

MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

TO: Planning Commission Members
FROM: Nole Walkingshaw, Senior Planner
DATE: March 11, 2009
SUBJECT: Planning Commission Briefing and Discussion regarding Petition No.
PLNPCM2009-00035; Project Name, Transvalley Corridor Trail
Connection/UNEV Pipeline Project

The following request is for an approval of a conditional use, the project is known as the Transvalley Corridor Trail Connection/UNEV Pipeline Project, located at 705 N Wright Brothers Drive, including parcel 107 N 5200 West. The property is zoned M-1 light manufacturing, and portions of the property are within the Lowland Conservancy Overlay District. The current use of the property is as open space, the Transvalley Corridor Trail Connection/UNEV Pipeline is a combination walking/biking trail and petroleum pipeline, the trail will be approximately 10 feet wide, and 4,455 foot long. The Planning Commission is holding an Issues Only Briefing on this petition. As such, the Commission may or may not accept public comment and will not take any official action on this petition at this meeting. During a future public hearing, the Planning Commission will be asked to make a decision on this petition.

According to the Lowland Conservancy Overlay District zoning standards, petroleum transportation pipelines and new "public/private utility transmission wires, lines, pipes, and poles" are not allowed uses; however, pedestrian paths/trails, roads and bridges may be allowed as a Conditional Use.

Salt Lake City has an adopted Open Space Plan that identifies future trail networks in the City. The Plan shows a future roadway/trail connection from 5600 West to the Surplus Canal, through the Lowland Conservancy Overlay District, see attached map titled Map 15 - Bailey's Lake (Attachment B). The map is conceptual only and does not show the exact location of the future connector roadway/trail. Considering that the Open Space Plan shows a roadway/trail connection near the vicinity of the proposed pipeline and through the Lowland Conservancy Overlay District, the Planning Division has determined that in an effort to implement the trail corridor, the proposed pipeline could be reviewed by the Planning Commission as a Conditional Use if it were constructed as part of the roadway/trail. The attached letter from the applicant (Attachment C) provides a detailed description of the proposal.

On February 19, 2009 an Open House was held, comments from this meeting and other public comments have been attached (see Attachment D), staff comment received thus far can be viewed in attachment E.

Attachments

Attachment A; Site Plan/Details

Attachment B; Map 15 - Bailey's Lake

Attachment C; Applicant Letter

Attachment D; Public Comments

Attachment E; Staff Comments

If you require additional information please contact me by phone at 535-7128 or by e-mail at nole.walkingshaw@slcgov.com.

Attachment A
Site Plan

PROPOSED PEDESTRIAN TRAIL THROUGH THE LOWLAND CONSERVANCY DISTRICT

BEING A 10.00 FEET WIDE PROPOSED PEDESTRIAN TRAIL LOCATED WITHIN THAT PORTION OF THE LOWLAND CONSERVANCY DISTRICT LOCATED WITHIN THE EAST ONE-HALF SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN, COUNTY OF SALT LAKE, STATE OF UTAH, BEING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE CENTERLINE OF SAID PROPOSED PEDESTRIAN TRAIL FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 25 BEARS NORTH 89°55'47" EAST A DISTANCE OF 2474.25 FEET MORE OR LESS;

THENCE SOUTH 79°39'46" WEST A DISTANCE OF 96.61 FEET;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 32.67 FEET, A CENTRAL ANGLE OF 74°52'02" AND A CHORD BEARING AND DISTANCE OF SOUTH 42°13'46" WEST, 30.39 FEET;

THENCE SOUTH 04°47'45" WEST A DISTANCE OF 22.10 FEET;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 19.63 FEET, A CENTRAL ANGLE OF 45°00'00" AND A CHORD BEARING AND DISTANCE OF SOUTH 27°17'45" WEST, 19.13 FEET;

THENCE SOUTH 49°47'45" WEST A DISTANCE OF 279.26 FEET;

THENCE SOUTH 00°14'11" WEST A DISTANCE OF 1823.97 FEET;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 19.63 FEET, A CENTRAL ANGLE OF 45°00'00" AND A CHORD BEARING AND DISTANCE OF SOUTH 22°44'11" WEST, 19.13 FEET;

THENCE SOUTH 45°14'11" WEST A DISTANCE OF 21.12 FEET;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 28.43 FEET, A CENTRAL ANGLE OF 65°08'45" AND A CHORD BEARING AND DISTANCE OF SOUTH 12°39'48" WEST, 26.92 FEET; THENCE SOUTH 19°54'35" EAST A DISTANCE OF 162.88 FEET;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 28.43 FEET, A CENTRAL ANGLE OF 65°08'45" AND A CHORD BEARING AND DISTANCE OF SOUTH 12°39'48" WEST, 26.92 FEET;

THENCE SOUTH 45°14'11" WEST A DISTANCE OF 21.12 FEET;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 19.63 FEET, A CENTRAL ANGLE OF 45°00'00" AND A CHORD BEARING AND DISTANCE OF SOUTH 22°44'11" WEST, 19.13 FEET;



THENCE SOUTH 00°14'11" WEST A DISTANCE OF 91.64 FEET, MORE OR LESS TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF THE LOWLAND CONSERVANCY OVERLAY DISTRICT AND THE POINT OF TERMINUS, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 25 BEARS SOUTH 44°27'47" EAST A DISTANCE OF 3953.92 FEET MORE OR LESS.

LINE TABLE

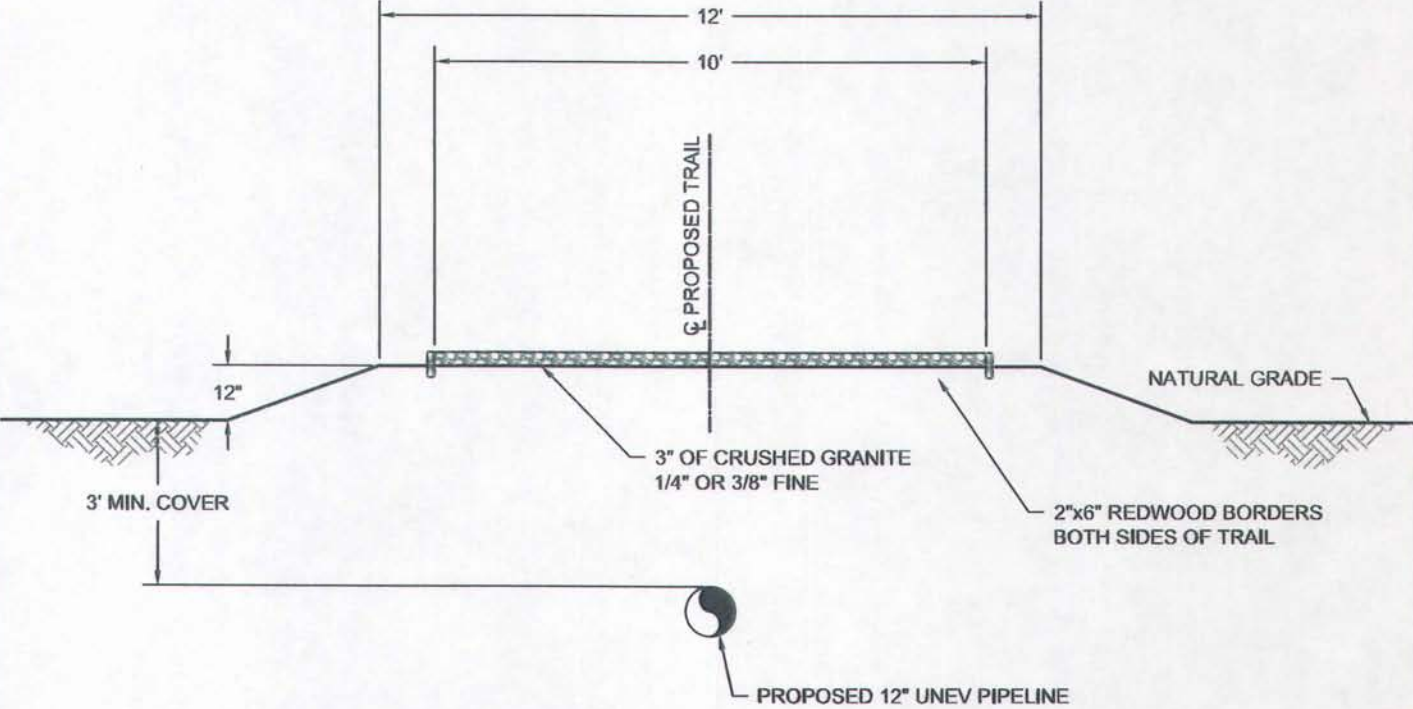
LINE	BEARING	LENGTH
L1	S79°39'46"W	96.61
L2	S04°47'45"W	22.10
L3	S49°47'45"W	279.26
L4	S00°14'11"W	1823.97
L5	S45°14'11"W	21.12
L6	S19°54'35"E	162.88
L7	S45°14'11"W	21.12
L8	S00°14'11"W	91.64

CURVE TABLE


CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C1	25.00	32.67	S42°13'46"W	30.39	74°52'02"
C2	25.00	19.63	N27°17'45"E	19.13	45°00'00"
C3	25.00	19.63	N22°44'11"E	19.13	45°00'00"
C4	25.00	28.43	S12°39'48"W	26.92	65°08'45"
C5	25.00	28.43	N12°39'48"E	26.92	65°08'45"
C6	25.00	19.63	S22°44'11"W	19.13	45°00'00"

REVISIONS						EXPIRED BY:	AWM	 UNEV PIPELINE, LLC PIPELINE, LLC				
△						CHECKED BY:	JFA					
△						REVIEWED BY:		 CH2M HILL TRIGON EPC				
△						APPROVED BY:						
△	REVISED TRAIL	1/12/09	AWM	JFA	JFA	PROJECT MANAGER:		TRANSVALLEY CORRIDOR TRAIL CONNECTION/UNEV PIPELINE PROJECT PROPOSED TRAIL DESCRIPTION				
△	REVISED TRAIL	1/30/09	AWM	JFA	JFA							
△	REVISED DRAWING TITLE	1/30/09	AWM	JFA	JFA			PROJECT NUMBER	2249-01	DRAWING NUMBER	TRAIL-003	REV.
△	ADDED LAND OWNERS AND DESCRIPTION	12/31/08	AWM	JFA	JFA							
△	ISSUED FOR REVIEW	12/18/08	AWM	JFA	JFA							
NO.	DESCRIPTION	DATE	BY	CHK.	APPR.	SCALE: NONE						

PROPOSED CONSERVANCY
TRAIL PROFILE



PROFILE
NOT TO SCALE

REVISIONS						DESIGNED BY:	AWM		UNEV PIPELINE, LLC PIPELINE, LLC				
△						CHECKED BY:	JFA						
△						REVIEWED BY:							
△						APPROVED BY:							
△	REVISED DRAWING TITLE	1/05/08	AWM	JFA	JFA	PROJECT MANAGER:		CH2MHILL TRIGON EPC					
△	REVISED TRAIL WIDTH	12/22/08	AWM	JFA	JFA	TRANSVALLEY CORRIDOR TRAIL CONNECTION/UNEV PIPELINE PROJECT							
△	ISSUED FOR REVIEW	12/19/08	AWM	JFA	JFA	PROPOSED TRAIL PROFILE							
NO.	DESCRIPTION	DATE	BY	CHK.	APPR.	SCALE: NONE		PROJECT NUMBER	2249-01	DRAWING NUMBER	TRAIL-001	REV.	C

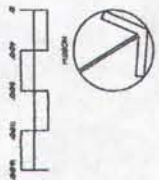
PROPOSED BRIDGE STYLE



Attachment B
Map 15-Bailey's Lake

MAP 15

Belling's Lakes is located in prime wetlands environment which is mostly undeveloped on the north side and agricultural uses on the south and west sides. The corridor map shows paths to provide pedestrian experience of this fragile ecosystem with minimum intrusion.



NOTE: The open space connection corridor or trail route depicted on this map is intended to be conceptual and illustrative of the general corridor opportunity existing in this area of the City. Any actual trail or connection corridor location, designation, feasible construction or right of way implementation efforts will be determined as a part of a specific plan approval process conducted by Salt Lake City Corporation.

1. Before development through requirement of a Small Area Development Permit (SADP) for all developments within the valley, the valley floor should be mapped and the valley floor should be divided into zones for development consistent with the Northwest Glacier Plan.
2. New development to include open spaces land as part of condition.
3. Mitigation of wetlands to take place in Salt Lake City and not outside the valley.
4. Inventory wetlands within valley and give these lands a wide berth from new development and expand these areas into open spaces areas.
5. Develop standard design system for the open spaces Plan.

Develop trail and greenspace construction standards.

Attachment C
Applicant Letter

January 12, 2009

Salt Lake City Planning
451 South State Street, Room 406
Salt Lake City, Utah 84111

RE: Transvalley Corridor Trail Connect/UNEV Pipeline Project

Dear Members of the Planning Office;

UNEV Pipeline, LLC, a Delaware limited liability company (UNEV), is the applicant providing this supplementary response to the application (Application) submitted to Salt Lake City (the City) for a Conditional Use Permit (CUP) for the Transvalley Corridor Trail Connection/UNEV Pipeline Project (the Project) within the Lowland Conservancy Overlay District (the Conservancy District).

The Project will include two primary components, both of which will benefit the residents of the City. First, the Project will include an approximately 10-foot wide, 4,455-foot long biking/hiking trail (the Trail) running through the Bailey's Lake corridor located to the west of the Salt Lake City International Airport (the Airport). Second, the Project will include a portion of an underground pipeline (Pipeline) originating in North Salt Lake City, Utah, that will deliver oil products to the Airport and other locations. The location of the Project was selected after concerted efforts of Airport officials, adjacent landowners, various duck clubs and UNEV. The result has been the design of a project that creates a win-win partnership for Salt Lake City, the Airport, UNEV and the community-at-large. We look forward to continuing to work with the City to refine the Application and to address any additional questions that might arise during the course of your consideration of the Application.

The Project will benefit the residents of the City in a number of ways. First, the Trail will provide the public with a valuable amenity allowing residents to walk, jog or bike in the splendid scenery and environment of an area bordering the Great Salt Lake. With the trailhead starting adjacent to hotels and businesses located at the International Center and just minutes away from the city-center, the Trail is something that many people will enjoy and will greatly contribute to the area's quality of life and economic future.

In addition, upon completion, the Project will transport needed petroleum products to the Airport, reduce tanker truck traffic through the City, provide a safer means of transporting petroleum products through the City and, as more fully explained below, contribute financially to the City and its residents. The Pipeline is being designed to include a connection directly to the Airport. This will increase fuel capacity and provide multiple sources of fuel to the Airport, which is key when you consider that jet fuel is the life blood of airlines.

The Project will result in significant public safety and cost benefits by allowing petroleum products to be shipped via a pipeline rather than in tanker trucks on the public highways. As determined by the U.S. Department of Transportation, shipping petroleum via pipeline is significantly safer than via tanker truck. Because the Pipeline is a "common carrier" pipeline, it can be used by multiple companies desiring to transport petroleum products at pre-determined tariff rates and conditions. Consequently, the Pipeline will reduce emissions within the City,

mitigate traffic congestion within the City, and reduce wear and tear on City roads, highways and freeways. As more fully discussed below, as an interstate pipeline carrying refined petroleum products, the construction and operation of the Pipeline is heavily regulated by the U.S. Department of Transportation and will therefore be required to meet stringent health, safety and environmental regulations.

The Project will also provide direct financial benefits to the City and its residents. During the construction period of the Project, UNEV will employ approximately 150 construction workers who will spend money in the City, maintain a local office in the City with seven full-time employees and pay landowners in the City amounts necessary to purchase easements for the Project. These activities will generate approximately \$1.2 million for the City and its residents. The City will also directly benefit from the anticipated \$75,000 per year in taxes that UNEV will pay the City (\$33,000 going directly to the City and \$42,000 going to the City school district).

While UNEV has concluded that City ordinances do not require UNEV to obtain a CUP to construct the Pipeline in the City, UNEV is nonetheless filing an application for a CUP based on the City's indication that such a filing is necessary. Nothing set forth herein or in the Application shall be construed to be a waiver of any right that UNEV may have with respect to the Pipeline.

A. THE PROJECT

The Trail

UNEV has worked with City officials and representatives to have the Project include a piece of the Transvalley Corridor Trail Connection, a walking/biking trail in the Bailey's Lake Corridor, envisioned in the City's Open Space Plan. The Trail will be an approximately 10-foot-wide, 4,455-foot-long gravel trail beginning at the International Center, traveling north over the Goggin Canal and the Surplus Canal and ending at the Consolidated Canal. The proposed location of the Trail is shown on the Site Plan. The Trail will include multiple bridges over the existing canals in the area and will be located for the most part directly over the Pipeline.

The Pipeline

The Project is part of an approximately 415-mile long common carrier pipeline that will be constructed and operated by UNEV under the oversight of the U.S. Department of Transportation and Office of Pipeline Safety. UNEV will also comply with the regulations established by the Environmental Protection Agency as well as other federal and state regulatory agencies. The portion of the Pipeline within the Conservancy District (to which this Application applies) is shown on the Site Plan. The land on and under which the Project will be located is hereinafter referred to as the Subject Property.

UNEV has conducted extensive research and analysis to determine the most desirable location of the Project. Members of the UNEV project team have worked with the U.S. Bureau of Land Management, the lead agency with respect to the Pipeline, to evaluate alignment options and construction considerations. Since November 2006, UNEV has also worked with local landowners, special interest groups and environmental groups to determine the optimal plan for all involved. Finally, UNEV conducted extensive environmental studies to comply with the National Environmental Policy Act (NEPA) and various other federal, state and local environmental regulations. The proposed location of the Pipeline is the result of this exhaustive process.

The Pipeline itself has also been designed to protect the environment. As a steward of the environment and as a good corporate citizen, UNEV designed a construction process that takes into account the special needs inherent to various sections of the Pipeline. The UNEV project team is working with the U.S. Bureau of Land Management to put in place a comprehensive plan for the design, construction and operation of the Pipeline.

UNEV is taking care to ensure the Pipeline will be constructed and operated in a safe manner. The Pipeline will be constructed under the stringent guidelines established by the U.S. Department of Transportation. The construction

of the Pipeline in the Conservancy District for the most part will be done using a conventional trenching process. To protect the environment, however, UNEV will use advanced boring methods to place the Pipeline underground without having to trench directly through existing canals in the Conservancy District. The UNEV project team will also put in place a plan to restore and revegetate the area when installation is finished.

The Pipeline will be 12-inch diameter welded steel. All pipe used will meet or exceed industry standards set by the American Petroleum Institute. Before being placed in service, each weld will undergo x-ray and the entire Pipeline will be pressured tested at more than 125 percent of its maximum operating pressure.

Additionally, to inhibit external corrosion, the Pipeline will be coated using fusion-bonded epoxy or another suitable coating as recommended for the soil conditions in the area. The Pipeline will also be under cathodic protection, an electrical system inhibiting corrosion, and which is a secondary level of corrosion protection.

To monitor the safety of the Pipeline following construction, UNEV will periodically use an internal inspection tool, called a smart pig, to measure metal loss due to corrosion or third-party damage. Corrosion coupons will be installed at each end of the Pipeline to monitor corrosion. If required, corrosion inhibitor chemicals will also be injected at the Pipeline's origin. Additionally, surface and aerial patrols will occur every other week or at least 26 times a year. These patrols will monitor for any third-party encroachment, right-of-way condition and the condition of the line markers and above ground valves.

Finally, UNEV's control center will track the flow and pressure of the Pipeline 24 hours a day, seven days a week. If all communications are lost for more than one minute, the Pipeline will shut down. UNEV provides training to all local employees to perform first responder duties. Those duties emphasize protection of the public first followed by the protection of the environment.

Conclusion

Due to UNEV's extensive efforts with respect to the Project, both the Trail and the Pipeline will be located, designed, constructed and monitored in accordance with all applicable laws and with careful due diligence to protect the public and the environment. As a result, the Project proposed by UNEV will create significant benefits for the City, the public and UNEV as well as provide a much needed alternative method for the transportation of refined petroleum products.

B. PROCEDURAL ASPECTS OF THE APPLICATION

Section 21A.54.060 of the Salt Lake City Zoning Ordinance (the Zoning Ordinance) sets forth various procedural matters to be completed in connection with the application for a CUP. Those matters are discussed below.

1. The applicant's name, address, telephone number and interest in the property.

The name, address and telephone number of the applicant are set forth in the Application. UNEV holds or will hold an easement or other appropriate interest in the Subject Property allowing it to construct the Project.

2. The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application.

UNEV is the owner of the easement, with the same address and telephone number as the applicant.

3. The street address and legal description of the subject property.

The street addresses for the Subject Property are as follows:

705 N. Wright Brothers Drive (07-25-200-008)
107 N. 5200 West (07-25-200-009)

As for the legal description, please see the Site Plan.

4. The zoning classification, zoning district boundaries and present use of the subject property.

The Subject Property is located in the Lowland Conservancy Overlay District. The boundaries of the Conservancy District are depicted in the Site Plan. The Subject Property is currently being used for airport, agriculture, and open space.

5. A complete description of the proposed conditional use.

A complete description of the proposed conditional use is set forth above in Section A of this letter and the Application.

6. Site plans, as required pursuant to section 21A.58.060 of this part.

Please see Site Plan.

7. Traffic impact analysis.

We will not be closing any public roads or affecting traffic in the Lowland Conservancy Overlay District during construction. UNEV has identified several private, two track dirt roads within the area for the estimated 150 construction workers to use. We will not be using any city roads in this area. Construction within this area will be approximately sixty (60) days. Construction will be primarily accomplished by directional drilling under the Surplus Canal and the Goggin Drain, and traditional open trenching method used for the open areas. Trucks and equipment will be set back far enough off of the private roads so as not to impede any traffic that may occur in this area. We will have inspectors on-site for all activities.

8. A statement indicating whether the applicant will require a variance in connection with the proposed conditional use.

UNEV will not require a variance in connection with the CUP.

9. Mailing labels and first class postage for all persons required to be notified of the public hearing on the proposed conditional use pursuant to part II, chapter 21A.10 of this title.

Mailing labels and first class postage for all persons required to be notified of the public hearing are attached. Please see Mailing Labels.

10. Such other and further information or documentation as the zoning administrator may deem to be necessary for a full and proper consideration and disposition of the particular application.

Except for the information set forth in the Application, this letter, or otherwise provided to the zoning administrator, UNEV is not aware of any additional information.

C. THE PROJECT APPLICATION MEETS ALL APPLICABLE STANDARDS RELATED TO THE CONSERVANCY DISTRICT

Please see the attached Landscape Plan and Compliance with the Lowland Conservancy Overlay District's Standards document.

D. THE PROJECT APPLICATION MEETS ALL APPLICABLE STANDARDS OTHERWISE RELATED TO CONDITIONAL USE

Section 21A.54.080 of the Zoning Ordinance sets forth various factors to be considered by the Planning Commission as it evaluates a CUP application. Those factors are discussed below.

1. The Project is consistent with the Master Plan and is allowed in the Conservancy District.

As previously stated, UNEV has worked closely with City's officials and representatives to develop a project that is consistent with and promotes the City's Open Space Plan. Specifically, the construction of the Trail in this area is designed to further the City's stated goal of enhancing open space amenities for all citizens (see Page 1 of the City's Open Space Plan adopted on October 20, 1992).

As indicated above, the Subject Property is part of the Conservancy District. Section 21A.34.050 of the Salt Lake City Zoning Ordinance indicates that conditional uses include pedestrian paths and trails. Moreover, as stated in the letter dated December 9, 2009, from Wayne Mills, Salt Lake City Senior Planner, the City's Planning Office has determined that the Pipeline could be approved as a conditional use if it is "part of a roadway or trail." As a result, the Project is allowed as a conditional use within the Conservancy District.

2. The use of the Project is compatible with the character of the Subject Property, adjacent properties, and existing development with the vicinity of the location of the Project.

The Subject Property is located west of the Airport and is surrounded by areas used for industry, agriculture and open space. As such, the use of the Subject Property for the Project is clearly compatible with the character of the surrounding areas. The fact that the location of the Subject Property was carefully selected in consultation with the U.S. Bureau of Land Management, local land owners, and environmental groups and in accordance with NEPA further evidences the compatibility of the proposed use. Additionally, as set forth below, the Project satisfies the various conditions listed in the Zoning Ordinance to be considered by the Planning Office in determining whether a proposed conditional use is compatible with the surrounding area.

- (a) As set forth more fully in the Traffic Impact Analysis paragraph above, the construction of the Project will generally occur on the Subject Property and therefore will not affect the public streets in the area. Upon completion, the Project will cause minimal traffic over the existing streets, which traffic will generally be limited to persons using the Trail for recreational purposes and those accessing the Project to inspect and maintain the Trail and/or Pipeline. Thus, neither the construction of the Project nor the use of the Project after construction will materially degrade the service levels on the existing streets located around the Project.
- (b) As set forth more fully in the Traffic Analysis paragraph above, the use of the proposed Project will not create any unusual pedestrian or vehicular traffic patterns or volumes that would not be expected with the development of uses contemplated in the Zoning Ordinances. The Project will not include any driveways or parking areas nor will the use of the Project create any impact on the safety, purpose or character of the existing streets. It is

anticipated that persons accessing the Trail for recreational activities will primarily do so during daylight hours and will be on the Subject Property. There will be crews accessing the Project to construct, inspect or repair the Pipeline but will primarily conduct their activities on the Subject Property. Thus, as compared to other activities in the area, the Project will not unreasonably impair the use and enjoyment of adjacent property.

- (c) There will not be a need for any internal circulation system for the Project.
- (d) It is not anticipated that the Project will require any public utility or public services from the City.
- (e) The Project will not result in any issues relating to the sound, noise, odor and other impacts to the surrounding areas because the Pipeline will be buried underneath the Trail and the Subject Property.
- (f) There are no other nonconforming or conditional uses substantially similar to the Project within 3,000 feet of the Project.

3. The design of the Project is compatible with the character of the adjacent properties.

Because of the location of the Trail, it will not result in any loss of privacy or objectionable views of large parking or storage areas. Additionally, because the Pipeline will be located under the Trail, the Pipeline will not result in any objectionable views and sounds. The Project does not include the construction or remodeling of a commercial or mixed-use development.

4. The Project has been carefully designed in accordance with applicable law to minimize any detrimental effects to the health, safety and general welfare of persons and to the property and improvements in the area.

By its nature, the Trail will not be a detriment to the health, safety and general welfare of the public. Rather, it will provide a valuable amenity to the City promoting healthy lifestyles and providing another way to access the beautiful areas surrounding the Great Salt Lake. As set forth above, UNEV's construction and operation of the Pipeline are heavily regulated by the U.S. Department of Transportation and other government agencies. The regulations promulgated by these governmental bodies contain detailed rules regarding annual, accident and safety related condition reporting, design requirements, construction, pressure testing, operation and maintenance, qualification of pipeline personnel, and corrosion control, all of which govern UNEV's construction and operation of the Pipeline. Accordingly, the Pipeline is carefully designed to not emit pollutants into the ground or air and not to introduce hazards or potential damage to adjacent property. By using directional drilling construction methods to install the Pipeline under the Surplus Canal and the Goggin Drain, and constructing bridges over existing canals for the Trail, the Project will not encroach on any river or stream nor direct runoff into a river or stream. As indicated previously, the Project is completely consistent with the use of the surrounding area and will actually upgrade the surrounding properties by involving a significant investment related to constructing the Trail and related improvements.

5. As emphasized through this letter, the Project will comply will all applicable codes or ordinance requirements.

E. CONCLUSION

UNEV believes that the information set forth above and in the Application demonstrates that the Project meets all of the requirements for issuance of a CUP. The Project will not be detrimental to residents, property or improvements, and the Project is a necessary and desirable use that will contribute to the

well-being of the community and the Western United States. The proposed use is consistent with the City's general plans and will comply with all applicable City requirements. UNEV reiterates its intent to work closely with the City to address any and all concerns regarding the protection of the Conservancy District. We stand ready to respond in written or verbal form at any time and to meet with City officials or representatives of community groups to give assurances of UNEV's commitment to continuing as a productive and beneficial member of the City.

Sincerely,

Jim Townsend
Senior Vice President
UNEV Pipeline LLC

Attachment D
Public Comments

S-PM INC.

Commercial and Industrial Property Managers

February 9, 2009

VIA FIRST CLASS MAIL

Wayne Mills
Senior Planner
Community & Economic Dev. Dept.
Planning Division
451 South State St. Room 406
P.O. Box 145480
Salt Lake City, UT 8411405480

Re: Holly Pipeline Trail

Dear Wayne:

On behalf of the Rudy Reclamation Club (Duck Club), I write to express my opposition to the trail for which UNEV has requested a permit and wishes to build along the pipeline corridor it is proposing and for which it is seeking zoning approval.

As we understand it, the issue of a trail arose because a portion of UNEV's proposed pipeline corridor passes through a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD"). The relevant portion of the LCOD begins at the boundary between SLC and the Blackhawk Duck Club and ends where the surplus canal crosses the pipeline corridor. The LCOD was created as a wetlands protection district. As such, there are very few permitted or conditional uses within the LCOD and a petroleum pipeline is not a permitted or conditional use. There may be an exception to this zoning provision if UNEV could qualify as a "public utility" and the pipeline would qualify as a "distribution line." Nevertheless, SLC has taken the position that UNEV and the pipeline fail on both counts. Therefore, unless a creative solution was proposed, UNEV's only options for obtaining a permit for construction through the LCOD was to petition to amend the zoning ordinance, or seek a judicial determination that it is a public utility and this is a distribution line. I would suggest UNEV should request an exemption from the need for a permit fee both a permitted or conditional use.

We understand that one solution that was suggested was the following: Because roads and trails are conditional uses in the LCOD, and roadways and trails typically have utilities running with them, UNEV may be able to place the pipeline across the LCOD so long as it builds a public trail

Wayne Mills
February 9, 2009
Page 2

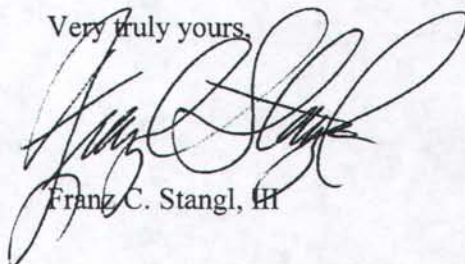
through the LCOD and over the pipeline corridor. Pursuant to this suggestion, UNEV has filed an application for a permit allowing it to build this trail. We understand that the procedure is that the planning office will submit comments, then there will be a public open house and a public hearing on this issue. As we are and have been a duck club with seasonal shooting on all parts of our property for 100 years, we have a problem with people or vehicles having an unrestricted right over any trail or right of way across our 1,800 acre club.

We view the logic used in this possible solution to be flawed for a number of reasons. First, it is not true that utilities always run with roadways and certainly do not run with trails. What is more, we are unaware of any trail that requires a petroleum pipeline to service it. The two are unrelated. Hence, it is unclear how the application for a conditional use through the LCOD (a trail) will, in and of itself, make a non-permitted use (a pipeline) a viable option. Second, and perhaps most importantly, the LCOD was created to protect wetlands and the hydrology associated with those wetlands. This is precisely why a pipeline (underground or otherwise) is not a permitted use. Nevertheless, using the faulty logic described above, an underground pipeline alone is not permitted because of the impact but, if UNEV will create the even larger, above-ground, permanent impact of building a permanent trail, then it can build the pipeline as well. This does not make good sense and we have to believe that if the City looks at this closely, it will see the problems with this proposal and UNEV's permit request.

Hence, it is The Rudy Reclamation Club's position that UNEV's application for a permit to build the trail and underground pipeline should be denied. UNEV should be required to exhaust its other options, and in particular, petitioning for an amendment to the zoning ordinance. If the zoning ordinance is amended and the pipeline is allowed through the LCOD, it will have much less of an impact than a trail and a pipeline through this area that the City has designated as needing protection.

Please call 801-277-2543, if you have any questions or would like to discuss this issue with me further. Also, please inform me if and when a public open house or public hearing is scheduled as I wish to attend and voice the views discussed in this letter.

Very truly yours,



Franz C. Stangl, III

A Stangl Company

S-PM INC.

90 East 7200 South, Suite 200
Midvale, Utah 84047

SALT LAKE CITY UT 841

13 FEB 2009 PM



Wayne Mills, Senior Planner
Community & Economic Dev Dept. Planning Division
451 South State St., Room # 406
P.O. Box 145480
Salt Lake City, Utah 84114

#4114+5420



RCVD: 2/18/09

**OPEN HOUSE
PUBLIC COMMENT FORM**

February 19, 2009



Planning and Zoning Division
Department of Community and
Economic Development

**Transvalley Corridor Trail Connection/UNEV Pipeline
Project**

Name: GILLMOR Family

Address: _____

_____ Zip Code _____

Phone: 801-231-5794 E-mail: gbarider@yahoo.com

Comments: Please see attached letter

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at nole.walkingshaw@slcgov.com or via mail at the following address: Nole Walkingshaw, Senior Planner, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by February 27, 2009.

The Edward L. Sr. and Siv Gillmor Estate
3819 South 2000 East
S.L.C. UT 84109
801-278-8621

To: The S.L.C. Planning Department
451 South State Street
S.L.C., UT 84114

Feb. 19, 2009

RE: Proposed NW Quadrant Trails/UNEV Pipeline

Dear Members of the Planning Department:

We are writing to express our grave concerns over recently proposed trails that would allow public access to the private wetlands north and west of the Salt Lake International Airport. It appears some of these proposed trails would bisect our property where we operate a cattle, sheep, and hay ranch. We are adamantly opposed to allowing public access for several reasons:

- 1) Liability. In a society where someone can sue you- and win- if they slip and fall in your driveway or spill hot coffee on their lap, the potential for someone getting hurt on our property and then trying to hold us accountable is simply too great.
- 2) Nuisance/ Vandalism. There is an ongoing problem in this area with people dumping garbage, doing and dealing illegal drugs, drinking and the like because of the relative isolation of this area. We have had our property and equipment vandalized several times. I encourage members of the commission to visit this area and see what we are talking about with respect to the garbage and dumping of debris in this area. We need to take measures to PREVENT people from further entering this area and engaging in this kind of conduct, not encourage it.
- 3) Policing. Once you open this area to the public, it will need to be policed. It seems our local police forces and their budgets are stretched thin as is.
- 4) Fencing/ Maintenance of fencing. Any trails would have to be fenced and then maintained. Fencing is costly and so is the maintenance. This is one of the premier reasons we cannot allow a trail that would bisect our property or the leased property we graze. The fence would create a logistical nightmare at certain times of year when we are moving cattle on a daily basis.
- 5) Potential for conflict/harm with cattle and sheep. On rare occasions range cattle can be dangerous to people when they have newborn calves. Some cows can be fiercely protective of their calves, and will defend their calves from anything they see as a potential threat. This is especially true if there is a dog present. Cattle have been known to trample dogs, sometimes fatally. While this is unusual, it is important to note it here because the Bailey's lake area is our premiere calving pasture, and during the months of March and April there are several hundred cows and calves in the area. If an unsuspecting person with an overzealous dog encounters newborn calves and their mothers, it can be a very bad situation. We also lamb our sheep in this area in April and May. Ewe's can abandon their lambs if they are disturbed and panic while lambing. Again, people unaccustomed to livestock could unwittingly cause serious and costly harm.
- 6) A trail system routed through the north side of the NW Quadrant just doesn't make sense. There is simply no way to reasonably justify routing a public trail through hundreds of acres of

privately owned land. Livestock and the public don't mix. Time after time, in case after case, ranching operations are driven out of areas where the public becomes concentrated. We have been farming and ranching on this land for over 100 years. Whether or not you agree with ranching, it is a historical, environmental, and culturally valuable land-use that sets the Salt Lake Valley apart from other metropolitan areas. This area contains invaluable wildlife habitat that is not nearly as disturbed by sustainably managed numbers of cattle and sheep as it would be by a continual presence of people coming and going.

We ask the members of the planning department to be very thorough, and forward thinking, in their deliberations concerning any type of public access or trail system in the NW Quadrant. Currently there are big plans in the works for developing part of this area. It only makes sense to include or incorporate any conceivable trail system into these plans where you keep disturbance to wildlife and ongoing land use to a minimum. This is a logical way to allow limited access to this area, instead of routing a trail through private property where the potential for conflict is limitless.

The responsible thing to do is route the UNEV pipeline through the area where disturbance has already occurred. Any plans for trails or public access should not be tied to this project. We ask for the greatest possible consideration in this matter. Please feel free to contact us directly with any questions.

Respectfully,

The Gillmor Family

Siv Gillmor
Charles Gillmor
Jennifer Gillmor
Becky Gillmor

Rob Eriksson
Joe Eriksson

Please feel free to contact Jennifer @ 801 231-5794 or gbarider@yahoo.com with any questions.

February 16, 2009

Wayne Mills, Senior Planner
Community & Economic Dev. Dept.
Planning Division
451 South State St. Room 406
P.O. Box 145480
Salt Lake City, UT 8411405480

Re: UNEV/Holly Pipeline Trail

Dear Mr. Mills:

As one of the members of the Rudy Reclamation Club, I write to express my opposition to the trail for which UNEV has requested a permit and wishes to build along the pipeline corridor it is proposing and for which it is seeking zoning approval.

As we understand it, the issue of a trail arose because a portion of UNEV's proposed pipeline corridor passes through a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD"). The relevant portion of the LCOD begins at the boundary between SLC and the Blackhawk Duck Club and ends where the surplus canal crosses the pipeline corridor. The LCOD was created as a wetlands protection district. As such, there are very few permitted or conditional uses within the LCOD and a petroleum pipeline is not a permitted or conditional use. There may be an exception to this zoning provision if UNEV could qualify as a "public utility" and the pipeline would qualify as a "distribution line." Nevertheless, SLC has taken the position that UNEV and the pipeline fail on both counts. Therefore, unless a creative solution was proposed, UNEV's only options for obtaining a permit for construction through the LCOD was to petition to amend the zoning ordinance, or seek a judicial determination that it is a public utility and this is a distribution line.

We understand that one solution that was suggested was the following: Because roads and trails are conditional uses in the LCOD, and roadways and trails typically have utilities running with them, UNEV may be able to place the pipeline across the LCOD so long as it builds a public trail through the LCOD and over the pipeline corridor. Pursuant to this suggestion, UNEV has filed an application for a permit allowing it to build this trail. We understand that the procedure is that the planning office will submit comments, then there will be a public open house and a public hearing on this issue.

We view the logic used in this possible solution to be flawed for a number of reasons. First, it is not true that utilities always run with roadways and certainly do not run with trails. What is more, we are unaware of any trail that requires a petroleum pipeline to service it. The two are unrelated. Hence, it is unclear how the application for a conditional use through the LCOD (a

Wayne Mills
February 16, 2009
Page 2

trail) will, in and of itself, make a non-permitted use (a pipeline) a viable option. Second, and perhaps most importantly, the LCOD was created to protect wetlands and the hydrology associated with those wetlands. This is precisely why a pipeline (underground or otherwise) is not a permitted use. Nevertheless, using the faulty logic described above, an underground pipeline alone is not permitted because of the impact but, if UNEV will create the even larger, above-ground, permanent impact of building a permanent trail, then it can build the pipeline as well. This does not make good sense and we have to believe that if the City looks at this closely, it will see the problems with this proposal and UNEV's permit request.

Hence, it is our position that UNEV's application for a permit to build the trail and underground pipeline should be denied. UNEV should be required to exhaust its other options, and in particular, petitioning for an amendment to the zoning ordinance. If the zoning ordinance is amended and the pipeline is allowed through the LCOD, it will have much less of an impact than a trail and a pipeline through this area that the City has designated as needing protection.

Please call the number above, if you have any questions or would like to discuss this issue further. Also, please inform me if and when a public open house or public hearing is scheduled as I wish to attend and voice the views discussed in this letter.

Respectfully,



John Gary Maxwell, MD
374 South 1200 East
Salt Lake City, Utah
84102-2653

801-582-1115
madmax0007@aol.com

cc: Nole Walkingshaw—nole.walkingshaw@slcgov.com

February 9, 2009

VIA FIRST CLASS MAIL

Wayne Mills
Senior Planner
Community & Economic Dev. Dept.
Planning Division
451 South State St. Room 406
P.O. Box 145480
Salt Lake City, UT 8411405480

Re: UNEV/Holly Pipeline Trail

Dear Mr. Mills:

On behalf of Rudy Duck Club, I write to express Peter Coombs's opposition to the trail for which UNEV has requested a permit and wishes to build along the pipeline corridor it is proposing and for which it is seeking zoning approval.

As we understand it, the issue of a trail arose because a portion of UNEV's proposed pipeline corridor passes through a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD"). The relevant portion of the LCOD begins at the boundary between SLC and the Blackhawk Duck Club and ends where the surplus canal crosses the pipeline corridor. The LCOD was created as a wetlands protection district. As such, there are very few permitted or conditional uses within the LCOD and a petroleum pipeline is not a permitted or conditional use. There may be an exception to this zoning provision if UNEV could qualify as a "public utility" and the pipeline would qualify as a "distribution line." Nevertheless, SLC has taken the position that UNEV and the pipeline fail on both counts. Therefore, unless a creative solution was proposed, UNEV's only options for obtaining a permit for construction through the LCOD was to petition to amend the zoning ordinance, or seek a judicial determination that it is a public utility and this is a distribution line.

We understand that one solution that was suggested was the following: Because roads and trails are conditional uses in the LCOD, and roadways and trails typically have utilities running with them, UNEV may be able to place the pipeline across the LCOD so long as it builds a public trail through the LCOD and over the pipeline corridor. Pursuant to this suggestion, UNEV has filed

Wayne Mills
February 9, 2009
Page 2

an application for a permit allowing it to build this trail. We understand that the procedure is that the planning office will submit comments, then there will be a public open house and a public hearing on this issue.

We view the logic used in this possible solution to be flawed for a number of reasons. First, it is not true that utilities always run with roadways and certainly do not run with trails. What is more, we are unaware of any trail that requires a petroleum pipeline to service it. The two are unrelated. Hence, it is unclear how the application for a conditional use through the LCOD (a trail) will, in and of itself, make a non-permitted use (a pipeline) a viable option. Second, and perhaps most importantly, the LCOD was created to protect wetlands and the hydrology associated with those wetlands. This is precisely why a pipeline (underground or otherwise) is not a permitted use. Nevertheless, using the faulty logic described above, an underground pipeline alone is not permitted because of the impact but, if UNEV will create the even larger, above-ground, permanent impact of building a permanent trail, then it can build the pipeline as well. This does not make good sense and we have to believe that if the City looks at this closely, it will see the problems with this proposal and UNEV's permit request.

Hence, it is my position that UNEV's application for a permit to build the trail and underground pipeline should be denied. UNEV should be required to exhaust its other options, and in particular, petitioning for an amendment to the zoning ordinance. If the zoning ordinance is amended and the pipeline is allowed through the LCOD, it will have much less of an impact than a trail and a pipeline through this area that the City has designated as needing protection.

Very truly yours,



Peter Coombs

cc: Nole Walkingshaw—nole.walkingshaw@slcgov.com

Peter Coombs
5525 Indian Rock Road
Holladay, Utah 84117

SALT LAKE CITY, UT 84117
12 FEB 2009 PM 5:11



Wayne Mills
Senior Planner
Community & Economic Dev. Dept.
Planning Division
451 South State St. Room 406
P.O. Box 145480
Salt Lake City, UT 8411405480

84114+5480



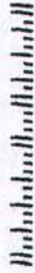
RALPH W. RYSER, D.M.D. & MARK R. RYSER, M.D.
6287 S Redwood Road Suite 103
Taylorsville, UT 84123

SALT LAKE CITY UT 841

11 FEB 2009 PM 2 1



Wayne Mills Senior Planner
Community & Economic Dev Dept
Planning Division
451 South State Street Room 406
SLC, UT
84114



February 9, 2009

VIA FIRST CLASS MAIL

Wayne Mills
Senior Planner
Community & Economic Dev. Dept.
Planning Division
451 South State St. Room 406
P.O. Box 145480
Salt Lake City, UT 8411405480

Re: UNEV/Holly Pipeline Trail

Dear Mr. Mills:

On behalf of Ralph Rye, I write to express Ralph's opposition to the trail for which UNEV has requested a permit and wishes to build along the pipeline corridor it is proposing and for which it is seeking zoning approval.

As we understand it, the issue of a trail arose because a portion of UNEV's proposed pipeline corridor passes through a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD"). The relevant portion of the LCOD begins at the boundary between SLC and the Blackhawk Duck Club and ends where the surplus canal crosses the pipeline corridor. The LCOD was created as a wetlands protection district. As such, there are very few permitted or conditional uses within the LCOD and a petroleum pipeline is not a permitted or conditional use. There may be an exception to this zoning provision if UNEV could qualify as a "public utility" and the pipeline would qualify as a "distribution line." Nevertheless, SLC has taken the position that UNEV and the pipeline fail on both counts. Therefore, unless a creative solution was proposed, UNEV's only options for obtaining a permit for construction through the LCOD was to petition to amend the zoning ordinance, or seek a judicial determination that it is a public utility and this is a distribution line.

We understand that one solution that was suggested was the following: Because roads and trails are conditional uses in the LCOD, and roadways and trails typically have utilities running with them, UNEV may be able to place the pipeline across the LCOD so long as it builds a public trail through the LCOD and over the pipeline corridor. Pursuant to this suggestion, UNEV has filed

Wayne Mills
February 9, 2009
Page 2

an application for a permit allowing it to build this trail. We understand that the procedure is that the planning office will submit comments, then there will be a public open house and a public hearing on this issue.

We view the logic used in this possible solution to be flawed for a number of reasons. First, it is not true that utilities always run with roadways and certainly do not run with trails. What is more, we are unaware of any trail that requires a petroleum pipeline to service it. The two are unrelated. Hence, it is unclear how the application for a conditional use through the LCOD (a trail) will, in and of itself, make a non-permitted use (a pipeline) a viable option. Second, and perhaps most importantly, the LCOD was created to protect wetlands and the hydrology associated with those wetlands. This is precisely why a pipeline (underground or otherwise) is not a permitted use. Nevertheless, using the faulty logic described above, an underground pipeline alone is not permitted because of the impact but, if UNEV will create the even larger, above-ground, permanent impact of building a permanent trail, then it can build the pipeline as well. This does not make good sense and we have to believe that if the City looks at this closely, it will see the problems with this proposal and UNEV's permit request.

Hence, it is Ralph Dyer, position that UNEV's application for a permit to build the trail and underground pipeline should be denied. UNEV should be required to exhaust its other options, and in particular, petitioning for an amendment to the zoning ordinance. If the zoning ordinance is amended and the pipeline is allowed through the LCOD, it will have much less of an impact than a trail and a pipeline through this area that the City has designated as needing protection.

Please call the number above, if you have any questions or would like to discuss this issue further. Also, please inform me if and when a public open house or public hearing is scheduled as I wish to attend and voice the views discussed in this letter.

Very truly yours,



cc: Nole Walkingshaw—nole.walkingshaw@slcgov.com

February 18, 2009

To: Wayne Mills Senior Planner
Community & Economic Dev. Dept.
Planning Division
451 South State St. Room 406
P.O. Box 145480
Salt Lake City, UT 8411405480

From: Richard D. West President Southshore Wetlands & Wildlife Management Inc. *R. West*

Re: Holly Pipeline Trail

My name is Richard D. West and I am the president of Southshore Wetlands and Wildlife Management Inc. We are group of private land owners who collectively own approximately 15,000 acres along the south shore of the Great Salt Lake. Other land owners include the Audubon, Nature conservancy, and Kennecott Copper Nature Preserve.

The Great Salt Lake and the surrounding marshes are extremely unique. There are only a few places in the world that are similar (in fact this area has been designated as a Globally Important Bird Area). Millions of shore birds and waterfowl nest here, or stop over on their annual migrations.

Many endangered species of birds such as the snowy plover have chosen the shores of Great Salt Lake to hatch their young here and Bald Eagles and other raptors migrate to here in the winter months to feed and gain strength to return to their spring and summer homes to breed and nest.

Much of the surrounding marsh land is privately owned and has been managed in a way that attracts waterfowl, shore birds, deer and other animals. It also attracts mosquitoes, deer flies, skunks, raccoons, foxes, and coyotes which are a nuisance to people. The uses of this land vary from managing wetlands, growing crops, grazing cattle and sheep, to hunting.

We have the following concerns and questions regarding public access to these private wetlands through a trail system such as proposed by Holly Pipeline.

1. It is my understanding that because a portion of UNEV's proposed pipeline corridor passes through a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD) which would not allow a pipeline, a creative solution had to be brought forward in order to approve the application. It is also my understanding that the "LCOD" was put in place to protect sensitive areas such as wetlands. The building of a trail on top of the pipeline is as intrusive and dangerous to the wetlands as a buried pipeline

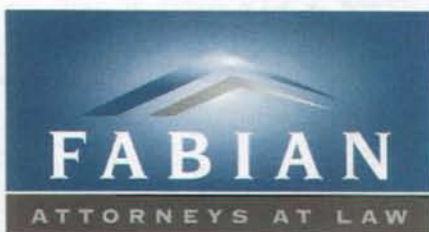
and does not lessen the risks to the wetlands presented by the pipeline. It just adds to the problem! It is also my understanding that there are long range plans to continue this walking trail to the Legacy Highway. This would impact several hunting clubs and impact their traditional use of their property. Can you imagine people walking on this trail during the hunting season! Not only is this disruptive to the property owner's use of their land but it could be very dangerous.

2. Because this is in a secluded setting, it will present an opportunity for people to gather for unlawful purposes such as drug use, robbery, and gang problems. It also opens the door for trespassing, loitering, vandalism, and littering (we have seen all of this kind of behavior at the gate to our properties now) . Who is going to patrol this area to insure none of the above happens?
3. Historically this area has been accessed by people only during the fall and winter months and has not materially impacted the breeding and nesting season of many of the rare shorebirds and waterfowl. The trail system would have an impact year round. The damage caused by encroachment on these wetlands would have a major impact on numerous bird species in our hemisphere and on some species a global impact.

We are against the proposed trail system and hope you will protect this sensitive area from more encroachment of civilization by agreeing with us by not requiring a trail system.

I can be reached at (801) 597-6110 if you would like to discuss our position in more depth.

Cc . Nole Walkingshaw Transvalley Corridor/UNEV Pipeline Project



Scott R. Sabey

Direct Dial: (801) 323-2204

Facsimile: (801) 532-3370

ssabey@fabianlaw.com

February 17, 2009

Mr. Wayne Mills, Senior Planner
Community & Economic Development Planning Division
P. O. Box 145480
Salt Lake City, UT 84114-5480

via e-mail only:

Mr. Nole Walkingshaw
nole.walkingshaw@slcgov.com

Re: UNEV/Holly Pipeline Trail

Gentlemen:

My name is Scott Sabey. I am a member of one of the many duck clubs along the south shore of the Great Salt Lake. My club is a Utah corporation organized in 1931, and it was a club for many years before that as well. The ground has been used as a duck club for more than ¾ of a century, all that time using the land in a manner designed to protect and preserve the Great Salt Lake marshes. In light of so many years of time, money, and effort spent to protect the resource, I am very concerned about the idea of Salt Lake City allowing a path to be constructed across a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD") just to justify a pipeline. Why would a 10-foot wide, raised, graveled path even be considered in a wetland area?

The paperwork I have seen shows that the UNEV pipeline runs from North Salt Lake, across the Rudy Duck Club, the Harrison Duck Club and the Blackhawk Duck Club, then south through the LCOD. If the LCOD is a wetland protection district, and Salt Lake City's position is that a pipeline is not permitted within the district, why would the City then suggest a raised, graveled path as a way around the zoning! Especially when the path will include metal bridges across the Surplus Canal, the Gogin Drain and the Consolidated Canal. This solution runs directly contrary to the purpose of the LCOD — to protect low lying wetlands. If an underground pipeline is not permitted because it is contrary to the purposes of establishing wetland conservation areas, how can it possibly be justified to create an elevated, graveled path over that pipeline to justify the pipeline?

Mr. Wayne Mills
Mr. Nole Walkingshaw
February 17, 2009
Page 2

In our discussion with UNEV, they said that they have the ability to laterally drill a pipeline route underneath the LCOD, causing minimal surface disruptions, even on a temporary basis. Why not simply allow that which would most certainly be less disruptive to the environment, rather than the proposal of a buried pipeline and an elevated trail with bridges over top?

This appears to be a lazy, poorly thought out alternative to dealing with the underlying problem. If the regulation is poorly drafted for failing to allow any work on the ground, which would not damage the underlying purpose, then grant a variance or change the statute. That is why cities have a Board of Adjustment! Don't propose an alternative that runs directly contrary to the true intent of the law, simply to avoid poor drafting. I used to sit on the Sandy City Board of Adjustment, and I currently sit on the Sandy City Planning Commission. I know how this is supposed to work, and this proposal is simply offensive! This is the sort of thing that makes for a public relations nightmare, and rightfully so.

I am opposed to the idea that the City would issue a permit to build the trail above an underground pipeline and associated bridges just to justify the construction of the pipeline underneath. The permit should be denied. An amendment of the ordinance to allow the pipeline to be installed completely underground, as is everyone's preference – including UNEV, will certainly have much less of an impact than the design presently proposed.

Please feel free to call me if you have any questions.

Very truly yours,



Scott R. Sabey

SRS/mab

RUDY RECLAMATION AND SPORTSMAN'S CLUB

P. O. Box 180
Salt Lake City, Utah 84110-0180

Scott Ross Wangsgard
Secretary/Treasurer

Telephone: (801) 578-3510
Facsimile: (801) 578-3531
e-mail: srw@srwlc.com

February 10, 2009

Wayne Mills
Senior Planner
Community & Economic Development
Planning Division
P. O. Box 145480
Salt Lake City, UT 84114-5480

Mr. Nole Walkingshaw
via e-mail only:
nole.walkingshaw@slcgov.com

Re: UNEV/Holly Pipeline Trail

Gentlemen:

My name is Scott Wangsgard. I am the Secretary/Treasurer of the Rudy Reclamation and Sportsman's Club, one of the many duck clubs along the south shore of the Great Salt Lake. The Rudy is a Utah corporation (with 60 shares of stock issued to its members), that was organized in September of 1909 – 100 years ago, and has continuously engaged in activities designed to protect and preserve the Great Salt Lake marshes. The Rudy is very concerned and opposed to a matter presently pending for consideration by Salt Lake City respecting a trail proposed to be constructed across a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD").

As I understand it, the UNEV/Holly Pipeline extends from North Salt Lake, southwest across the Rudy Club, passing then through the Harrison Duck Club and Blackhawk Duck Club, then south through the LCOD. I am informed that the LCOD is a wetland protection district, and that Salt Lake City's position is that a pipeline is not permitted within the district.

In an attempt to accommodate UNEV's needs to construct the pipeline, it has been suggested that UNEV construct an elevated trail across the LCOD, and across the Surplus Canal, the Gogin Drain and the Consolidated Canal. In conjunction with such a trail, the pipeline may be installed beneath the trail. This solution, though creative, certainly does not further the purposes for which the LCOD was created—"to protect low lying wetlands". If an underground pipeline is not permitted because it is contrary to the purposes of establishing wetland conservation areas, how can it possibly be that installing the pipeline underground, then creating an elevated trail over that pipeline, somehow ameliorates the perceived deleterious effects of a completely underground and virtually invisible pipeline.

Mr. Mills
Page 2
February 11, 2009

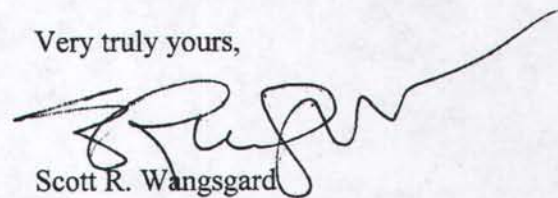
Stated another way, if an underground pipeline is inimical to the purpose of the LCOD, how can an underground pipeline and an elevated trail (with bridges crossing each of the aforementioned waterways) somehow be a better method of protecting these low-lying wetland areas.

Moreover, as I understand it, UNEV/Holly has the ability to "slant drill" its pipeline route underneath the LCOD, causing minimal surface disruptions, even on a temporary basis, which would most certainly be less disruptive to the environment than the proposal of a buried pipeline and an elevated trail with bridges.

It is the position of the Rudy Reclamation and Sportsman's Club, as well as my personal position, that a permit to build the trail above an underground pipeline and associated bridges should be denied. An amendment of the ordinance to allow the pipeline to installed completely underground, as I understand is UNEV's preference, will certainly have much less of an impact than the design presently proposed.

Please feel free to contact me regarding this matter and keep me apprised of any hearings or other meetings which it may be appropriate to address these issues.

Very truly yours,



Scott R. Wangsgard
Secretary/Treasurer

SRW:rr

Rudy Rec. & Sportsman's Club
P. O. Box 180
Salt Lake City, UT 84110-0180

SALT LAKE CITY UT 841

13 FEB 2009 PM



Wayne Mills
Senior Planner
Community & Economic Development
P. O. Box 145480
Salt Lake City, UT 84114-5480

84114+5480



**THE LAW OFFICES OF
STEVEN B. SMITH, PLLC**

299 South Main Street, Suite 1326
SALT LAKE CITY, UTAH 84111
Telephone: 801.534.4443
Facsimile: 801.606.7752

stevesmith@utahslawfirm.net

February 19, 2009

Nole Walkingshaw
Salt Lake City Planning Division

RE: Opposition to Granting UNEV's request for Conditional Use Permit For:
Transvalley Corridor Trail Connection/UNEV Pipeline Project-
Petition PLNPCM2009-00035

Dear Mr. Walkingshaw:

I would like to take this opportunity to voice my most strenuous opposition to the granting of the petition/request referenced above. Granting this request when so many other more viable, desirable, and less impactful options are available would be a travesty.

Allowing a pipeline and trail to be installed along the proposed route which traverses wetlands and a Lowland Conservancy Overlay District would be incredibly irresponsible and ecologically devastating. While the impact of installing an underground pipeline would be mostly temporary, the impact of a 10 foot wide gravel pedestrian trail would permanently and negatively alter the current state of the environment in that location. I'm not sure whether or not you have ever visited the proposed site, and its current use for agricultural purposes may seem unimportant to you. Nevertheless, for anyone that has ever spent any time out there, the presence of a pedestrian walkway and the constant influx of people would disrupt the delicate balance of nature as nature intended it.

The proposed pathway would create a barrier between much of the Lowland Conservancy Overlay District and the surplus canal, which is the major source of water for the animals that inhabit that area. Additionally, the area proposed for the pathway is just yards away from several large trees that temporarily house bald eagles passing through the area in their yearly migratory route. Sometimes there can be 20-30 Bald Eagles in that area on any given spring day. The pathway, however, would disrupt that pattern and would force them further to the west, where there are less resources, less protection and less food. It is likely that the installation of the proposed path would totally prevent them from spending any time in the area.

Finally, the area has already experienced some problems with vehicle burglaries as well as other criminal and sexually related problems. Creating a path from nowhere to nowhere would make it impossible to police and provide a hideaway for additional offensive and illegal conduct. We all know how much trouble law enforcement has in policing the currently Jordan River Parkway. I have included an article published last April in the Deseret News which indicates that there had been over two dozen arrests for solicitation of lewd acts in just two sweeps along well traveled and easily accessed sections of the Jordan River Parkway. The creation of this pathway would undoubtedly become a haven for similar activities.

For the reasons set forth above and in the interests of good sense, please do not allow a pipeline or pathway to be built along the requested route. There are several other better alternatives further to the east near the power lines or the Kern River Pipeline. If, however, you are inclined to allow the pipeline to be built, omit the trail portion of this request. Doing so would minimize the impact upon the environment, its wildlife and surrounding property owners.

If you feel compelled to put this path to nowhere in, I urge you to force UNEV to put the additional funds it will take to construct the path into escrow and use that money to when connecting pathways and trails are available in the future. To put the path in as proposed at this time is asking for trouble and will do nothing to benefit the general public.

Thank you for your consideration. Please contact me at the above telephone number or address if you have any questions.

Sincerely,



Steven B. Smith

OPEN HOUSE PUBLIC COMMENT FORM

February 19, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Transvalley Corridor Trail Connection/UNEV Pipeline Project

Name: Scott R. Wangsgard

Address: 57 West 200 South, Suite 400

Salt Lake City, UT Zip Code 84101

Phone: 801-578-3510 E-mail srw@srwlc.com

Comments: Please see attached.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at nole.walkingshaw@slcgov.com or via mail at the following address: Nole Walkingshaw, Senior Planner, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by February 27, 2009.

**Attachment to
Open House Public Comment Form**

My name is Scott Wangsgard. I am the Secretary/Treasurer of the Rudy Reclamation and Sportsman's Club, one of the many duck clubs along the south shore of the Great Salt Lake. The Rudy is a Utah corporation (with 60 shares of stock issued to its members), that owns 1,800 acres, was organized in September of 1909 – 100 years ago, and has continuously engaged in activities designed to protect and preserve the Great Salt Lake marshes. The Rudy is very concerned and opposed to a matter presently pending for consideration by Salt Lake City respecting a trail proposed to be constructed across a Salt Lake City zoning district called the Lowland Conservancy Overlay District ("LCOD").

As I understand it, the UNEV/Holly Pipeline extends from North Salt Lake, southwest across the Rudy Club, passing then through the Harrison Duck Club and Blackhawk Duck Club, then south through the LCOD. I am informed that the LCOD is a wetland protection district, and that Salt Lake City's position is that a pipeline is not permitted within the district.

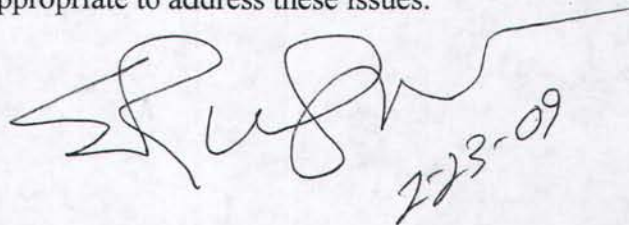
In an attempt to accommodate UNEV's needs to construct the pipeline, it has been suggested that UNEV construct an elevated trail across the LCOD, and across the Surplus Canal, the Gogin Drain and the Consolidated Canal. In conjunction with such a trail, the pipeline may be installed beneath the trail. This solution, though creative, certainly does not further the purposes for which the LCOD was created—"to protect low lying wetlands". If an underground pipeline is not permitted because it is contrary to the purposes of establishing wetland conservation areas, how can it possibly be that installing the pipeline underground, then creating an elevated trail over that pipeline, somehow ameliorates the perceived deleterious effects of a completely underground and virtually invisible pipeline.

Stated another way, if an underground pipeline is inimical to the purpose of the LCOD, how can an underground pipeline and an elevated trail (with bridges crossing each of the aforementioned waterways) somehow be a better method of protecting these low-lying wetland areas.

Moreover, as I understand it, UNEV/Holly has the ability to "slant drill" its pipeline route underneath the LCOD, causing minimal surface disruptions, even on a temporary basis, which would most certainly be less disruptive to the environment than the proposal of a buried pipeline and an elevated trail with bridges.

It is the position of the Rudy Reclamation and Sportsman's Club, as well as my personal position, that a permit to build the trail above an underground pipeline and associated bridges should be denied. An amendment of the ordinance to allow the pipeline to installed completely underground, as I understand is UNEV's preference, will certainly have much less of an impact than the design presently proposed.

Please feel free to contact me regarding this matter and keep me apprised of any hearings or other meetings which it may be appropriate to address these issues.



2-23-09

**OPEN HOUSE
PUBLIC COMMENT FORM**

February 19, 2009



Planning and Zoning Division
Department of Community and
Economic Development

**Transvalley Corridor Trail Connection/UNEV Pipeline
Project**

Name:

Patrick M. Kelly

Address:

717 So. McClelland

Salt Lake City Utah

Zip Code *84102*

Phone:

801-575-6730

E-mail

PM45KELLY@AOL.COM

Comments:

Dear Planners, The proposed walking trails on the UNEV pipeline is not well thought out. Beside the security issues for the pipeline and airport there will be private property issues with such clubs shooting 107 days out of 365 days. I would urge you to put more attention on the Jordan River parkway completion

Thank you

Patrick M. Kelly

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at nole.walkingshaw@slcgov.com or via mail at the following address: Nole Walkingshaw, Senior Planner, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by February 27, 2009.

Nole Walkingshaw Senior Planner
Salt Lake City Planning Division
PO Box 145480
Salt Lake City, UT 84114-5480

Richard N. Gilbert
4071 Minuet Court
West Valley City, UT 84119-4852
Phone 801-968-7483
February 23, 2009

Subject: Opposed to the Transvalley Corridor Trail Connection / UNEV Pipeline Project

Dear Mr. Walkingshaw;

My name is Richard N. Gilbert and I represent one hundred shareholders in the Irvine Ranch & Petroleum, Inc. dba Ambassador Duck Club. We own approximately 3,000 acres of wetlands near the Great Salt Lake. The property is managed 365 days a year to provide excellent habitat for shore birds, waterfowl and other wildlife. The property has been designated by the National Audubon as an "Important Bird Area" in 2004 and a "Globally Important Bird Area" in 2007. These designations were given to our property in recognition of the diversity and numbers of migratory birds that use our land as nesting sites and staging locations in their migration cycle. Damage or encroachment on these wetlands would have a major impact on numerous bird species across our hemisphere and with some species would have a global impact.

It is our understanding that because a section of the proposed UNEV pipeline corridor passes through a Salt Lake City zoning district called a Lowland Conservancy Overlay District (LCOD) which would not allow a pipeline, a creative solution has been presented in order to approve the application. A "Conditional Use" has been requested by UNEV to build a "trail" and by the way as long as UNEV is there they can put a pipeline under the "trail". The building of a trail on top of the pipeline does not mitigate the encroachment of the pipeline it only adds to the damage to the LCOD. It is our understanding that the LCOD was put in place to protect sensitive wetlands.

Assuming that a Conditional Use is granted the pipelines construction will violate many Conditional Use Standards. "Data taken from the handout 21A.34.050 LC Lowland Conservancy Overlay District: presented at the Salt Lake City & County Bldg. open house, February 19, 2009"

Section E 1. "The development will not detrimentally affect or destroy natural features such as ponds, streams, wetlands....." and Section E 3. ; only those areas approved for the physical improvement may be cleared. The pipeline construction will require a Permanent Right-of-way with additional work space outside the R/W. This could cut a 100 foot swath, or wider, through the LCOD and revegetation would be marginal at best. Most pipelines R/W's are

managed by the pipeline operator in a clear vegetation state so they can be surveyed from the air. All tall vegetation is removed and it is kept cleared by the pipeline operator. This would create a vegetation cleared swath across the LCOD.

Section E 4. "The development will not reduce the natural retention storage capacity of any water course, nor increase the magnitude and volume of flooding at other locations...." The elevated "trail" will act as a dam. Historically the Goggin Canal floods the lands on both side of the Canal during high water runoff years. The water backed-up by the "trail" will inundate lands that have not been subject to flooding in the past on the south and north sides of the Goggin east of the "trail". The damming will also damage the "trail". The "trail" will also change the natural drainage of the lands on the east side requiring additional work (drain ditches) in the LCOD.

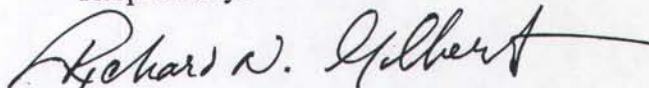
The land owner, Salt Lake City Corp, is holding this land for the future expansion of the SLC airports fourth runway. When that runway is developed the "trail" will either be removed for security reasons or will be fenced with a 6ft. high chain link. Not much scenic value in that.

Who will police the "trail"? The "trail", despite the colorful PR, will not be used by people enjoining the vista. In a very short time it will be a "hobo jungle" used by drug users, gang activities and sex traffickers. We know this will happen from our own experience. Before the locked gate was placed on the road to the "Church Farm" and duck clubs all of the undesirable activities were happening along the roads and they continue at the locked gate site now. The "trail" will invite off-trail trespassers, motorcycle and ATV riders into an environmentally fragile area.

We were told that the "trail" would terminate at the Black Hawk Duck Club's south property line and that there were no plans to extend the "trail" further north. The very name of the trail "Transvalley Corridor Trail Connection" indicates that planers in the Salt Lake City or Salt lake County Planning Departments are planning to move north of the Salt Lake City property. If this section of "trail" is not constructed it will stop planners from looking at future trails on the private property west and north of the SLC airport.

We request that a Conditional Use not be allowed for UNEV to cross the LCOD. We opposed the proposed "trail" and the use of a LCOD Conditional Use to circumvent the rules that protect the wetlands. The UNEV pipeline does have an alternate route. UNEV could be constructed to the east and south of the SLC airport and not damage any wetland.

Respectfully:



Richard N. Gilbert
President, Irvine Ranch & Petroleum, Inc
dba Ambassador Duck Club

OPEN HOUSE
PUBLIC COMMENT FORM

February 19, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Transvalley Corridor Trail Connection/UNEV Pipeline
Project

Name: North Point Consolidated Irrigation Company

Address: 50 East North Temple, 15th Fl.

SLC, UT Zip Code 84150

Phone: 240-9016 E-mail christensenf@ldschurch.org

Comments: (1) North Point is opposed to public intrusion into this otherwise secured area north of the Goggin Drain and south of our Canal. (2) County Flood Control also need unobstructed access to both sides of the Goggin Drain to be able to manage S.L. Valley runoff waters. (3) The chemicals we use to control moss and algae could be very harmful to trail users. This trail is very near our injection area for Magnicide 'H'. If the trail north of the Goggin does go, it should be Elleath Christensen pedestrian only.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at nole.walkingshaw@slcgov.com or via mail at the following address: Nole Walkingshaw, Senior Planner, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by February 27, 2009.

February 27, 2009

Nole Walkingshaw
Senior Planner
Community & Economic Dev. Dept.
Planning Division
451 South State St., Room 406
P.O. Box 145480
Salt Lake City, UT 84114-5480

Sent: Via e-mail

Re: Statement in Opposition to the Transvalley Corridor Trail Connection for the UNEV Pipeline Project

Dear Mr. Walkingshaw:

National Audubon Society respectfully expresses strong opposition to the Transvalley Trail Connection for the UNEV Pipeline Project.

As we understand it, consideration of a trail arose because a portion of UNEV's proposed pipeline corridor passes through a Salt Lake City (SLC) zoning district called the Lowland Conservancy Overlay District ("LCOD"). The relevant portion of the LCOD begins at the boundary between Salt Lake City and the Blackhawk Duck Club and ends approximately where the surplus canal crosses the pipeline corridor. The LCOD was created as a wetlands protection district. As such, there are very few permitted or conditional uses within the LCOD and a petroleum pipeline is not a permitted or conditional use. In addition, SLC has stated that UNEV does not qualify as a "public utility" and the pipeline does not qualify as a "distribution line." Therefore, unless a creative solution was proposed, UNEV's only options for obtaining a permit for construction through the LCOD are to petition to amend the zoning ordinance, or seek a judicial determination that the project is a public utility and the corridor is a distribution line. But both of these options would take considerable time and proponents of the pipeline want to move much more quickly.

UNEV has proposed a fast track alternative: Because roads and trails are conditional uses in the LCOD, and roadways and trails typically have utilities running with them, UNEV is proposing to place the pipeline across the LCOD so long as it builds a public trail through the LCOD and over the pipeline corridor. Pursuant to this suggestion, UNEV has filed an application for a permit allowing it to build a public trail as a conditional use in the LCOD, with a pipeline under the trail.

National Audubon Society is opposed to the proposed trail for numerous reasons, including the following:

1. Salt Lake City is to be commended for having a Lowland Conservancy Overlay District. Maintaining the integrity of this overlay district is a high priority. Fast tracking approval of a trail through this district would provide an unfortunate precedent for possible proposed future activities or corridor requests through the Lowland Conservancy Overlay District.
2. The proposed trail would go north of the Goggin Drain. The Goggin Drain serves as a major obstacle for public traffic to the north. In order to preserve the sensitive natural areas to the north, National Audubon Society, Southshore Wetlands and Wildlife Management, Inc. property owners, and others have and continue to actively work to limit public activities north of the Goggin Drain. Such efforts have occurred in cooperation with private landowners and also in working with the Northwest Quadrant Plan.
3. Areas north of the Goggin Drain are primarily used for wildlife habitat and ranching by private landowners. The value of this area for wildlife habitat is very high. National Audubon Society in cooperation with BirdLife International has recognized the Harrison and Ambassador Duck Clubs, both located north of the Goggin Drain in this general area, as part of Farmington Bay Important Bird Area a globally Important Bird Area. (For more information about this program and area go to www.audubon.org/bird/iba/utah.) These two duck clubs have documented high bird use through the Great Salt Lake Waterbird Survey from 1998 through 2003. Other southshore wetlands property owners in the area also provide valuable habitat for birds.
4. National Audubon Society manages the Gillmor Wildlife Sanctuary to the west of the southshore wetlands property owners and north of the Goggin Drain. The Gillmor Sanctuary also provides valuable wildlife habitat and National Audubon Society seeks to maintain the area north of the Goggin Drain for its wildlife purposes.
5. Creating a trail with a bridge across the Goggin opens up all wetland areas to the north to vandalism, illegal trespass and security issues. Further, as development likely goes forward in the area, it would allow feral cats and dogs across the Goggin and into the wildlife managed areas.
6. The proposed trail would go through lowland areas and may result in fill of wetlands that would require a U.S. Army Corps of Engineers 404 wetlands permit. If this were the case the timeframes for approval of the trail would likely be delayed and the proposed trail would not help the proponents for the pipeline with their fast tracking efforts. Specifically, as Dick Gilbert, President of Ambassador Duck Club mentions in a letter he has sent regarding this proposal, both sides of the Goggin Drain flood during high water runoff years. This is one indication that the proposed trail may fill jurisdictional wetlands.
7. One proposal that has been provided since Friday, Feb. 19 is to have the trail clearly stop at the Salt Lake City Boundary and to work in the future to have it go no further north than this. However there are major problems with this proposal for a limited trail as mentioned above. Additional problems include,
 - The very name of the trail – Transvalley Corridor Trail Connection - indicates that this small trail may be intended to extend a trail northwest of the airport.
 - The Salt Lake City Bicycle and Pedestrian Master Plan includes a trail to the northwest of the Salt Lake City Airport. This trail would have serious impacts on Blackhawk, Harrison and Rudy Duck Clubs' habitat and is vigorously opposed by the private landowners, National Audubon Society and others.

- While the southshore wetlands property owners, National Audubon Society and others will be working to eliminate plans for the trail that goes northwest of the Salt Lake City Airport, it could take a substantial amount of time to do so . To put the “Transvalley Corridor Trail Connection” in place could make it more difficult to remove the trail northwest of the airport from planning documents.
- The Lowland Conservancy Overlay District includes in its’ purpose statement the protection and preservation of wetland areas. The southshore wetlands property owners provide valuable habitat for birds. It would be very unfortunate for a trail in the Overlay District to lead to the loss or lack of protection and preservation of these wetland areas.
- If the trail ever extended northwest of the airport it would likely be put on the powerline corridor that was relocated to this area due to the placement of the third major runway for the airport. This relocated powerline corridor already bisects and impairs valuable wetland habitat. A trail on this powerline corridor would add additional pressures to these wetland areas.

Though National Audubon Society is strongly opposed to this trail proposal, we also fully understand and support the importance of outdoor recreation and nature education. National Audubon Society is in favor of appropriately placed trails located to the south of the Goggin Drain and the Bailey’s Lake area. We manage the Lee Creek Area, a publicly accessible area within Salt Lake County approximately five miles west of 7200 West and I-80. (Website address is: www.audubon.org/local/sanctuary/leecreek.) And we are a sponsor of the Great Salt Lake Bird Festival, which includes behind-the-gate tours to the Gillmor Sanctuary. The Ambassador Duck Club, has also consistently provided behind-the-gate tours during the Great Salt Lake Bird Festival and at other times. Such managed access provides opportunities for public exploration in a controlled manner designed to protect and husband critical, valuable habitat for the long-term benefit of all Salt Lake City residents.

In summary, for the reasons stated above National Audubon Society is in strong opposition to the Transvalley Trail Connection for the UNEV Pipeline Project.

If you have any questions or would like to discuss this issue further, please contact Wayne Martinson at 355-8110 or wmartinson@audubon.org or Ella Sorensen at 966-0464 or esorensen@audubon.org.

Thank you very much for your consideration of these comments.

Sincerely,

Wayne Martinson
Utah Important Bird Areas Coordinator
National Audubon Society

Ella Sorensen
Gillmor Sanctuary and Lee Creek Area Manager
National Audubon Society

Cc: Lynn Tennefoss, Vice President, State Programs and Chapter Services
Dick West, President, Southshore Wetlands and Wildlife Management Inc.
Joe Incardine, National Project Manager for the UNEV Pipeline Project, BLM

Attachment E
Staff Comments

Salt Lake City Staff Comments

Police

I like that the pipeline will be buried. If it were exposed, with a trail in its vicinity, it would present a critical infrastructure protection problem. Rich

Public Utilities

Public Utilities has reviewed the conceptual plan for the UNEV pipeline and offers preliminary comments. Obtain all necessary permits from the canal companies, SLCPU, or SL County prior to construction of the trail and pipeline. Follow all design standards for canal crossings. This generally includes at least 3-ft clear over the annual high water mark of the canal (based upon historical records) and a minimum of 4-ft clear under the flow line of the canal if the pipe is proposed to cross underneath the canal bottom. The pipeline may not be located in any canal right-of-way except at permitted locations where it crosses the canal. All canal crossings must be made perpendicular to the canal. According to the proposed Trail Profile, it appears that the trail is to be raised above natural grade. The trail must not impede, block, or divert natural drainage paths. Include drains under the trail where necessary to perpetuate natural drainage patterns. Final Civil Engineer prepared and stamped improvement plans for the trail and pipeline must be submitted to the department of Public Utilities for approval prior to construction. The plans will be reviewed in detail with regards to drainage, utilities and canals. Provide appropriate plan sheets including details and cross sections to clearly depict the method and manner of construction

Salt Lake City Public Utilities has reviewed the proposal for adding the trail along with the pipeline for the above noted project. The following requirements will need to be done through our office.

- A utility permit for the each crossing of our facilities with the pipeline, this includes water, sewer and drainage lines or ditches. This is in process at this time.
- a permit will need to issued to the entity that will be responsible for the maintenance of the bridge structures for the long term;
- a construction agreement will need to signed by UNEVCO for the construction of the bridge structures;
- Prior to the permits being issued we will need to see the plans of the bridges in conjunction with the high water line of the ditches and show how the preservation of our access for maintenance is being accomplished.

Fire

~~No Comment~~



Building Services Review

The Building Services Department review comments and recommendations are as follows:

The proposal appears to address the Lowland Conservancy Overlay District Standards however; it does not seem to include provisions for hard surfaced parking for the trail user.

Open Space Lands Coordinator

I have reviewed the proposal for a trail and UNEV pipeline through the lowland conservation district west of the airport on city property. I am left with a question and a few concerns. I believe that we need to have a more transparent process for allowing this pipeline in a lowland conservation district which restricts such uses. This would help to protect the integrity of area which the ordinance was established to protect and the ordinance itself. It is a stretch to say this proposed trail is part of the Open Space Master Plan of 1992. The trail referenced in the plan is the Transvalley Corridor Trail, which travels east-west between the Bonneville shoreline trail and 4800 West, along 900 South. Additionally, in the Draft Northwest Quadrant Master plan identifies this as a conservation area.

Once a public process is completed, if the project moves forward it creates an opportunity to tie this proposed trail into the power line corridor that parallels the airport to the west. This could be a meaningful bike and pedestrian trail opportunity. There are two considerations I would recommend to ensure the success of this trail and user safety. First, the design standards should be improved to minimize long-term maintenance costs. The current design of this proposed trail falls short of a trail that will withstand environmental and hydrologic conditions of the area. I would recommend a paved trail similar to the Jordan River Trail without lighting to avoid wildlife impacts. Second, I would encourage that this project be required to establish at a minimum, a 5 year maintenance fund. This fund should be used to ensure the long term sustainability of the trail and the protection of the low land conservation area it transects. Issues such as weed management, user safety and maintenance will be dependant on the City committing limited resources that could benefit from a maintenance fund.

Airport

We received your notice regarding the Transvalley Corridor Trail Connection (UNEV Pipeline Project), petition # PLNPCM 2009-00035, Conditional Use.

The proposed Pipeline and trail passes through Two Airport controlled Salt Lake City owned parcels; 04-25-200-008 and 07-25-200-009. The planned pipeline route is on the western edge of these two parcels. We are forwarding the following airport comments regarding the conditional use permit.

- *Fencing.* Airport owned properties are typically fenced, secured, and patrolled by airport operations staff and police staff. Public access is typically prohibited inside these areas. The subject parcels have not been fenced because the parcels were recently acquired by the airport. Areas to the east side of the proposed trail will need to be secured with airport approved fencing to prohibit public access to secured airport property and to the airfield.
- *Maintenance.* The airport will not be responsible to maintain the proposed trail. It is understood that Salt Lake City Parks will provide the necessary maintenance and upkeep.

- *Grazing Rights.* Existing farm animal grazing rights exist on the airport properties. These rights must be maintained to allow the existing grazing rights and activities to continue.
- *Bridge Permitting.* Two pedestrian bridges are shown that will provide crossings over the canals. The applicant will be responsible for all related local, state, and federal permits for the bridge crossings. Coordination with the canal companies will also be required to allow the bridges.
- *Trail End.* As shown on the drawings the pedestrian trail would terminate at other private property owners parcels. Trespassing issues could be a concern to adjacent property owners where the proposed trail terminates. Planning for future continuation and connections of the trail should occur.
- *Long-Term Development.* The subject parcels were purchased to accommodate potential future long-term airport development. As future development occurs, the trail may require relocation or abandonment. Development is not anticipated for many years and will be based on future airport growth.

Transportation

The Transportation Division review comments and recommendations are as follows:

1. The proposed trail is indicated to run from the end of 800 North (John Cannon Drive) at 5305 West, northward through the Lowland Conservancy Overlay District. The trail then continues north to the south side of the Black Hawk Duck Club & Goose Club property at about 1500 North 5200 West.
2. The proposed trail is indicated as 10 feet wide and consists of a 3-inch crushed gravel surface. To construct the trail as a shared use path that accommodates a wide range of users and minimizes maintenance, the surface should consist of a permeable, hard surface, designed to accommodate emergency and maintenance vehicles.
3. In the Conditional Use Application there are no provisions for trailhead parking and no details given for trail signage or vehicular control from the public roadway at 800 North 5300 west. Due to the distance of the trailhead from the hotels and businesses in the area we recommend construction of a trailhead parking area.
4. There is currently a fence at the east end of 800 North. Airport fencing issues need to be addressed.
5. Surface treatment of the bridges and bridge width need to be addressed. Per AASHTO guidelines the bridge clear width should be 14-feet: "the minimum clear width should be the same as the approach paved shared use path plus the minimum 2-foot wide clearance areas." Also, per AASHTO: "On all bridge decks, special care should be taken to ensure that bicycle-safe expansion joints are used and that decking materials that become slippery when wet are avoided."
6. Most horizontal curves on the path are shown with radius of 25 feet. Per AASHTO guidelines, the minimum radius of curvature for a paved use path,

based on a design speed of 12 mph, is 36 feet. Please increase the 25-foot radii to a minimum of 36 feet.

7. Item 7, page 4, of the Introduction Letter, only addresses the construction phase of the project. Item 2 on page 5 discusses impacts caused by future trail use. Future trail use traffic impact information should also be included in Item 7.