Pipeline Safety Regulation
Skagit County’s Experience
Grant Recipient

- In October 2010:
  - $49,667 Technical Assistance Grant
    - from the USDOT Pipeline and Hazardous Materials Safety Administration
    - to develop regulations regarding pipeline safety.
  - Spent $40,396 and returned $9,270
  - Adopted regulations in December 2011
Grant Deliverables

- Pipeline safety regulations
- Outreach materials & meetings
- Mapping products
Mapping Products

- a GIS layer that indicates the locations of hazardous liquid and natural gas transmission pipelines within the County
- available to the public on the web-based iMap tool
- instructions on the County’s pipeline safety webpage and brochure
Skagit’s Original Proposed Regulations

- Six pages
- New term: “Sensitive Utility Corridor”
  - Defined as 660 ft on either side of a transmission pipeline
- Required no-build setbacks from corridor
- New term: “High Consequence Land Use”
  - Defined as schools, hospitals, multifamily housing, fire, police, etc
  - New uses prohibited
  - Modifications or expansions of existing required features to reduce risk
- Title notice acknowledging the property is within the “potential impact radius” of a transmission pipeline
Did you know that your property is located within 1,000 feet of an oil, natural gas, or hazardous liquid transmission pipeline?
You are one of 3,200 land owners in Skagit County with property near a major pipeline.

There are four oil and gas transmission pipelines traveling across approximately 121 miles of Skagit County. These pipelines are operated by BP, Kinder-Morgan, Williams, and Cascade Natural Gas.

Skagit County Planning & Development Services is undertaking a process to adopt new procedures and development standards to address the issue of pipeline safety.

Through this process, it is our goal to promote awareness of the pipelines in our community and develop standards and procedures that ensure development near the pipelines occurs safely.

Public participation is key to good planning. Don’t miss your opportunity to weigh in on this issue!

We would like to hear from you!

Please join us for an informational meeting on
Monday, May 9, 2011, at 6:00 p.m.
1800 Continental Place
Mount Vernon, WA

Where to go for additional information:
www.skagitcounty.net
“Pipeline Safety Project Beginning”
• Video presentation on pipeline safety
• Interactive pipeline map
Controversy

Proposal generated a significant negative reaction from some members of the public, including spurious allegations of fraud against the Department and staff.

Subsequent independent reviews by the Washington State Auditor’s Office and a third-party attorney hired by the County Administrator revealed no substantiation for those allegations.
Response

- County Planning Commission voted against adoption of the proposal.
- Board of County Commissioners held two additional public hearings and opened two additional public comment periods.
- Legal staff generated several different drafts of the regulations before finally adopting a limited ordinance in December 2011.
Skagit’s Adopted Regulations

- Skagit County Code 14.16.835
- One page long
- Plain language
Elements of Adopted Code

1. Required consultation
2. Only wait 15 days after consultation
3. No additional authority to the Department to require changes to the project.
4. Title notice
5. Easement boundary markers during construction
Required Consultation

- Planning Department notifies pipeline operator when the project is within 100 ft of a transmission pipeline
- Pipeline easement is typically 50-60 ft total width
Required Title Notice

Property owner must record a notice before development

“The above-referenced property is located wholly or partially within the Skagit County Pipeline Consultation Area, defined by Skagit County Code as the area within 100 feet of any hazardous liquid or natural gas transmission pipelines.”
Outreach Materials

- brochure and webpage include:
  - a map of transmission pipelines in Skagit County
  - general information on the Call-Before-You-Dig law
  - examples of pipeline markers
  - an explanation of the rationale for pipeline consultation
  - a diagram indicating when consultation is required
  - emergency telephone numbers
  - frequently-asked questions
- webpage also includes links to information pipeline safety videos
- videos also air on government access TV
Pipeline Markers
(4) Any unit of local government that issues permits under codes adopted pursuant to chapter 19.27 RCW must, when permitting construction or excavation within one hundred feet, or greater distance if required by local ordinance, of a right-of-way or utility easement containing a transmission pipeline:

(a) Notify the pipeline company of the permitted activity when it issues the permit; or

(b) Require, as a condition of issuing the permit, that the applicant consult with the pipeline company.
More Information

- www.skagitcounty.net/pipelines

- Click on “Archived Skagit County Pipeline Ordinance Adoption Process” for ordinance drafts and public comments

- Click on “Final Skagit County Report for PHMSA Pipeline Safety Technical Assistance Grant” for summary of the Skagit County process