

Cache County Planning Commission (CCPC)

Minutes for 16 July 2009

Present: Josh Runhaar, Jay Baker, Leslie Mascaro, Chris Sands, Lamar Clements, David Erickson, Leslie Larson, Megan Izatt, Donald Linton

Start Time: 5:32:00 (Video time not shown on DVD)

Clements welcomed; **Larson** gave opening remarks.

Approval of Agenda

Erickson moved to approve agenda. Sands seconded; passed 4, 0.

Approval of Minutes

Erickson moved to approve the 04 July 09 minutes. Sands seconded; passed 4, 0.

5:35:00

#1 Eagle Rock Subdivision Phase 2 (Brian Lyon)

Mascaro reviewed Brian Lyon's request for a 5-lot subdivision on 79.65 acres of property in the Agricultural Zone located in Petersboro. Item was continued at the May 7, 2009 meeting so applicant could supply information concerning water concerns in the area. Two well driller reports have been submitted. Staff has received public concerns regarding the quantity and quality of water in the area.

Baker the first page states the soil type which is not ideal for a well. The first well yielded 10 gallons per min. for 12 hours and the second well yielded 15 gallons per min. for 8 hours. This is not ideal, but it does meet the State's requirements.

Larson would you please summarize the concerns.

Mascaro there have been public concerns from neighbors regarding the lack of water quantity and poor water quality in the area.

Brian Lyon there is a Sierra Heights subdivision yielding the same. Some areas around here have good water and some don't. We are not asking for 50 lots.

Sands Mr. Lyon, are you aware of the Planning Commission recommendation to the County Council regarding the possible change in base zone density?

Mr. Lyon I knew it was in the works. What density are you looking at?

Runhaar 1 unit per 10 acres is what was sent to the Council, but 1 unit per 20 acres has also been discussed.

Larson is this an improvement over the original submission?

Sands the layout is.

Erickson we looked at this in May and we wanted more information from Bob Fotheringham. We've done our due diligence. I urge the sellers to make sure the buyers are educated regarding the water issues.

***Erickson** moved to recommend approval to the County Council for the Eagle Rock Subdivision Phase 2 for 5-lots. **Larson** seconded; passed 4, 0.*

5:48

#2 Facer Gravel Rezone (Todd Davis)

Mascaro review Mr. Todd Davis's request for a rezone of 17.56 acres of property from the Agricultural Zone to the Mineral Extraction (ME) Zone located near Cove. A new access will be created south of the current access. This area does not reside within the Sand and Gravel Overlay, but does have traces of alluvial deposits in the southeast corner of property.

Clements they are going to build a road to meet up with the county road?

Mascaro applicant has proposed to create a new access in order to avoid obtaining additional permits from the Rail Road and UDOT.

Baker we are not requiring the new access, they want to build the road.

Mr. Todd Davis we are trying to eliminate problems up front.

Sands this is not in the Sand and Gravel Overlay. Have you thought of the future after extraction is finished?

Mr. Davis the slope will be South to North and East to West. We plan to reclaim as we go. We are going to do 200 ft. strips and gradually have a slope of 5 to 1.

Sands is this developable property?

Mr. Davis it is fairly rocky, not suitable to farming. By building the road we are hoping to avoid problems with UDOT and the Rail Road.

Erickson has the quality of gravel been assessed?

Justin Facer the area that was worked previously are the high spots and the knobs. Everything underneath is similar to the Allen and Geneva Rock pits. Le Grand approached Todd to use the

gravel for the highway. We are just peeling off the top section and eventually hope to crush there.

Erickson does it slope towards high creek and are there going to be berms?

Mr. Facer yes. There will be a silt fence in front of the creek and a berm as well.

Erickson does it lie in the flood plain at all?

Mr. Facer I don't think so.

Davis it is anywhere from 5 to 20 feet above the creek.

Sands are you familiar with all the requirements for this project?

Mr. Facer yes.

Sands do you have a reclamation plan?

Mr. Facer yes, it is done. We have a full landscape plan and we will replant and reshape as we go.

Larson motioned to recommend approval of the rezone of 17.56 acres from Agriculture to Mineral Extraction to the County Council. **Sands** seconded; **passed 4, 0.**

5:58

#3 Ruby Pipeline Rezone (John Wilson)

Mascaro reviewed Mr. John Wilson's as the Ruby Pipeline's agent for the request of a rezone from the Agricultural Zone and Forest Recreation (FR40) Zone to the Utility Corridor Overlay Zone. There will be a 42 inch natural gas pipeline installed running through southern Cache County. The pipeline will be 18 miles long. Applicant has proposed to begin construction in 2010 and will be finished in March of 2011. Ruby Pipeline has worked with the County Council. There will be a 50 ft permanent easement along the pipeline corridor with a temporary 150 ft easement for construction including staging areas. Kern River Pipeline has been used as a case study to show property owners that natural gas pipelines are safe, there is minimal visual impact, and area will be fully reclaimed. FERC is overseeing the Ruby Pipeline project.

Sands would you like to add anything Mr. Wilson?

John Wilson no.

Erickson this is a swath of change for zoning. Is it specific to the land?

Mascaro you will only be rezoning a 50 ft permanent easement; this rezone does not affect the base zone or its current uses on the land.

Runhaar people will still be able to do everything the base zone allows as long as it doesn't affect the 50 ft. overlay.

Erickson what about safety and reclamation?

Mascaro if you look at the Kern's pipeline, reclamation is possible.

Erickson is it subject to flyovers for markers?

Mr. Wilson absolutely.

Larson I went into Southern Idaho looking for pipelines and unless you are really looking, you don't notice them.

Sands have you worked with the property owners?

Mr. Harden we are still in the process, but so far have had no problems with Cache Valley residents.

Runhaar Ruby Pipeline has done a lot to meet the public needs and has worked well with Cache County. Communication with us and Ruby Pipe line has improved immensely.

Caroline Leishman how wide is the Kern's pipeline?

Mr. Harden 36 inches, and there is a 50 ft. easement.

Mrs. Leishman on the map, the pipeline looks like a vague line, but we are real people. We will be close to the pipeline. The land out there that the pipeline will be going through is very pristine land. I don't see the benefit of this pipeline to the County. I have looked through the book that regulates this type of pipeline and safety is a big issue. Since the late 80's there have been many mishaps. I am also concerned with the water where we are, one well and spring water. The pipeline construction could contaminate the water. We have a pond due to the water coming up when building our sprinkler system on our land. I hope the Council and the Commission studies the impacts and looks at where this pipeline is going to be.

Bruce Leishman the pipeline is not going through Avon?

Runhaar no they said it would not run down the main of Avon.

Mr. Leishman we know people who haven't given permission for the pipeline to cross their land.

Jay Harrison I have property near where the pipeline will be. How deep is the pipe layed?

Baker 36 inch minimum soil cover, in an Agricultural zone there is a 42 to 46 inch requirement.

Mr. Harrison I'm wondering how it will effect real estate and if wells are impacted, would you come back to look at them?

Mr. Harden yes.

Harrison how high is the pressure running through the line?

Mr. Harden 1400 lbs. If we have any spillage we will be notified and we will be able to find out exactly where that is and shut down that area of the pipeline.

Mrs. Leishman is there already damage done if there is a spill?

Mr. Harden we have to follow that FERC book and it governs us. There should be any problems and we have to keep 150 ft. away from springs and wells.

Mrs. Leishman are all pipelines regulated by FERC?

Mr. Harden no ma'am, only some. When a pipeline blows, it is because it has been dug into by someone who didn't know it was there.

Mr. Harrison during construction, how does that impact the road?

Mr. Harden if we damage the road during construction, we are responsible for fixing it and water trucks will run to dampen the dust. Even the cutouts we have to make will be taken back to what they were before.

Mr. Harrison I'm wondering why the pipeline is going in where there is not other natural gas pipelines.

Mr. Harden we are 50 ft. off an existing line for the most part.

Sands is that the Qwestar line and where does it head west?

Mr. Harden no it turns north and we continue west.

Mr. Harrison how come you can't reduce the pressure and serve the area?

Mr. Harden we will have compression stations and if the city or county are interested, they can contact the main company and discuss service in this area.

Mr. Harrison how close to Porcupine are you?

Runhaar 1 ½ miles north.

Mr. Hardin we come down right off Mile Canyon.

Mr. Harrison are my insurance rates going to increase due to an increased risk?

Mr. Hardin I don't know anything about that.

Bob Manning the operating pressure is designed to run 1100 lbs per square inch but can operate at 1440 per square inch. There is not one person directly affected who has not given permission for us to serve their land and 75% of the owners have signed easements and we are working with the other 25%.

Erickson are you crossing fault lines?

Mr. Manning I don't know of any in Cache Valley but we are in Box Elder.

Baker we have copies of the environmental studies.

Erickson if you have to reroute the line due to a spring, does the rezone follow that line, or does it come back?

Mr. Harden we've already done the studies and this is the line that there are no springs on.

Sands what about if a land owner doesn't agree?

Runhaar those are minor things at this point and will need to be left to the Council's discretion.

Erickson what are the limitations with this easement?

Mr. Manning you can build up to 25 ft from the center of the pipeline, but no trees in 50 ft of the easement.

Erickson any restrictions on pesticides, herbicides, etc.?

Mr. Manning not that I'm aware of.

Runhaar Brigham City is using the line as a fire break and to plant fire resistant vegetation.

Erickson is there risk management training that local fire departments need for this pipeline?

Mr. Manning my understanding is that all fire departments will be worked with in regards to that. I do have a call into the head of the fire district.

Runhaar this is a rezone and we do have questions regarding roads, water, etc. and those will come out in detail during the Conditional Use Permit and we will work with the other necessary departments to make sure everything is covered.

Larson I appreciate the audience comments and for the well thought out discussion of this item tonight.

Sands when does the comment period end on the EIS?

Mr. Wilson 45 days after the EIS is filed.

Runhaar We did receive an email from Barry Schwartz, the developer of the Hide Out, he did state some things have not be filed and do not plan to object to the pipeline coming through but does ask that the rezone be contingent upon the filing of the EIS. Staff discussed this and plans to make the Conditional Use Permit contingent upon all the FERP requirements and permits being followed and obtained.

Larson motioned for recommendation of approval to the County Council regarding a rezone change from Agricultural Zone and FR40 Zones to the Utility Corridor Overlay for the Ruby Pipeline. *Erickson* seconded; **passed: 4, 0.**

6:42

#4 Discussion – Amendment to the Cache County Comprehensive Plan

Tabled until next meeting.

6:44

Adjourned.