



CREDIBLE. INDEPENDENT.  
IN THE PUBLIC INTEREST.

1155 N. State St. Suite 609, Bellingham, WA 98225 360-543-5686 [www.pipelinesafetytrust.org](http://www.pipelinesafetytrust.org)

**Final Report** to the U.S. Department of Transportation - PHMSA

**Technical Assistance Grant Number** – DTPH56-10-G-PHPT09

**Project Title** - Development and distribution of a guide on how landowners can become significant partners in ensuring the safety of pipelines

The U.S. Department of Transportation, Pipeline Safety and Hazardous Materials Administration (PHMSA) awarded a grant to the Pipeline Safety Trust for preparation of a guide for landowners who currently have or may in the future, have a pipeline easement on or adjacent to their properties. The goal of the project is to better educate this group of pipeline safety stakeholders since their activities can have significant impacts on pipeline safety, by detecting and helping to prevent conditions that can lead to pipeline failure. By educating landowners, we hope to enable this pre-existing group of individuals with a direct stake in pipeline safety to be the “eyes and ears” on the ground, and to feel they can be partners with pipeline operators in ensuring the safety of the pipelines with which they live.

The Trust undertook an informal survey of landowners - some with whom we had been in previous contact, and some new to us – to find out what kinds of information they already knew, and what information needs we could fill with the Guide. We distributed the survey to approximately 75 individuals and groups we have worked with in the past on landowner issues and asked them to forward the survey to others. We also posted the survey to our safepipelines listserv that includes over 400 members. We received 58 responses to the survey. Not surprisingly, the bulk of our respondents came from states with significant recent and planned pipeline construction activity, *e.g.*, Pennsylvania, Texas, and the upper Great Plains states, while others came from states with recent large-scale pipeline failures, *e.g.*, Michigan. The responses range from curiosity to deep concern to resignation about how pipeline routes are chosen, how easements are acquired, how landowners are treated by the operators during acquisition and after construction, and their seeming inability to make any difference in the process. Many of the respondents (45%) currently have pipelines on or near their properties. Many fewer respondents (30%) were aware of ever having received information from the operator about pipeline safety. Taken as a whole, the responses confirmed our sense that a guide for landowners dealing with pipeline issues could answer a lot of questions not currently being answered by operators or regulators. The results of the survey can be found on our website at: <http://pstrust.org/resources/LandownersSurvey.htm>

The new Landowners Guide to Pipelines (copy enclosed) is a 32 page booklet divided into 12 different topics, including a primer on how pipelines work, who is responsible for siting and regulating pipelines during design, construction and operation, preventing damage to pipelines,

recognizing and reporting leaks or other pipeline safety incidents, and two major sections on the easement acquisition process, either through negotiation or eminent domain. Because many of the respondents and other individuals who contact us have asked for information about the easement acquisition process and the various states' eminent domain practices, we asked for and received assistance from the Owners Counsel of America, a nationwide group of lawyers who specialize in eminent domain law. The Guide includes links to information specific to 15 states' eminent domain processes written by lawyers from those states who are associated with the Owners Counsel of America.

The Guide was distributed to each of the respondents to our survey, to various landowner and community groups working on pipeline issues, to all state pipeline regulatory agencies and PHMSA CATS staff, and to each of the contributors from the Owners Counsel of America (See distribution list below). We have already received requests for additional copies from a few groups. The guide will also be distributed to over 140 attendees at the Trust's annual Pipeline Safety Conference, which includes a high proportion of pipeline industry representatives that are involved in landowner issues. The Trust will maintain a supply of printed copies to be distributed to individuals requesting information on landowners' issues; a pdf version will be available on our website and distributed electronically on request. The pdf version of the guide can be found at: <http://pstrust.org/pipeinfo/LandownersGuidetoPipelines.htm>

The grant came in \$5,434.16 under budget mainly because the lawyers from the Owners' Counsel of America ended up donating all their time regarding the review and drafting of the various eminent domain pieces. The printing also came in significantly under budget.

## **Distribution List for the Landowners Guide**

### **Community and Landowner Groups**

- Allegany Marcellus
- Appalachian Landowners Group
- Bold Nebraska
- Central Broome Landowners Association
- Central New York Landowners Coalition
- Chemung County Land Owner Gas Coalition
- Columbia County Land Owners Coalition
- Columbia Pacific Common Sense
- Columbia Riverkeeper
- County Line Landowners Coalition
- Dakota Resource Council
- Dakota Rural Action
- FLOW
- Fort Worth League of Neighborhood Associations
- Greenfield Gas Group
- Hartwick Area Landowner's Coalition
- Idaho Rural Council

Jefferson Twp. Gas Lease Group  
Kirkwood Gas Coalition  
Pennsylvania Pipeline Safety Coalition  
Marcellus Center for Outreach and Research  
Marcellus Drilling News  
Northeast Pennsylvania Landowners Association  
Northern Plains Resource Council  
Northern Wayne Property Owners Alliance  
Northwest Property Rights Coalition  
Noxen Area Gas Group  
Oregon Citizens Against Pipelines  
Owners Counsel of America  
Oxford Land Owners Group  
Pennsylvania Pipeline Safety and Environmental Protection  
Plains Justice  
Powder River Basin Resource Council  
Preston Gas Association  
Scenery Hill Land Owners  
Schuyler County New York  
South West Ross Twp Property Group  
Southeast Wyoming Resource Conservation & Development (RC&D) Council  
*Steuben County Land Owner Coalition*  
Sullivan Delaware Property Owners Assn.  
Texas Land & Mineral Owners Association  
Texas Landowners Council  
Tioga County Landowners Group  
Tompkins Landowner Coalition  
Twin Tiers Landowners Coalition  
Unatego Area Landowners Association  
Union Center/West Corners Group  
Vestal Gas Coalition  
Wahkiakum Friends of the River  
Western Barker Landowners Coalition  
Western Colorado Congress  
Windsor & Colesville Gas and Oil Lease Coalition  
Wyoming County Landowners Group

**All State Pipeline Safety Agencies on NAPSR's Contact List**

**All PHMSA Community and Technical Services managers**

**Notice of availability to over 800 members of our listservs, which includes citizens, industry and regulators**