

Wasatch County
Planning Commission

Report of Action

Preliminary Approval	_____
For Discussion Only	_____
Resolution	_____
Ordinance	_____
General Plan	_____
Zone Change	_____
Plat Amendment	_____
Road Vacation	_____
Condition Use Permit	<u> X </u>
Final Approval	_____
Temp. Use	_____
Master Plan	_____

Meeting Date: December 14, 2017

ITEM #8. Heber Light & Power and Rocky Mountain Power request a conditional use permit from Wasatch County to rebuild and extend a transmission line and expand an existing substation. The transmission line extension portion of this permit application begins on the existing transmission line on Old Highway 40, approximately 2 miles south of the Jordanelle Dam, and extends south 1.6 miles connecting onto the existing transmission line on Highway 40 approximately 0.8 miles south of the Highway 40/32 Interchange. The transmission line extension begins again at approximately 950 North and Highway 40 and runs 1.6 miles west and south, following the planned bypass road corridor, to the intersection of approximately 1200 West and Highway 113. The rebuilt transmission line portion of this permit application follows the existing transmission line and begins around 650 South and 1200 West and runs 2.2 miles ending at Highway 113, then again from Wards Lane and 600 West and runs 0.5 miles ending at the Midway Substation located west of the cemetery in Midway City. The substation portion of this permit application will expand Rocky Mountain Power’s Midway Substation approximately ¾ of an acre to the west and south and will rebuild or modify the transmission lines entering and exiting the substation. The structures and poles will range in height from 75-90’ with dead end poles ranging in height from 90-110’.

Commissioner Giles was present as Chair.

FINDINGS

- According to applicants this upgrade and new lines are essential to provide reliable power to the Heber Valley.
- Due to the preliminary nature of the proposal, meaning the engineering has not been completed, it is hard to detail the exact heights and materials of the poles.
- Some of the alignment proposed by the applicant is not the preferred alignment of the planning staff.
- The Planning Commission should have enough detail to understand what the impacts will be and feel comfortable that the least obtrusive, feasible options have been used.
- The applicant has the burden of providing the information necessary for the Planning Commission to make an informed decision.
- Pole heights in most locations will increase from a height of 50’ – 70’ to a height of 75’-90’ with end points and corners being 90’-110’ with two (2) exceptions at the Provo River tap next to the sewer, at approximately 135’, and the fish hatchery crossing, at approximately 120’.
- Location of overhead power lines are generally located parallel to existing transportation corridors.
- The proposed location will increase impacts on neighboring properties.
- The proposal is a conditional use and impacts of the use should, as much as possible, be mitigated with conditions.
- The proposal will accommodate future needs and eliminates the need for a second parallel line.

CONDITIONS

- a. The power poles should be as low as possible yet still be able to accommodate the power line and separation requirements.
- b. All poles should be either wood or self-weathering steel.
- c. The maximum height limit is 110’ on corner and end poles and 90’ on all other poles. Except for exceptions as detailed by applicant and approved by the Commission.
- d. The wire used shall be non-spectral (low-reflective) to reduce visual impact.

- e. Cross arms shall be wood, earth-toned fiberglass, or self-weathering steel.
- f. In all areas where two lines exist applicants shall co-locate lines.
- g. Location of poles through the north fields will follow the western and northern boundary of the planned bypass corridor and poles should be placed near fence lines if fences exist along the corridor boundary.
- h. Pole spans shall be as long as possible while maintaining the pole height limitations.
- i. Wood poles shall be used where feasible and efficient if determined to be of less impact than steel poles as determined by the Planning Commission.

COMMENT

Doug Smith presented a power point regarding the item. Presented emails and a petition we have received in opposition to the item. Explained how conditional uses work and the standards to get a conditional use. Explained the process of what would happen if approved or denied and how board of adjustment and State Utility Board would function. Outlined the different segments and how each of those would look and function. Presented the Old Highway 40 line connecting down to Hwy 40. Presented Segment 2 from the intersection to North College Way. Presented segment 3 of the power line which is along the proposed bypass. Presented segments 4 and 5 as well as the proposed expansion of the substation. Presented the possible findings and conditions as represented in the powerpoint and staff report.

Jason Norlen with Heber Light and Power spoke to the capacity of the area and the power needs. Explained that Rocky Mountain Power provides the power to the area. Currently the station in Midway supplies the power to the area at 49-50 Mw. Explained more of the power in the area and that the south and north transmission area need to be rebuilt due to current power demands. Explained that the system was installed in the 70s and 80s and needs to be rebuilt. Would upgrade so that the station could hold 100 Mw and the south line would be about 65 Mw. Need a second area of interconnecting to provide redundancy in case of any issues and loops the whole system. Would allow for splitting of service and resiliency to the service. Explained that we needed more capacity in the system.

Harold Wilson with Heber Light and Power addressed the commission. Explained that they have had these plans for many years. Were directed by the utility board to follow existing lines and corridors as much as possible. Restates that with the growth of the valley and the utility company they have a responsibility to provide power to the area. Thanked Doug and the planning department for outlining the project. Explained they have drawn countless routes to try and get from point A to B and the one presented was the one they felt was the best option from the financial and service and reliability perspective.

Chair Giles asked about the current lines being installed and where those would hook in. Mr. Wilson explained that the ones currently being replaced on Hwy 40 were not functioning well, the new metal ones resist those effects of the highway and weather.

Commissioner King asked about how burying these lines could work or if it was possible. Mr. Wilson stated that the cost was prohibitive to do so.

Commissioner King asked about how low the poles would go. Mr. Wilson stated they have to account for many different things. Mr. Norlen stated they go as low as they can. Stated cost for burying would be 4 to 7 times the cost of going overhead. The overhead runs 1 to 1.2 million per mile.

Bengt Jonsson spoke regarding the petition that was provided to the commission. States that they have gathered another 800+ signatures in the last 2 days. They were largely concerned about the characteristics of the poles that went in along 40 and didn't want that to continue. Explained that they do not think the easements have been locked down and that should happen prior to the issuance of the permit. Explained how the petition process works. Explained the different aspects of the petition, pausing to think about this, rerouting it, or burying it.

Chris *Klaissen* spoke regarding the petition and being heard on this matter. Explained that this is his first time in this type of forum. Explained that the petition isn't to give a legal or direction to the commission. Did want to state that the petition does show that the valley cares about this. Outlined that he went through combining lots and building a home. Stated that it doesn't feel as though this application went through the same process. Feels as though the easements should be secured before asking for the permit. Also feels as though costs should be outlined and factored as a

condition. Wants a power study done in terms of capacity. Also wants a study of what the costs of the lines and burying the lines. Summary. Easements, blight on the valley. If it takes 2 years isn't it worth 6 months of study to find out the costs and impacts?

Ian Harvey addressed the commission. Talked about how he's in the ski industry and goes to other ski areas and they buried lines. Thinks it's crazy that we wouldn't do more due diligence on this.

Blake Meyers addressed the commission. Stated that we're at a major turning point and that we need to make the right decision and that adding 100 ft. tall lines were not a good thing and that we would likely regret it if we approved it. Other places bury it.

Cameron Brown got up and stated that the "our vision" portion of our mission statement seemed relevant to this decision. Asked about impact fees and if we're at this point have we looked at increasing those to cover these costs in the future and that this would have a large impact on the valley.

Heidi Franco stated that her and Keleen Potter wanted to table this issue to allow for more time as a community as a whole to take a look at this and study it a bit more.

Celeste Johnson with Bear Mountain properties which owns the land to the south of the substation. Just started speaking with the company about mitigation and rebuilding. Thinks it should take some time and have some of these things in place before issuing the permit. Will effect values on the west side. Believes the effects should be mitigated prior to the permit being issued.

Tracey Taylor asked about what Rocky Mountain power needed from this. Brought up Park City and how the Park Record article and if the routing has any issues with Park City needing power as well. Wants to bring Park City and Summit County to the table to help pay for these buried lines. Also is concerned about the property value impacts. Concerned that these easements weren't made for the new poles.

Gunther Brown thanked all the commission and the power companies. Stated he knows we need power and future needs. Asked what the real load on the lines are as Rocky Mountain Power will use these to go outside of the valley.

*** wanted to know the total cost in terms of maintenance, power loss, and land values. Thinks the shift of the cost is going from the power company to the land owners in terms of value and utility. Read an excerpt from an article regarding the Jackson power lines and burying them. Explained other areas are mandating burial and wondered why we would not do that.

Kevin Payne addressed the commission. Resident of Midway as a real estate developer. Explained that he believes the function of the CUP is to mitigate the impacts of the plan. He didn't see anything that laid out the impacts this would create that needed to be mitigated. Explained that this goes through multiple jurisdictions and we should look at this in a comprehensive way with Heber, Midway, Charleston and the county together instead of a disjointed way.

Willie Holdman not in the area of the poles, but loves the valley and is concerned about the view and impact on the valley. Just wants to study it and thinks the best way to mitigate impacts is to bury them.

James Sotorborg (sp?) addressed the board and stated that decisions should be carefully considered and that the commission used to be smaller but the people voted to expand it to get better representation. Used the High School as an example of not studying and planning correctly.

Heidi Franco spoke about a study done previously. Stated that additional lines would be away from residential areas, geotechnical studies and a study of impacts on health and values. Study is from 2006.

Leonard Gurch wanted to address the line in the NW of the proposal. Took the time to write up his questions. Wanted to know who the permitting agencies, eminent domain. Talked about how these will have large impacts and should be more detailed in terms of plans in terms of environmental, and other agency approval. Spoke about how the bypass is just a proposal as it has moved several times.

York Vister (sp?) spoke about the statement regarding the “fear” of running out of power. Wants more local generation with solar, wind, etc. and that we should examine more modern ideas rather than 100 year old technology.

Chair Giles stated they think they have a good handle on the feeling of the group, but will entertain other questions or statements.

Paul Brown with Midway. Just wanted to ask if some from Rocky Mountain would want to address the concerns.

Steve Addie (sp?) addressed wants documentation of costs and what the citizen could be paying. Also wants to take in consideration diameter of the poles.

Chair Giles closed public comment and thanked everyone. Asked Rocky Mountain to address the concerns.

Don Watts and Benjamin Clegg for Rocky Mountain Power. Mr. Clegg addressed the questions regarding what Rocky Mountain Power was getting out of it. Sumarized that the 138 kv lines. Explained that it's a redundancy in case a line to the north or south is damaged. Connects the Jordanelle and Midway substations. Also deliver power to Heber Light and Power. Explained the Park City issue in more detail and that that project did not impact the need for the connection between the Jordanelle and Midway stations.

Chair Giles asked what Mr. Watts thoughts were on the concerns about the pole. Mr. Watts wanted to state that in working with HL&P is the most concerned about the citizens of the valley. They had looked at a line through the valley back in 2004. Explained that the bulk of the benefit is for the county. It does help distribute further but the bulk of the benefit is here.

Commissioner King asked about when outages as happened and what the real costs of burying the lines should be. Mr. Watts stated that he knew of 2 in the last few years and that the line would be very site specific based on soils.

Commissioner Heyward asked about cost sharing. Mr Watts and Clegg stated that it was an 80/20 split with RMP paying the 80 and HL&P paying the 20.

Chair Giles opened it for discussion between the commissioners.

Commissioner Hendricks stated that he could not vote in support of this tonight. Didn't feel that the conditional use items were addressed. Felt the routing, the costs still need addressed and to be outlined. Wants some more coordination between jurisdictions. Wants to take a look at the study from 2006. Wants to know more about the other jurisdictions. Wonders if the CUP is complete. Wants to know if the capacity or the redundancy that is the driver. Thinks we need to address the issues, but needs more information.

Commissioner King stated that the bypass isn't even on the 5 year plan.

Commissioner Rigby wants more public input. More studies. Is an engineer and is used to going through rounds of studies. Thinks more than just the county is involved. Heard from other cities stating that we need to work together and get more information.

Commissioner Heyward stated the concern regarding the appeals process and the state board and the results we've had on that before. Talked about the cost bearing and that cities and the county would have to bear costs if we conditioned that the lines get buried. Stated that there are a lot of concerns.

Commissioner Cook stated that we need more information we just don't have enough.

Commissioner Giles stated he agreed with Commissioner Heyward.

Commissioner King just wants some idea of what the costs are.

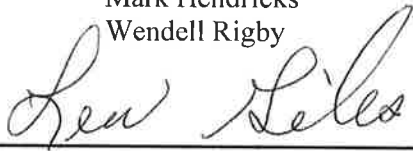
MOTION

Commissioner Hendricks made a motion to continue item #8, the application for Conditional use by Rocky Mountain Power and Heber Light and Power and invite them to address as many of the concerns as they can. Those include the intent of the Wasatch County mission re: valley character. How they are addressing the CUP items. Routing, is the line adequate both for the current and future. Rough costs of overhead and burying, plans for involving other jurisdictions, if there are other entities involved with this area, and addressing the question of easements and right of way. To be scheduled for the Feb meeting.

Commissioner King seconded the motion.

VOTE **(6 to 0)**

Lew Giles	<u>AYE</u>	NAY	ABSTAIN
Gerald Hayward	<u>AYE</u>	NAY	ABSTAIN
Kent King	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN
Mark Hendricks	<u>AYE</u>	NAY	ABSTAIN
Wendell Rigby	<u>AYE</u>	NAY	ABSTAIN



Wasatch County Planning Commission – Chairman

****Official action of the Planning Commission on this item****