



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Nancy M. Trimble, Associate Planner

DATE: June 5, 2018

TITLE: Review and action of a Board Approval for the ONEOK Elk Creek Pipeline.

EXECUTIVE SUMMARY

ONEOK Elk Creek Pipeline, LLC has submitted an application for Board Approval for the ONEOK Elk Creek Pipeline to the Laramie County Planning and Development Office for the following location: approximately 22 miles from the eastern border of Laramie County, parallel to the ONEOK Bakken Pipeline.

BACKGROUND

The proposed north-south pipeline will originate in Richland County, Montana and terminate at the existing ONEOK facility near Bushton, Kansas. Approximately 52 miles of the pipeline will cross through Laramie County. The pipeline will cross the unzoned area of Laramie County.

Pertinent Regulations

Section 1-2-100 of the Laramie County Land Use Regulations governing the Board Approval process.

Section 2-2-127 of the Laramie County Land Use Regulations governing the requirement for Board Approval of energy pipelines.

DISCUSSION

The Laramie County Comprehensive Plan designates land uses along the pipeline route as Ag & Range Land and Rural Ag Interface. The pipeline will not affect land uses in the corridor and is therefore not in conflict with the Comprehensive Plan.

Section 1-2-100 (a) of the Laramie County Land Use Regulations requires that the Laramie County Board of Commissioners shall find the following before granting Board Approval:

- i. The proposed use is permitted by Board Approval in the proposed location and is in conformance with all applicable development standards.
- ii. The proposed use is in general conformance with all other applicable policies adopted by Laramie County.
- iii. There is no defined negative impact to the community.

The proposed pipeline has met the requirements of Section 1-2-100 (a) of the Laramie County Land Use Regulations. Energy Pipelines are permitted in this area with Board Approval. Upon submittal of floodplain development permits for all floodplain crossings along the pipeline corridor, and applicable right-of-way and road access/crossing permits to Laramie County Public Works and WYDOT, the pipeline shall be in conformance with applicable development standards. There are no defined negative impacts to the community. Comments received from Environmental Health and the Wyoming Game and Fish provide requirements to prevent or mitigate potential impacts from pipeline construction.

Section 2-2-127 of the Laramie County Land Use Regulations requires public notice and a public hearing for energy pipelines. Notice of the public hearing was published in the Wyoming Tribune Eagle on May 4, 2018, and a certified mailing was sent to all property owners of record within 1500 feet of the proposed pipeline to inform them of the project. Staff received no comments from adjacent landowners. Today's public hearing shall serve as the required hearing.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Laramie County Board of Commissioners find that:

- a. This application meets the criteria for Board Approval pursuant to Section 1-2-100(a) of the Laramie County Land Use Regulations.
- b. This application meets the requirements of Section 2-2-127 of the Laramie County Land Use Regulations governing approval criteria for energy pipelines.

and that the Board approves the construction of the ONEOK Elk Creek Pipeline, as shown in Exhibit A, with no conditions.

PROPOSED MOTION

I move to approve the construction of the ONEOK Elk Creek Pipeline with no conditions and adopt the findings of facts a and b of the staff report.

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 2: Comprehensive Plan Map

Attachment 3: Project Description

Attachment 4: Resolution

Attachment 5: Resolution Exhibit A - Pipeline Route Map

Laramie County, Wyoming



PZ-18-00110

Elk Creek Pipeline

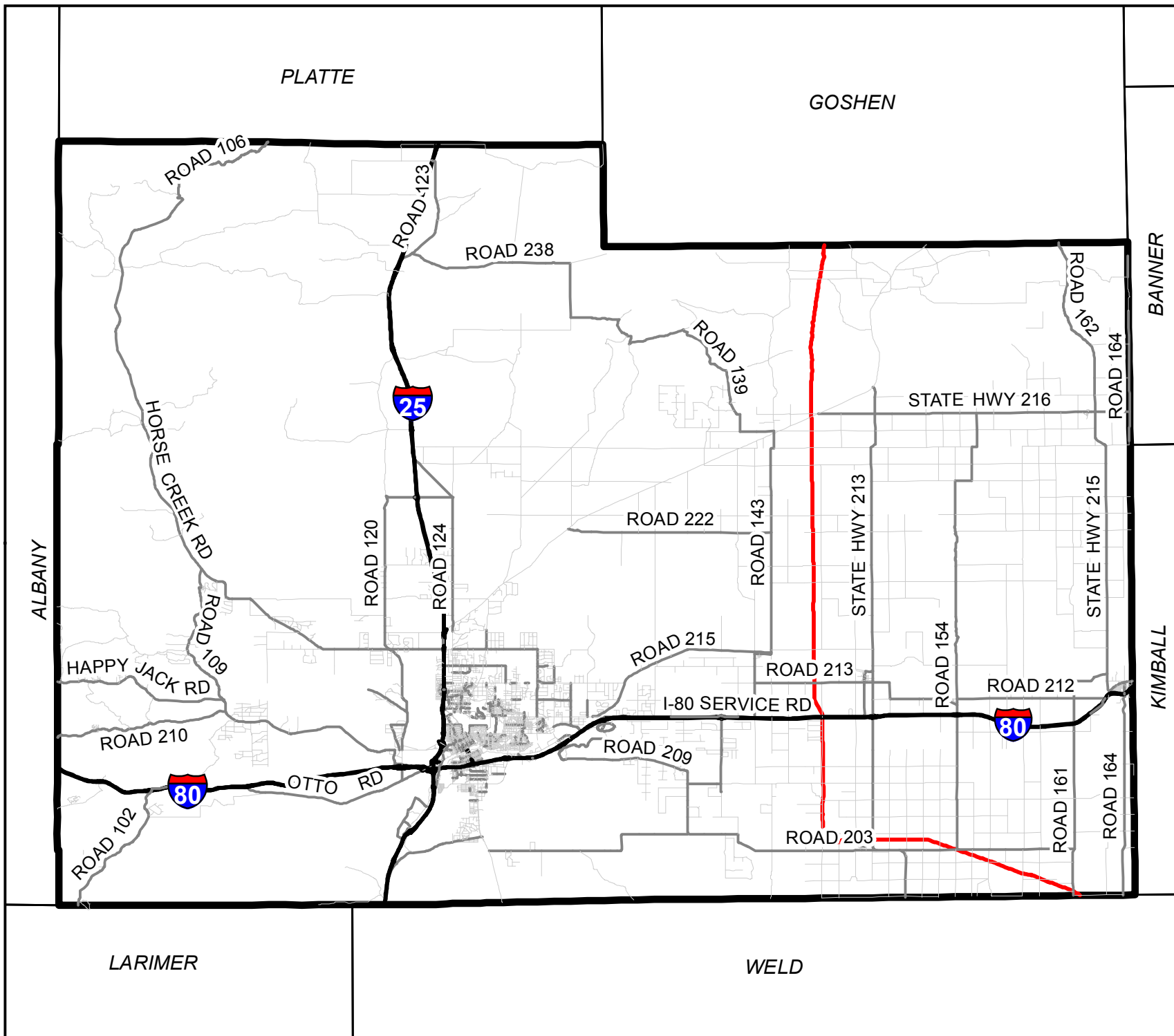
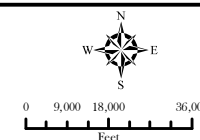
— Proposed Location

Streets

- Interstate
- Collectors
- Others

- Laramie County
- Adjacent Counties

Date: 5/21/2018



This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.

Laramie County, Wyoming



PZ-18-00110

Elk Creek Pipeline

— Proposed Location

Future Land Use Overlay Districts

- Gateway Corridor (GC)
- Recreation Hub (REC)
- Rural Center (RC)

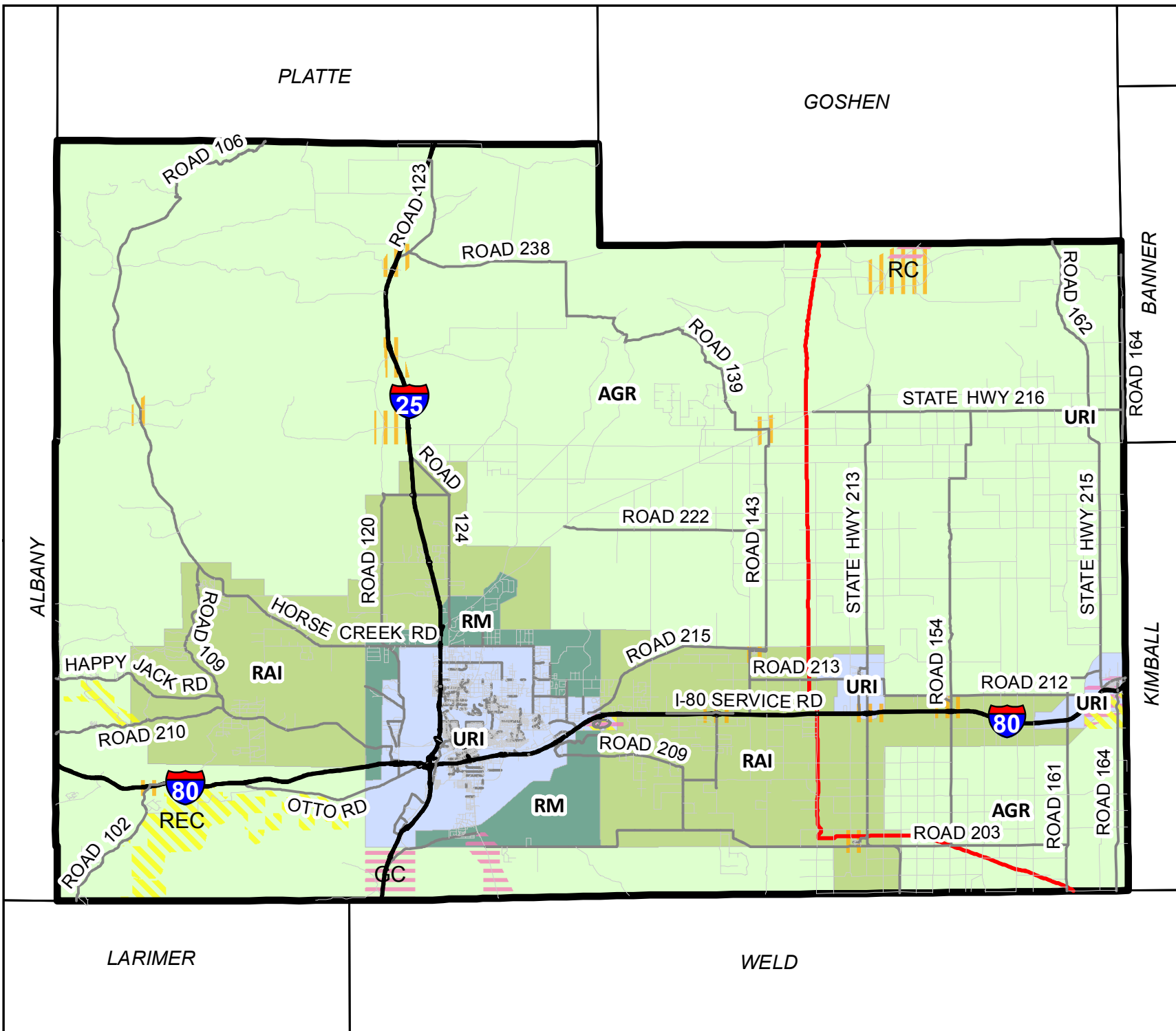
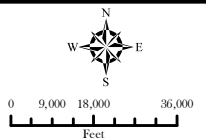
Future Land Use Districts

- Urban-Rural Interface (URI)
- Rural Metro (RM)
- Rural Ag Interface (RAI)
- Ag & Range Land (AGR)

Streets

- Interstate
- Collectors
- Others
- Laramie County
- Adjacent Counties

Date: 5/21/2018



This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.



April 25, 2018

Laramie County Planning & Development Office
3966 Archer Pkwy
Cheyenne, WY 82009

Re: Laramie County Board Approval Permit for ONEOK Elk Creek Pipeline

Dear Ms. Trimble:

ONEOK Elk Creek Pipeline, L.L.C. (ONEOK) submits the enclosed Board Approval permit application form and supplemental information in accordance with the Laramie County zoning regulations.

ONEOK is proposing to build, own and operate the Elk Creek Pipeline (Project). This Project is an approximately 900-mile, 20-inch diameter natural gas liquids pipeline. The Project will originate in Richland County, Montana and terminate at the existing ONEOK facility near Bushton, Kansas. The route parallels ONEOK's existing Bakken NGL Pipeline across eastern Montana and Wyoming and also parallels the Overland Pass Pipeline for a portion of Colorado and across Kansas. A portion of this pipeline crosses through Laramie County and will require a Board Approval permit.

Please contact Jake Rosenberg of Environmental Resources Management, Inc. (ERM), ONEOK's environmental consultant for this Project, at 970-819-9245 or jacob.rosenberg@erm.com if you have any questions about this request or need additional information to complete your review. I would also be happy to assist you and you may reach me at (918) 595-1783 or Edwin.Zedaker@oneok.com.

Sincerely,

ONEOK Elk Creek Pipeline, L.L.C.

A handwritten signature in blue ink, appearing to read "E Zedaker", written over a light blue horizontal line.

Eddie Zedaker, Environmental Specialist

Enclosures: Board Approval permit application and attachments

RESOLUTION # _____

ENTITLED: A RESOLUTION APPROVING THE ONEOK ELK CREEK PIPELINE.

WHEREAS, Wyoming State Statutes §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, The Laramie County Board of Commissioners have previously adopted the Laramie County Land Use Regulations; and

WHEREAS, this application meets the criteria for a Board Approval pursuant to Section 1-2-100 of the Laramie County Land Use Regulations; and

WHEREAS, this application is in conformance with Section 2-2-127 of the Laramie County Land Use Regulations governing approval criteria for energy pipelines; and

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

The Laramie County Board of Commissioners finds that:

- a. This application meets the criteria for Board Approval pursuant to section 1-2-100(a) of the Laramie County Land Use Regulations;
- b. This application meets the requirements of Section 2-2-127 of the Laramie County Land Use Regulations.

and that the Board approves the construction of the ONEOK Elk Creek Pipeline, as shown in Exhibit A, with no conditions.

PRESENTED, READ, PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.


LARAMIE COUNTY BOARD OF COMMISSIONERS

K.N. Buck Holmes, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Mark T. Voss, Laramie County Attorney

