TRANSMISSION PIPELINE RISK REDUCTION OVERLAY DISTRICT

National Association of Counties
Assessing Pipeline Infrastructure & Safety: A Primer for County Govts.
March 27, 2014 - Webinar
WHO/ WHERE: Brookings County, SD
Population: 32,629 persons, 73,314 cattle
Transmission Pipeline Operators:
Northern Natural Gas Company
Basin Electric Power Cooperative
WHAT: Develop a Pipeline Safety Appendix to the Brookings County Zoning Ordinance

WHEN: June 1 – November 30, 2009

WHY: Public Safety & Awareness
Initial request for a building permit requested that a livestock building be placed directly over an existing pipeline.
After the landowner consulted with the pipeline company they agreed to split the structure, the 70’ represents the right-of-way of the pipeline.
How:
Through open communications with local operators, local communities and other interested parties.
### Key Players

<table>
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<tr>
<th>Brookings County Commission</th>
<th>Brookings City/County Planning Commission</th>
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<td>City of Volga</td>
<td>Fire Departments</td>
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<tr>
<td>Dakota, Minnesota and Eastern Railroad (CP)</td>
<td>Brookings and Volga</td>
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<td>148 landowners</td>
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<tr>
<td>Basin Electric Power Cooperative (BEPC)</td>
<td>Northern Natural Gas Company (NNGC)</td>
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Key elements used from the Pipelines and Informed Planning Alliance (PIPA) Report

• BL04: Adopt Transmission Pipeline Consultation Zone Ordinance

• BL05: Consultation Zone – Reference Recommended Practice BL05. An area extending from each side of a transmission pipeline, the distance of which should be defined by local governments, to describe when a property developer/owner, who is planning new property development in the vicinity of an existing transmission pipeline, should initiate a dialogue with a transmission pipeline operator.
Consultation Zone

Absent site-specific information

660-1000 feet Natural Gas Pipelines

1000-1500 Hazardous Liquid Pipelines
ESRI ArcGIS 3D Analyst showing portions of the NNGC pipeline traversing our pothole region.
ESRI ArcGIS 3D Analyst showing portions of the BEPC pipeline traversing our hilly region.
Brookings County Requirements:
Brookings County will not issue a building permit for construction over the pipeline without a valid Encroachment Permit issued by a pipeline operator.

When you request a building permit and you fall into the consultation zone you will be given a safety brochure from the pipeline operator whose pipeline is in the area.

When you request a building permit and you fall into the planning zone you will be given a safety brochure from the pipeline operator whose pipeline is in the area. A postcard will sent to the appropriate pipeline operator informing them of the issued building permit.

Consultation Zone: An area extending 650 from each side of a transmission pipeline, which defines when a property developer/owner, who is planning new development in the vicinity of an existing transmission pipeline, should initiate a dialogue with a transmission pipeline operator.

South Dakota One Call 811
Utility Locates:
CALL BEFORE YOU DIG
Requires 48 hours advance notification
1-800-781-7474

NOTE:
A building permit issued by Brookings County DOES NOT give you permission to dig. You must call SOUTH DAKOTA ONE CALL at least 48 hours prior to any excavating.

Planning Zone: An area around a transmission pipeline, defined based on characteristics of the pipeline and the surrounding area.

Basin Electric Power Cooperative Pipeline
Planning Zone Distance: 262 feet

Northern Natural Gas Company Pipeline
Planning Zone Distance: 117 feet

Northern Natural Gas Company (NNGC) Requirements:
Pipeline typically has a 70-foot easement.
Requires an encroachment agreement for any construction within the

Northern Natural Gas Company
C/O: Director of Right-of-Way
1111 South 103rd Street
Omaha, NE. 68124
24hr. Emergency #: 1-888-367-6671

Basin Electric Power Cooperative Requirements:
Pipeline typically has a 60-foot easement.
Requires an encroachment agreement for any construction within the easement area.

Basin Electric Power Cooperative
C/O: Director of Right-of-Way
1717 East Interstate Avenue
Bismarck, ND
24hr. Emergency #: 1-800-339-5616
Brookings County
County Development Department

520 3rd St, Suite 200
Brookings, SD 57006
zoning@brookingscountysd.gov
(605) 696-8350

Call Before You Dig!

LAND USE WITHIN THE
TRANSMISSION PIPELINE RISK REDUCTION OVERLAY DISTRICT

Brookings County, SD

Public Handout
Final product
Q: Why did the Permit Office hand me this brochure?

A: You have requested a building permit to excavate at a location that falls within the **Transmission Pipeline Risk Reduction Overlay District Consultation or Planning Zone**. This brochure summarizes your legal duties per Brookings County Ordinance Section 24.01: *Land Use in Transmission Pipeline Overlay District* which you must perform to obtain a building permit in this location.

Q: What is a **Consultation Zone** and what action is required?

A: A Consultation Zone is an area extending 600 feet from each side of an existing transmission pipeline. The permit office will notify the pipeline operator of the permit request to excavate in that zone as well as the type and size of the planned building. The property developer/owner must initiate a consultation with the transmission pipeline operator as early as possible in the development planning process. The consultation serves to: (1) protect pipelines by promoting adequate consideration of the potential safety impacts of the development on the transmission pipeline; and (2) raise awareness of the potential safety impacts of the pipeline on the development.

Q: What is a **Planning Zone** and what action is required?

A: The size of the Planning Zone depends on the specific characteristics of the pipeline:
- Basin Pipeline: 262’ with a 60’ easement
- Northern Pipeline: 117’ with a 70’ easement

The purpose of the Consultation Zone is to enforce the requirement for communication between property developers/owners within Brookings County and transmission pipeline operators when new development is planned within this zone.

A detailed site plan indicating the correct location of the existing pipeline is required. Hand-rendered drawings suffice. Contact the South Dakota One Call and have the pipeline located and marked. Confirm or correct the actual location of the pipeline on the site drawing. Provide the drawing to the permit office. Developer/owner must contact the pipeline operator and determine if the actual excavation will occur inside their right-of-way.

- If the excavation will occur outside the pipeline operator’s right-of-way, a building permit may be issued, and the permit office will notify the pipeline operator that a permit has been issued.

- If the excavation will occur within the right-of-way, the developer/owner must obtain a written and signed encroachment agreement from the pipeline operator and submit it to the permit issuing office before the office can issue a permit. The office will notify the pipeline operator that the permit has been issued and will note the exact location of the approved construction or excavation.

Q: How do I contact the operators?

A: The operators can be contacted at:
1) The Basin Electric Power Cooperative Pipeline
   Basin Electric Power Cooperative
   C/O: Director of Right-of-Way
   1717 East Interstate Avenue
   Bismarck, ND 58503
   24hr. Emergency #: 1-800-339-5616

2) The Northern Natural Gas Company Pipeline
   Northern Natural Gas Company
   C/O: Director of Right-of-Way
   1111 South 103rd Street
   Omaha, NE 68124
   24hr. Emergency #: 1-888-367-5671

Q: How and when do I call the South Dakota One Call center?

A: Call 1-800-781-7474 or 811 at least 48 hours before any excavating to have the pipeline located and marked.
Key Players

Demonstration Technical Assistance Grant funding was used to development our document. Assistance was also received from the following associations:

United States Department of Transportation Pipeline Safety Administration (PHMSA)

Cycla Corporation: Julie Halliday, Andy McClymont, & Herb Wilhite

National Association of Counties (NACo)

South Dakota Public Utilities Commission (SDPUC)
Get started

• Recognize that pipelines are federally regulated, but acknowledge that your community’s officials are responsible for your citizens and their safety.

• Check your state and local laws and adopt an ordinance of recommended practice to help in making decisions about what, where, and how to build safely near transmission pipelines.

• Visit:
  • U.S. Department of Transportation - Pipelines and Informed Planning Alliance [www.pipa-info.com](http://www.pipa-info.com)
  • Pipeline Safety Trust (PST) [http://pstrust.org/](http://pstrust.org/)
  • National Association of Counties (NACo) [http://www.naco.org](http://www.naco.org)

• Contact your state regulating authority, they go by different names, e.g. Public Utilities Commission, Regulatory Authority, and Public Service Commission, for advice.
Get started

• Visit National Pipeline Mapping System (NPMS) to locate transmission lines in your jurisdiction: https://www.npms.phmsa.dot.gov/

• If you do, contact the pipeline company. It will go easier if they are included in the beginning stages of an ordinance development.

• Have a meeting with your local elected officials and first responders. Make sure that you have clear objectives as you move forward.

• Contact your regional Office of Pipeline Safety (OPS) Community Assistance & Technical Services (CATS) team, they are a good resource for getting questions answered.

• Welcome public input during the process.
Get started

• Every ordinance will be different. How many people live close to the pipeline(s)? Does it run through a subdivision or is it agricultural land? Where are your essential public services, such as fire stations, located?
• The majority of pipelines have been in the ground for a long time and as communities grow they have been encroaching around them. Part of the process in developing an ordinance is public awareness.
• Do not be afraid to ask for assistance. There are various avenues of assistance available.
• You do not want to wait until the unthinkable happens to realize that you should have done something.
Thank You

Robert W. Hill
Brookings County Development Department
Emergency Management/Planning, Zoning & Drainage
Brookings, South Dakota

www.brookingscountysd.gov
rhill@brookingscountysd.gov