

Cassia County Gateway West Transmission Line

Task Force Meeting Minutes November 23, 2009

Opening:

The Cassia County Gateway West Transmission Line Task Force met for a special meeting held at 2:00 P.M., November 23, 2009, in the City Hall Council Chambers, Burley, Idaho. The meeting was recorded in digital format and is available on the county website at www.cassiacounty.org.

Present:

(See Attached List)

A. Call to order

2:08:15 PM Chairman Brent Stoker called the meeting to order. Stoker gave a brief overview of the purpose for today's meeting, which was to review and compile an Estimated Losses/Damages Worksheet, in regards to agriculture categories for potential cost constraints to property owners. Stoker noted that Walt George, BLM, had requested estimates of cost constraints for agricultural operations, as well as county ordinances regarding the transmission lines, be submitted to Mr. George as soon as possible. Brent then gave an update and overview of the Gateway West Transmission Line project.

B. Review of Worksheet Process

Chairman Stoker then led a group discussion regarding the process to complete the Estimated Losses/Damages Worksheets. Richard Garrard, Cassia County Extension Agent, offered comment to the group regarding basing the figures on a 300' right of way, and whether it would be as a one-time cost estimate or a yearly cost. Stoker acknowledged that it would be based on a 300' right of way, and that although it hasn't been negotiated yet, the task force would advocate for a yearly basis reimbursement. Kent Searle noted that although estimates would be based on a yearly cost, consideration would need to be noted for initial construction costs.

Gordon Edwards, Cassia County Weed Supervisor, noted concerns regarding state law requirements that owners of easements be responsible for maintenance of weed control on right-of-ways. He noted specific weed problems currently existing in the Elba Valley that construction of this project would further spread. He noted that it would be difficult to put a dollar amount on a one-time estimate to cover potential costs. He also noted a current problem in the Minidoka Corridor with Idaho Power, where noxious weeds are present where weed control maintenance is not taking place, and noted that the cost of control where the power company is not controlling the problem is being assessed to the farmers/landowners. Edwards recommended estimating costs for potential weed control to be high enough to cover potential costs. Stoker requested that Edwards and Garrard put their comments in writing, to document expertise and credentials for the recommendations, for the record.

Russell Patterson asked a question regarding if a landowner shared a line with a neighbor, how to estimate costs. It was noted to make educated estimates for cost constraints. Larry Kincaid of Elba, provided comments and noted concerns for whether these numbers would be set in stone, or able to be amended at a later date as further reviewed, noting difficulty in expressing future potential value of properties. Kincaid also asked about the size of the project, and asked about insurance liability of property owners with right of ways. Scott Nannenga with USFS addressed the issue of an act of nature liability issue stating that the forest service typically focuses on willful or negligent causes rather than accidental. Kurt Geary with Farm Bureau Insurance commented on possible costs for additional liability insurance. He noted that currently, he didn't think any insurance company asks a policy holder if there is a transition tower located on their property for policy determination. He noted that it could be asked later on and added, as claims come in. He noted that insurance companies currently pay claims relative to tower accidents, but that it could increase premiums. He noted that it would be hard to come up with a cost estimate for additional

premiums, as each farmer's policies are different. Dave Nebeker asked how right-of-ways would figure in to insurance. Mr. Geary answered that owners could still be liable as owner of property. Von Gibby asked for cost information, if a property owner had his policy cancelled for a claim, what would the cost be to go to another insurance company. Mr. Geary stated that it would be difficult for an insurance agent to pick up a new policy with an outstanding claim, that it would be up to the underwriters, and a cost estimate would be difficult to assess. Stoker noted that Lynn Steadman had asked Farm Bureau do an analysis of insurances costs, and when the study is back it will be reviewed.

Stoker asked the group if they would like to break into groups to complete the worksheets. Ken Koepnick, Water Canyon Ranch, commented regarding a liability experience pertaining to power line damage, and asked a question regarding investment ground for potential home development, and where to estimate those potential losses on the worksheets. Stoker noted to include it in number ten. Ted Higley noted that he would be interested in what the whole group had to say rather than separate out for review. Stoker stated that due to time constraints, it would be more beneficial to review them separately. Von Gibby asked of DL Evans was represented to comment regarding loan and land values. Stoker noted that Farm Credit Services had provided comment to Idaho Power earlier this past summer. Kevin Smith with DL Evans arrived and stated that a letter is being drafted by DL Evans to be submitted to BLM along with the rest of the documents in support of the state line program, and will have it ready to go in with the rest of the documents to be submitted.

Stoker noted that the groups should divide up for 45 minutes to an hour, to work on the worksheets, and then reconvene back for the record to summarize. Stoker noted that there will be some overlapping issues, especially with CRP and Fish & Game, noting that different answers had been given as to the penalty for putting in an easement in an area involved with the programs. Kelly Crane commented that there needs to be a place to note influences to livestock/production/efficiencies. Stoker replied that those can be included in the rangeland worksheets.

2:50 p.m. The meeting was adjourned to break into groups to review the worksheets.

C. Summary/Conclusion

3:56 p.m. The meeting reconvened to summarize. A question was asked regarding the status of the county ordinance. Commissioner Paul Christensen stated that it was being drafted. Stoker noted that Doug Balfour with Power County was taking the lead with the drafting of the ordinances, and that Cassia County was customizing the ordinance to address Cassia County issues. Stoker summarized this meeting by stating that the groups were not able to get through all of the worksheets, and proposed to reconvene next Monday, November 30, from 2:00 P.M. to 4:00 P.M. , to continue review of the worksheets. Stoker recommended those who could not attend the next meeting to complete their worksheets and turn it in to the County Administrative Office.

With no further business to discuss, this meeting was adjourned at 4:03 P.M.

Minutes submitted by: Susan M. Keck, Deputy Clerk, Cassia County

Approved by: Gateway Task Force, 11/30/2009