

Cache County Planning Commission (CCPC)

Minutes for 5 November 2009

Present: Josh Runhaar, Leslie Mascaro, Lee Nelson, Lamar Clements, Leslie Larson, David Erickson, Donald Linton, Megan Izatt

Start Time: 5:34:00 (Video time not shown on DVD)

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

Approval of Agenda

Larson moved to approve the agenda with the removal of item #2. **Erickson** seconded; **passed 4, 0.**

Approval of Minutes

Tabled until next meeting.

5:36:00

#1 Ruby Pipeline

Mascaro reviewed John Wilson's request for a recommendation of approval to the County Council for a Conditional Use Permit to allow the construction of a 42 inch natural gas transmission pipeline as a utility across the southern part of the County in the Utility Corridor Overlay (UCO) Zone. It is preferred that the proposed route be fully reclaimed using approved noncombustible native vegetation creating a natural fire break. Due to wildland fires, the Fire District is recommending additional signage and flags along the route to mitigate accidental contact with the pipe while creating firelines.

Runhaar the federal government's requirements will likely exceed the local jurisdictions along the proposed route. It is already a requirement that there be 36 inches of cover minimum and that the line be a minimum of 5 feet under roads. We are not issuing building permits or inspecting the pipeline, that will be covered by federal agencies. We have requested to receive a weekly construction update as well.

Larson if there is a disruption to water or wells, who do people call? Is there somebody specific that they should deal with?

Dan Gredvig FERC is the federal agency that we work under. Any problems out there needs to be addressed by us. We ask that we be contacted directly.

Nelson who is us exactly?

Mr. Gredvig it could be me, or any member of the Ruby Pipeline team of people involved.

Nelson if a landowner has questions, they can ask you and if you don't know, you'll know how to find the answer?

Mr. Gredvig yes.

Nelson what is the timetable for going through Cache Valley?

Mr. Gredvig the middle of April to the beginning of May. One contractor will be in charge in Cache Valley and they will be responsible for getting the pipe into the ground. We are looking at a 3 to 4 month building period.

Nelson is there a compression station in Cache Valley?

Mr. Gredvig no. The closest will be in Box Elder.

Runhaar people can contact Cache County staff as well with questions or concerns.

Mr. Gredvig we will make sure the county has a list of contacts.

Nelson might be beneficial to hold a town meeting in Paradise.

Kenneth Cardon Mr. Commissioner, in your opinion, do you think the reimbursement from Ruby Pipeline is fair?

Nelson you never know what it is going to be. We're concerned about other pipelines going through as well. I've been there since 1956 and the land out there is expensive.

Mr. Cardon we've had experience with Rocky Mountain Power in Benson and they said one thing and did another.

Clements moved to recommend approval to the County Council for the Ruby Pipeline Conditional Use Permit. Larson seconded: passed 4, 0.

FINDINGS OF FACT:

- 1.** The Ruby Pipeline Conditional Use Permit has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
- 2.** The Ruby Pipeline Conditional Use Permit is issued in conformance with the Standards and Criteria for a Conditional Use within Title 17 of the Cache County Code.
- 3.** The Ruby Pipeline Conditional Use Permit is in compliance with FERC requirements, Federal Law, and Cache County Ordinance.

CONDITIONS OF APPROVAL

- 1.** All pre-construction, construction, reclamation, and operation of the proposed pipeline shall be in conformance with FERC requirements, Federal Law, and Cache County Ordinance;
- 2.** The Conditional Use Permit shall not be recorded until final approval from FERC is granted. A copy of FERC's approval shall be filed with Cache County's Development Services Department;
- 3.** Ruby shall abide by their construction policies and mitigation measures as identified in the EIS unless modified by FERC's order. Any modification to mitigation measures will require review, approved by Office of Energy Projects (OEP) shall be submitted to Development Service office;
- 4.** An approved implementation plan shall be filed with the County prior to construction;

5. Ruby shall supply the County with weekly status reports on the construction and reclamation of the project. Said status reports will begin by the submittal of the approved implementation plan to Cache County and will continue until the project is fully completed;
6. Ruby shall submit an Emergency Response Plan prior to construction;
7. Ruby Pipeline shall provide the County with a copy of the environmental complaint resolution procedure;
8. Prior to construction, Ruby shall collaborate with the Utah State Transportation Department, and Cache County's local Transportation Department including officials from JUB, Fire Department, Roads Department, and Development Services in order to create a Traffic and Transportation Management Plan. Any or all costs accrued by the county engineer to review the ruby pipeline project will be fully paid by the proponent. This plan shall include:
 - a. A Performance bond for all road construction including but not limited to cuts, expansions, and potential damage;
 - b. All roads shall be fully reclaimed to County standards;
 - c. Encroachment permits for all roadwork within the county right-of-way shall be filed and paid in full; and
 - d. All road work within the county right-of-way shall be completed by a licensed bonded contractor.
9. All temporary accessing to staging areas shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes. All temporary accessing shall be constructed to 12' wide with no need for a gravel base. For all temporary roadways longer than 150', a 96' radius turnaround shall be required;
10. The proponent shall install the pipeline with a minimum of 3' deep except where noted. All county road crossings for the proposed pipeline shall be covered with a minimum of 5' of fill material along the 66' wide county right-of-way in order to allow ample room for road construction and the installation of future and existing utility easements;
11. A natural fire break is preferred to be created by the proponent following the pipeline corridor through forest area, using indigenous approved species along the pipe line, as to maximize fire hazard safety; (see attached for approved, native, firebreak species)
12. While under construction in the wild land fire season (May 1 – October 31), Ruby shall have onsite an operational water source on wheels, a 1,000 gallon water truck with a pumping capacity, to respond to wildfires ignited by construction equipment such as trenchers or bulldozers;
13. The proponent shall comply with all of the environmental conditions, including but not limited to wetlands and floodplain, as required by FERC; and
14. Any expansion of the approved conditional use or alteration shall require review and approval by the County Council prior to the expansion.

6:00:00

Adjourned.