

Grand County Planning Commission Minutes

August 6, 2008

A special workshop meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Grand County Courthouse, Council Chambers.

Members Present: Chairman Marcus LaFrance, Dave Cozzens, Chris Baird, and Ed Bridges. D.L. Taylor, Charley Every and Jean Binyon were absent.
County liaison – Gene Ciarus.

Others Present: County staff Krissie Killooy, Mark Wright and Mary Hoffine, and other concerned citizens.

The Chair introduced the Commission and staff then requested that all cell phones be turned off; if one goes off during the meeting you will be asked to leave.

The Chair explained that this is only a workshop specifically to review the evaporation pond ordinance.

The Chair outlined the procedure for the meeting and asked the Commission if there were any conflicts of interest or ex-parte communications that needed to be disclosed. There were none. The Chair called on the County Engineer for review of the proposed ordinance.

Staff explained that the current ordinance has separated out the evaporation pond and the land farm. Hopefully the comments that have been of concern have been incorporated into the ordinance, if there are other comments please let us know. Not going through this line by line.

Chair stated at last meeting we had a draft of an evaporation pond and anticipated two other land uses however in the period between then and now we concluded that drilling mud sites will only be allowed on the site of the well. No land farming ordinance will be needed since we will not allow land farms as a separate use.

Harold Shepherd – coordinator of the local Green Party– This draft has come a long way, concerns are with enforcement; if it's not quantified in the ordinance it won't be enforceable. Migratory birds will eventually find all the ponds and they need to be protected. There needs to be post approval enforcement, staff should make regular reviews of the site.

Discussion with staff and commission regarding the enforcement issues; the conditional use permit will outline the enforcements procedures.

Sara Fields – there are sections that wording should be changed to “shall” and other insertions of stronger language; fencing requirements, emergency plan including the data on all constituents in fluid both chemical and radiological.

Terry Shepherd – questions to staff – 1988 citizens voted on a hazardous waste ordinance that the county would not accept hazardous waste that was not generated by local provider. Would like to know where that is?

Staff gave a brief history of the proposed incinerator in the Cisco area and the Heavy Industrial Zone that was written for the proposed incinerator. There was an ordinance adopted in 1988 that restricted what could be used as fuel for the incinerator.

Laura Kamala - director of the Grand Canyon Trust in Utah – had concerns regarding the future of the number of facilities allowed in the county and the cumulative impacts on the air quality.

The commission explained that there is a section in the proposed ordinance for “need” and the ordinance will control air quality based on projects merit. Each application will be addressed as each project is brought to the County.

Chris Baird – provided corrections in the proposed ordinance. Add a fencing requirement in the safety considerations, safety of the migratory birds, a market need for the ponds, out of state use of ponds a fee equal to or greater than other out of state facilities, public needs to know what is in the water being stored on site. Interested in what standards we are going to apply to the site that will quantify the appropriateness of the area. Need the monitoring plan to address many of these issues.

Ed Bridges and Chris Baird had dialogue regarding what would be an equitable fee for the water ponds. Staff was directed to find out other fee schedules for these ponds.

Ed Bridges questioned the site plan sections regarding discharge and the size regulations. Staff explained the rationale for the size. Commission discussed the area size and concluded that 40 acres will be acceptable. Change the Safety “considerations” to “regulation”. The formatting needs to be fixed to be more understandable. Additional fixes to the wording of #5 under transportation. Mr. Bridges also asked the County Engineer about the lining of the ponds and will look into the regulations and concerns.

Marcus LaFrance – there are bonding requirements at the state and federal levels. If they are not sufficient at the local level then the county should have additional bonding requirements. Staff will look into the need.

The Chair explained that the August 13th meeting will be the public hearing and we should have a draft with strike through and underline in final form.

Adjournment: The meeting was adjourned at 7:08 PM.

Marcus LaFrance, Chairman