

Story County Conservation Board
June 27, 2016
Story County Conservation Center, Ames, Iowa

0. Chair Craig Meyers called the meeting to order at 5:30 p.m.

2. ROLL CALL

MEMBERS

Craig Meyers – present
Nancy Franz – present
Allen Weber – present
Ted Tedesco – present
Jim Pease – present
Wayne Clinton – absent

STAFF

Mike Cox
Jolene Van Waus

GUESTS

Stephen Holmes
Rick Sanders
Lauris Olson
Bret Dublinske
Craig Schoenfeld
Rebecca Dublinske
Deb Schildroth

0. CONSIDER RESOLUTION 2016-05 RE: EASEMENT WITH DAKOTA ACCESS FOR CONSTRUCTING A PIPELINE CROSSING THE HEART OF IOWA NATURE TRAIL

Chair Craig Meyers welcomed everyone to the meeting. He explained that the Iowa Utilities Board has approved the construction of the pipeline across Iowa and that the conservation board is tasked with providing a recommendation to the Story County Board of Supervisors in granting an easement to Dakota Access to cross the Heart of Iowa Nature Trail. Meyers then invited guests to speak.

Referring to a memo from Director Cox to the conservation board, Lauris Olson had a question regarding the county being unable to place conditions on the easement and asked for clarification. Holmes explained that Story County cannot make requirements that go beyond the Code of Iowa.

Holmes also addressed board member Tedesco's suggestion that wording in Section 14. (c) be amended to separate the clause pertaining to business auto insurance and umbrella liability insurance. Bret Dublinske, an attorney representing Dakota Access, agreed that this wording was inaccurate and could be changed.

As there were no other guests wishing to speak, Meyers closed the public comments portion of the meeting.

Holmes clarified that Director Cox is asking the Story County Conservation Board (SCCB) to make a recommendation to the board of supervisors (BOS) to approve an easement with Dakota Access. The BOS can consider each bulleted concern on SCCB's resolution, but these concerns will not be part of the easement agreement. However, Holmes said a request for directional boring under the trail can be included.

MOTION by Tedesco, SECOND by Franz, to approve Resolution 2016-05 recommending approval of an easement with Dakota Access Pipeline to the Story County Board of Supervisors with amended language to Section 14 separating the clause for business auto and umbrella liability insurance and requiring \$2 million in umbrella liability and a limit of not less than \$2 million each accident in business auto liability.

In discussion, Pease communicated his wish that the SCCB strongly recommend that the BOS require directional boring under waterways. Pease also reminded the board that Iowa is the most altered state in the union. Over 99% percent of prairies, 95% of wetlands, and 70% of woodlands have been removed. The most important, continuous corridors of habitat remaining are streams and waterways. Iowans value those very highly because that is all that is left. So, from the standpoint of protecting natural resources in the county, waterways are critical. Looking at the experience of other pipelines around the country, leaks are going to happen. Even if pressure systems are in place to detect large leaks, small leaks will be harder to pinpoint and tie directly to waterways. Some protection will be gained by directional boring as opposed to plowing. Disturbance ecology of the creek destroys it for a long period of time, so boring under streams is a critical point. Pease added that directional boring makes good sense and hopes that the board of supervisors will require this in the easement.

Answering a question about utilizing best practices, Craig Schoenfeld, LS2 Group, replied that Dakota Access is required to have an agriculture mitigation plan, county inspectors are on site every day during construction, and the county engineer is required to sign off on the project. LS2 Group is working with two agriculture mitigation companies specifically on soil segregation.

Dublinske said that state-of-the art flow modeling will continuously monitor pressure, flow rate, and volume to detect any leaks. Periodic testing will be done according to federal rules, and Dakota Access is using a thicker pipe than required. If any leaks do occur, a one-hour maximum response time is expected. A crew will be based in Cambridge as well as southeast Iowa. Depending on terrain and waterways, shut-off valves will be placed an average of every six miles.

Pease thanked the county attorney and the board of supervisors for their time and attention in dealing with this issue affecting Story County. He added that if the resolution passes, he hopes the BOS accepts the SCCB's recommendation for amendments to the easement.

Meyers called for a vote on the motion.

AYE: Franz, Meyers, Pease, Tedesco, Weber. NAY: None. Abstaining: None
Motion carried.

Chair Meyers announced that the resolution was approved and will be forwarded to the Story County Board of Supervisors for careful consideration.

4. OTHER

Tedesco acknowledged and thanked Director Cox for an excellent job in preparing and communicating requirements for design engineering proposals for the ISU Research Park.

5. ADJOURNMENT

MOTION by Tedesco, SECOND by Pease, that the meeting be adjourned. MCU.
Chair Meyers adjourned the meeting at 6:30 p.m.