

**STATE OF IOWA
DEPARTMENT OF COMMERCE
IOWA UTILITIES BOARD**

IN RE: NAVIGATOR HEARTLAND GREENWAY, LLC PETITION FOR HAZARDOUS LIQUID PIPELINE PERMIT	DOCKET NO. HLP-2021-0003
--	---------------------------------

PETITION TO INTERVENE

COMES NOW, the Board of Supervisors for the County of Bremer, State of Iowa (“Bremer County” or “the County”), by and through the undersigned attorney, and pursuant to 199 IAC 7.13 petitions the Iowa Utilities Board (the “Board”) for an order permitting it to intervene in this docket. In support of its petition, Bremer County states the following:

1. Bremer County is primarily an agricultural county located in Northeast Iowa. As of the 2020 census, the population of Bremer County was 24,988.
2. The following incorporated cities are located in Bremer County: Denver, Frederika, Janesville, Plainfield, Readlyn, Sumner, Tripoli, and Waverly.
3. The power of a county is vested in its board of supervisors pursuant to Iowa Code § 331.301, and under that statute, the County’s board of supervisors may “exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the county or of its residents and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.”
4. On October 25, 2022, Navigator Heartland Greenway, LLC (“Navigator”) filed a Petition for a Hazardous Liquid Pipeline Permit (“the Project” or “the Petition”) in this docket.

5. The Project proposed by Navigator would pass through Bremer County. See Navigator's [Exhibit B](#) to the Petition filed in this docket on October 25, 2022.
6. An [informational meeting](#) was held in Bremer County on August 23, 2022.
7. Under Iowa Code § 479B.7, governmental entities whose rights or interests may be affected have certain rights to object a proposed pipeline.
8. On July 31, 2022 the Supervisors of Bremer County [submitted a letter](#) in this docket objecting to the Project that was received by the Board on August 3, 2022.
9. Under Iowa Code chapter 479B, counties have certain obligations to hire county inspectors for hazardous liquid pipeline projects. As of November 9, 2022, Bremer County is still evaluating engineering firms to serve as the County's inspector for the project.
10. Under the authority of Iowa Code chapter 335, Bremer County has adopted a comprehensive plan and a zoning ordinance regulating the use of land in the County. The comprehensive plan is the County's primary expression of public policy for the use of land in the County, and the zoning regulation is the primary method by which the County implements the comprehensive plan.
11. Under Iowa Code § 479B.5(7), any petition for a hazardous liquid pipeline permit "shall state...the relationship of the proposed project to the present and future land use and zoning ordinances." This requirement is intended to help ensure that whatever route or site is approved for the Project also considers local policies and requirements.
12. In its petition, Navigator has not stated the relationship of the project to Bremer County's comprehensive plan or to its zoning ordinances, and the County desires to ensure that its local policies and requirements are considered in this proceeding.

13. Because of the potential impact on the County's land use and the relationship to its zoning ordinances, the residents of Bremer County have unique and important interests in this proceeding that are best represented by the Bremer County Supervisors and that are not adequately represented by any other parties to this proceeding.

For all the reasons stated herein, Bremer County respectfully petitions the Board to promptly issue an order granting its request to intervene in this docket.

Respectfully submitted,

By: /s/ Timothy J. Whipple

Timothy J. Whipple, AT0009263
Ahlers & Cooney, P.C.
100 Court Avenue, Suite 600
Des Moines, IA 50309-2231
Telephone: (515) 246-0379
Email: twhipple@ahlerslaw.com

ATTORNEY FOR BREMER COUNTY