Carl Weimer, Executive Director
http://www.pipelinesafetytrust.org

Planning Near Pipelines – Does Local Government Use Their Permitting, Zoning, and Planning Authority to increase Pipeline Safety?
Development crowding pipelines
Twelve Years Later
This creates an increased risk that communities should consider when planning
Multiple layers of bad planning
Different types of development near pipelines may use different solutions.
Pipeline right-of-ways and green space/ trail corridors
Starting in 2004 the State of Washington, the Association of Washington Cities, and the Washington State Association of Counties began working on materials regarding planning near pipelines for local governments.
In 2009 both the Association of Washington Cities (AWC) and the Pipeline Safety Trust received grants from the U.S. Department of Transportation (PHMSA) to do work related to planning near pipelines.
The AWC’s grant focused on outreach to local government to educate and encourage them to consider adopting land use ordinances regarding development near pipelines

This was initially done mainly by:

- Presentations at conferences, planning forums, and with planning departments
- Articles in local government publications
- Technical assistance and model ordinances available
The Pipeline Safety Trust’s grant focused on researching barriers and incentives to get local governments to use their land use authorities regarding planning near pipelines.
The two grants complemented each other well since the AWC grant had great success talking with numerous planners and elected officials, but little success getting ordinances adopted, while the Trust’s grant helped identify the barriers that were preventing local governments from action.
The main barrier to local government adopting recommended practices was found to be:

- Lack of funding to pay for staff time to draft an ordinance and shepherd it through the adoption process
Using this new information the AWC grant was tweaked to include simple “mini-grants” of $3000 each to jurisdictions that would pledge to draft an ordinance for introduction that at a minimum would include a consultation zone clause.
To date the following Washington jurisdictions have either adopted an ordinance or have one in the works:

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<th>Counties</th>
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<td>- Whatcom</td>
<td>- Redmond</td>
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<td>- Skagit</td>
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The Washington State Legislature last year also passed a consultation zone provision that applies statewide – 100 feet on each side of transmission pipelines.
Major Issues That Have Come Up

• Attempts to include true setbacks
  - All Development
  - Hard to evacuate development
• Misunderstandings regarding the impacts of consultation zones
• Who should facilitate communication between developer and pipeline company
• Disclosure during real estate transactions
• Definitions
Other important features included

- Protection of easements during construction
- Requiring use of the “one call” (811) system
- Requiring mapping of transmission pipelines
The Bottom Line - Better planning by local government can help increase safety and avoid tragedies.
More Information

• Municipal Research & Services Center
  http://www.mrsc.org/subjects/pubsafe/transpipes.aspx

• Pipeline Safety Trust
  http://www.pstrust.org/planningnearpipes.htm

• Pipeline and Hazardous Materials Safety Admin.
  http://primis.phmsa.dot.gov/comm/pipa/LandUsePlanning.htm
Thank You!

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