

PROCEEDINGS OF THE PLANNING COMMISSION, PARISH OF ST. JAMES, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING ON MONDAY, JULY 31, 2023.

The Planning Commission of the Parish of St. James, State of Louisiana, met in regular session at the Courthouse in Convent, Louisiana on Monday, July 31, 2023, at 6:00 p.m.

PRESENT: Dean Millet, Mike Krumholt, Arthur Matherne, Ralph Becnel, Jon Hotard, Danny St. Pierre, Glenn Millet, and Sue Bier (Non-Voting)

ABSENT: Anthony Boudreaux, and Johnny Lawrence

ALSO, IN ATTENDANCE: Rick Webre, Vic Franckiewicz and Amber Shepard

MINUTES

1. A. Matherne motioned to approve the June 26, 2023, regular meeting minutes and was seconded by D. Millet. Roll call vote: D. Millet- yes, M. Krumholt- yes, A. Boudreaux- absent, J. Lawrence- absent, A. Matherne- yes, R. Becnel- yes, J. Hotard- yes, D. St. Pierre- yes, G. Millet-yes. All in favor. Motion carried.

CORRESPONDENCE

1. None

PRESENTATION AND PUBLIC HEARING

1. Presentation – Koch Methanol St. James, LLC (KMe) – the KMe Optimization Project and the Oxygen Back Up Supply Project, presented by KMe representatives Josh Wiggins (Plant Manager), Kevan Reardon (EH&S and Security Leader) and HaLeigh Engler (Environmental Engineering Lead): Public Comment from Craig Poche in favor of the project. Following the presentation and public comment, Koch representatives responded to questions from the commissioners.

RESUBDIVISION OF PLOT - OLD BUSINESS

1. None

RESUBDIVISION OF PLOT NEW BUSINESS

1. None

OTHER ORDINANCE MATTERS

1. None

LAND USE OLD BUSINESS

1. None

LAND USE NEW BUSINESS

1. **Koch Methanol St. James, LLC (KMe) Land Use Request Item # 23-25)** Represented by representatives of Koch identified in the public hearing section above. Requesting approval to use the current site at 5181 Wildcat Street, St. James, LA 70086: to upgrade existing equipment and install new equipment to improve facility's efficiency and reliability and to increase its production rate (Item #23-25). The project would be constructed within the facility footprint previously approved by the planning commission through several prior land use applications, except for a pipeline segment of up to approximately 1,000 feet connecting to an existing third-party ethane pipeline. The majority of the project would be located in an Industrial use area designated in the Land Use Plan, and the proposed pipeline and associated access road would be in an area designated as Wetlands, which are intended to remain unoccupied, except for unique situations requiring a location in the water, subject to permitting under the Coastal Zone Resource Management Program. As preliminary determination, the pipeline connection is a unique situation requiring a wetlands location because the existing ethane pipeline to which the new connection will be made is already located in wetlands. Accordingly, the approval authority for the project as a whole, within areas designated as Industrial and Wetlands, rests with the

planning commission under Section 82-25(f) of the St. James Parish Code of Ordinances. property is in an area designated as Industrial in the Land Use Plan.

At the request of Chairman Millet, land use counsel Vic Franckiewicz briefed the commission about how the land use ordinance applied to Koch's project. He outlined the decision-making criteria specified in the ordinance. He also addressed the location of the ethane pipeline connection depicted in the Application, which is located an area designated as Wetlands in the land use plan. Wetlands are intended to remain unoccupied, except for unique situations requiring a location in the water, subject to permitting under the Coastal Zone Resource Management Program. Here, the pipeline connection is such a unique situation requiring a location in a Wetlands area because the existing ethane pipeline to which the connection will be made is already located there. Mr. Franckiewicz explained that the circumstances here make the pipeline an allowable use under ordinance Section 82-25(c)(11).

Commissioner St. Pierre moved, and Commissioner Matherne seconded, to adopt the following resolution regarding the land use application of Koch Methanol St. James, LLC (Item #23-25):

A RESOLUTION APPROVING THE APPLICATION OF KOCH METHANOL ST. JAMES, LLC UNDER THE ST. JAMES PARISH LAND USE ORDINANCE, WITH CONDITIONS

WHEREAS, Koch Methanol St. James, LLC ("Koch") applied for approval to increase the capacity of its existing methanol plant through an Optimization Project, and to implement an Oxygen Backup Supply Project, all located predominantly in an area designated in the Land Use Plan for Industrial Use and to a limited extent in an area designated as Wetlands, identified as Item #23-25 (the "Application"); and

WHEREAS, public notice of the Application was published in accordance with Section 82-25(g) of the St. James Parish Code of Ordinances and public comments on the proposal were solicited; and

WHEREAS, the commission took up the matter at its meeting of July 31, 2023, when it received and considered a presentation by Koch about the Application, along with one citizen comment in favor of the project and none against, and questions posed by the commission members were responded to by Koch representatives; and

WHEREAS, the commission also received an explanation from its counsel as to how the land use ordinance applied to the application, and the decision-making criteria therein. Counsel also addressed the allowability of the ethane pipeline connection depicted in the Application being located an area designated as Wetlands in the land use plan, such pipeline connection being a unique situation requiring a location in a Wetlands area because the existing ethane pipeline to which the connection will be made is already located in the Wetlands area, in accordance with ordinance Section 82-25(c)(11). The commission concurs that the pipeline connection is an allowable land use in the Wetlands in this circumstance.

NOW, THEREFORE, BE IT RESOLVED under ordinance Section 82-25(f), that the planning commission hereby approves the Application, subject to the conditions stated below.

- A. Extent of Approval and Future Changes within the Facility Footprint:** This approval is limited to the facility as presented in the Application, along with reasonable facility and equipment modifications, additions, and production enhancements, subject to the following limitations:
1. The footprint of the facilities and equipment shall not extend beyond that depicted in the Application, provided that access ways or servitudes for roads or infrastructure may be located outside of the footprint to the extent necessary to connect to existing roads or infrastructure.
 2. The facilities and equipment must comply with all requirements of the Louisiana Department of Environmental Quality and all other public entities having regulatory jurisdiction.
 3. Any modified or additional facilities or equipment not identified in the application must be functionally similar to or integrated with the facilities and equipment expressly described in the Application.
- B. Start Date Limitation.** Construction must commence within 24 months after the last public entity regulatory approval is issued, or within 24 months after the termination of any administrative or judicial appeal process that may follow from the issuance of any required permit, whichever is later. For the purposes of this limitation, construction is defined as: permanent on-site fabrication, erection, or installation of the proposed facility (such as preloading, pile driving, installing structural supports and foundations, laying underground pipework or utilities, or constructing permanent structures) that is continuously pursued with reasonable diligence to complete the proposed facility

within a reasonable time. Construction delays caused by natural disaster or labor disputes, and periods between operational phases of construction shall not be construed as interrupting construction that is otherwise continuously pursued.

- C. The facility must comply with ordinance Sections 30-52 through 30-59 (“Emergency Response and Mitigation of Regulated and Unregulated Material Incidents”).
- D. The portion of the project in areas designated as Wetlands in the land use plan shall be subject to any permits required under the St. James Parish Code of Ordinances, Chapter 18, Article V, Coastal Zone Resource Management Program.

BE IT FURTHER RESOLVED that the planning commission finds that approval is appropriate under ordinance Section 82-25, with specific reference to the factors described in Section 82-25(h) because: the impacts of the proposed use are common to industrial plants and would not be substantially different from the impacts of other allowable uses industrial areas; the project would retain existing jobs while providing new job opportunities, and would expand the tax base with the value of additional facilities. Such benefits outweigh the relatively modest physical and environmental impacts without impairing the parish’s ability to attract other beneficial development by virtue of the project’s location in an industrial area and its distance from potentially impacted uses.

BE IT FURTHER RESOLVED that the planning commission has considered the need for a buffer zone under ordinance Sections 82-25(i)(2) and 82-25(j), and that the commission finds that the proposed facility does not require additional buffer areas because: the use is substantially contained within the footprint of the existing methanol plant; it is located within and adjacent to industrial areas; the risk analysis for the project indicates that the impacts of failure scenarios would be limited to the existing industrial site or immediately adjacent industrial facilities without impacting residential areas; it is distant from other potentially impacted uses; and its impacts during normal operations are limited.

Roll call vote: D. Millet- yes, M. Krumholt-yes, A. Boudreaux- absent, J. Lawrence- absent, A. Matherne- yes, R. Becnel- yes, J. Hotard- absent, D. St. Pierre- yes, G. Millet-yes. All in favor. Motion carried.

OTHER BUSINESS

- 1. None

EXECUTIVE SESSION

- 1. None

ADJOURNMENT

A.Matherne motioned to adjourn and was seconded by D. St. Pierre. All in favor. Motion Carried.
Meeting adjourned at 6:49 p.m.

s/ _____
Glenn Millet, Chairman

s/ _____
Michael Krumholt, Secretary