



COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES DEPARTMENT

P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3135 FAX: 303-621-3165



MINUTES ELBERT COUNTY PLANNING COMMISSION MEETING June 27, 2013

Note: These meeting minutes are only a summary of the meeting. Duplications of the audio recording are available, for a fee, by contacting Community & Development Services.

The regular Planning Commission Meeting was called to order at 7:00 p.m. by Chairman, Grant Thayer.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commission members present: Ron Turner, Paul Crisan, Rick Brown, Sue Link, Grant Thayer and Bob Ware.

Staff present: Kyle Fenner – Director, CDS, Carolyn Parkinson - Floodplains Manager – Planner

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S):

A.

CONSENT CALENDAR:

A. Sue Link made a motion to approve the meeting minutes from May 23rd, with Rick Brown's amendments. Bob Ware seconded the motion. Motion carried 6 to 0.

COMMUNITY INPUT:

PUBLIC HEARINGS:

A: SU 13-0001 and SR 13-0002 Front Range Pipeline Continuation

- a. Carolyn Parkinson addressed some of the changes that had occurred within the proposal since the meeting of May 30, 2013, due to Front Range Pipeline satisfying some of the conditions discussed and adding the associated pump station to the application.**
- b. The pump station will be located on a fenced five acre parcel. She stated that the environmental storm water permit had been obtained. Permits that have not been obtained will remain in the conditions of approval.**
- c. The road use agreement has been signed and completed. Enertia, the County Engineer, reviewed the pump station and has given their approval**
- d. Gary Hartzel with the Elbert County Health and Environment Department has approved their proposed system.**
- e. Front Range Pipeline has given a written agreement that they will remain in compliance with Elbert County and they will obtain proper permits from the Town of Kiowa.**
- f. One condition regarding the pump station has been added; Because landscaping is impractical at this point, the applicant has agreed to landscape appropriately at a practical time.**
- g. Including the addition of one condition of approval, conditions have been reduced from 17 to 14.**
- h. With the exception of hydrostatic testing, which will be obtained from private wells, Kiowa will be providing all necessary water for the project.**
- i. Paul Crisan asked the applicant how far down they will go with high pressure water during hydrostatic testing. The applicant explained that it would depend on the elevation. He stated that the water pressure is 2200lbs.**
- j. Rick Blake of Enterprise Products Pipelines, the builder of the pipeline, thanked CDS staff and Carolyn Parkinson for their help.**
- k. Carolyn Parkinson presented a slide show outlining the valve and pump stations, site and environmental considerations, the distance from water bodies, referral responses, Kiowa and Dry Creek Crossings, Standards for approval and 1041 Criteria. A copy of the slide show is available in the Community & Development Services Department.**
- l. Grant Thayer asked what the pipeline capacity is. Rick replied that capacity begins at 150,000 barrels and can be increased as needed up to 230,000.**

- m. Ron Turner asked if there were to be two valves or three. Don Brown, the project director, explained that there will be three valves, but one of the three is located at the pump station. There are three valve sites in Elbert County.**
- n. Paul Crisan asked what would be done with the water after pressure testing is complete. The applicant informed the Planning Commission that it is discharged into the ground at an appropriate site, after obtaining a permit from the State.**
- o. Bob Ware asked if the specs stay the same along the entire length of the pipeline. Don confirmed that they do. Bob asked what product specification “level 2” pipe is. Don explained that level 2 pipe experiences more intense testing and the Federal Government requires them to use it.**
- p. Ron Turner asked who the responsible party is, should there be a problem. Don told him that Enterprise Product Liquids is the responsible party. Carolyn Parkinson added that, incase something does go wrong, they are required to submit a Liquid Control Plan that contains contacts that can be reached 24 hours a day, seven days a week.**
- q. Sue Link asked the applicant what they look for while doing aerial monitoring. The applicant stated that they look for people working around the pipeline and dark spots that may signify a leak of some sort. They will do aerial monitoring once a week.**
- r. Rick Brown asked, because they monitor remotely from Texas, how long it would take local personnel to arrive on site. Grant added to his question, asking if valves could be activated remotely. The applicant stated that the longest it would take local personnel to arrive would be one hour and that values can be activated remotely and immediately.**
- s. Ron Turner asked who did the design for the pipeline. Don Brown said that Daniel Alchorn was the pipeline engineer. Ron asked if there were expansion joints in the design. Don explained that there will be “side bends” and “over bends” to create slack so that it can retract, contract or expand.**
- t. Grant Thayer opened the meeting to Public Comment but asked that the comments only pertain to the material that has been discussed tonight, considering the fact that this meeting is a continuation from May 30th and that comments on the project itself had already been heard and discussed.**
- u. Robert Seran asked the Planning Commission to hold Front Range Pipeline accountable for any damage to land, wildlife and water. He asked if the pipeline would have any effect on the burrowing owl.**

- v. Chad Gilbert wanted to make a point on record of his disappointment in not being able to comment further on the pipeline itself due to the last hearing being delayed and tabled. This hearing was scheduled without public notification. Grant responded by saying that the meeting was continued, not tabled and that there are no requirements for public notification on a continued hearing. Chad added that if anyone on the Planning Commission Board has received compensation or had any financial interest they must recuse themselves for conflict of interest. He asked that Front Range Pipeline request a continuance. Being that this pipeline will be constructed near the existing pipeline that was installed in the 1940s, he asked if Front Range had made sure it is safe to do construction near it. He also asked where the valves for the old pipeline were and who owned it.**
- w. Carolyn Parkinson stated that Conoco Phillips owns the existing pipeline and that they are partners in the Front Range Pipeline project. Paul Crisan added that the old pipeline has been upgraded since it was laid.**
- x. Chad stated that he still has concerns about the water and weather this would raise rates for Kiowa residents.**
- y. Don Brown addressed the concern for the burrowing owl. They had to conduct wildlife surveys for the 404 permit through the Army Corps of Engineers. The owls and prairie dogs have been located.**
- z. Grant Thayer asked if anyone on the Planning Commission had received compensation or had conflict of interest. There were none.**
- aa. Don Brown addressed the concern Chad has with the pipeline being constructed next to the old pipeline. The new pipeline will not be in the same easement, there is an abutting easement that is 50' from the 1940's pipeline. There are three areas where they will cross, one in Elbert County, they have a plan and procedure in place for those areas. The procedures are regulated.**
- bb. Grant Thayer responded to Chad's concern about water by stating that the water supply is provided by a private third party. They own their water and have the right to sell it.**
- cc. Ron Turner did not have any concerns to discuss**
- dd. Sue Link did not discuss any further concerns**
- ee. Paul Crisan thanked Front Range for the needed information**
- ff. Rick Brown stated the concerns he had were resolved.**

gg. Bob Ware felt that Elbert County should include specs like surrounding counties do.

hh. Grant Thayer stated that the specs could be included as a condition. They already have the specs so it will be easy.

ii. Paul Crisan made a motion to approve SU 13-0001 and SR 13-0002 with 14 conditions. Sue Link seconded the motion. Motion carried 6 to 0.

jj. The meeting adjourned at 8:45

UNFINISHED BUSINESS:

NEW BUSINESS:

ANNOUNCEMENTS: