



Cache County is classified by the State of Utah as a county with a high level of transmission for Covid-19. In conformance with state guidelines, the number of people in the Council Chamber may be limited, social distancing practices will be implemented, and masks are required.

5:30 p.m.

Call to order

Opening remarks/Pledge – Phillip Olsen

Review and approval of agenda

Review and approval of the minutes of the 4 February 2021 meeting

5:35 p.m.

Consent Items

- 1. ~~Fox Hollow Subdivision 1st Amendment~~** – A request to amend an existing 4-lot subdivision by increasing the size of Lot 2, decreasing the size of the agricultural remainder, and adjusting the subdivision boundary along the with an adjacent parcel to the north, not in the subdivision. The subdivision is located at 320 North Highway 23, near Mendon, in the Agricultural (A10) Zone. *Removed per applicant's request.*

Regular Action Items

- 2. Public Hearing (5:35 PM) – Amendments to the Cache County Fire Code** – An ordinance amending section 15.08.020 of the Cache County Code to (1) adopt and incorporate into the Cache County Fire Code portions of Appendix D to the International Fire Code, and (2) update other provisions of the Cache County Fire Code.
- 3. Rocky Mountain Power Transmission Line Rebuild Conditional Use Permit** – A request for a conditional use permit to reconfigure transmission structures at the Nibley Substation and remove and replace transmission lines across multiple properties from the Nibley Substation to the Hyrum City interconnection point (Use Type 5610 – Utility Facility, Transmission).
- 4. Cache Valley Compost Facility** – A request to add the Public Infrastructure (PI) Overlay Zone to a 47-acre parcel located at ~1400 North 3200 West, near Logan, in the Agricultural (A10) Zone. *Continued from 4 February 2021*
- 5. Discussion:** Amendments to Title 17 regarding a new use type for a small-scale slaughter facility. *Continued from 7 January 2021*
- 6. Discussion:** Amendment to Title 17 regarding Cannabis Production Establishments.

Board Member Reports

Staff reports

Adjourn

PUBLIC PARTICIPATION GUIDE: PLANNING COMMISSION

This document is intended to guide citizens who would like to participate in a public meeting by providing information about how to effectively express your opinion on a particular matter and the general powers and limitations of the Planning Commission.

WHEN SPEAKING ON AN AGENDA ITEM

Once the Commission opens the public hearing or invites the public to comment on a public meeting agenda item, approach the podium to comment. Comments are limited to 3 minutes per person, unless extended by the Chair of the Planning Commission.

When it is your turn to speak:

1. State your name and address and the organization you represent, if applicable.
 2. Indicate whether you are for or against the proposal.
 3. Make your statement.
 - a. Include all pertinent facts within your knowledge;
 - b. Avoid gossip, emotion, and repetition;
 - c. Comments should be addressed to the Commission and not to individuals in the audience; the Commission will not allow discussion of complaints directed at specific individuals;
 - d. A clear, concise argument should focus on those matters related to the proposal with the facts directly tied to the decision you wish the Commission to make without repeating yourself or others who have spoken prior to your statement.
-

LEGISLATIVE (PUBLIC HEARING) VS. ADMINISTRATIVE (PUBLIC MEETING) FUNCTIONS

The Planning Commission has two roles: as a recommending body for items that proceed to the County Council for final action (legislative) and as a land use authority for other items that do not proceed to the County Council (administrative).

When acting in their legislative capacity, the Planning Commission has broad discretion in what their recommendation to the County Council will be and conducts a public hearing to listen to the public's opinion on the request before forwarding the item to the County Council for the final decision. Applications in this category include: Rezones & Ordinance Amendments.

When acting in their administrative capacity, the Planning Commission has little discretion and must determine whether or not the landowner's application complies with the County Code. If the application complies with the Code, the Commission must approve it regardless of their personal opinions. The Commission considers these applications during a public meeting and can decide whether to invite comment from the public, but, since it is an administrative action not a legislative one, they are not required to open it to public comment. Applications in this category include: Conditional Use Permits, Subdivisions, & Subdivision Amendments.

LIMITS OF JURISDICTION

The Planning Commission reviews land use applications for compliance with the ordinances of the County Land Use Code. Issues related to water quality, air quality, and the like are within the jurisdiction of the State and Federal government. The Commission does not have authority to alter, change, or otherwise act on issues outside of the County Land Use Code.



Planning Commission Minutes

4 February 2020

Item

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Consent Agenda Items

- 1. Spring Creek Acres Subdivision 2**

Regular Action Items

- 2. Public Hearing (5:35 PM): Cache Valley Compost Facility..... 2**
- 3. Public Hearing (5:45 PM): Fritz Tower Rezone 10**
- 4. Public Hearing (5:55 PM): Dry Canyon Estates Rezone..... 10**
- 5. Public Hearing (6:10 PM): Mountain View Subdivision Rezone..... 11**

1 **Present:** Chris Harrild, Angie Zetterquist, Brady Christensen, Lane Parkinson, Jason Watterson, Phillip
2 Olsen, Chris Sands, John Luthy, Matt Phillips, Megan Izatt

3 **Start Time: 05:35:00**

4 **Sands** called the meeting to order and **Christensen** gave the opening remarks.

5 **05:38:00**

6 **Agenda**

7 Approved with the removal of item #6.

8 **05:39:00**

9 **Minutes**

10 ***Parker*** motioned to approve the minutes from 7 January 2021; ***Watterson*** seconded; ***Passed 5, 0.***

11 **05:40:00**

12 **Consent Items**

13 **#1 Spring Creek Acres Subdivision**

14 **Chat question** asked if the final plat requires a dedicated access.

15 **Matt Phillips** responded that yes and the driveway will need to be relocated by at least 300 feet.

16 ***Olsen*** motioned to approve the consent agenda; ***Watterson*** seconded; ***Passed 5, 0.***

17 **05:46:00**

18 **Regular Action Items**

19 **#2 Public Hearing (5:35 PM): Cache Valley Compost Facility**

20 **Zetterquist** reviewed the staff report for the Cache Valley Compost Facility.

21 **Staff** and **Commissioners** discussed why the Public Infrastructure (PI) Overlay Zone and clarification of
22 what the facility will be used for.

23 **Paul Willardson** from JUB Engineers, representing Logan City, presented on the reason for the project,
24 and the scope of the project.

25 **Tyler Richards** from Logan City explained the site pictures and which building does what in the
26 processes used by the plant.

27 **Parker** asked about the expected volume.

1 **Mr. Richards** responded at full capacity it would be 50 tons or two semi trucks worth.

2 **Olsen** asked where that goes currently.

3 **Mr. Richards** stated that currently those solids sit on the bottom of the lagoon but when the new facility
4 is up and running it will go to the compost.

5 **Olsen** asked about smell.

6 **Mr. Richards** stated there is some smell.

7 **Mr. Willardson** stated that there are many regulations that Logan City would have to meet and those will
8 be explained.

9 **Mr. Willardson** continued with the presentation.

10 **Watterson** asked if thermal treatment was investigated for this.

11 **Mr. Willardson** responded no.

12 **Watterson** stated there are other facilities in the state that use the thermal option.

13 **Mr. Willardson** continued with the presentation.

14 **Dan Griffin** from the Division of Water Quality explained the regulations that Logan City would have to
15 meet with the new facility.

16 **Watterson** asked about the timeline of when bio-solids are useable as compost.

17 **Mr. Griffin** responded there will be continual movement from building the pile to making the final
18 compost product. It would probably take 2-3 weeks to build a full pile; the curing process takes about 2-3
19 weeks and then a couple more weeks for pathogen testing and after that it can be screened for
20 distribution.

21 **Watterson** asked if the shortest amount of time to be on site would be 2-3 months.

22 **Mr. Griffin** stated that yes and that it will smell like regular compost. It will compost quicker than
23 regular green waste because of the biology of the compost.

24 **Watterson** asked what other technologies are out for treating this type of waste.

25 **Mr. Griffin** stated thermal treatment, which uses solar or oven technologies, lime can be used,
26 incineration (which has permitting restrictions due to air quality), and irradiation technologies.

27 **Mr. Willardson** continued with the presentation.

28 **Olsen** asked about spreading the liquid slurry off the sewer system and commented on the wetlands.

29 **Mr. Willardson** stated they are aware of the wetlands and have contacted the Army Corps of Engineers.

1 **Parker** asked about the timeline regarding the rezone where wetlands questions haven't been handled
2 yet.

3 **Mr. Willardson** responded there needs to be a conditional use permit in order to proceed with the
4 wetlands and that requires the rezone.

5 **Harrild** asked a question from the chat asking if the other facilities like this in the state are on wetlands
6 and if the facility will be enclosed.

7 **Mr. Willardson** stated he couldn't talk to the other facilities and that this facility will not be enclosed.

8 **Harrild** asked a question from the chat regarding composting being better for ground water versus
9 current open lagoons.

10 **Issa Hamud** stated that this facility will not be open to the public at all. The finished product will be
11 trucked back to the current facility to be sold.

12 **Mr. Griffin** stated that Davis and Brigham City compost on pads at their current facility. Davis uses a
13 concrete pad and Brigham's is asphalt. All runoff from their facility is collected and sent through the
14 treatment process. This facility will probably require a pad as well to protect the liner that protects the
15 ground water from runoff. Swift Beef dewateres the solids and is sent to an outdoor compost facility.

16 **Harrild** asked a question from the chat regarding composting being better for ground water vs. current
17 open lagoons.

18 **Mr. Willardson** stated the plan is for the compost to be on a solid asphalt surface and all runoff will be
19 collected and run through the treatment process with no leaching into the ground water.

20 **Harrild** asked a question from the chat regarding odor.

21 **Mr. Hamud** commented that if the facility is managed correctly there will be few odors and odor will be
22 mitigated.

23 **Harrild** asked a question from the chat regarding dust.

24 **Mr. Richards** stated it will be managed the same way as the current landfill operation and dust will be
25 mitigated.

26 **Harrild** asked a question from the chat regarding the existing lagoon system and if that would be cleaned
27 out or removed.

28 **Mr. Hamud** stated that some of the lagoons would continue to be part of the treatment system and will
29 be used for equalization. Over time if the proposed facility is expanded there may be a time when the
30 lagoons won't need to be used.

31 **Harrild** asked a question from the chat regarding biohazards like COVID19 in the biosolids.

32 **Mr. Hamud** stated no. In the current treatment process COVID19 is being eliminated and hopes the
33 waste water treatment plant would be the same. The effluent is most likely to be COVID free.

1 **Harrild** asked a question in the chat asking why the Benson property is being used and not the property
2 west of the Clarkston facility.

3 **Mr. Hamud** stated the land west of the Clarkston facility is already going through wetland mitigations
4 and other uses. Logan owns other property nearby but the current proposed site has less of an impact on
5 the wetlands in the area then those other parcels.

6 **Harrild** asked a question from the chat regarding harmful odors being emitted from the biosolids.

7 **Mr. Griffin** stated there are odors and bio-solids can change the composting order. When turning the
8 piles there is a possibility of more odors and the gas isn't harmful.

9 **Harrild** asked a question from the chat about the proposal to raise the water levels at Culter Dam and if
10 these biosolids are being moved closer to the water.

11 **Mr. Richards** stated that has been considered and the facility will be built up with a solid base of fill and
12 will continue to monitor the proposal.

13 **Eve Davies** representing Pacific Corp stated that raising the water levels was being talked about as a
14 possibility but it is not being considered now and should not impact this.

15 **Harrild** asked a question from the chat asking how a permit can be given when there is still paper and
16 biohazards in the sewage.

17 **Mr. Hamud** stated the treatment plant has a screening process so most of the solids are removed before it
18 enters the treatment facility. Those solids caught by the screening processes would go directly to the
19 landfill and not be mixed in with the bio-solids that will be composted.

20 **Mr. Chad Falslev** asked about the permit that has been given and if the bio-solids that are spread contain
21 tampons and baby wipes, etc. that are left on top of the ground.

22 **Mr. Hamud** responded the screening process at the new facility will screen out those items and he is
23 willing to give a tour showing that process.

24 **Mr. Willardson** stated something to note is that the bio-solid state being used for the compost does not
25 include those and this is not raw sewage being used.

26 **Harrild** asked a question from the chat asking if the solids stay put in the lagoons and will the
27 composting stop adding solid waste to lagoons.

28 **Mr. Hamud** stated some solid waste could continue to be added to lagoons as they are still part of the
29 treatment process but Logan City is not going to intentionally add solid waste to the lagoons.

30 **Harrild** asked a question from the chat if Mr. Hamud is familiar with what Davis is doing with their
31 process.

32 **Mr. Hamud** stated he doesn't know all the variables and he isn't sure if the Box Elder way is cost
33 effective or not. There are some restrictions on the land that the class B bio-solids are used on as far as
34 what can be growing but the class A bio-solids can be used in all gardens and at home.

1 **Harrild** asked a question from the chat regarding runoff water and if widening the road will be
2 necessary.

3 **Mr. Willardson** stated all runoff will be self-contained.

4 **Phillips** stated where this is a rezone they have not looked at if the road will need to widened because
5 that is looked at during the CUP process.

6 **Harrild** asked a question from the chat: what are the plans for the polishing ponds and why they aren't
7 being used for this.

8 **Mr. Hamud** stated the polishing ponds are further away then the proposed site and are closer to
9 residential. The polishing ponds are being looked at for storm water management in the future.

10 **Harrild** asked a question from the chat regarding wetlands and if they would be in favor of this in their
11 back yard.

12 **Mr. Willardson** stated that it has not been clearly designated as wetlands and that will happen in the
13 spring.

14 **Mr. Hamud** stated the answer to the question regarding his backyard is subjective and that this is waste
15 from the people from the community and it needs to be managed.

16 **Harrild** asked a question from the chat regarding the long range plan is for the proposed facility.

17 **Mr. Hamud** stated that the research done for this facility states 10 acres are needed at this time. If more
18 land is needed the City is prepared to buy more land next door and the land around the current facility
19 will continue to be used.

20 **Harrild** asked a question from the chat: Is it fair to keep the ground by treatment plant for wetland
21 mitigation for developers and businesses and putting your waste in a community that doesn't contribute
22 to the waste?

23 **Mr. Hamud** stated that the current site used for wetland mitigation has been designated that by the Army
24 Corp of Engineers 30 years ago and the City can't change that. The proposed site was bought 20 years
25 ago for this intended purposed.

26 **Harrild** asked a question from the chat regarding a berm around the facility.

27 **Mr. Hamud** stated that unless required from the Development Services facility there will be no berm
28 other than that required by the storm water management.

29 **Harrild** asked if the City could use the proposed site for wetlands mitigation and open the current site
30 used for wetlands for this proposed use.

31 **Mr. Hamud** stated no.

32 **Harrild** asked a chat from the question regarding the dumping of septic tanks.

1 **Mr. Willardson** stated that is from Galaway's which is a private business and doesn't involve Logan
2 City.

3 **Harrild** asked a question from the chat asking why not the Clarkston site.

4 **Mr. Hamud** stated that solid waste is transport to the Clarkston site and this material could be taking
5 there but is not cost effective and is not a good alternative.

6 **Harrild** asked a question from the chat: Would Roto Rooter, etc. stop dumping raw sewage on
7 Galaway's land and take it all to compost?

8 **Mr. Willardson** stated that is private entity and this is not raw sewage being used.

9 **Mr. Richardson** stated there would be sewage drop site at the new facility that would accept the raw
10 sewage to be treated.

11 **Harrild** asked a question from the chat: What was the plan for the solid waste material when the plan for
12 the new sewer facility was developed? Benson uses septic systems.

13 **Mr. Hamud** stated it was always planned to design a plan for the solid waste material and this was what
14 was decide to do.

15 **Harrild** asked a question from the chat: What are the setback requirements for composting? The full
16 north side is Blue Spring Creek.

17 **Mr. Griffin** stated there are no setback requirements for composting but there are ways to mitigate
18 runoff. The composting site has to be built to meet ground water protection requirements.

19 **Harrild** asked a question from the chat: how much sludge will be produced from the facility every day?

20 **Mr. Willardson** stated about 50 tons from the site every day.

21 **Harrild** state that the setback from open water for that creek for Cache County Code is 50 feet.

22 **Harrild** asked a question from the chat: Why not use the east side of the Eliason Property?

23 **Mr. Hamud** stated the east side of that property is slated for future expansion of the treatment facility
24 site.

25 **Harrild** asked a question from the chat: How can the waste water project be so far along without the
26 options of removing the waste be approved and figured out?

27 **Mr. Hamud** stated that the other option is to take it to the landfill but the composting option is the best
28 option for all involved. It will be about 1 year before solids are produced from the plant.

29 **Harrild** asked a question from the chat: Will this work better than the one that Tremonton City tried and
30 now they haul it to the garbage dump.

1 **Mr. Griffin** stated that Tremonton City hauls their solids to the dump and composts there. They started
2 doing that when there wasn't any room at their facility.

3 **Harrild** asked a question from the chat: Will Roto Rooter be required to go to the new sewerage facility?

4 **Mr. Hamud** stated no they can still use the private facility but they will be given the option to use the
5 new facility. Logan City can accept the sewage from Roto Rooter now but they choose to use the private
6 business.

7 **Harrild** asked a question from the chat: What happens when the discharge canal that is used by the city
8 plugs like it did last week?

9 **Mr. Hamud** stated as long as the City is made aware of it they are prepared to take care of the problem.

10 **Harrild** asked a question from the chat: Logan City destroyed the stream bank access on the north side of
11 the polishing ponds; this is in direct violation of their conditional use permit. How will they preserve the
12 stream bank access along Blue Spring Creek?

13 **Mr. Hamud** stated they will keep the access as it is now and should have no impact.

14 **Harrild** asked a question from the chat: Is there currently land in Logan City for this use?

15 **Mr. Hamud** stated no.

16 **Harrild** asked a question from the chat: how are you keeping the canal water out of the compost?

17 **Mr. Hamud** stated that currently the land is being flood irrigated by a farmer that leases the ground.
18 When this operation is built that flooding will no longer happen. Runoff is required to be controlled so
19 there will be no run off.

20 **Harrild** asked a question from the chat: what are operating/building costs and are there any plans of
21 revenue?

22 **Mr. Richards** the estimate is currently \$5.2 million to improve the site. The waste water treatment
23 facility will be charged to send the waste to this facility.

24 **Harrild** any anticipated revenue?

25 **Mr. Hamud** stated as for revenue, it depends on what you define revenue as. Yes, there will be revenue
26 by selling the final product and charging for the green waste and waste water that is coming to the
27 treatment plant.

28 **Harrild** asked a question from the chat: will the smell be worse than the polishing plan smells?

29 **Mr. Hamud** stated it will not.

30 **Harrild** asked a question from the chat: so that means you are going to allow hunting access to both sides
31 of Blue Spring Creek unlike you have done on the north side of the polishing ponds?

1 **Mr. Hamud** stated no and that there are no hunting rights on the land where the polishing pond are
2 located.

3 **Harrild** asked a question from the chat: How is it fair for Benson to have to deal with Galaway's and this
4 solid waste facility?

5 **Mr. Hamud** stated this property was bought 20 years ago with the intention to use it for this type of use.

6 **Harrild** clarification from the chat: there is no irrigation of the property and there are no head gates there
7 and all water is run off, is that correct?

8 **Mr. Hamud** stated Mr. Kunzler is the one leasing the property and would know that better than him. If
9 he states there is no irrigation then there is no irrigation.

10 **Mr. Richardson** state the surface runoff is irrigation from other fields. The natural source is Blue
11 Springs which is contained within in Blue Springs.

12 **Harrild** asked about the runoff and snow melt for the area.

13 **Mr. Hamud** most of it is snow melt. The clay material doesn't allow infiltration of the snow melt quickly
14 into the ground. A wetland specialist will be hired to help determine what are wetlands and what is not.

15 **Harrild** asked questions from the chat regarding hunting and allowing hunting to the north of the ponds.

16 **Mr. Hamud** stated if the land is not owned by Logan City they can't do anything about hunting but any
17 land owned by Logan City cannot be hunted on.

18 **Harrild** asked a question from the chat regarding flood irrigated properties and runoff.

19 **Mr. Hamud** the runoff will be diverted to other water ways in the area or held on the property.

20 **Sands** reminded the public to address their question during the public hearing to the Commissioners and
21 not the proponent.

22 **07:23:00**

23 **Watterson** motioned open the public hearing; **Parker** seconded; **Passed 5, 0.**

24 **Tom Willmore** commented against the proposed use and stated the land has a very high water table
25 throughout most of the year. This will affect those who use irrigation water in the area.

26 **Eve Davies** commented that Pacific Corp has received no notification or information for this project
27 before tonight and that is concerning. Water quality is one of the main concerns; Cutler Dam is currently
28 going through a re-licensure process and water quality is particularly concerning for that process. The
29 Cutler Dam project has several parcels surrounding the Cutler Dam project that have special rules that
30 have to be followed for the project.

31 **Harrild** asked a question from the comments regarding mosquito control.

1 **Christensen** commented that notice for property owners is 300 feet from the project and that could be
2 why Pacific Corp wasn't notified.

3 **Harrild** stated they will look at notification and make sure Eve is notified going forward.

4 **07:36:00**

5 **Parker** motioned to close the public hearing; **Watterson** seconded; **Passed 5, 0.**

6

7 **Olsen** motioned to continue the Cache Valley Compost Facility for up to 90 days; **Watterson** seconded;
8 **Passed 5, 0.**

9 **07:39:00**

10 **#3 Public Hearing (5:45 PM): Fritz Tower Rezone**

11 **Zetterquist** reviewed the staff report for the Fritz Tower Rezone.

12 **Staff** and **Commissioners** discussed the location, the tower, and the reason for the rezone.

13 **Larry Soule** commented the tower was constructed in January of 2019 but he did not construct the tower.
14 The tower is 40 feet tall and broadcasts internet and will eventually broadcast channel 15. He originally
15 broadcasted out of Clarkston but there were issues. This is a great location for broadcasting.

16 **07:48:00**

17 **Parker** motioned to open the public hearing; **Christensen** seconded; **Passed 5, 0.**

18 **07:50:00**

19 **Olsen** motioned to close the public hearing; **Watterson** seconded; **Passed 5, 0.**

20 **Watterson** motioned to recommend approval to the Cache County Council for the Fritz Tower Rezone
21 with the conclusions as written; **Olsen** seconded; **Passed 5, 0.**

22 **07:51:00**

23 **#4 Public Hearing (5:55 PM): Dry Canyon Estates Rezone**

24 **Zetterquist** reviewed the staff report for the Dry Canyon Estates Rezone.

25 **Watterson** asked about annexation into Smithfield City.

26 **Brent Lawyer** stated that the property owners to the north and west have applied and been denied.
27 However, some services have been extended.

28 **Todd Davies** stated he is the property owner to the north and does not have sewer but does have water
29 through property he owns that is in Smithfield.

1 **Christensen** asked if annexation had been applied for.

2 **Mr. Lawyer** stated he talked with the city but did not apply.

3 **Christensen** asked if booster pumps had been talked about with the City.

4 **Mr. Lawyer** stated they did talk about booster pumps but there is insufficient pressure in that area. They
5 are going through the process of applying for a well. After reviewing the conclusions and conditions,
6 with regards to number 1, this would be smaller lots than what is in the area. It is our intent to ask
7 Smithfield City to provide water and sewer for the subdivision.

8 **Sands** asked if Mr. Lawyer would consider seeking annexation.

9 **Mr. Lawyer** stated no because of the rejection of the surrounding property owners seeking annexation
10 and being denied.

11 **07:59:00**

12 **Christensen** motioned to open the public hearing; **Olsen** seconded; **Passed 5, 0.**

13 **08:00:00**

14 **Parker** motioned to extend the meeting for 30 minutes; **Watterson** seconded; **Passed 5, 0.**

15 **Ted Stokes** commented regarding the gun range and safety for that gun range and the proximity of
16 homes.

17 **Mr. Lawyer** stated he is aware of the gun range and that mishandling of firearms but gun owners tends to
18 be rare. As far as proximity it does not seem to be an issue but if felt necessary a berm could be
19 constructed.

20 **Mr. Stokes** stated that there is nothing within 700 feet at this point according to Google Earth.

21 **Thomas Burningham** commented in support of the development.

22 **08:08:00**

23 **Watterson** motioned to close the public hearing; **Olsen** seconded; **Passed 5, 0.**

24 **Staff** and **Commissioners** discussed the RU2 zone, septic tanks in the water recharge zone,
25 infrastructure,

26 **Mr. Lawyer** stated the Bear River Health Department (BRHD) has been contacted and should not be an
27 issue as long as the standards are met.

28 **Commissioners** discussed septic tanks.

29 **Christensen** motioned to recommend denial to the County Council for the Dry Canyon Estates Rezone
30 based on the conclusions and density; **Parker** seconded; **Passed 4, 1 (Olsen voted nay)**

1 08:20:00

2 **#5 Public Hearing (6:10 PM): Mountain View Subdivision Rezone**

3 **Zetterquist** reviewed the staff report for the Mountain View Subdivision Rezone.

4 **Staff** and **Commissioners** discussed access, water, and size of lots in the surrounding area.

5 **Steve Krambule** commented on matching the surrounding area with lot size and access and asked about
6 the private drive.

7 **Phillips** responded the spacing from road to road access is 300 feet and spacing can change depending on
8 the use for private home or private road.

9 **Watterson** asked if annexation into Mendon City has been applied for.

10 **Mr. Krambule** stated no.

11 08:30:00

12 ***Olsen** motioned to extend the meeting for 10 minutes; **Parker** seconded; **Passed 5, 0.***

13 **Harrild** asked a question from the chat: aren't the adjacent accesses limited to only 5 per road?

14 **Harrild** stated yes but additional review would need to be done.

15 **Phillips** stated there are some changes regarding paving the road for the number of homes on a private
16 road but not the number of accesses.

17 **Jeremiah Workman** commented in opposition of the rezone due to water and irrigation.

18 08:37:00

19 ***Parker** motioned to open the public hearing and extend the meeting by 10 more minutes; **Watterson**
20 seconded; **Passed 5, 0.***

21 **Harrild** asked a question from the chat about using the existing private road. There would need to be
22 permission granted from the existing subdivision to use the private road.

23 **Harrild** asked a question from the chat regarding width of access and the width of the access may be
24 affected depending on the number of homes accessing the road. Those specifics will be addressed at a
25 subdivision application.

26 **Mr. Krambule** commented on the narrow strip at the west end of the property and water.

27 08:41:00

28 ***Parker** motioned to close the public hearing: **Watterson** seconded: **Passed, 5, 0.***

29 **Commissioners** discussed the RU2 zone, septic, and water.

1 *Olsen* motioned to recommend approval to the County Council for the Mendon View Subdivision Rezone
2 with the stated findings of fact and conclusions; *Parker* seconded; *Passed 5, 0.*

3 **#6 Discussion: Amendments to Title 27 regarding a new use for a small-scale slaughter facility**

4 Removed from the agenda.

5 **Harrild** informed the Commission of what has been going on with the General Plan.

6 **Staff** and **Commission** discussed roads. The Council did vote to approve the changes discussed at the last
7 meeting.

8 **08:52:00**

9 **Adjourned**



**CACHE COUNTY
ORDINANCE NO. 2021 - ____**

**AN ORDINANCE AMENDING SECTION 15.08.020 OF THE CACHE COUNTY CODE
TO (1) ADOPT AND INCORPORATE INTO THE CACHE COUNTY FIRE CODE
PORTIONS OF APPENDIX D TO THE INTERNATIONAL FIRE CODE, AND (2)
UPDATE OTHER PROVISIONS OF THE CACHE COUNTY FIRE CODE**

WHEREAS, the Cache County Council has previously adopted the International Fire Code and amendments thereto, all as adopted by the Utah Code and Utah Administrative Code; and

WHEREAS, the Cache County Council has previously adopted the International Urban-Wildland Interface Code and exceptions thereto, all as adopted in the Utah Administrative Code; and

WHEREAS, the Cache County Council has previously adopted, with appropriate modifications, the National Fire Protection Association, NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting; and

WHEREAS, the Cache County Council desires now to adopt portions of Appendix D to the International Fire Code; and

WHEREAS, the Cache County Code's current references to the State of Utah's adoption of the International Fire Code and amendments thereto in the Utah Code and Utah Administrative Code are outdated; and

WHEREAS, the Cache County Council finds that this ordinance is in the best interest of Cache County and its citizens,

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1: Purpose

The Cache County Council's purpose for adopting, with appropriate amendments and exceptions, the International Fire Code, portions of Appendix D to the International Fire Code, the International Urban-Wildland Interface Code, and the National Fire Protection Association, NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting is to prescribe regulations governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, as well as to provide for the issuance of related permits and the collection of fees therefor.



SECTION 2: Code Amendment

Cache County Code section 15.08.020 is amended to read as follows:

15.08.020: CACHE COUNTY FIRE CODE:

Each of the regulations, provisions, penalties, conditions, and terms of the following codes and standards, with the additions, insertions, deletions, and changes thereto, if any, prescribed in Chapter 8 of Title 15 of the Cache County Code, are adopted as the Cache County Fire Code:

- A. The International Fire Code published by the International Code Council, Inc., as adopted by the State of Utah in Section 15A-5-103(1) of the Utah Code and as amended by the State of Utah in Part 2 of Title 15A of the Utah Code.
- B. Sections D103, D106, and D107 of Appendix D to the International Fire Code published by the International Code Council, Inc., 2018 edition, except that Subsection D103.1 is not adopted.
- C. The International Urban-Wildland Interface Code published by the International Code Council, Inc., as adopted by the State of Utah, with exceptions, in Utah Administrative Code R652-122-1300.
- D. The National Fire Protection Association, NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, 2017 edition ("NFPA 1142"), except delete Section 4.6 thereof, titled Water Delivery Rate to the Fire Scene, and exempt all structures in the Forest Recreational Zone (FR40) with an occupancy classification of Storage Group S under the International Building Code from the requirements of NFPA 1142.

SECTION 2: Effective Date

This ordinance takes effect 15 days following its passage and approval by the County Council.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, THIS ____
DAY OF MARCH 2021.

	In Favor	Against	Abstained	Absent
Paul R. Borup				
David Erickson				
Nolan P. Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
Total				



CACHE COUNTY COUNCIL

By:

Gina Worthen, Chair

ATTEST:

By:

Jess W. Bradfield, County Clerk



REDLINE VERSION OF CODE AMENDMENTS:

15.08.020: ~~ADOPTION~~CACHE COUNTY FIRE CODE:

~~The county council and executive, in order to prescribe regulations governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and eEach and all of the regulations, provisions, penalties, conditions, and terms of the following codes and standards, with the additions, insertions, deletions, and changes thereto, if any, prescribed in Chapter 8 of Title 15 of the Cache County Code, are adopted as the Cache County Fire Codesaid fire code on file in the office of the county clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed below, hereby adopts as its fire code:~~

- A. The International Fire Code, published by the International Code Council, Inc., ~~and National Fire Protection Agency Association codes and standards~~ as adopted by the sState of Utah in Section 15A-5-103(1) of the Utah Code and as amended by the State of Utah in Part 2 of Title 15A of the Utah Codein title 53, chapter 7, section 106 of the Utah Code Annotated and Utah Administrative Code rule 710, chapter 9, section 1.
- ~~B. Amendments and additions as published in the Utah Administrative Code rule 710, chapter 9, section 6.~~
- B. Sections D103, D106, and D107 of Appendix D to the International Fire Code published by the International Code Council, Inc., 2018 edition, except that Subsection D103.1 is not adopted.
- C. The International Urban-Wildland Interface Code, published by the International Code Council, Inc., as adopted by the State of Utah, with ~~and the exceptions, adopted~~ in Utah Administrative Code R652-122-1300rule 652, chapter 122.
- D. The National Fire Protection Association, NFPA 1142, sStandard on Water Supplies for Suburban and Rural Fire Fighting, 2017 edition ("NFPA 1142")~~for rural and suburban water supply~~, except delete Section 4.6 thereof, titled ~~wWater dDelivery rRate~~ to the ~~fFire sScene~~, and exempt ~~from water supply requirements all~~ structures in the Forest Recreational Zone (FR40) with an occupancy classification of Storage Group S under the International Building Code ~~from the requirements of NFPA 1142.~~

Staff Report: Rocky Mountain Power Transmission Line Rebuild CUP 4 March 2021

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Steve Leichty

Parcel ID#: Multiple (Attachment A)

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Planning Commission

Project Location

Reviewed by Angie Zetterquist

Project Address:

Nibley Substation to Hyrum Substation

Surrounding Uses:

North – Agricultural/Residential

South –Agricultural/Residential

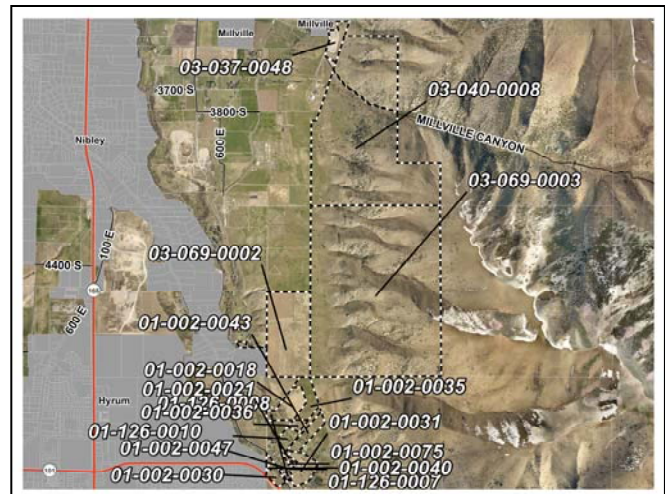
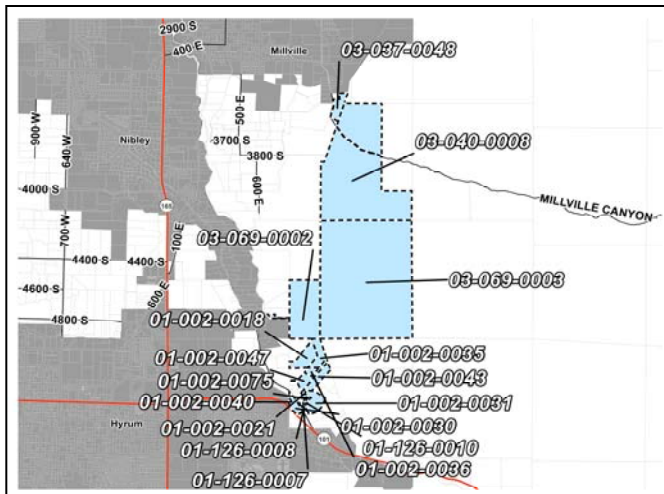
East –Agricultural/Forest Recreation

West – Agricultural/Residential

Current Zoning:

Acres: n/a

Agricultural (A10), Forest Recreation (FR40)



Findings of Fact (26)

A. Request description

1. The Rocky Mountain Power Transmission Line Rebuild Conditional Use Permit (CUP) is a request to reconfigure existing transmission structures at the Nibley Substation and remove and replace existing transmission line poles with new poles from the Nibley Substation to the Hyrum interconnection point. The use type for the proposed project is 5610 Utility Facility, Distribution, Electric Transmission Line, as the CUP request applies to a power transmission line designed to provide electric transmission at voltages of less than 140,000 volts (140kV) but more than 30,000 volts (30kV).

2. The applicant submitted five easements from the early 1900s for the power line. However, from the language it is not clear the entire route is covered. Prior to recording the CUP, the applicant must provide additional information to staff to confirm that all private properties are covered by the easements. If there is a gap, the applicant must provide copies of all newly recorded easements that complete the connection prior to recording the CUP. *See condition #1*
3. The project is described in the applicant's Letter of Intent (Attachment B).
 - a. Due to increased residential and commercial development in the City of Hyrum over the last several years, the demand for electrical power has steadily increased and the City anticipates that increased demand will continue into the foreseeable future.
 - b. Rocky Mountain Power expects that by late summer 2021 demand for electrical power being wheeled to Hyrum City could exceed the current capacity of the existing lines and services.
 - c. The proposed project, to upgrade and increase capacity of the existing transmission system, will allow the applicant to continue providing safe, reliable, cost-effective power to customers.
 - d. To meet the anticipated electrical demand, the applicant has determined that the lowest cost, highest value solution is to increase the conductor size which requires a pole for pole replacement to accommodate the weight of larger conductor.
 - e. Within unincorporated County, the project includes the following:
 - i. Nibley Substation: a reconfiguration of existing transmission structures near the substation to facilitate a more efficient and reliable network of lines.
 - ii. Transmission line from Nibley Substation to the Hyrum City interconnection point: a pole-for-pole replacement with a larger conductor.
 - f. According to the Letter of Intent, the new transmission poles will have the same or similar footprint of the existing poles, but will be 5-to-10 feet taller to accommodate the larger conductors.
 - g. The applicant did not include a tentative construction schedule, but did indicate that, to maintain reliability and serve peak load, the project will be started after the Millville Face Wildlife Management Area is open and accessible. *See condition #2*
 - h. Prior to recording the permit, the applicant must identify areas for parking and staging of construction equipment and materials and provided to staff along with the required approvals from property owners. The parking and staging plan must be reviewed and approved by the Department of Development Services prior to recording the permit. *See condition #2*
 - i. Ground disturbed during the construction period must be revegetated at the conclusion of the construction in each area. *See condition #3*
4. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. *See condition #4*

B. Conditional Uses *See conclusion #1*

5. §17.06.050-B, Conditional Uses, directs the Land Use Authority to review conditional use permit (CUP) requests based on the standards and criteria that are defined therein and include:
 - a. Compliance with law;
 - b. Health, safety, and welfare;
 - c. Adequate service provision;
 - d. Impacts and mitigation.

C. Compliance with law *See conclusion #1*

6. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use.
 - b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity.
7. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as a Land Use Authority for a CUP. ***See conclusion #2***
8. §17.07.030, Use Related Definitions. The proposed use is best defined under “Use Type 5610, Utility Facility, Distribution, Electric Transmission Line”. Per the definition in §17.07, Utility Facility, Distribution is a general term for uses including an electric transmission line, which is defined as a transmission line for power, either above or below ground, designed to provide electric transmission at voltages of less than one hundred and forty thousand (140,000) volts (140 kV) but more than thirty thousand (30,000) volts (30 kV). This type of use is not required to be on a building lot or to comply with the minimum lot size requirement for the district in which it is located.
9. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Agricultural (A10) and Forest Recreation (FR40) Zones if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.

D. Health, safety, and welfare *See conclusion #1*

10. The County Land Use Ordinance stipulates that:
 - a. Proposed CUP uses must not be detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
 - i. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
 - ii. It unreasonably interferes with the lawful use of surrounding property.
11. The primary activities as identified within the Rocky Mountain Power Transmission Line Rebuild CUP Letter of Intent are proposed to only occur on the subject parcels and will not cause unreasonable risks to the safety of persons or property and it does not unreasonably interfere with the lawful use of surrounding properties.
 - a. Approval of a zoning clearance and building permits may be required to ensure compliance with the applicable codes. ***See condition #5***

E. Adequate service provision *See conclusion #1*

12. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and year round access for emergency vehicles and residents, fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.
13. Access: Access to the project will occur on multiple County roads.
 - a. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).

14. The Road Manual specifies the following:
 - a. §2.4-A-1-c-iii – Unmanned utility facilities are exempt from meeting roadway standards. *See conclusion #3*
15. The project scope may involve work on multiple County roads and within county rights-of-way. Prior to construction on county roads or within county rights-of-way, and in compliance with Section 5 of the current RMP Franchise Agreement, the applicant must obtain approval of the necessary Encroachment Permits, which are reviewed and approved by the County Engineer. Construction within the county rights-of-way will require MUTCD compliant traffic control plans as required by the County Engineer. *See condition #6*
16. Parking:
 - a. §17.22 Off Street Parking Standards – Uses included under Use Index 5000, Public, Institutional, and Utility Uses, require a Parking Analysis be conducted to determine the required number of parking spaces needed. However, under §17.22.020 [C], use type 5610 Utility Facility, Distribution, is exempt from the parking analysis requirement. *See conclusion #3*
 - b. Parking needs for this project will be limited to the construction period and occur on private property or along county roads. During construction, the applicant must ensure that construction vehicles do not impede traffic on county roads. *See condition #7*
 - c. After construction, the applicant indicated that there will be no parking needs as there are no employees regularly onsite; employee visits will occur during site maintenance.
17. Refuse:
 - a. Any refuse generated on site during construction will be removed by the employees. Logan Environmental had no comments on this request. *See condition #8*
18. Fire: §16.04.080 [C] Fire Control – The County Fire District did not have concerns or comments on the project.

F. Impacts and mitigation *See conclusion #1*

19. Utah Code Annotated §17-27a-506, Conditional uses, item 2-a specifies that “A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”
20. The County Land Use Ordinance stipulates that:
 - a. Reasonably anticipated detrimental effects of the proposed conditional use must be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards.
 - b. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, impacts on sensitive areas as defined by the Code, and/or disruption of agricultural practices.
21. Known or reasonably anticipated detrimental effects of the use are as follows:
 - a. Reclamation/invasive species: Construction activities can introduce invasive species that can reasonably be anticipated to have a detrimental effect on the surrounding properties. The applicant must provide what appropriate steps will be taken to prevent the spread of undesirable plants and animals within areas affected by construction activities including: equipment inspection and decontamination and use of certified “noxious weed free” seed for restoration and reclamation. Applicant must work with the County Weed Control Department on a noxious weed control plan. *See condition #3*

- b. Sensitive Areas: The parcels proposed as part of the CUP request may contain sensitive areas as recognized by the County. Development in sensitive areas may require additional review and submittal requirements.
- c. Wildlife and research impacts: The location of some poles being replaced as part of the proposed project are located on or adjacent to wildlife management areas and wildlife research facilities, including, but not limited to, USU's Wildlife Research Center and the Millville Face Wildlife Management Area, and may negatively impact the wildlife in these locations. The applicant must work with the entities that operate these facilities to ensure the construction schedule, staging, and work itself has minimal negative impacts to these operations. *See Condition #10*

G. Public Notice and Comment—§17.02.040 Notice of Meetings

- 22. Public notice was posted online to the Utah Public Notice Website on 19 February 2021.
- 23. Notice was published in the Herald Journal on 20 February 2021.
- 24. Notices were posted in three public places on 19 February 2021.
- 25. Notices were mailed to all property owners within 300 feet of the subject properties on 19 February 2021.
- 26. The Development Services Office has received an email from the Hyrum City Major in support of the project and Utah State University with concerns about impacts to research facilities (Attachment C).

Conditions (10)

These conditions are based on the Cache County Land Use Ordinance and on the findings of fact as noted herein:

- 1. Prior to recording the permit, the applicant must provide additional confirmation of the existing easements related to the transmission line route and copies of any newly recorded easements to address potential gaps required for the construction and operation of the project to the Department of Development Services. (*See A-2*)
- 2. Prior to recording the permit, the applicant must provide a construction schedule that includes a site plan with the location of parking and staging areas as well as authorization from the impacted property owners during the construction period. Equipment and material storage staging areas are not permitted on public rights-of-way or on county owned property. (*See A-3-g, A-3-h*)
- 3. Prior to recording the permit, a noxious weed control plan must be provided for the review and approval of the County Weed Department and must be approved. The seed mix to be used for reclamation must be approved by the County Weed Department prior to application of the mix. (*See A-3-i, F-21*)
- 4. The applicant shall operate the utility facility in accordance with the Letter of Intent provided and any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. (*See A-4*)
- 5. The applicant must obtain any required zoning clearances and building permits for proposed structures prior to construction. (*See D-11-a*)
- 6. The applicant must obtain any required encroachment permits for work on county roads or within county rights-of-way prior to construction. (*See E-15*)
- 7. Construction or maintenance vehicles parked along County roads must not impede or block traffic. (*See E-16-b*)
- 8. The applicant must remove all refuse and construction debris generated onsite during construction. (*See E-17-a*)

9. The applicant must comply with all regulations of the State and Federal governments for construction, reclamation, et cetera, and submit a copy of any required permitting to the Development Services Office.
10. The applicant must consult and coordinate with the Millville Face Wildlife Management Area, the USU Wildlife Research Center, and any similar facilities in the proposed project area to minimize any potential negative impacts to the wildlife in and/or research being conducted at these facilities.

Conclusions (3)

Based on the findings of fact and conditions noted herein, the Rocky Mountain Power Transmission Line Rebuild CUP is hereby approved as follows:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and; *See B, C, D, E, F*
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request. *See C-10*
3. As per §2.4-A-1-c-iii, unmanned utility facilities are exempt from meeting roadway standards, and, as per §17.22.020-C-2, are also exempt from parking standards. *See E-18, E-20-a*

Parcel List

- 03-037-0048
- 03-040-0008
- 03-069-0003
- 03-069-0002
- 01-002-0035
- 01-002-0018
- 01-002-0036
- 01-002-0047
- 01-002-0043
- 01-002-0031
- 01-002-0021
- 01-002-0075
- 01-126-0007
- 01-126-0010
- 01-126-0008
- 01-002-0004
- 01-002-0030
- 01-002-0040

PURPOSE AND NEED

Rocky Mountain Power has experienced an increase in electrical power demand by the city of Hyrum over the last several years. With the large amount of residential and commercial growth the city of Hyrum anticipates that the electrical power demand will continue to grow for the foreseeable future.

By around late summer 2021, demand for electrical power being wheeled to the city of Hyrum could exceed the current capacity of the existing lines and services. To continue providing safe, reliable, cost-effective power to customers, Rocky Mountain Power must upgrade and increase the capacity of the current transmission system.

Rocky Mountain Power has determined that the lowest cost, highest value solution requires an increase in conductor size which will necessitate a pole for pole replacement to accommodate the weight of larger conductor. The transmission line rebuild will provide increased capacity and reliability to the area. Within Cache County, the project includes:

1. Nibley Substation – a reconfiguration of existing transmission structures near the substation to facilitate a cleaner more reliable network of lines.
2. Transmission line from Nibley Substation to the Hyrum City interconnection point– Conduct a pole for pole replacement with larger conductor. The new poles will be on average 5-10 feet taller but maintain the same or similar ground footprint.

To maintain reliability and serve peak load, construction of the facilities will be started after the Wildlife Management Area on the Millville face is open and accessible.

Letter of Intent required information:

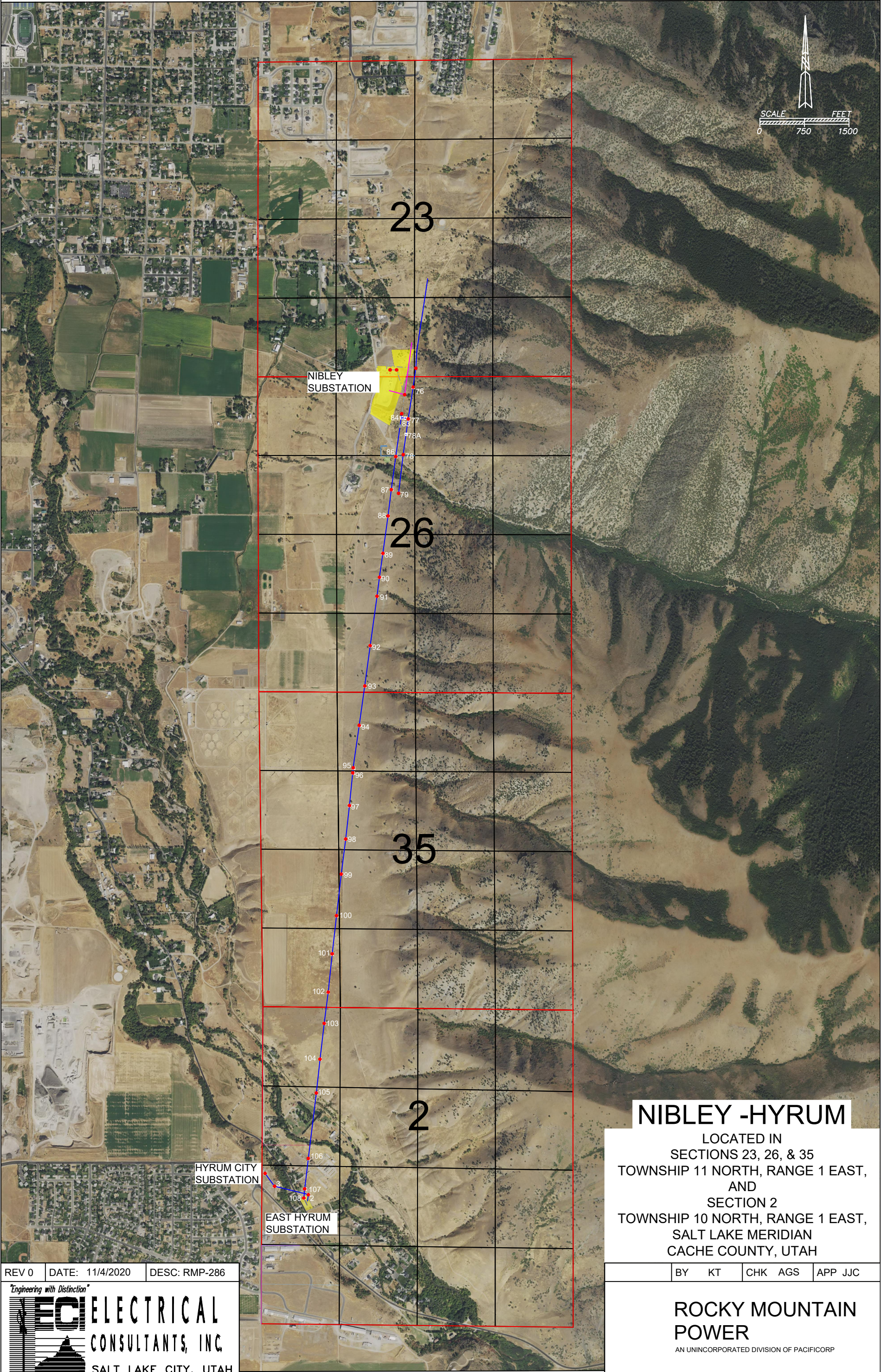
1-

- a) The proposed use as mention above is to continue to provide electrical service demand to the city of Hyrum through upgrading our transmission system that currently exists on the bench between our Nibley substation near the mouth of Millville Canyon and our interconnect point with the city of Hyrum.
- b) There are not any employees associated with the property in question.
- c) Electrical service is a 24/7 service provided by Rocky Mountain Power.
- d) NA regarding parking.
- e) NA in regards to signage.
- f) During construction trucks used for the construction of power lines will be required. Once the line is re-built there will not be a lingering presence of any vehicles.

- g) All materials used in the construction process will be removed from the site and disposed of properly.

2- I believe all the required subject property and layouts are addressed in the attached exhibits.

3- There is not any new building construction included in this permit request. We are re-conducting an existing line which will require a pole for pole replacement of existing poles with larger poles. Please see attached pole examples.



NIBLEY -HYRUM

LOCATED IN
SECTIONS 23, 26, & 35
TOWNSHIP 11 NORTH, RANGE 1 EAST,
AND
SECTION 2
TOWNSHIP 10 NORTH, RANGE 1 EAST,
SALT LAKE MERIDIAN
CACHE COUNTY, UTAH

REV 0	DATE: 11/4/2020	DESC: RMP-286
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Engineering with Distinction

ECI ELECTRICAL
CONSULTANTS, INC.

SALT LAKE CITY, UTAH

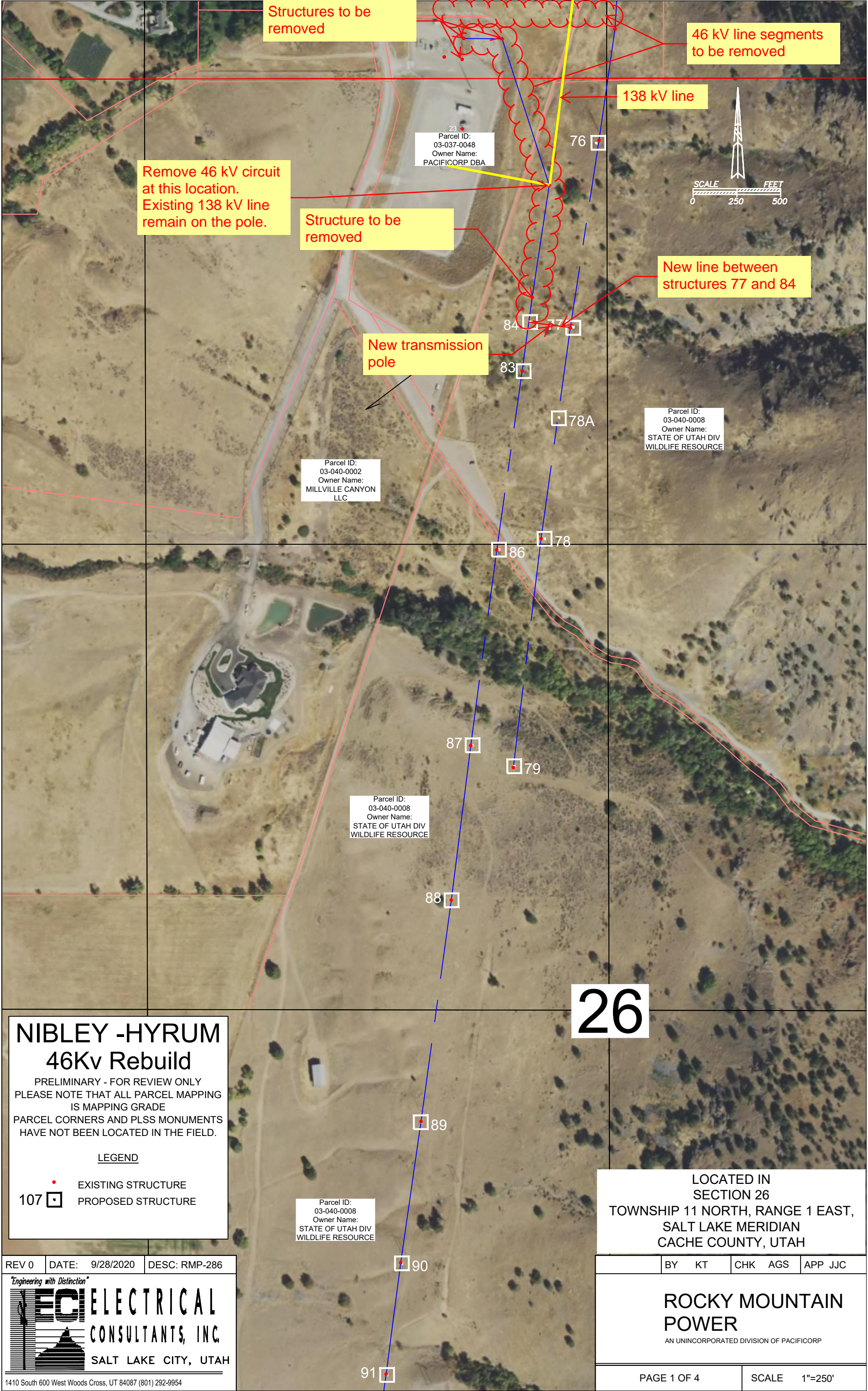
1410 South 600 West Woods Cross, UT 84087 (801) 292-9954

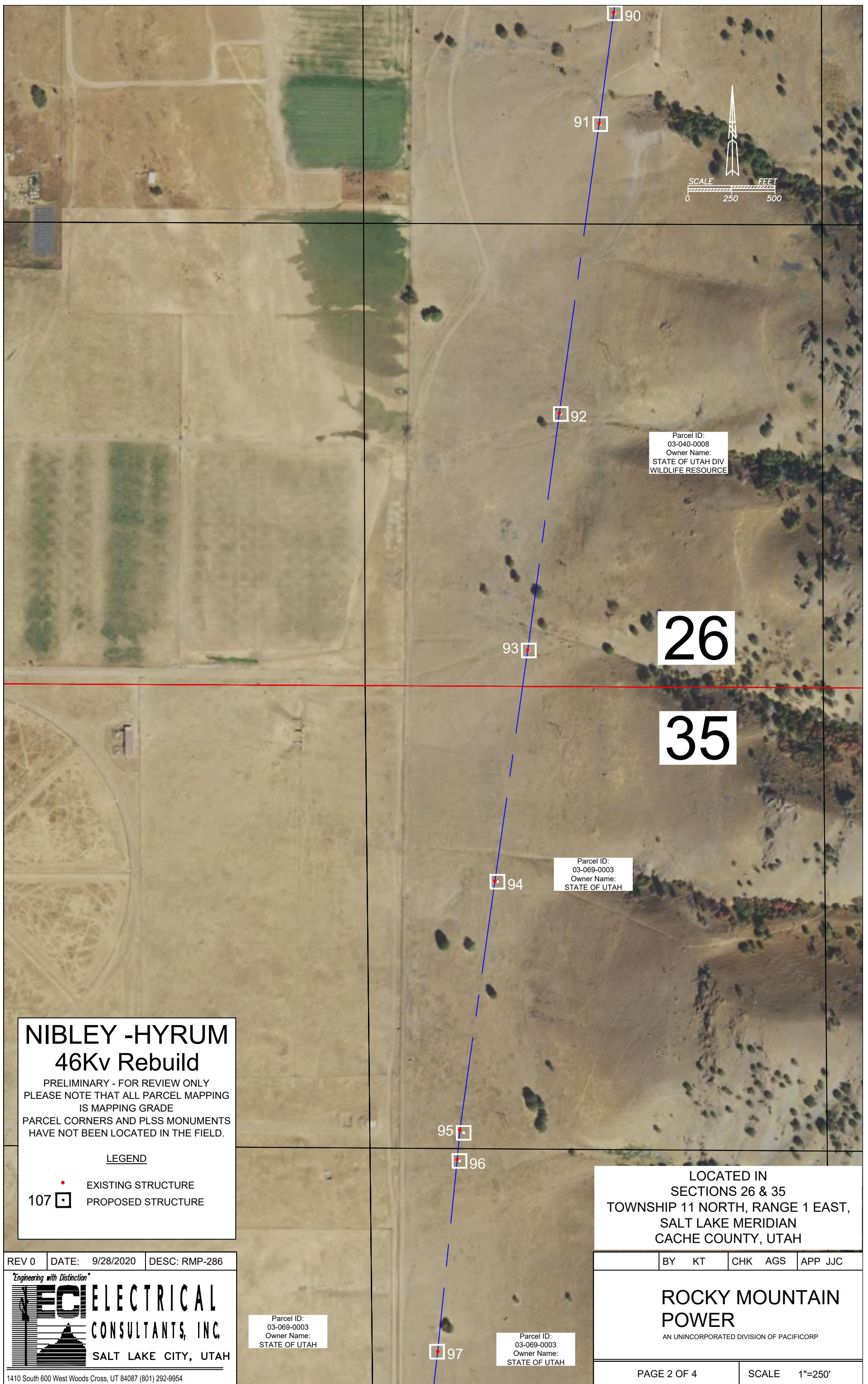
BY	KT	CHK	AGS	APP	JJC
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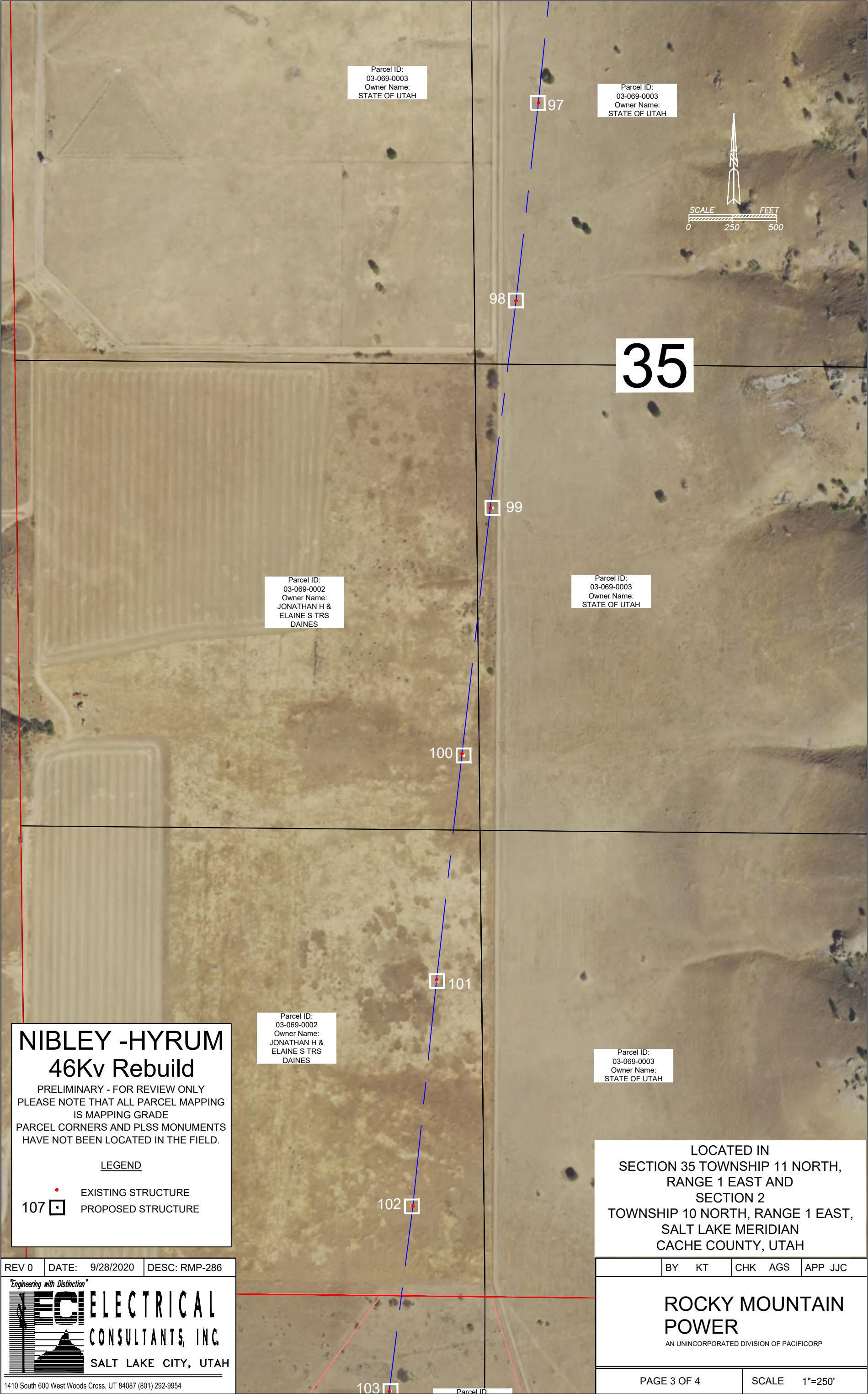
**ROCKY MOUNTAIN
POWER**

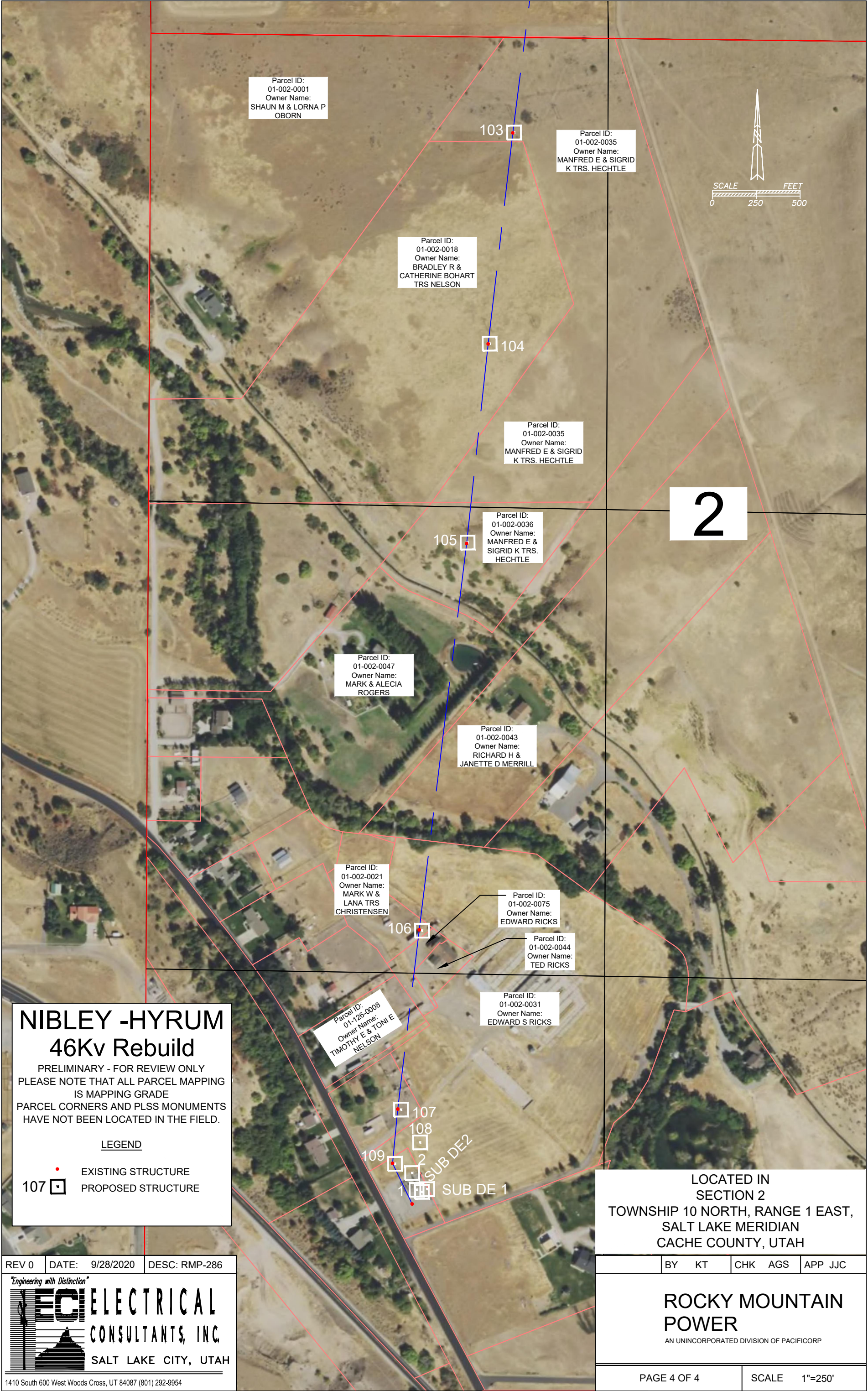
AN UNINCORPORATED DIVISION OF PACIFICORP

PAGE 1 OF 1	SCALE 1"=1500'
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Current Structure



Proposed Structure





Angie Zetterquist <angie.zetterquist@cachecounty.org>

Fwd: Planning Commission Meeting

Chris Harrild <chris.harrild@cachecounty.org>
To: Angie Zetterquist <angie.zetterquist@cachecounty.org>

Thu, Feb 25, 2021 at 5:57 AM

----- Forwarded message -----

From: <rsalvesen@hyrumcity.com>
Date: Wed, Feb 24, 2021 at 5:13 PM
Subject: Planning Commission Meeting
To: <chris.harrild@cachecounty.org>

Chris,

Thank you for sending the notice for next weeks County Planning Commission Meeting. This transmission line upgrade by Rocky Mountain is essential to Hyrum & Paradise. The current line is old & undersized and MUST be replaced in a very timely manner. This is the only transmission line bringing power to our city. With the growth and the big WestPoint Dairy addition coming online later this year, the increased capacity on this line is going to be critical. We would appreciate anything you can do to work this thru approval as quick as possible. Let me know if I can be of any further assistance.

Thanks!

Ron Salvesen*City Administrator*

--

Chris Harrild, AICP
Director
Development Services
179 North Main, Ste. 305
Logan, UT 84321
Office 435-755-1641
chris.harrild@cachecounty.org



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Fwd: Rocky Mountain Power Transmission Line Rebuild CUP

Cache County DevServices <devservices@cachecounty.org>
To: Angie Zetterquist <angie.zetterquist@cachecounty.org>

Wed, Feb 24, 2021 at 10:45 AM

----- Forwarded message -----

From: **Jim Huppi** <jim.huppi@usu.edu>

Date: Wed, Feb 24, 2021 at 8:51 AM

Subject: Rocky Mountain Power Transmission Line Rebuild CUP

To: DevServices@cachecounty.org <DevServices@cachecounty.org>Cc: June Connelly <June.Connelly@usu.edu>, julie.k.young@usda.gov <julie.k.young@usda.gov>, Jordy Guth <jordy.guth@usu.edu>

Development Services,

Thank you for the notice about the above mentioned project. Utah State University owns and operates a Wildlife Research Center near the proposed project. There are concerns that the noise and construction activity would adversely affect some of the research currently being performed. USU would like additional information about the project, including but not limited to, drawings showing the location of the rebuild, access points for the work, anticipated schedule for the start of work and when it will be near the Wildlife Research Center, and contact information of the project's sponsor for coordination purposes. Please 'reply to all' with this information. If you have questions about this email, please call me at the phone number listed below.

Respectfully,

A handwritten signature in blue ink that reads "Jim".

James W. Huppi, PLA, ASLA

USU Facilities, Planning, Design, & Construction

[6605 Old Main Hill](#)[Logan Utah 84322-6605](#)

Tel: 435-797-3758

Cache Valley Compost Facility Rezone

The applicant requested to be placed on the 4 March 2021 Planning Commission agenda and provided the attached for your review.

Also attached are the public comments the Development Services Office has received since the 4 February 2021 Public Hearing for the Cache Valley Compost Facility Rezone request.

To Whom it May Concern:

To address the questions and concerns brought up by the public and Cache County Planning Commission on February 4th Logan City has assembled the following information. The intent of this material is to be informative and educational on the beneficial uses of biosolids compost and the composting process.

INTRODUCTION:

The primary purpose of Logan City's new wastewater treatment plant is to transform wastewater that goes down the toilets and drains of thousands of Cache County residents into clean water suitable to be released into Cutler Reservoir, which ultimately flows to the Bear River. This advanced water treatment process produces three end products: clean water that is discharged to Cutler Reservoir, garbage and solid waste that is screened out and transported to the landfill, and biosolids.

What Are Biosolids: Biosolids are nutrient-rich organic material that has undergone biological, physical, and chemical treatments for stabilization and pathogen reduction. When sewage is treated, the organic matter of raw sewage sludge decomposes under controlled conditions, making use of naturally occurring microorganisms. These microbes feed on the organic and inorganic matter as well as other microbes, including pathogenic bacteria. The solids that remain after this digestion are settled and further treated until they meet the required standards. To keep the population of the microorganisms at an optimal level, and to discard treated material that accumulates in the plant, a calculated portion of solids are discharged daily. These discharged solids are classified as biosolids. The term biosolid is used to differentiate treated organic material from raw sewage.

What to do with Discharged Biosolids: Deciding how to manage the biosolids from the new wastewater treatment plant has been an ongoing exploration for over 2 years. When the new plant reaches its capacity, there will be approximately 50 wet tons of biosolid material produced daily. When the plant begins operations in the Fall of 2021, it is expected that 25-30 tons will be produced. Logan City hired J-U-B Engineers to study several options on biosolids management. Alternatives such as solar dryers, land application, disposal at the landfill, and composting, along with other options were explored. The City's preferences for biosolids handling are to reduce operational complexity, provide a beneficial and sustainable use of the biosolids, provide flexibility for the City, facilitate a year-round solution, and minimize costs. It was determined that incorporating the biosolids into the existing and expanding green waste composting operation would be the best alternative for the city and its residents. As a secondary option, the City is able to dispose of the biosolids at the North Valley Landfill near Clarkston, UT. The City's goal is to beneficially reuse the biosolids instead of unnecessarily taking up air space in the landfill.

Beneficial Use of Biosolids: Biosolids that are to be beneficially used must meet federal and state requirements. Examples of beneficial use include bulk application to agricultural land and selling to the public for use in household gardens. When applied to land at the appropriate agronomic rate, biosolids provide several benefits including nutrient addition, improved soil structure, and improvement of soil water retention. Land application of biosolids also can have economic and waste management benefits (e.g., conservation of landfill space; reduced demand on non-renewable resources like phosphorus; and a reduced demand for synthetic fertilizers). Biosolids also may be disposed of by incineration, landfilling,

or other forms of surface disposal. Of the 4.75 million dry metric tons of biosolids produced in the United States in 2019, 2.44 million metric tons were land applied.

Are treated biosolids safe? Treated biosolids are divided into “Class A” and “Class B” designations based on treatment methods. The different classes have specified treatment requirements for pollutants, pathogens and vector attraction reduction, as well as general requirements and management practices. Logan intends to produce Class A biosolids. There are multiple federal and state requirements that specify treatment processes for Class A biosolids. This assures that pathogens and viruses are eliminated. We like the statement from a Pennsylvania township that says “Biosolids are no more dangerous than dirt. You shouldn’t eat dirt. You shouldn’t eat biosolids!” The biosolids are tested regularly to assure they are meeting the state requirements.

How does Composting treat Biosolids? As mentioned previously, Logan City would like to combine the biosolids from the new plant into its already thriving green waste composting program. Composting involves mixing dewatered wastewater biosolids with a bulking agent such as green waste to provide carbon and increase porosity. The resulting mixture is piled in rows where microbial activity causes the temperature of the mixture to rise during the “active composting” period. The specific temperatures that must be achieved and maintained for successful composting ensure that pathogens such as bacteria, viruses, salmonella, parasites (helminth and protozoa), and COVID-19 are eliminated and safe for public use. The elevated temperatures also reduce vector attraction of flies, mosquitos, fleas, rodents, and birds. After active composting, the material is cured and distributed.

What are the Benefits of Compost? The main benefit to compost is the beneficial use of biosolids and yard waste, instead of sending the material to a landfill. This compost provides large quantities of organic matter and nutrients (such as nitrogen, phosphorus, and potassium) to the soil, improves soil texture, and elevates soil cation exchange capacity (an indication of the soil’s ability to hold nutrients), all characteristics of a good organic fertilizer. Biosolids compost is safe to use and has a high degree of acceptability by the public. Thus, it competes well with other bulk and bagged products available to homeowners, landscapers, farmers, and ranchers.

Is creating compost from waste a new idea? Currently in Cache County, there are 3 facilities that operate composting operations with waste. These facilities include the Hyrum Wastewater Treatment Plant, JBS (Hyrum), and Ritewood Eggs (Lewiston). Regionally the Brigham City Wastewater Treatment plant and the Central Davis Sewer District operate composting operations with biosolids very similar to what Logan City is proposing. The Brigham City and Central Davis facilities are much closer to residential areas than the proposed Logan City facility.

Will the Biosolids emit an odor? Biosolids may emit an odor depending on the treatment process and methods used. The odorous compounds generated and detected most often are ammonia, amines, and reduced sulfur-containing compounds. The City of Logan plans to actively aerate the compost piles which should help mitigate odors. The site is also located so that it is not immediately adjacent to residential dwellings. Meteorological conditions such as wind speed and direction, relative humidity, and

temperature can impact levels of odors. The presence of biosolids odors does not mean that the biosolids pose harm to human health and the environment.

How will run-on / runoff, and drainage be handled? The composting facility will be built up from the existing ground elevation at least 18 inches above grade to support the truck traffic that the site will see. Stormwater runoff and irrigation water will be routed around the perimeter of the facility to keep the existing natural drainage patterns intact. The compost pad itself will be constructed of asphalt and concrete with curbing around the perimeter so that surface water that falls on the project area will be captured onsite and retained in a stormwater retention pond.

Will Wetlands mitigation be Necessary? First off, we thought it would be valuable to define what a jurisdictional wetland is. Wetlands are areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support hydrophytic vegetation, and hydric soils. The United States Army Corps of Engineers does not recognize an area as a jurisdictional wetland unless it meets each of the three parameters, i.e. hydrophytic vegetation, hydric soils, and hydrology.

Does this property fall into that definition? Preliminary investigation into the site by J-U-B indicates that wetlands may be present in isolated areas along the western and southern borders of the property. Data was recorded in three sample plots within the interior of the property that indicate a lack of hydric soils and hydrophytic vegetation. This indicates that the interior of the property does not receive adequate hydrology to support wetlands. A more detailed investigation will be performed in the spring to identify and delineate wetland/upland boundaries within the site, but it is anticipated that there will be little, if any direct wetland impact by the proposed project. If it is in fact determined that the proposed project area may impact wetland areas, Logan City will work with the Army Corps to acquire the requisite permit and mitigate as needed. Any required mitigation will be performed on-site as only a portion of the property will be utilized for the proposed project.

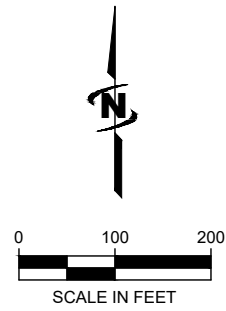
Why this piece of Property? Primarily, the property that has been selected is already owned by Logan City and is in a location that will facilitate short trucking routes to convey the green waste and biosolids for further processing. Another advantage to this location is that it is close enough to highway 30 that County residents would be willing to travel to pick up treated compost for their yards and gardens. It should also be considered that this site is in the same general area where three other sites dealing with waste disposal are currently operating. These include Galloway Septic Disposal, Gosner Foods Land Application, and the Logan City sewer lagoons and polishing ponds. As mentioned previously, the odor and nuisance of this facility will be less, or of no greater, impact than the other sites in the area.

We look forward to discussing these items more in depth at the March 4th Planning and Zoning Meeting.

Sincerely,

Issa Hamud

Environmental Director, Logan City





Angie Zetterquist <angie.zetterquist@cachecounty.org>

Fw: Logan City Composting site proposed for Benson, Utah

Clara Donna <cobra84321@yahoo.com>

Mon, Feb 22, 2021 at 10:09 AM

To: "angie.zetterquist@cachecounty.org" <angie.zetterquist@cachecounty.org>

----- Forwarded Message -----

From: Clara Donna <cobra84321@yahoo.com>**To:** devservices@cachecounty.org <devservices@cachecounty.org>**Sent:** Sunday, February 21, 2021, 10:51:29 AM MST**Subject:** Logan City Composting site proposed for Benson, Utah

Dear Development Services of the Planning and Zoning,

We are Nathan W. and Elaine Ricks, we live in Benson, Utah in close proximity to where the proposed Compost site is. We are opposed to this site being built in Benson. We have been greatly concerned about this facility being built her in our beautiful Benson, Utah. In our research, we have found the following article online and would ask that you would distribute it to all the members of the Commission. Thank you.

5 attachments**Compost company sued for 425 Million 2012 Utah County.docx**

372K

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Compost company sued for \$425 million over smell in Utah County

By Sam Penrod | Posted - May 23, 2012 at 7:05 p.m.

10 photos
108



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AMERICAN FORK — A new lawsuit claims a compost facility in Utah County has or will cause \$425 million dollars in damages to business in the area because of the smell.

Most of the complaints are coming from an office complex about a half-mile north of the publicly-owned compost facility and wastewater treatment plant. The property owner and nearby cities are filing a lawsuit over what they call a foul smell.

It has a reputation as the best compost around, to help your flowers grow and the vegetables in your garden to flourish-but for the neighbors of the Timpanogos Special Service District, the odor from the compost piles, is at times too much.

"When the wind blows in the wrong direction, I get emails, I get phone calls and we've been promised so many times this is going to stop," said developer Mark Robinson.

When the wastewater plant was built, it was in an open area, far away from any business. But over the past decade, businesses and office complexes have sprouted closer to the plant, which composts human waste with tree limbs and other green waste.

"The problem that we have now is that we have stigma that it smells in American Fork and Pleasant Grove and therefore we are having a difficult time getting new tenants and some of our larger tenants, if we don't fix this problem, they are not going to renew." Mark Robinson

"The problem that we have now is that we have stigma that it smells in American Fork and Pleasant Grove and therefore we are having a difficult time getting new tenants and some of our larger tenants, if we don't fix this problem, they are not going to renew," Robinson said.

The irony is that those suing the facility are also partners in it. But American Fork and Pleasant Grove cities say they can't get the other municipalities to stop the composting, which they claim is costing them millions in lost tax revenue.

"When the wind blows or things smell, it moves right into Pleasant Grove and into American Fork, and that becomes our issue," said Pleasant Grove City administrator Scott Darrington.

The facility operator said \$16 million have been invested to improve the composting process, which helps to dispose of human waste.

The \$425 million dollar lawsuit may just be an attention getter to stop the facility from composting on this site. The plaintiffs want the composting to be moved to a different location, or have the human waste hauled to the landfill.

PHOTOS

Photo 1 of 10





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CRAIG DILGER/Daily Herald Garland J. Mayne of Timpanogos Special Service District explains to American Fork Mayor Heber Thompson how the plant creates compost that it then makes available to the community. Wednesday, February 5, 2008.

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Treatment plant will no longer include human waste in the compost it sells Those who advocate environmental sustainability have given it a nickname: humanure. But in Utah Valley it has long been famous as "black gold" for the garden.

For years, the north county sewer district has sold thousands of tons of compost containing three parts green waste and one part human waste, which local officials euphemistically call biowaste and environmentalists truncate to humanure.

But the months-long process required to create compost -- essentially allowing the mixture to naturally heat and rot outdoors -- stinks. And this week, because of complaints from businesses and residents, the sewer district is going to start putting the humanure not in compost, but in the landfill, at a cost of \$750,000 a year.

Priced at \$20 for about 300 pounds, the compost created at the sewer district is so popular that it sells out year after year. But gardeners and landscapers concerned that they may lose their favorite soil amendment can bestill their hearts: The district will continue to make and sell compost from green waste, just omitting the humanure. Supplies of compost containing humanure are expected to last through the summer.

Not only does composting save \$750,000 in landfill fees, selling the 30,000-plus cubic yards produced each year for gardeners brings in more than \$430,000, district manager Garland Mayne said. The district processes 410,000 gallons of sewage a day from north valley cities and since 1992 has composted and sold 100 percent of the biosolids produced locally.

The district has recently spent \$1.3 million to purchase and house two machines to press water out of the biowaste and form it into cakes to be transported to the landfill,

Mayne said, and those machines go online this week. The sewer district board has yet to decide whether residents will see a fee increase because of the new expenses.

While some sustainability enthusiasts advocate using humanure as a method of responsible organic gardening, in Utah Valley it has long been popular not just because it is great for the garden but because it keeps down sewer fees.

"It has saved residents millions of dollars over the years," Mayne said of composting the waste instead of sending it to the landfill.

Assistant manager John Adams said neither residents nor district officials are happy about taking the humanure to the landfill and everyone wants to work to get back to composting. Over the next three years, the district will look for property somewhere out of smell's way to start composting again.

To keep up with demand for compost while having less to make it out of, Mayne said local residents are encouraged to continue to drop off their grass and tree trimmings at the sewer district, a free disposal service that puts mountains of organic matter to use rather than filling the landfill.

Compost can be purchased for \$20 per cubic yard at the sewer district, 6400 N. 5050 West in Utah County, west of Pleasant Grove Exit 275 on I-15. Compost is not bagged and purchasers must have a truck. For information, call 756-5231.

lawsuit filed over American Fork sewer plant's 'humanure' piles

- By Contributed

- Sep 19, 2012

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AMERICAN FORK— Several Utah County cities and businesses are raising a stink over compost piles made from human waste at a sewage treatment plant, saying it's no way to treat the neighbors.

They filed a \$425 million lawsuit against the Timpanogos Special Service District in American Fork seeking relief.

"As the foul odor permeates the surrounding areas, it regularly causes physical illness among residents, workers and visitors," says the complaint in 4th District Court. It was filed earlier this week by American Fork, neighboring Pleasant Grove, the American Fork Chamber of Commerce and businesses including a BMW dealership and an RV park.

Citizens have lodged complaints for years, and the sewer district has responded by trying to keep odors down. By 2010, officials said they were wrapping 160-foot-long sludge piles in Gore-Tex tarps that reportedly eliminated as much as 97 percent of the odor while hastening composting.

The lawsuit, however, says workers who uncover the piles to mix chopped vegetation with human waste are releasing "substantial, obnoxious and foul odors through several miles of surrounding commercial and residential areas."

Utah County commissioners were named in the lawsuit because they oversee the Timpanogos Special Service District.

"I'm sad and disappointed in it, and I think there are other ways to work on it," Commissioner Larry Ellertson told the Daily Herald of Provo. "I think there has been much progress made and continued to be made."

The service district collects sewer waste from about 40,000 households across a wide area of northern Utah County, said Walter Baker, director of the Utah Division of Water Quality.

"They've got a massive concrete pad for their composting operation and water stops to prevent any groundwater contamination," said Baker, listing his agency's only concerns with the operation. "As far as the management of it — the odors of it — that's not under our purview."

The odors are driving down rents in nearby office buildings, the lawsuit says.

"For example, commercial building owners have greater difficulty leasing their spaces, lease rates are lower than they otherwise would be, and tenants have either left or have threatened to leave if the odor continues to plague the area," it said.

The sewer plant reportedly keeps hundreds of tons of sludge onsite for compost, saving money on disposal. In 2010, officials told the Deseret News they earned \$375,000 from compost sales, offsetting costs for hauling away remaining sludge.

District Manager Jon Adams didn't return a phone message Wednesday from The Associated Press.

Lawsuit over sewer stink alleges \$425M in damages

- Caleb Warnock - Daily Herald
- Sep 19, 2012 Updated Jun 14, 2013
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ASHLEY FRANSCELL/Daily Herald Jason Bouey of Managed Organics Recycling in California takes a tarp off of a pile of humanure from the Timpanogos Special Service District Thursday, February 26, 2009 at Central Valley composting in Salt Lake City. It was the 16th test since the humanure was taken to Salt Lake City last Thursday, February 19, 2009. There will be eight more tests in the next three weeks before the pile is turned. Timpanogos Special Service District is testing a special tarp which covers the humanure and keeps the odor from dissipating into the air.

Ashley Franscell

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Pleasant Grove and American Fork have filed charges of massive damages and requested a jury trial over so-called "humanure." If successful, the lawsuit will force a fee increase for all residents of north Utah County.

The lawsuit was filed in 4th District Court on Tuesday by the members of Citizens For Clean Air And Progress, including Pleasant Grove City, American Fork City, BMW of Pleasant Grove, the American Fork Chamber of Commerce, Stewart's RV and others. The suit alleges the Timpanogos Special Service District "is engaged in the business of processing and selling compost made from the human waste sludge referred to in the composting industry as 'humanure.'"

Composting has caused property value loss and loss of tax revenue of \$75 million "plus cumulative future losses in excess of \$350 million," according to the suit. Plaintiffs are seeking damages "in an amount to be determined at trial," an injunction to halt composting and attorney's fees.

North county residents -- through their sewer fees -- have already spent \$5 million to reduce the stink for nearby businesses that have encroached on the treatment plant. Land that was decades ago considered the perfect home for sewage has now become valuable real estate because it is near a freeway exit and because centralized land is harder to come by. The only way to make the smell truly vanish is for local homeowners

to see a big-time spike in their monthly sewer fees -- perhaps \$5 or \$6 a month in perpetuity to ship the waste to a landfill.

County Commissioner Larry Ellertson said on Tuesday that he was unaware the group had filed suit. County commissioners are named in the suit because they oversee the sewer district.

"Because of the nature of the lawsuit we're not going to be able to say a whole lot about it," he said. "I'm sad and disappointed in it, and I think there are other ways to work on it. I think there has been much progress made and continued to be made."

At the sewer plant, hundreds of tons of human waste are mixed with chopped leaves and wood and grass clippings and composted in rows that are 160 feet long, 24 feet wide and 10 feet tall, according to the lawsuit, a copy of which was provided to the Daily Herald.

As the district "creates the humanure by cooking, turning over and mixing the compost mixture," it emits "substantial, obnoxious and foul odors through several miles of surrounding commercial and residential areas," reads the lawsuit. "As the foul odor permeates the surrounding areas, it regularly causes physical illness among residents, workers and visitors. In fact, this dangerous and foul odor has forced numerous persons to take sick days, closed entire offices, and forced the cancellation of numerous meetings and events due to the adverse health effects and unpleasant nature of the odor. Hundreds of citizen complaints have been registered with the district."

In addition, the odor has stunted development and hurt property values.

"For example, commercial building owners have greater difficulty leasing their spaces, lease rates are lower than they otherwise would be, and tenants have either left or have threatened to leave if the odor continues to plague the area," reads the lawsuit.

By allowing the district's activities, Utah County has violated state codes, the suit alleges. Representatives have been improperly appointed and "the illegally appointed representatives have refused to address the unlawful effects" of composting and "have effectively pushed development away from Pleasant Grove and American Fork."

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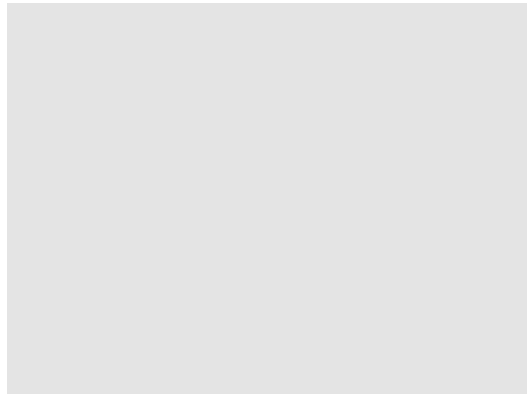
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Citizens For Clean Air And Progress

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- Updated Sep 18, 2012

Timpanogos Special Service District

-
- Updated Sep 18, 2012



'Pungent Grove' could lose \$16M to sewer stink

PLEASANT GROVE -- With a grand total of \$405 million in tax revenue at stake, officials from Pleasant Grove and American Fork gathered with st...

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Box Elder County residents concerned over farmer's use of biosolids

By [Deseret News](#) Apr 10, 2014, 8:10pm MDT

Michael Anderson, For the Deseret News

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GRID VIEW



1 of 2

Residents in Corinne, Box Elder County, are concerned that a farmer is using biosolids to fertilize his field. They say the smell is awful, and the black-colored material isn't safe. Michael Anderson, Deseret News

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They're putting our family at risk, and they're telling us that the pathogens have been significantly reduced. They're not gone. They're not eliminated. – Alan Riser

CORINNE, Box Elder County — Jana Young can't stand to be in her backyard.

"The smell is awful out here," she said. "We're used to the manure smell, but this smells nothing like manure. It's human poop, and it stinks."

Families in Corinne are complaining about a sewage smell in their yards. They say a nearby farmer is using compost made from human waste, and they are concerned for their health.

The compost the Ferry family farm uses comes from a wastewater treatment plant in Salt Lake County. It starts as raw sewage but undergoes more than a monthlong process before it becomes fertilizer. The farmer says it's safe, but homeowners aren't convinced.

People in Corinne say they first became alarmed when they saw the black-colored material show up. And then there was the smell.

"My wife's already complained a couple of times about the sewer smell, and it's just something you don't expect," farmer Delwin Mills said.

Joel Ferry and his family maintain several thousand acres in Box Elder County.

"We've been farming here in the Bear River Valley for 115 years," Ferry said. "We love this community. It's a beautiful place."

Nearby homeowners say when the breeze picks up, the smell is unbearable.

"It stinks," Young said. "It's a terrible smell."

Alan Riser said that odor pushed him to study what are known as class B biosolids.

"They're putting our family at risk, and they're telling us that the pathogens have been significantly reduced. They're not gone. They're not eliminated," Riser said.

He's right that not all pathogens are destroyed in such chambers, but they're reduced to safe levels, according to Environmental Protection Agency regulations.

"I would never do anything to hurt or harm the health and well-being of others in our community," Ferry said, adding that his family follows strict regulations for use of the compost.

"I use a special machine that meters all of the biosolids that we apply," he said.

Ferry said the biosolids are very nutrient rich. They have a lot of nitrogen and phosphorus that's beneficial for the crops, he said.

"So these are crops that go for animal feeds," Ferry said. "They don't go for direct human consumption."

When treated and processed, sewage sludge becomes biosolids that can be safely recycled and applied as fertilizer to sustainably improve and maintain productive soils and stimulate plant growth, according to the EPA website.

"After taking courses, looking at the EPA's guidelines, it's been proven time and time again that land application of biosolids poses no significant risk to the public's health," Ferry said.

Still, considering where it comes from and its unusual smell, people can't help but worry.

"We have a grandparents' yard here," Lorraine Riser said. "It makes it so I don't dare have my children over to enjoy those things that I have a right to enjoy."

Ferry said he has heard from very few members of the community about the smell.

"Most of the people that are now complaining have not said a single word to me or my family," he said.

The Ferrys said they're now keeping the biosolids at least a quarter-mile away from any homes.

"I dedicate my life to improving the land that I work on," Ferry said. "I love it. I wouldn't want to be doing anything else."

Email: manderson@deseretnews.com



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Fw: Logan City Composting proposed for Benson Utah - Rezone requested

Clara Donna <cobra84321@yahoo.com>

Mon, Feb 22, 2021 at 10:11 AM

To: "angie.zetterquist@cachecounty.org" <angie.zetterquist@cachecounty.org>

----- Forwarded Message -----

From: Clara Donna <cobra84321@yahoo.com>**To:** devservices@cachecounty.org <devservices@cachecounty.org>**Sent:** Sunday, February 21, 2021, 10:54:32 AM MST**Subject:** Logan City Composting proposed for Benson Utah - Rezone requested

Dear Development Services of the Planning and Zoning,

We are Nathan W. and Elaine Ricks, we live in Benson, Utah in close proximity to where the proposed Compost site is. We are opposed to this site being built in Benson and therefore the rezone . We have been greatly concerned about this facility being built here in our beautiful Benson, Utah. In our research, we have found the following article online and would ask that you would distribute it to all the members of the Commission. Thank you.

These are not the same articles as sent in previous emails.

6 attachments**CompostingArticleBiosolidsHumanwastewithtoxicchemicals.docx**

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**CompostingFollowupArticleUtah County residents raise stink in lawsuit 2012.docx**

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**Biosolids: mix human waste with
toxic chemicals, then spread on crops**



Dairy cows rest outside at Stoneridge Farm in Arundel, Maine, in August 2019. The farm was forced to shut down after sludge spread on the land was linked to high levels of PFAS in the milk. Photograph: Robert F Bukaty/AP

Residual sludge from treating waste water has been turned into a money-spinner but what are the costs to health of ‘the most pollutant-rich manmade substance on Earth’?

Tom Perkins

Sat 5 Oct 2019 02.00 EDT

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3,348

By some estimates, Americans send about 300m pounds of feces daily from the nation’s toilets to wastewater treatment plants.



Ocean cleanup device successfully collects plastic for first time

[Read more](#)

While the water is cleaned and discharged, the remaining toxic sewage sludge stays at the treatment plant, and it’s what Sierra Club environmentalist Nancy Raine calls “the most pollutant-rich manmade substance on Earth”.

This “biosolid” sludge is expensive to dispose of because it must be landfilled, but the waste management industry is increasingly using a money-making alternative – repackaging the sludge as fertilizer and injecting it into the nation’s food chain.

Now the practice is behind a growing number of public health problems. Spreading pollutant-filled biosolids on farmland is [making people](#)

sick, contaminating drinking water and filling crops, livestock and humans with everything from pharmaceuticals to PFAS. As more biosolid-linked crises develop, some farmers and environmentalists are calling for a ban on the practice.

In 2019, about 60% of sewage sludge produced by treatment facilities will be spread on farmland and gardens, as well as schoolyards and lawns. Sludge holds nitrogen, phosphorus and other nutrients that help crops grow, so the waste management industry lightly treats it and sells it cheaply to farmers who view it as a cost-saving product.

But in fact the excrement from which sludge derives has mixed with any number of 80,000 manmade chemicals that are discharged from industry's pipes or otherwise pumped into the sewer system. By the time the mix lands in treatment plants, it can teem with pharmaceuticals, hormones, pathogens, bacteria, viruses, protozoa and parasitic worms, as well as heavy metals like lead, cadmium, arsenic or mercury. It often includes PCBs, PFAS, dioxins, BPAs and dozens of other harmful substances ranging from flame retardants to hospital waste.

"Spending billions of dollars to remove hazardous chemicals and biological wastes from water, only to spread them on soil everywhere we live, work and play defies common sense," said David Lewis, a former Environmental Protection Agency scientist who opposed spreading sludge on cropland in the mid-1990s as the agency approved the use.

Previously treatment facilities burned sludge or dumped it in the ocean, but the federal government barred the practices because doing so violated clean air rules or created marine dead zones. The EPA now insists spreading the same toxic substance on farmland is safe.

Raine questioned that conclusion, noting that there is very little regulation, very little testing and no knowing what's in each batch of sludge as compositions vary.

In what biosolid testing the EPA has conducted, it identified more than 350 pollutants. That includes 61 it classifies "as acutely hazardous, hazardous or priority pollutants", but the law requires only nine of those be removed. Moreover, the EPA and wastewater treatment plants don't test for or otherwise analyze most of the 80,000 manmade chemicals.

In a scathing 2018 report, the EPA office of inspector general noted the agency couldn't properly regulate biosolids, even if it sincerely tried, because "it

lacked the data or risk assessment tools needed to make a determination on the safety of 352 pollutants found in biosolids”.

Though regulators and industry don’t know what’s in biosolids, there’s strong evidence that it can be dangerous.

A University of North Carolina [study](#) found 75% of people living near farms that spread biosolids experienced health issues like burning eyes, nausea, vomiting, boils and rashes, while others have contracted MRSA, a penicillin-resistant “superbug”.

In South Carolina, sludge containing high levels of carcinogenic PCBs was [spread on cropland](#), and in Georgia sludge [killed cows](#). Biosolids are also thought to be partly [responsible for toxic algae blooms](#) in the Great Lakes and Florida, and biosolid treatment centers regularly [pollute the air](#) around them.



Sewage sludge from the Lapeer wastewater treatment plant in drying beds, where it is being stored until an arrangement is made for permanent disposal, in Lapeer, Michigan. State officials ordered Lapeer to stop distributing its sludge for use as farm fertilizer after it was found to contain toxic PFAS chemicals. Photograph: John Flesher/AP

Meanwhile, sewage sludge is behind a widening PFAS crisis that has contaminated farms in Maine, [Michigan](#), Wisconsin, Alabama and Florida. PFAS, or “forever chemicals”, are linked to a range of serious health problems like cancer, thyroid disorders, immune disorders and low birth weight. The chemicals are a product used to make non-stick or water-resistant products, and are found in everything from raincoats to dental floss to food packaging. Maine’s testing of 44 fields sprayed with biosolids earlier this year consistently [found alarming PFAS levels](#) in the ground, cows and [farmers’ blood](#), which forced one dairy farm to shut down.

“They’re [finding](#) kilograms of PFAS in sewage sludge when nanograms are harmful to humans, so you can’t regulate it as a fertilizer,” said Laura Orlando, a civil engineer who tracks problems with biosolids.

Still, state governments continue to allow biosolids to be spread on farmland or sold in compost. In Michigan, an environmental official [recently said](#) the state won’t test for PFAS in milk because it doesn’t want to put farmers out of business. A spokesperson for Michigan’s department of environment, Great Lakes and energy did not respond to specific questions about biosolid use, but said the state had increased PFAS testing, and in 2017 it issued suggestions for biosolids applications.

However, the Sierra Club’s Great Lakes manager, Christy McGillivray, noted that Michigan doesn’t have PFAS standards, so “that makes it impossible to regulate”. As of now, states aren’t testing for most of the thousands of chemicals known to be in sludge beyond PFAS.

Biosolids are also creating tension in some rural communities as farmers who use it pollute watersheds, contaminate neighbors’ wells or sicken neighbors.

Don Dickerson, a farmer with land in Michigan and Ohio, told the Guardian biosolid dust from an adjacent field had coated his home and crops in the substance. Paul Wohlfarth, a resident of Riga Township, Michigan, said sludge is contaminating his well, and charged that biosolids from the state’s cities were “turning Riga Township into a waste dump”.

“When you put heavy metals, PFAS, plastics, pharmaceuticals and all that in the soil, sooner or later it gets toxic, and you can’t wish that stuff away. You’re ruining the topsoil forever,” he said.

Though the government is reacting slowly or ignoring problems, companies like [Whole Foods](#), Dole, [Heinz and Del Monte](#) won't buy crops grown in biosolids, while [Switzerland](#), the Netherlands and other countries have banned it.

Still, the wastewater industry has strongly denied that health issues exist and regularly calls any contrary evidence anecdotal.

The Great Lakes water authority, which operates one of the nation's largest biosolid programs, declined interview requests from the Guardian. Despite sludge's chemical makeup, the wastewater industry bills biosolids as "green" and even [sells it](#) as organic fertilizer in stores like Walmart and Lowe's, though packaging doesn't indicate that it's composed of human and industrial waste. The waste management industry treats sludge in several ways before labeling it fertilizer – air drying, pasteurization and composting are among common methods. Lime is employed to raise the pH level to eliminate odors, and about 95% of pathogens, viruses and other organisms are killed in the process.

But Raine stressed that none of the thousands of chemicals known to be in biosolids, or tens of thousands of manmade chemicals for which the government doesn't test, are removed.

"It has a technical song that sounds pretty good. However, nothing that is done to the sludge removes the chemicals," Raine said. "They just spend a little money on PR to convince us it's nice fertilizer and fail to mention all the other things that are in it."

Utah County residents raise stink in lawsuit over composting facility

Court • Smell from Timpanogos Special Service District has caused illnesses, diminished property values, lawsuit claims.

By Cimaron Neugebauer The Salt Lake Tribune

• September 26, 2012 5:14 pm

This is an archived article that was published on sltrib.com in 2012, and information in the article may be outdated. It is provided only for personal research purposes and may not be reprinted.

Pleasant Grove business owner Jim Ferrin won't open his office window for fresh air and is shy about telling people where he spends his work days.

Possible clients who learn that Ferrin's financial planning business is located a mile east of the Timpanogos Special Service District's composting facility are quick to offer an opinion about the area: "Oh, that is where it stinks."

The stench coming from piles of heated human waste at the TSSD's composting facility has stirred up enough controversy that Ferrin, a member of Citizens for Clean Air and about 45 others including two cities, numerous businesses, and property owners, filed a lawsuit this month in 4th District Court against both the district and Utah County.

The plaintiffs are seeking more than \$350 million from the government, claiming multiple violations by TSSD and the county, including allegations that the entities are a public nuisance, private nuisance, negligence and inverse condemnation.

The putrid smell has diminished property values to the tune of more than \$75 million, the lawsuit claims. Not only does it stink, the smell has made people sick, the suit alleges.

But Jon Adams, district manager of TSSD, said the facility isn't in the wrong and is in compliance with its permit.

The TSSD began composting in 1994 on a small scale, but expanded its operation two years later. Previously farmers took the sewage and used it on their fields, or some was taken to the landfill. Now, all the material is composted.

The lawsuit demands that the county remove composting, but Adams said TSSD and the county will likely fight that idea.

"Obviously, there are some things [in the suit] we don't agree with," he said. "To our knowledge we are in full compliance with the permit."

Adams said TSSD has undergone a "significant investment" to reduce the odor over the years, including creating a tarp system to cover the compost and installing bio filters to scrub the air of the smell in a concrete box before it is released.

Those efforts, however, aren't enough to contain the smell, according to plaintiffs in the lawsuit.

American Fork city administrator Craig Whitehead said his city joined the suit to because the compost has become an economic development issue. Businesses don't want to relocate to an area where customers gag when going outside, he said.

"If we are losing business to neighboring cities because of that we want to solve the problems," said Whitehead.

Mark Robinson, owner of North Pointe business park in American Fork, describes the stench as something comparable to a "construction outhouse."

He bought the American Fork property west of the freeway near 800 East 1180 South in 2000 and built a couple of buildings on it

before he first noticed the smell. He learned TSSD was mixing compost at night and had invested a tarp system in covering the smell. It was at that point Robinson realized the construction location he picked was an "error of epic proportions" and worried about the viability of future business in the area.

Robinson's concerns are shared by Pleasant Grove City Administrator Scott Darrington. He said Adobe recently considered Pleasant Grove as a site for its expanding business in Utah County, but passed, telling the city its odors were an issue.

"That causes us heartburn when people say 'we like the site, but what about this odor, what are you going to do about it?'"

Darrington said. "It is frustrating to us, because it is something we cannot control."

The city and stake holders have come together to resolve the issue, but have never been able to reach an agreement.

Ferrin and others say the composting facility emits a scent far worse than the average farm or cow manure smell.

"What I discovered here is that when it stinks here — it really stinks," Ferrin said who is from Lindon, but spends his work days in Pleasant Grove, a mile east of the TSSD by the north end of Utah Lake.

The strong odor in the near vicinity "regularly causes physical illness among residents, workers and visitors," said Ferrin and other plaintiffs in the lawsuit, according to court documents. The smell has forced a number of people to take sick days, close their office, and cancel meetings or events because of the "unpleasant nature of the odor," the lawsuit states.

The TSSD has been around for longer than most businesses filing the current lawsuit. But Utah County since 2008 has allowed for changes at the facility, including composting of hundreds of tons of humanure, which is green waste mixed with human waste sludge. The waste is stored and mixed in long rows about the

length of a football field. The cooking and mixing of the compost creates a "substantial, obnoxious and foul odor," according to court records.

The TSSD disposed of some waste in a landfill in the past, but abandoned that plan after deeming it too costly. In 2010, the city obtained a permit to discard storm water and biologically treated human waste solids into Utah Lake.

Ferrin said he's hopeful the lawsuit will put a stop to composting in Pleasant Grove.

"They shouldn't be composting at the side of the freeway at what should be multi-million dollar business park," Ferrin said adding that "it is destroying Pleasant Grove."

cimaron@sltrib.com

Twitter: @CimCity

December 2017 The Stench of Frivolous Lawsuits (and Human Waste) Kempton Cox Brigham Young University, kemptoncox@gmail.com Follow this and additional works at: <https://scholarsarchive.byu.edu/marriottstudentreview> Part of the Business Administration, Management, and Operations Commons, Business and Corporate Communications Commons, Civil Law Commons, and the Entrepreneurial and Small Business Operations Commons Marriott Student Review is a student journal created and published as a project for the Writing for Business Communications course at Brigham Young University (BYU). The views expressed in Marriott Student Review are not necessarily endorsed by BYU or The Church of Jesus Christ of Latter-day Saints. Recommended Citation Cox, Kempton (2017)

"The Stench of Frivolous Lawsuits (and Human Waste)," Marriott Student Review: Vol. 1 : Iss. 3 , Article 7. Available at: <https://scholarsarchive.byu.edu/marriottstudentreview/vol1/iss3/7> This Article is brought to you for free and open access by the Journals at BYU ScholarsArchive. It has been accepted for inclusion in Marriott Student Review by an authorized editor of BYU ScholarsArchive. For more information, please contact scholarsarchive@byu.edu, ellen_amatangelo@byu.edu. The Stench of Frivolous Lawsuits (and Human Waste) Cover Page Footnote Special thanks to Brady Brammer, JD MPA, who successfully negotiated the outcome of the Timpanogos case on behalf of the concerned citizens.

This article is available in Marriott Student Review:

<https://scholarsarchive.byu.edu/marriottstudentreview/vol1/iss3/720> | MSR By Kempton Cox

I remember when the McDonald's hot coffee case hit the news. Don't we all? An elderly woman named Stella spilled hot coffee on herself, sued McDonald's, and won \$3 million. It was a hallmark of America's unhealthy love for frivolous litigation, and the case drew harsh criticism from the court of public opinion. "Uh...yep. Coffee is hot. And she spilled on herself because she was driving at the same time." I agreed with everyone else—the outcome of the case was absolutely ludicrous. But then, years later, I read the case in law school. I learned that she wasn't driving—she was the passenger. And the car was stopped. As she opened the lid, the coffee spilled, causing burns (including third-degree burns) on nearly 17% of her body. After eight days of hospitalization and undergoing painful skin grafts, she faced over two years of disability and recovery. Clearly, this was no ordinary coffee. In fact, McDonald's sold its coffee at 180 - 190 degrees Fahrenheit, far above the 130-degree industry standard. They had discovered that most people pick up coffee on the way to work, wanting it to be hot when they reach the office. So, McDonald's decided to adjust for cooling time, selling the coffee at a heat that they themselves considered "not fit for consumption."¹ During the ten years prior to the famous case, McDonald's received over 700 complaints from burn victims,² but McDonald's marched onward: the revenue from the hot-when-you-get-to-work coffee far outweighed the settlement payouts. Until Stella, anyway. She also offered to settle, but she wanted \$20k to cover medical costs, and they refused.³ So she went to court, and the jury awarded her far more than she was asking, in part because the punitive damages were designed to discourage McDonald's from continuing its bad behavior. Oh, and that \$3 million verdict? It was equal to less than three days of coffee sales for McDonald's.⁴ Hardly a dent.

[Composting begin reading here]

That's all very interesting, you say, but what does it have to do with human waste? Keep reading. In 2012, a different sort of "frivolous" lawsuit hit the fan, and this time it was close to home, at least for those of us living in Utah County.

The Timpanogos Special Service District runs a composting plant, producing some of the best compost available in the area.

But it stinks. The STENCH of Frivolous Lawsuits (and Human Waste) 1 Cox: The Stench of Frivolous Lawsuits (and Human Waste) Published by BYU ScholarsArchive, 2017 Volume I, Issue III |21

So neighbors sued. And the frivolous-lawsuit warriors began their public outcry: "This is another ridiculous lawsuit." "[R]edicolous (sic) amount of money because of a harmless smell. Next time I have to work next to someone with a B/O problem, I'll just sue." "This is always the way it is isn't it? ... The asudacity (sic) of these people is beyond hypocritical." "This is a joke of a lawsuit." "Stupid lawsuit." "Get over it." "Grow up." And on, and on, and on. And these reprimands were taken from the comment section of just one news article.⁵ We might be inclined to agree that suing over smelly air is frivolous. We do, after all, live in a society and must suffer some minor inconveniences. But I had learned from the McDonald's case to distrust the court of public opinion and learn the facts for myself. And I did.

The composting plant had the policy of mixing one part human waste with three parts green waste. This is good composting practice, but it creates a problem: as the population grows, the compost heaps grow at a 4 - 1 ratio.

In the ten years leading up to the lawsuit, the heaps had grown from 2,000 dry metric tons to an upper estimate of 26,000.

The plant was operating 24 rows of piles, each one measuring 10 feet high, 24 feet wide, and 160 feet long. Clearly, this was no ordinary compost heap.

In fact, over one thousand complaints had come in over the years, ranging from losses in property value, to headaches, to vomiting. So, the special district reached out to everyone within a one-mile radius, trying to get them to voluntarily grant an easement for the "passage of odiferous air." The easement asked residents and property owners to accept a list of negative fallouts "including, but not limited to" headaches, bronchial malady, reduction in property value, and loss of appetite or sleep.

When nobody agreed to sign voluntarily, the district offered money in exchange for the easement.

When that failed, it sought a claim under eminent domain, suggesting that public necessity trumped private property interests. No attempt succeeded, but the plant continued to grow its operations. Then, finally, the neighbors and businesses in the area placed their legal rights into a single entity and sued the district.

To prove their case, the neighbors would need to show that the smell was past the funny level and into the dangerous level. But how does one quantify stink? Well, you call an odor expert. You can count all of America's odor experts on one hand, and they all know each other. The citizens' attorney chose to employ the expertise of Bob Bowker, the man who literally wrote the book on odor control and measurement (along with more than a dozen other publications on the subject). Bob flew from his home

in Maine, and over the course of several days, he joined the attorneys and plant administrators at the heaps, where he trapped air in sealed domes at different times—windy days, calm

To prove their case, the neighbors would need to show that the smell was past the funny level and into the dangerous level. But how does one quantify stink? 2 Marriott Student Review, Vol. 1, Iss. 3 [2017], Art. 7 <https://scholarsarchive.byu.edu/marriottstudentreview/vol1/iss3/7> 22 |

MSR days, the middle of the night, right after the heaps had been freshly stirred to release gaseous build-up, etc.

From there, the domes were shipped to a special facility in St. Croix, Minnesota, where a panel of trained smellers prepared for a long day.

This is where it gets interesting. The odiferous air is released into isolation chambers, where only the smeller's nose is permitted entry. Then, the smeller begins to introduce fresh air into the chamber, unit by unit.

When the ratio of fresh air to odiferous air is 1 - 1, the air is at one odor unit. When the ratio is increased to 2 - 1, the air is at two odor units, and so on. The trained smeller carefully identifies the moment at which enough fresh air has been introduced that the odiferous air no longer smells. The higher the odor units, the stinkier the original air is determined to have been.

The results in our case were alarming.

The industry standard for public composting is for air at the edge of the property to land between 4 - 7 odor units.

Conservative estimates of air taken from the fence line at the Timpanogos heaps placed the smell from 100 - 200 odor units. Yes, you read that correctly.

The experts also determined that regardless of whether the heaps were covered, the air a mile away was still at 30 odor units—enough for someone sensitive to smells, like a pregnant woman, to vomit.

Fortunately, the special district was reasonable, and unlike Stella and McDonald's, the two parties came to a settlement before going to trial.

As part of the agreement,

the heaps are currently stirred only at night, the green-to-human waste ratio has been increased to 5 - 1, and all composting in the area will cease by 2020.

Most people, if presented with the facts in either of these two cases, would agree that the lawsuits were not frivolous. In fact, these are precisely the types of situations for which the American system of civil litigation was established. But let this be a lesson for all of us. Don't draw your weapon in the battle against frivolous lawsuits if you haven't done your research. Oh, and don't trust the news.

References 1 “McDonalds’ Hot Coffee Case.” Texas Trial Lawyers Association. Center for Justice & Democracy. <https://www.ttla.com/index.cfm?pg=McDonaldsCoffeeCaseFacts>. 2 Ibid. 3 Ibid. 4 Ibid. 5 Penrod, Sam. “Compost Company Sued for \$425 Million over Smell in Utah County.” KSL, May 23, 2012. “Most people, if presented with the facts in either of these two cases, would agree that the lawsuits were not frivolous.

Special service district reaches deal to mitigate odor in Pleasant Grove

- Laura Giles Correspondent
- Apr 17, 2016 Updated Nov 7, 2016
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Machinery grinds up green waste for composting on Tuesday, Nov. 24, 2015 at the Timpanogos Special Service District in American Fork. SPENSER HEAPS, Daily Herald
Spenser Heaps, Daily Herald

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Pleasantness will be returning to Pleasant Grove.

That is the hope of city leaders, area residents and business owners now that they will experience a gradual decrease of an unpleasant odor that has been the subject of much discussion and debate for many years.

The Timpanogos Special Service District (TSSD) and the Citizens for Clean Air and Progress (CCAP) have reached an agreement that TSSD will phase out its composting operations that border Pleasant Grove during the next five years. TSSD provides wastewater treatment for northern Utah County cities.

The plant also has a composting operation from which it sells the compost to be used for gardens and landscaping. The compost is made from green waste and by-products from the sewer treatment plant.

“The compost is a very popular program,” said Jon Adams, TSSD general manager.
“We sold out time after time.”

During the next five years, TSSD will continue to look into other disposal options. While composting off site is not cost effective, it might work in a partnership with another entity, Adams said.

He said TSSD has tried to do things to minimize the odor, including using covers over the compost and mixing at night. But the odor is still there, according to the members of CCAP.

In 2012, Pleasant Grove city officials joined area businesses in the CCAP with the goal of stopping the composting operations, which they said emitted the undesirable odor.

"CCAP has been seeking the cessation of composting operations by TSSD," reads a press release from Pleasant Grove city officials. "TSSD acknowledges composting would eventually cease due to the need for future plant expansion and agrees to the phasing out of composting over the next five years."

According to Adams, the property on which the composting is done will be needed in the future for expansion of the wastewater treatment facility.

Initially, CCAP was suing for financial damages on top of cessation of composting, according to Scott Darrington, Pleasant Grove's city administrator.

"As we were preparing for trial in October 2015, we were able to reach a settlement with TSSD," he said. "The settlement reached was that each entity would cover their own legal costs and that there wouldn't be any damage assessed."

The settlement also requires that the composting will stop in the next five years.

City officials in Pleasant Grove have been concerned the odor may be deterring business development in the city.

"We had some businesses that expressed major concerns," Darrington said. "We had some businesses that decided to locate in Pleasant Grove when they knew we were suing TSSD to have the composting removed. They were hopeful, like us, that it would eventually be removed."

Now CCAP and Pleasant Grove City officials are looking forward to continued economic growth and future development in the area. TSSD is located at 6400 N. 5050 West in Utah County, just southwest of the Pleasant Grove city border.

Stench from compost production prompted complaints, now changes in the works

by DJ Bolerjack

Monday, April 18th 2016

A



Volume 90%





Stench from compost production prompted complaints, now changes in the works (Photo: DJ Bolerjack / KUTV)

Pleasant Grove — (KUTV) After nearly three years, some by in Pleasant Grove have complained of a stench coming from the compost site in the Timpanogos special service district.

Recently, following serious discussion and a lawsuit, the district agreed to a compromise that will mitigate that odor in the near future.

Pleasant Grove City officials said those being effected by this smell are incoming contractors and businesses looking to start up on empty development which is mostly located off Interstate 15 and Pleasant Grove Boulevard.

"They would smell the compost from time to time and that was causing them to look elsewhere," said Scott Darrington, City Administrator and

representative for Citizens for Clean Air and Progress. He said in the past the smell has caused illness so something had to be done.

"We should be able to have nice clean fresh air and that was causing some problems."

Jon Adams, the District Manager, said over the last few years they've dealt with a lawsuit over this problem. Now, after the judge dealing with the lawsuit dismissed the damages, a five year plan was developed that Adams said will benefit both sides.

"We would agree to phase out of compost in the next five years. It doesn't do us any good to be at odds with the people we serve."

"The future economic development of our city has taken precedence over them," Darrington said.

Follow D.J. Bolerjack on Twitter [@DJBolerjack](https://twitter.com/DJBolerjack) for breaking news, updates and more.

R315. Environmental Quality, Waste Management and Radiation Control, Waste Management.

Rule R315-312. Recycling and Composting Facility Standards.

As in effect on January 1, 2020

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R315-312-1. Applicability.

(1) The standards of Rule R315-312 apply to any facility engaged in recycling or utilization of solid waste on the land including:

(a) composting;

(b) utilization of organic sludge, other than domestic sewage sludge and septage, and untreated woodwaste on land for beneficial use; and

(c) accumulation of wastes in piles for recycling or utilization.

(2) These standards do not apply to:

(a) animal feeding operations, including dairies, that compost exclusively manure and vegetative material and meet the composting standards of a Comprehensive Nutrient Management Plan;

(b) other composting operations in which waste from on-site is composted and the finished compost is used on-site; or

(c) hazardous waste.

(3) These standards do not apply to any facility that recycles or utilizes solid wastes solely in containers, tanks, vessels, or in any enclosed building, including buy-back recycling centers.

(4) The composting of domestic sewage sludge, on the site of its generation, is exempt from the requirements of Rule R315-312 but is regulated under the applicable requirements of Rule R317-8 and 40 CFR 503 by the Utah Division of Water Quality.

R315-312-2. Recycling and Composting Requirements.

(1) Any recycling or composting facility shall meet the requirements of Section R315-302-2, and shall submit a general plan of operation and such other information as requested by the Director prior to the commencement of any recycling operation.

(2) Each applicable recycling or composting facility shall submit a certification that the facility has, during the past year, operated according to the submitted plan of operation to the Director by March 1 of each year.

(3) Any facility storing materials in outdoor piles for the purpose of recycling shall be considered to be disposing of solid waste if:

(a) at least 50% of the material on hand at the beginning of a year at the facility has not been shown to have been recycled by the end of that year and any material has been on-site more than two years unless a longer period is approved by the Director; or

(b) ground water or surface water, air, or land contamination has occurred or is likely to occur under current conditions of storage.

(c) Upon a determination by the Director or his authorized representative that the limits of Subsection R315-312-2(3)(a) or (b) have been exceeded, the Director may require a permit application and issuance of a permit as a solid waste disposal facility.

(4) Any recycling or composting facility may be required to provide financial assurance for clean-up and closure of the site as determined by the Director.

(5) Tires stored in piles for the purpose of recycling at a tire recycling facility shall be subject to the requirements of Section R315-314-3.

R315-312-3. Composting Requirements.

(1) No new composting facility shall be located in the following areas:

(a) wetlands, watercourses, or floodplains; or

(b) within 500 feet of any permanent residence, school, hospital, institution, office building, restaurant, or church.

(2) Each new compost facility shall meet the requirements of Subsection R315-302-1(2)(f)

(3) Each owner or operator of a composting facility, in addition to the operational plan required in Subsection R315-312-2(1), shall develop, keep on file, and abide by a plan that addresses:

(a) detailed plans and specifications for the entire composting facility including manufacturer's performance data for equipment;

(b) methods of measuring, grinding or shredding, mixing, and proportioning input materials;

(c) a description and location of temperature and other types of monitoring equipment and the frequency of monitoring;

(d) a description of any additive material, including its origin, quantity, quality, and frequency of use;

(e) special precautions or procedures for operation during wind, heavy rain, snow, and freezing conditions;

(f) estimated composting time duration, which is the time period from initiation of the composting process to completion;

(g) for windrow systems, the windrow construction, including width, length, and height;

(h) the method of aeration, including turning frequency or mechanical aeration equipment and aeration capacity; and

(i) a description of the ultimate use for the finished compost, the method for removal from the site, and a plan for the disposal of the finished compost that can not be used in the expected manner due to poor quality or change in market conditions.

(4) Composting Facility Operation Requirements.

(a) Operational records must be maintained during the life of the facility and during the post-closure care period, which include, at a minimum, temperature data and quantity and types of material processed.

(b) All waste materials collected for the purpose of processing must be processed within two years or as provided in the plan of operation.

(c) All materials not destined for processing must be properly disposed.

(d) Turning frequency of the compost must be sufficient to maintain aerobic conditions and to produce a compost product in the desired time frame.

(e) During the composting process, the compost must:

(i) maintain a temperature between 104 and 149 degrees Fahrenheit (40 and 65 degrees Celsius) for a period of not less than five days; and

(ii) reach a temperature of not less than 131 degrees F (55 degrees C) for a consecutive period of not less than four hours during the five day period.

(f) The following wastes may not be accepted for composting:

(i) asbestos waste;

(ii) Hazardous waste;

(iii) waste containing PCBs; or

(iv) treated wood.

(g) Any composting facility utilizing municipal solid waste, municipal sewage treatment sludge, water treatment sludge, or septage shall require the generator to characterize the material and certify that any material used is nonhazardous, contains no PCB's, and contains no treated wood.

(h) If the composting operation will be utilizing domestic sewage sludge, septage, or municipal solid waste:

(i) compost piles or windrows shall be placed upon a surface such as sealed concrete, asphalt, clay, or an artificial liner underlying the pile or windrow, to prevent contamination of subsurface soil, ground water, or both and to allow collection of run-off and leachate. The liner shall be of sufficient thickness and strength to withstand stresses imposed by compost handling vehicles and the compost itself;

(ii) run-off systems shall be designed, installed and maintained to control and collect the run-off from a 25-year storm event;

(iii) the collected leachate shall be treated in a manner approved by the Director; and

(iv) run-on prevention systems shall be designed, constructed, and maintained to divert the maximum flow from a 25-year storm event.

(i) If the Director determines that a composting operation, which composts materials other than domestic sewage sludge, septage, or municipal solid waste, is likely to produce a leachate that in combination with the hydrologic, geologic, and climatic factors of the site will present a threat to human health or the environment, the Director may require the owner or operator of the composting facility to meet the requirements specified in Subsection R315-312-3(4)(h).

(j) The finished compost must contain no sharp inorganic objects and must be sufficiently stable that it can be stored or applied to land without creating a nuisance, environmental threat, or a hazard to health.

(5) Composting Facility Closure and Post-closure Requirements.

(a) Within 30 days of closure, a composting facility shall:

(i) remove all piles, windrows, and any other compost material on the composting facility's property;

(ii) remove or revegetate compacted compost material that may be left on the land;

(iii) drain ponds or leachate collection system if any, back-fill, and assure removed contents are properly disposed;

(iv) cover if necessary; and

(v) record with the county recorder as part of the record of title, a plat and statement of fact that the property has been used as a composting facility.

(b) The post-closure care and monitoring shall be for five years and shall consist of:

(i) the maintenance of any monitoring equipment and sampling and testing schedules as required by the Director; and

(ii) inspection and maintenance of any cover material.

R315-312-4. Requirements for Use on Land of Sewage Sludge, Woodwaste, and Other Organic Sludge.

(1) Any facility using domestic sewage sludge or septage on land is exempt from the requirements of Section R315-312-4 when the facility has a permit or other approval under the applicable requirements of Rule R317-8 and 40 CFR 503 issued by the Utah Division of Water Quality.

(2) Any facility using organic sludge, other than domestic sewage sludge or septage, or untreated woodwaste on land shall comply with the recycling standards of Section R315-312-2.

(3) Only agricultural or silvicultural sites where organic sludge or untreated woodwaste is demonstrated to have soil conditioning or fertilizer value shall be acceptable for use under this subsection, provided that the sludge or woodwaste is applied as a soil conditioner or fertilizer in accordance with accepted agricultural and silvicultural practice.

(4) A facility using organic sludge or untreated woodwaste on the land in a manner not consistent with the requirements of Section R315-312-4 must meet the standards of Rule R315-307.

KEY

solid waste management, waste disposal

Date of Enactment or Last Substantive Amendment

April 25, 2013

Notice of Continuation

January 12, 2018

Authorizing, Implemented, or Interpreted Law

19-6-105; 19-6-108

Additional Information

CONTACT

For questions regarding the *content* or *application* of rules under Title R315, please contact the promulgating agency (Environmental Quality, Waste Management and Radiation Control, Waste Management). A list of agencies with links to their homepages is available at <http://www.utah.gov/government/agencylist.html> or from <https://rules.utah.gov/help-rules-who-to-contact/>.



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Fw: Logan City Human Waste Compost site - Benson Utah

Clara Donna <cobra84321@yahoo.com>

Mon, Feb 22, 2021 at 10:25 AM


To: "angie.zetterquist@cachecounty.org" <angie.zetterquist@cachecounty.org>

----- Forwarded Message -----

From: Clara Donna <cobra84321@yahoo.com>**To:** devservices@cachecounty.org <devservices@cachecounty.org>**Sent:** Saturday, February 20, 2021, 10:49:49 AM MST**Subject:** Logan City Human Waste Compost site - Benson Utah

Dear Members of the Planning and Zoning,

We are Nathan W. and Elaine Ricks, we live in Benson, Utah in close proximity to where the proposed Compost site is. We are opposed to this site being built in Benson. We have been greatly concerned about this facility being built her in our beautiful Benson, Utah. In our research, we have found the following article online and would ask that you would distribute it to all the members of the Commission. Thank you.

 Compost company sued for \$425 million over smell in Utah County

Compost company sued for \$425 million over smell in Utah County

By Sam Penrod | Posted - May 23, 2012 at 7:05 p.m.

 10 photos

108

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AMERICAN FORK — A new lawsuit claims a compost facility in Utah County has or will cause \$425 million dollars in damages to business in the area because of the smell.

Most of the complaints are coming from an office complex about a half-mile north of the publicly-owned compost facility and wastewater treatment plant. The property owner and nearby cities are filing a lawsuit over what they call a foul smell.

It has a reputation as the best compost around, to help your flowers grow and the vegetables in your garden to flourish-but for the neighbors of the Timpanogos Special Service District, the odor from the compost piles, is at times too much.

"When the wind blows in the wrong direction, I get emails, I get phone calls and we've been promised so many times this is going to stop," said developer Mark Robinson.

When the wastewater plant was built, it was in an open area, far away from any business. But over the past decade, businesses and office complexes have sprouted closer to the plant, which composts human waste with tree limbs and other green waste.

""The problem that we have now is that we have stigma that it smells in American Fork and Pleasant Grove and therefore we are having a difficult time getting new tenants and some of our larger tenants, if we don't fix this problem, they are not going to renew." Mark Robinson"

"The problem that we have now is that we have stigma that it smells in American Fork and Pleasant Grove and therefore we are having a difficult time getting new tenants and some of our larger tenants, if we don't fix this problem, they are not going to renew," Robinson said.

The irony is that those suing the facility are also partners in it. But American Fork and Pleasant Grove cities say they can't get the other municipalities to stop the composting, which they claim is costing them millions in lost tax revenue.

"When the wind blows or things smell, it moves right into Pleasant Grove and into American Fork, and that becomes our issue," said Pleasant Grove City administrator Scott Darrington.

The facility operator said \$16 million have been invested to improve the composting process, which helps to dispose of human waste.

The \$425 million dollar lawsuit may just be an attention getter to stop the facility from composting on this site. The plaintiffs want the composting to be moved to a different location, or have the human waste hauled to the landfill.

PHOTOS

Photo 1 of 10

placeholder



RELATED STORIES

Something's rotten in the west of Salt Lake Valley, resident says

Something's rotten in the west of Salt Lake Valley, resident says

Scott Woodruff, a proud West Valley City resident, is taking on the horrific stench that often fouls his air.



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Opposition to Benson sludge Pond

brent ballard <brentpigs5@gmail.com>
To: angie.zetterquist@cachecounty.org

Mon, Feb 22, 2021 at 12:00 PM

Hi angie,

Thank you for your time in this matter. I live in Benson and it saddens me to see that we are being looked at to become Logan's dump yard. If I'm not mistaken, there are several creeks in that area and the water table is high. Would this not contaminate the water with human waste? There are many reasons not to build this. Benson residents are furious about this. Please protect us from this project. Thank you.



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Oppose rezone toilet bowl

Aurelia Hyer <cahyer@yahoo.com>

Mon, Feb 22, 2021 at 1:52 PM

To: angie.zetterquist@cachecounty.org

Cc: Aurelia Hyer <cahyer@yahoo.com>

There are so many other places to do this rezone, we can't even use it plus we are paying for it. How unfair to dump this on us, without conceding the people of Benson. We already get the smell at times. We should have a lot of say, would you like this in your back yard?

There is a lot of young families with beautiful new homes, with lots of young children living out here. I'm retired, my husband and I have poor health, we do not need more problems put on us or our neighbours. We have high water tables and flood quite often, then have poop water coming in our basement? Please consider a place not close to homes and children.

Sincerely,

Aurelia Thatcher Hyer



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Compost facility in Benson

Laurinda Billings <laurinda001@netscape.net>

Tue, Feb 23, 2021 at 8:52 PM

To: angie.zetterquist@cachecounty.org

To whom it may concern,

I am a resident of Benson and I want to express my opinion of the compost facility being placed in Benson. This community is well loved and treasured by its residents and certainly DO NOT want a sewer plant to contaminate the air! It is a beautiful place and building such a putrid smelling facility in Benson is appalling! We in Benson do not want to be Cache valley's toilet now or in the future! Please cancel the project and allow us to live here without the horrendous odor that would come with the sewer plant.

Sincerely,

Mrs. Laurinda Billings

Concerned Benson resident

Sent from my iPhone



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Fwd: Logan City Requested rezone on 3200 West for composing facility

Paul Johnson <paulj@cachebroadband.com>
To: angie.zetterquist@cachecounty.org

Mon, Feb 22, 2021 at 10:03 AM

Sent from my iPhone

Begin forwarded message:

From: Paul Johnson <paulj@cachebroadband.com>
Date: February 21, 2021 at 12:37:21 PM MST
To: devservices@cachecounty.org
Subject: Logan City Requested rezone on 3200 West for composing facility

We live in Benson at [3780 W 3000 N](#). We don't want another smelly Logan City operation near our homes. We already have the sewer lagoons and finishing lagoons Logan City owns near us. We get enough bad odor and insect swarms from those facilities. There are other places farther from homes and roadways that can be used as not to impact neighborhoods with bad odor and insect infestation. We already have enough of Logan City's impacts here. The impacts devalue our property and effect our lives. There are State Laws regulating odor. Would you want this near your home? Let them look for a better location, don't just look at their best cost benefit for the city. Make them take some responsibility.

This operation will also effect wetlands and a nearby stream. A drier area would be much better for the environment, fowl and wildlife.

Paul and Debra Johnson.

Sent from my iPhone



Angie Zetterquist <angie.zetterquist@cachecounty.org>

(no subject)**DeAnna Shaw** <deannaleeshaw@gmail.com>

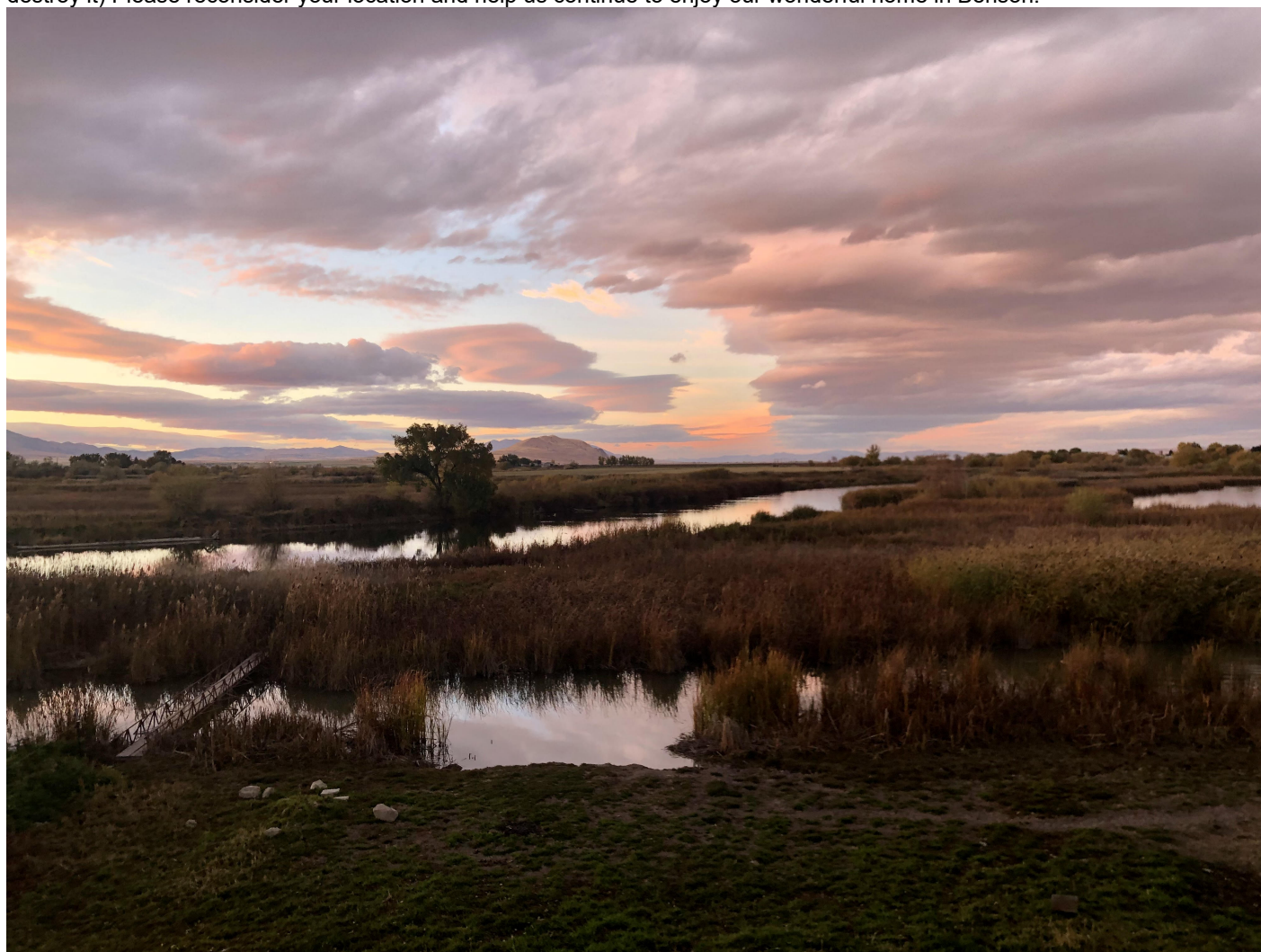
Tue, Feb 23, 2021 at 6:02 PM

To: "angie.zetterquist@cachecounty.org" <angie.zetterquist@cachecounty.org>

Hello. I have recently heard about the compost facility being proposed close to my home. I have concerns about health, smell and property values that would take place if such a place were put in.

I find it crazy as well that we are being charged extra to help pay for it! We spent thousands of dollars to put in our own drain field in our yard and now we are paying for a facility we will never use, but instead will throw all the crap in our neighborhood. Ha ha ha. It's absolutely crazy.

We live in such a beautiful area, it would be such a shame to destroy it with something like this. (And yes, the smell would destroy it) Please reconsider your location and help us continue to enjoy our wonderful home in Benson.



Sincerely, DeAnna Shaw

--

DeAnna Shaw



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Human waste rezone in Benson

Lorie Ballard <ljbballard79@gmail.com>

Mon, Feb 22, 2021 at 12:34 PM

To: angie.zetterquist@cachecounty.org

To whom it may concern:

I am writing to oppose the plan to realign boundaries for the composting of human waste. I am a resident of Benson, UT and I am opposed for the following reasons:

1. Logan city dumping their problems onto outlying farm land cities and territories.
2. Property values decreasing due to the smell.
3. Smell and health risks associated with human waste leaching into ground water and other unforeseen issues.
4. Proximity to existing homes.
5. Increase in pests and vermin.
6. Toxic chemicals used in the process.

Please take into consideration the opinions of the property owners in the Benson area before moving on this matter.

Sincerely,

Riley and Lorie Ballard
-Benson Property owners and residents

Sent from my iPhone



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Letter to Planning & Zoning Commission re: Compost site in Benson

Katie Fuller <katiefuller10@gmail.com>

Mon, Feb 22, 2021 at 10:58 AM

To: angie.zetterquist@cachecounty.org

Dear Commissioners,

My name is Katie Fuller and I live in Benson, Utah. I am opposed to the rezone of 47 acres in Benson that Logan City is seeking for their new composting facility. I have many objections, but the main one is I don't understand why this is Benson's problem! The biosolids that will be added to the compost do not come from Benson at all--we all have septic tanks and will not contribute to the waste. Logan City should keep their waste on their own land, not pawn it off for others to smell and deal with. Logan City claims they have nowhere else to put their new composting facility, but that is just an excuse. We all know they own lots of land. They are placing their problems on your shoulders, which isn't right.

I have obvious concerns about the stench that will pervade Benson if this rezone is allowed to happen. Property values will plummet in Benson. Benson is next in line for future growth, as the city creeps further west. But once people build here they will realize their fatal mistake and have to sell at a loss.

In Utah County, Timpanogos Special Service District was sued for \$425M because of the stink created from human waste composting (or humanure). Here are some links to some articles detailing the damages done to citizens and business:

https://www.heraldextra.com/news/local/lawsuit-over-sewer-stink-alleges-425m-in-damages/article_32b1c445-9c77-5566-afb7-4389097cf891.html

<https://scholarsarchive.byu.edu/cgi/viewcontent.cgi?article=1053&context=marriottstudentreview>

I will be informing as many people as possible about the toxic nature of "humanure". My hope is to eliminate the market in Cache Valley for this human waste compost. There are more than 80,000 manmade chemicals that are flushed down toilets each day and end up in biosludge. The biosludge is not tested for these chemicals and they are not removed before they are composted. Composting does not clean them out, so they are spread on gardens and fields. They are then eaten by humans or animals (who are then eaten by humans) and those concentrated chemicals will make people sick. Here is a link to an article explaining this:

<https://www.theguardian.com/environment/2019/oct/05/biosolids-toxic-chemicals-pollution>

Additionally, the 47 acres in Benson are probably wetlands and sit right next to a waterway that drains into Cutler Reservoir. I know Logan City intends to contain runoff, but it is incredibly wet out here and that will be very difficult to accomplish. Trust me--we all squish around in our yards and fields every spring! We sump pump water out of our crawl spaces every single spring.

If Logan City wants to compost human waste, they should do it far, far away from homes, farms, and businesses. Please vote no on the rezone!

Thank you for your time and consideration,

Katie Fuller



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Benson Compost facility

R Johnson <randykay700@live.com>

Mon, Feb 22, 2021 at 1:12 PM

To: "angie.zetterquist@cachecounty.org" <angie.zetterquist@cachecounty.org>

My name is Randy Johnson and I reside in Benson, Utah. I am strongly opposing the proposed rezoning of 47 acres in Benson for a composting facility for Logan City. I don't want our property values negatively effected and don't want the horrible smell as I travel that road daily for work and commuting. The ground water will be affected by contamination, the wetlands destroyed, the cache valley hunter education complex negatively affected and safety hazards in the extremely dense fog situations. I think there many important reasons this human waste should be moved to an area where it doesn't negatively affect the environment and safety of Benson residents and visitors.

Sent from [Mail](#) for Windows 10



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Rezone for Human Waste Composte Site

Pam Hyde <phyde09@gmail.com>

Mon, Feb 22, 2021 at 11:41 AM

To: angie.zetterquist@cachecounty.org

My name is Pamela Hyde and I live in Benson, Utah. I'm writing to say I am extremely opposed to the rezone of 47 acres here in Benson for a human compost facility for Logan City.

#1- the area is PROTECTED WETLANDS and under Utah STATE CODE R315-312 it is PROHIBITED TO HAVE SUCH A FACILITY ON PROTECTED WETLANDS!

#2- It is known that human waste composting makes people sick and has many harmful chemicals. A company in Utah County was sued for their facility making citizens in American Fork and Pleasant Grove sick. The citizens also won that lawsuit and the company can now no longer use human waste.

#3- There are PLENTY of other areas INSIDE LOGAN CITY where they can place this facility.

I ask this question. If Logan City does not want this type of facility in their city, or their citizens to smell & become ill from their own waste; what in the world makes you think the residents in Benson want to smell or become sick from it? I have lived in Benson since 2007, moving here from my hometown of Lewiston, UT. I chose Benson because, like Lewiston, is a small country close knit farming community with clean open ares perfect for raising my three children. It is bad enough that Cache County has some of the worst air quality in winter months which highly effect my 11 year old daughter's breathing. To add a disgusting composting facility that is KNOWN to make people sick on top of that?! Especially when Logan City apparently does not want it in their backyard and wants to make others in their community sick?! It is just wrong and highly immoral.

I am urging you all to ponder this and to reconsider this kind of facility being placed here in Benson, let alone anywhere in our beautiful Cache County.

Thank You for your time.

Sincerely,
Pamela Hyde



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Keep Benson Beautiful

Susan Curtis <sandys.haven2018@gmail.com>

Mon, Feb 22, 2021 at 10:18 AM

To: angie.zetterquist@cachecounty.org

Cc: devservices@cachecounty.org

My name is Susan Curtis. My board and I operate a nonprofit animal sanctuary and wildlife rehabilitation center and do business with many residents of Benson, Utah.

We are opposed to the rezoning of 47 acres in Benson for a compost facility for Logan City.

This is agricultural land with protected wetland. The impact of allowing a human waste composting operation in this beautiful area would be devastating to everyone involved especially the wildlife!

Thank you for your consideration,

Susan Curtis, Director Sandy's Haven

Kyle Walker, VP Sandy's Haven

Josh Merrill, Treasurer Sandy's Haven

Carolyn Gunter, Board Member

Cindy Gill, Board Member

Kathy Ashcroft, Board Member

Patrick Huffcutt, Board Member

Miguel Sanchez, Board Member

Jody Curtis, Operations Manager Sandy's Haven (not board member)



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Human Waste Facility

Lindsay Hull <lrhull44@gmail.com>

Wed, Feb 24, 2021 at 9:48 AM

To: angie.zetterquist@cachecounty.org

Dear Angie,

I am a resident of Benson, UT and I speak for the rest of my family of six members, we do not want a human waste facility in our community or the surrounding areas. Please take my feelings as well as my family's feelings in consideration when deciding on this proposal. We are adamantly against it. It doesn't make sense to place such a project near residential areas.

Thank you for your time.

Lindsay Hull



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Vote no to rezoning for composting site.

Trevor M. <trevormaughan@hotmail.com>

Wed, Feb 24, 2021 at 10:21 AM

To: "angie.zetterquist@cachecounty.org" <angie.zetterquist@cachecounty.org>, "devservices@cachecounty.org" <devservices@cachecounty.org>

*Good morning,**I am emailing regarding the new composting site that logan city is trying to build. I personally live and grown up in and around Benson. There is no solid proof that will prove the plant will be safe or not. I, just like everyone else, would want their kids to grow up healthy and safe. The food we eat is already getting treated with stuff that can harm us, we do not need a plant that will be causing greater harm to everyone. The studies that relate to composting sludge sites show numerus problems. Not to even mention the smell that would come from the plant. Yes, Logan City has already established sewage ponds in Benson. That smell can be violent already. There is a lot of hunters and ranchers that use that land for their lifestyle. Increasing the zoning for this plant would hinder both of those groups. Further taking away food from our own families. In Benson and surrounding towns, the water table is higher than other places hence all the flooding. With a sewage treatment/composting plant how would this effect the water supply for the entire county? Would you want your family eating food that has been watered, treated, and grown in sewage sludge? These are not just my concerns but also everyone else that lives in and around the valley, or at least the ones that will be affected by it.*

Very Respectfully,

Trevor Maughan

Cell#: 435-757-3394



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Rezoning of a 47 acer piece of ground in Benson Utah by Logan City for the purpose of human waste composting

Dean Ricks <dricks154@gmail.com>
To: angie.zetterquist@cachecounty.org

Thu, Feb 25, 2021 at 9:23 AM

February 25, 2021
Development Services of Cache County.

To whom it may concern.

We live in Benson Utah, Cache County.

We are Vehemently opposed to the pur-posed rezoning of 47 acer"s of Ag land in Benson by Logan City for the purpose of building a Human Waste Composting Site in Benson around the 3200 West area.

Were very opposed to the stench, concerns of health and safety, and property devaluation of such sites.

We've studied other projects similar to this in Utah and around the country and prefer not to be involved in litigation associated before or after the fact.

Again we are Vehemently opposed along with all of our good friends and neighbors living in Benson and the surrounding area.

Respectfully hear our concerns and respect our desire to live in the Beautiful Benson community without the concerns of illnesses, stench, health and safety and property devaluation associated with such sites.

Dean & Linda Ricks [3900 West 3000 North Benson Utah](#)

Abhishek & Brittney Ajri [3872 West 3000 North Benson Utah](#)

Discussion: Amendments to Title 17 regarding a new use type for a small-scale slaughter facility

Additional information will be forwarded to you next week prior to Thursday's Planning Commission meeting.

Discussion: Amendments to Title 17 regarding Cannabis Production Facilities

There are no additional materials for this discussion item.

County Council has requested that the Planning Commission consider the creation of a new zone to accommodate this use type. An interactive map has been prepared by the County's GIS Department and will be introduced during the meeting to start the discussion about the new zone and potential locations.

