

Agenda Item 2.2

**Consider approval of the amended
Temporary Right of Entry Compensation
Protocol and revision of the Delegation
of Authority matrix**

TROE Compensation Protocol Overview

- Authority Board and Reservoir Committee approved the Sites Real Property & Land Management Policy in May 2019
- Staff worked with the Land Management Committee to develop the TROE Program Compensation Protocol that was finalized in September 2019
- Established the parameters of the the TROE program and and set the compensation values
- Has been used for the geotechnical field work that has been conducted since 2019

Compensation Protocol Overview

- TROE Compensation
 - Based on anticipated field activities at that time
 - Established a base level of compensation to cover the landowner's time in coordinating with the project
 - Established compensation levels for approved field activities
 - Non-Invasive
 - Pedestrian Surveys – Environmental, Cultural, Biological, Hydrological, Geologic Mapping
 - Invasive
 - Cone Penetration Tests
 - Geotechnical Borings
 - Geotechnical Trenching/Test Pits

Compensation Protocol Overview

- Compensation Protocol has not been updated since its approval in 2019
- Staff is proposing some revisions to reflect the current status of the project and to address current TROE needs including adding;
 - New Geotech field activities that were not included in the original Compensation Policy
 - Compensation for operational impacts to landowners
 - Minor editorial revisions to update the existing policy

New Geotechnical Field Activities

- Additional Geotechnical data needs
 - Newly Identified Field Activities
 - Quarry Production Studies
 - Quarry and Borrow Area Analysis
 - To analyze quality and quantity of material
 - To assess means, methods and cost for retrieval
 - Two quarry studies planned for Geotechnical Work Package 2
 - January – June 2023
 - A total of six quarry studies planned in Amendment 3 Geotechnical Work Plan

Planned Quarry/Borrow Studies

- Invasive activity that utilizes heavy equipment to excavate a wide cut
- Large footprint
 - Trench: 20' x Up To 1,500'
 - Work Area: 60' x Up To 2,300'
 - Depth: 10' +/-
 - Up To ~3 ¼ Acres; Up To ~11,000 Cubic Yards
- Excavated soil is removed and staged along the cut and returned once the study is completed

Planned Quarry/Borrow Studies

- Landowners have expressed concern over the size of quarry studies and the impacts that they will have to their land and operations
 - Acreage out of production
 - Future land productivity and affects to forage
 - Impacts to drainage and concerns about subsidence
 - Impacts of heavy equipment to existing infrastructure
 - Impacts to existing and future operations



Landowner Operational Impacts

- Landowners have expressed concerns over the impacts beyond the field activities that the policy compensates for
 - Direct and indirect impacts
 - Impact of heavy equipment travel on private farm roads (rutting of roads, road grading issues, wear & tare, etc.)
 - Impact of overland travel to access remote field activity locations
 - Impact to existing infrastructure
 - Acreage taken out of production – livestock forage
- Not all landowners will be affected by these type impacts
 - Typically parcels with lots of field activities, use of heavy equipment, or require significant overland travel
- Existing policy does not include the ability to compensate a landowner for these operational impacts or other related costs

Proposed Amendments to the Protocol for consideration

- Add Quarry Production Studies to the list of invasive field activities and establish a \$10,000 per study compensation level
- Add language to the policy that would provide staff the ability to compensate landowners for reasonable and appropriate operational impacts on a case-by-case basis
- Revise the Delegation of Authority matrix to establish levels of authority to authorize agreements and cost for operational compensation
- Minor editorial revisions and updates to the Compensation Protocol

Questions

