public facility that the District and the developer agree will reduce the need for a system improvement. A credit against impact fees shall be granted for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities are system improvements to the respective utilities, or are dedicated to the public and offset the need for an identified future improvement.

4.3. *Adjustment of Fees.* The Board may adjust either up (but not above the maximum allowable fee) or down the standard impact fees at the time the fee is charged in order to respond to an unusual circumstance in specific cases and to ensure that the fees are imposed

fairly. The Board may adjust the amount of the fees to be imposed if the fee payer submits studies and data clearly showing that the payment of an adjusted impact fee is more consistent with the true impact being placed on the system.

4.4. *Impact Fee Accounting*. The District shall establish a separate interest-bearing ledger account for the cash impact fees collected pursuant to this Resolution. Interest earned on such account shall be allocated to that account.

(a) Reporting. At the end of each fiscal year, the District shall prepare a report generally showing the source and amount of all monies collected, earned and received by the fund or account and of each expenditure from the fund or account. The report shall also identify impact fee fund by the year in which they were received, the project from which the funds were collected, the capital projects from which the funds were budgeted, and the projected schedule for expenditure and be provided to the State Auditor on the appropriate form found on the State Auditor's Website.

(b) Impact Fee Expenditures. Funds collected pursuant to the impact fees shall be deposited in such account and only be used by the District to construct and upgrade the respective facilities to adequately service development activity or used as otherwise approved by law.

4.5. *Refunds*. The District shall refund any impact fee paid when:

(a) the fee payer has not proceeded with the development activity and has filed a written request with the Board for a refund within one (1) year after the impact fee was paid;

(b) the fees have not been spent or encumbered within six (6) years of the payment date; and

(c) no impact has resulted.

Section 5. **Appeal.**

5.1. Any person required to pay an impact fee who believes the fee does not meet the requirements of the law may file a written request for information with the Board.

5.2. Within two (2) weeks of the receipt of the request for information the Board shall provide the person or entity with a copy of the reports and with any other relevant information relating to the impact fee.

5.3. Any person or entity required to pay an impact fee imposed under this article, who believes the fee does not meet the requirements of law may request and be granted a full administrative appeal of that grievance. An appeal shall be made to the Board within thirty (30) calendar days of the date of the action complained of, or the date when the complaining person reasonably should have become aware of the action.

5.4 The notice of the administrative appeal to the Board shall be filed and shall contain the following information:

(a) the person's name, mailing address, and daytime telephone number;

(b) a copy of the written request for information and a brief summary of the grounds for appeal; and

(c) the relief sought.

5.5 The District shall schedule the appeal before the Board no sooner than five (5) days and no later than fifteen (15) days from the date of the filing of the appeal. The written decision of the Board shall be made no later than thirty (30) days after the date the challenge to the fee is filed with the Board and shall, when necessary, be forwarded to the appropriate officials for action.

Section 6. **Recitals.** The recitals set forth above are adopted and incorporated herein.

This Resolution shall be effective as of July 23, 2025 (90 days after its adoption by the District as outlined in the Impact Fee Act)**.**

_____

District Chair

Attested By:

_____

Exhibit A – IFFP & IFA

Exhibit B – Impact Fee Schedule

Service Area	Impact Fee per ERC	Wholesale Impact Fee per Acre Foot
Bothwell System	$13,058	$14,838
Collinston System	$12,868	$12,868
Harper Ward	$8,410	$11,521
South Willard	$3,886	$11,102

For connections that demand a flow rate larger than one ERC, the District reserves the right under the Impact Fee Act to use a multiplier to calculate the multiple ERC rate and adjust the impact fee accordingly.

APPENDIX B – IMPACT FEE CALCULATION

Bear River Water Conservancy District

Water Impact Fee

ERC Growth

System	Existing ERCs (2023)	2033 ERCs	Notes	Growth Rates
Beaver Dam	42	56	Based on anticipated 3% annual growth	2.9%
Bothwell	60	400	Based on anticipated development areas	20.9%
Collinston	84	113	Based on anticipated 3% annual growth	3.0%
Harper Ward	105	122	Based on anticipated 1.5% annual growth	1.5%
South Willard	4	200	Based on anticipated development areas	47.9%

Source: Bear River Water Conservancy District, Drinking Water Impact Fee Facilities Plan, 2023, Table 1

LOS

	Existing Level of Service					
Catogory	Beaver Dam System	Bothwell System (Indoor & Outdoor Use)	Bothwell System (Indoor Use Only)	Collinston System	Harper Ward System	South Willard System
Average Annual Demand (ac-ft/ERC)	0.37	0.88	0.48	1.0	0.73	0.35
Peak Day Demand (gpd/ERC)	661	1,571	857	1,785	1,303	625
Min. Fire Flow Residual Pressure	20 psi	20 psi	20 psi	20 psi	20 psi	20 psi
Min. Peak Instantaneous Demand Pressure	30 psi	30 psi	30 psi	30 psi	30 psi	30 psi
Min. Peak Day Demand Pressure	40 psi	40 psi	40 psi	40 psi	40 psi	40 psi
Max. Distribution Pipe Flow Velocity	5 ft/s	5 ft/s	5 ft/s	5 ft/s	5 ft/s	5 ft/s
Storage (gal/ERC) + Fire Flow)	628	1,264	440	1,474	1,223	440

Source: Bear River Water Conservancy District, Drinking Water Impact Fee Facilities Plan, 2023, Table 2

	indoor/outdoor	indoor/outdoor	Indoor	indoor/outdoor	indoor/outdoor	indoor
Gallons/Year	120,565	286,749	156,408	325,851	237,871	114,048
Gallons/Month	10,047	23,896	13,034	27,154	19,823	9,504

Bear River Water Conservancy District

Water Impact Fee

Excess Capacity Analysis

Water Supply Excess Capacity

Description	Available Peak Day Demand from BRWCD Sources (gpm)	Maximum ERCs Served	Original Construction Cost	Existing ERCs Served	Future Growth ERCs Served	Cost to Future Growth
Bothwell System						
Water Supply (Newman Well)	1,610	2,655	$ 1,250,000	60	2,595	$ 1,221,751
South Willard System						
Water Supply (South Willard Well #1 Pump I	150	346	$ 426,243	4	342	$ 421,315

Source: Bear River Water Conservancy District, Drinking Water Impact Fee Facilities Plan, 2023, Table 3

Water Distribution Excess Capacity

Description	Available Distribution Line Capacity (gpm)	Maximum ERCs Served	Original Construction Cost	Existing ERCs Served	Future Growth ERCs Served	Cost to Future Growth
Collinston System						
Distribution System	1,000	807	$ 2,833,682	84	723	$ 2,538,726
Flat Canyon Pump Station and Pipeline		200	$ 1,744,341	84	116	$ 1,011,718
2022 Bonds (Flat Canyon Project)		200	$ 3,280	84	116	$ 1,902
2022 Grant (Flat Canyon Project)		200	$ (912,781)	84	116	$ (529,413)
Total			$ 3,668,522			$ 3,022,933
Harper Ward System						
Distribution System	700	774	$ 872,398	105	669	$ 753,988
South Willard System						
Distribution System	1,200	2,765	$ 680,047	4	2,761	$ 679,063

Source: Bear River Water Conservancy District, Drinking Water Impact Fee Facilities Plan, 2023, Table 4

Calc of Max ERCs served accounts for the distribution line that is consumed by wholesale users

Storage Excess Capacity

Description	Available Storage Capacity (gal)	Maximum ERCs Served	Original Construction Cost	Existing ERCs Served	Future Growth ERCs Served	Cost to Future Growth
Beaver Dam System						
Water Storage Tank	200,000	223	$ 528,236	42	181	$ 428,748
Bothwell System						
Water Storage Tank	500,000	888	$ 500,000	60	828	$ 466,216
Collinston System						
Water Storage Tanks	1,000,000	556	$ 925,363	84	472	$ 785,560
South Willard System						
Water Storage Tank	1,000,000	2,000	$ 709,884	4	1,996	$ 708,465

Source: Bear River Water Conservancy District, Drinking Water Impact Fee Facilities Plan, 2023, Table 5

Bear River Water Conservancy District

Water Impact Fee

Future Facilities Impact Fee Eligible								
	Estimated Year of Construction	Maximum ERCs Served	Total Project Cost	Funding from Grants	Existing ERCs Served	Cost to Existing	Future Growth ERCs Served	Cost to Future Growth
Bothwell System								
Pipe Segment A (10800 West & 12800 North to I-84)	2025	622	$ 1,058,180	$ -	-	$ -	622	$ 1,058,180
Pipe Segment B (Tank & 10800 West to 13600 North)	2025	706	$ 3,487,615	$ -	-	$ -	706	$ 3,487,615
Pipe Segment C (Along I-84 from 12800 North to 1000 North in Tr	2030	1,294	$ 3,716,103	$ -	-	$ -	1,294	$ 3,716,103
2m Gallon Storage Tank with Segment B	2025	4,000	$ 6,660,000	$ -	-	$ -	4,000	$ 6,660,000
Subtotals for Bothwell			$ 14,921,898	$ -	-	$ -		$ 14,921,898
Collinston System								
Additional Source - Future Well East Side	2027	1,000	$ 3,000,000	$ 454,853	84	$ 252,000	916	$ 2,293,147
Subtotals for Collinston		1,000	$ 3,000,000	$ 454,853		$ 252,000	916	$ 2,293,147
Harper Ward System								
Harper Well	2025	685	$ 2,814,560	$ 1,330,527	105	$ 360,752	580	$ 1,123,281
500,000 Gallon Storage Tank	2025	211	$ 1,800,000	$ 850,914	105	$ 603,357	106	$ 345,729
Transmission Line	2025	866	$ 390,000	$ 184,365	105	$ 62,741	761	$ 142,894
Subtotals for Harper Ward System			$ 5,004,560	$ 2,365,806		$ 1,026,850		$ 1,611,904
South Willard System								
South Willard Well #2	2025	957	$ 2,000,000	$ 481,249	-	$ -	957	$ 1,518,751
Transmission Line	2025	1,805	$ 300,000	$ 72,187	-	$ -	1,805	$ 227,813
Subtotals for South Willard System			$ 2,300,000	$ 553,436		$ -		$ 1,746,564
Total Improvement Project Costs			**$ 25,226,458**	**$ 3,374,095**		**$ 1,278,850**		**$ 20,573,513**

Source: Bear River Water Conservancy District, Drinking Water Impact Fee Facilities Plan, 2023, Table 7

Bear River Water Conservancy District

Water Impact Fee

Beaver Dam System

Excess Capacity	Purpose	Total Cost	Total ERCs	Growth ERCs	% to Growth	Growth Costs	Growth/ERC
Storage Tank Excess Capacity							
Water Storage Tank	Storage	$ 528,236	223	181	81%	$ 428,748	$ 2,369
Credit for Fund Balance		$ (50,708)		181		$ (280)	$ (2)
Total Impact Fee		**$ 477,528**				**$ 428,467**	**$ 2,367**
							$ 6,397.90

Bothwell System

0.37 AF

Excess Capacity	Purpose	Total Cost	Total ERCs	Growth ERCs	% to Growth	Growth Costs	Growth/ERC
Supply Excess Capacity							
Water Supply (Newman Well)	Supply	$ 1,250,000	2,655	2,595	98%	$ 1,221,751	$ 471
Water Storage Tank	Storage	$ 500,000	888	828	93%	$ 466,216	$ 563
Interest Expense 1993/2008A Bonds		$ 360,881	2,655	2,595	98%	$ 352,725	$ 136
Credit for Fund Balance		$ (65,592)		2,176		$ (30)	$ (0)
Subtotal Excess Capacity		**$ 2,045,289**				**$ 2,040,663**	**$ 1,170**

Future Facilities	Purpose	Total Impact Fee Eligible Cost	Total ERCs	Growth ERCs	% to Growth	Growth Costs	Growth/ERC
Distribution Future Facilities							
Pipe Segment A (10800 West & 12800 North	Distribution	$ 1,058,180	622	622	100%	$ 1,058,180	$ 1,701
Pipe Segment B (Tank & 10800 West to 1360	Distribution	$ 3,487,615	706	706	100%	$ 3,487,615	$ 4,940
Pipe Segment C (Along I-84 from 12800 Nort	Distribution	$ 3,716,103	1,294	1,294	100%	$ 3,716,103	$ 2,872
Supply Future Facilities							
2m Gallon Storage Tank with Segment B	Supply	$ 6,660,000	4,000	4,000	100%	$ 6,660,000	$ 1,665
2022 Bond	Interest	$ 2,840,000	4,000	4,000	100%	$ 2,840,000	$ 710
Subtotal Future Facilities		**$ 17,761,898**				**$ 17,761,898**	**$ 11,888**
Total Impact Fee Bothwell System							**$ 13,058**
							$ 14,838.41

Collinston System

0.88 AF

Excess Capacity	Purpose	Total Cost	Total ERCs	Growth ERCs	% to Growth	Growth Costs	Growth/ERC
Distribution Excess Capacity							
Distribution System	Distribution	$ 2,833,682	807	723	90%	$ 2,538,726	$ 3,511
Flat Canyon Pump Station and Pipeline	Distribution	$ 1,744,341	200	116	58%	$ 1,011,718	$ 8,722
2022 Bonds (Flat Canyon Project)	Distribution	$ 3,280	200	116	58%	$ 1,902	$ 16

2022 Grant (Flat Canyon Project)	Distribution	$	(912,781)	200	116	58%	$	(529,413)	$ (4,564)
Total	Distribution	$	3,668,522	-	-	82%	$	3,022,933	$ 7,686
Storage Excess Capacity									
Water Storage Tanks	Storage	$	925,363	556	472	85%	$	785,560	$ 1,664
Interest Carry Cost									
2014 Bond	Interest	$	279,810	617	547	89%	$	248,270	$ 454
Credit for Fund Balance		$	(50,423)		561		$	(90)	$ (0.16)
Subtotal Excess Capacity		**$**	**4,823,272**				**$**	**4,056,673**	**$ 9,804**

Future Facilities	Purpose	Total Impact Fee Eligible Cost	Total ERCs	Growth ERCs	% to Growth	Growth Costs	Growth/ERC
Distribution Future Facilities							
Supply Future Facilities							
Additional Source - Future Well East Side	Supply	$ 3,000,000	1,000	916	92%	$ 2,748,000	$ 3,000
2022 Bond	Interest	$ 64,152	1,000	916	92%	$ 58,763	$ 64
Subtotal Future Facilities		**$ 3,064,152**				**$ 2,806,763**	**$ 3,064**
Total Impact Fee Collinston System							**$ 12,868**

1.0 AF

Harper Ward System

Excess Capacity	Purpose	Total Cost	Total ERCs	Growth ERCs	% to Growth	Growth Costs	Growth/ERC
Distribution Excess Capacity							
Distribution System	Distribution	$ 872,398	774	669	86%	$ 754,049	$ 1,127
Interest Carry Cost							
1994/2008B Bonds	Interest	$ 90,079	774	669	86%	$ 77,859	$ 116
Credit for Fund Balance		$ (16,071)		669		$ (24)	$ (0.04)
Subtotal Excess Capacity		**$ 946,406**				**$ 831,884**	**$ 1,243**

Future Facilities	Purpose	Total Impact Fee Eligible Cost	Total ERCs	Growth ERCs	% to Growth	Growth Costs	Growth/ERC
Distribution Future Facilities							
Transmission Line	Distribution	$ 205,635	866	761	88%	$ 180,703	$ 237
Supply Future Facilities							
Harper Well	Supply	$ 1,484,033	685	580	85%	$ 1,256,553	$ 2,166
2022 Bond	Interest	$ 181,566	685	580	85%	$ 153,735	$ 265
Storage Future Facilities							
500,000 Gallon Storage Tank	Storage	$ 949,086	211	106	50%	$ 476,792	$ 4,498
Subtotal Future Facilities		**$ 2,820,320**				**$ 2,067,783**	**$ 7,167**

Total Impact Fee Harper Ward System	**$ 8,410**

$ 11,521.23

South Willard

0.73 AF

Excess Capacity	Purpose		Total Cost	Total ERCs	Growth ERCs	% to Growth		Growth Costs		Growth/ERC
Supply Excess Capacity										
Water Supply (South Willard Well #1 Pump I	Supply	$	426,243	346	342	99%	$	421,315	$	1,232
Distribution Excess Capacity										
Distribution System	Distribution	$	680,047	2,765	2,761	100%	$	679,063	$	246
Storage Excess Capacity										
Water Storage Tank	Storage	$	709,884	2,000	1,996	100%	$	708,464	$	355
Interest Carry Cost										
2008 Bond Interest	Interest		458,433	1,898	1,894	100%	$	457,467	$	242
Credit for Fund Balance		$	-		1,894		$	-	$	-
Subtotal Excess Capacity		**$**	**2,274,607**				**$**	**2,266,309**	**$**	**2,074**

Future Facilities	Purpose		Total Impact Fee Eligible Cost	Total ERCs	Growth ERCs	% to Growth		Growth Costs		Growth/ERC
Distribution Future Facilities										
Transmission Line	Distribution	$	227,813	1805	1,805	100%	$	227,813	$	126
Supply Future Facilities										
South Willard Well #2	Supply	$	1,518,751	957	957	100%	$	1,518,751	$	1,587
2022 Bond	Interest	$	94,063	957	957	100%	$	94,063	$	98
Subtotal Future Facilities		**$**	**1,840,627**				**$**	**1,840,627**	**$**	**1,811**

Total Impact Fee South Willard System	**$ 3,886**

$ 11,102.29

0.35 AF