

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, January 6, 2021
VIA Telephone / Video Conference
7:00 PM**

During this tele-conference Planning Commission meeting, public comment will be handled as follows:

- Participants must call in by 6:55 pm.
- The public will be muted during the meeting when the Commission is conducting business.
- The Chairman will ask for any public comment on agenda items. Audience members who wish to make comments must unmute, identify themselves with name and address, to ask questions and make comments.
- Participants wishing to comment must state their name and address and must speak one at a time.

A. Call to Order / Pledge of Allegiance and Moment of Silence

B. Chairman will ask if anyone is going to record the meeting

C. Review of Tracking Log / Determine need for Workshop Meeting

D. Public Comment on Non-Agenda Items

E. Approval of Minutes

1. **December 2, 2020**

F. Subdivision and Land Development Applications

G. Conditional Uses and Variances

H. Ordinance Amendments

1. **Pipeline Hazard Mitigation / Pipeline Consultation Zone (DRAFT)**

I. Old Business

J. New Business

K. Any Other Matter

L. Liaison Reports

M. Correspondence

N. Announcements

1. **Annual Township Planning Session: January 26, 2021 / 6:30 PM Via Zoom. Meeting link will be posted on the Township Website.**

2. **Business Park Task Force Meeting January 5, 2021 7:00 PM Via Zoom. Meeting link will be posted on the Township Website.**

Bold Items indicate new information to review or discuss.

East Goshen Township Planning Commission
Application Tracking Log

January 6, 2021 PC Meeting

Application Name	Application (CU,LD,ZO, SD,V, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Township Engineer	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date	Comments
Pipeline HMS / Consultation Zone Ord.	ZO / SALDO	DRAFT	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Bold = New Application or PC action required

Completed in 2020

1631 E. Strasburg Rd	V	Sk	9/29/2020	9/29/2020	NA	NA	10/2/2020		10/7/2020	10/20/2020	10/27/2020	11/28/2020	
Solar Ordinance Amendment	ZO	Sk	10/30/2020	NA	NA	NA	NA		NA	NA	12/1/2020	NA	NA
Synthes USA / 1303 Goshen Parkway	LD	P/F	4/27/2020	5/6/2020	4/28/2020	4/30/2020	4/30/2020	1	9/15/2020	9/2/2020	NA	10/2/2020	
Boyle, 1137 N. Chester Rd.	V	Sk	7/29/2020	7/29/2020	NA	NA	7/31/2020		9/2/2020	9/15/2020	8/26/2020	9/25/2020	

Draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
December 2, 2020

The East Goshen Township Planning Commission held their regular monthly meeting on Wednesday December 2, 2020. Because of the COVID-19 restrictions the meeting was held via teleconference using Zoom.

Members present are highlighted:

Chair – Ernest Harkness

Vice Chair – John Stipe

Dan Daley

Edward Decker

Michael Koza

Mark Levy

Michael Pagnanelli

Also present were:

Mark Gordon, Zoning Officer

Kristin Camp, Esq, Township Solicitor

Christina Morley, Pipeline Taskforce member

COMMON ACRONYMS:

BOS – Board of Supervisors

BC – Brandywine Conservancy

CB – Conservancy Board

CCPC – Chester Co Planning Commission

CPTF – Comprehensive Plan Task Force

CVS – Community Visioning Session

SWM – Storm Water Management

ZHB – Zoning Hearing Board

A. FORMAL MEETING – 7 p.m.

1. Ernest called the meeting to order at 7:00 pm. He led the Pledge of Allegiance and a moment of silence to remember our first responders, military and healthcare providers.
2. Ernest asked if anyone would be recording the meeting and if there were any public comments about non-agenda items. There was no response.
3. Ernest checked the log.
4. The minutes of the November 4, 2020 meeting were approved as amended.

B. OLD BUSINESS

1. High Intensity Uses/Pipeline Considerations – Review of first draft - Mark Gordon reviewed the draft. The Pipeline Hazard Mitigation Study would be required for anything within 1,000 ft. of any existing pipeline. Kristin feels this will get the most information from an applicant at the outset. This would be part of the Subdivision and Land Development applications. The study would have to be done by a professional. Dan feels that it should be done by a professional specializing in pipelines. He feels this would probably be someone who works for the pipeline company. The type of materials in the pipeline are very important in planning. Pipelines can change the content of an existing pipeline without permits. Kristin doesn't feel that this study should be required for all conditional use applications. We need to look at all of the conditional uses to see which would need the pipeline study. Dan gave an example: the IBM building across from the township building was changed to a school. So that change in use would not include Land Development and would not need a pipeline study. Pipeline design and hazard mitigation are two different things. Mark Gordon suggested adding wording about the engineer "with appropriate experience." Kristin feels the applicant should meet with the local emergency management team. Mark Gordon will add emergency vehicle access at 4(d). Mike Koza feels it may be too restrictive for property owners seeking to do a small project. He thought this was going to be an Awareness Ordinance for use by developers. Is 1,000 ft. standard. Mark Gordon mentioned that he has seen 660 ft. as a distance from the pipeline. Mike K. asked if there is a definition for a pipeline. Mark Gordon will

1 add this. Also, Mark mentioned that the first pipelines were carrying liquids. Now they are converting to
2 high pressure gases. Kristin commented that the applicant would be giving content information as of that
3 point in time. They could not predict what the contents will be in the future. Mike P. mentioned
4 demolition. If a building is going to be taken down and new building constructed, do they need two
5 applications? Mark Gordon commented that they may have to put something in the building ordinance.
6 Mike P. asked if the applicant is going to be able to get all the information about the pipeline that they
7 need from the utility. Mark Gordon commented that this information is available to the public. John
8 asked if the term transcounty should be included. Mark Gordon commented that inter or intra are used.
9 Dan mentioned that these are transmission pipelines. The small pipelines in developments are service
10 lines.

11 Christina Morley is encouraged by all of the work that's being done with this project. She feels we
12 should include that the engineer must be PA licensed. In all of the DEP and Sunoco studies the State
13 required them to be signed by a PA licensed engineer. She asked that a copy of the proposed document
14 be provided to the Pipeline Taskforce for review. She asked that the Planning Commission and the
15 Taskforce continue to work together.

16
17 **C. NEW BUSINESS**

18 1. 2021 Goals – Mark mentioned that the Annual ABC meeting will be held on Tuesday January 26,
19 2021 at 6:30 pm. Ernest reviewed the status of the 2020 goals. The 2021 goals can be finalized at the
20 January 6, 2021 meeting.

21
22 **D. ANY OTHER MATTER**

- 23 1. Mark Gordon reported that traffic signal inspections and DEP inspection are all that are needed to be
24 done on the Paoli Pike Trail.
25 2. Mark Gordon reported that Hankin has a buyer for their property in the business park along Paoli Pike.
26

27 **E. LIASION REPORT**

28 1. Mark Gordon reported that the draft of the 2021 township budget is posted on the website. They will
29 have a final vote on December 15th. They deferred some spending to 2022.
30

31 **F. ADJOURNMENT**


32 Ernest thanked everyone for all of the work they did this year and wished them a safe and happy holiday.
33 There being no further business, Mike K. made a motion to adjourn the meeting. John seconded the
34 motion. The meeting was adjourned at 8:30 pm. The next regular meeting will be held on Wednesday,
35 January 6, 2021 at 7:00 pm.
36
37
38
39
40

41 Respectfully submitted, _____
42 *Ruth Kiefer, Recording Secretary*

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 12/31/2020
To: Planning Commission
From: Mark Gordon, Zoning Officer 
Re: Pipeline Hazard Mitigation Ordinances

Dear Commissioners,

Staff and the Solicitor have drafted an amendment to the SD&LD and Zoning Ordinances to address Pipeline safety and future development in the Township. The proposed ordinances will require new development within 660 feet of the centerline of the pipeline, to prepare a Pipeline Hazard Mitigation Study (PHMS). It will also require certain new uses to prepare the Pipeline Hazard Mitigation Plan should the new use require Conditional Use Approval.

The 660 foot requirement is outlined in both the Pipeline Hazard Materials Safety Administration (PHMSA) and the Pipelines and Informed Planning Alliance (PIPA) as the appropriate consultation zone distance for both Natural Gas and Hazardous Liquids Pipelines.

As luck would have it, as we were doing some final research this morning, we came across a model "Consultation Zone" ordinance that we like and covers down on the "Awareness Ordinance" aspect that David Shuey had discussed with the PC.

I have included for your review the PHMS ordinance that we developed in house, and the model "Consultation Zone" ordinance from PHMSA, along with some supporting information.

Please review these ordinances and we can discuss on Wednesday evening.

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP CODE, CHAPTER 205 TITLED “SUBDIVISION AND LAND DEVELOPMENT” SECTION 205-7 TITLED “DEFINITIONS” TO ADD A DEFINITION FOR HAZARDOUS LIQUID PIPELINE AND NATURAL GAS TRANSMISSION PIPELINE AND TO ADD A NEW SECTION 205-40.1 TITLED “PIPELINE HAZARD MITIGATION STUDY.”

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Goshen Township pursuant to the Board’s power to adopt ordinances necessary to secure the health, safety and welfare of the citizens of the Township pursuant to Section 1506 of the Second-Class Township Code, 53 P.S. §66506, and pursuant to the authority in the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101 *et seq.*, the Board enacts and ordains as follows:

SECTION 1. Chapter 205 of the East Goshen Township Code, titled, “Subdivision and Land Development”, Section 205-7 titled “Definitions” shall be amended by adding the following new definitions:

Hazardous Liquid Pipeline - any pipeline designed for transmission of a hazardous liquid as regulated by CFR Title 49, Section 195.2.

Natural Gas Transmission Pipeline – any transmission pipeline regulated by CFR Title 49, Section 192.3.

SECTION 2. Chapter 205 of the East Goshen Township Code, titled, “Subdivision and Land Development” shall be amended to add a new Section 205-40.1 titled “Pipeline Hazard Mitigation Study” which shall provide as follows:

“§ 205-40.1 Pipeline Hazard Mitigation Study.

A. Applicability. A pipeline hazard mitigation study (“PHMS”), prepared by and sealed by a professional engineer licensed in the Commonwealth of Pennsylvania shall be submitted to the Township, with the following submissions:

- (1) As part of a preliminary plan submission for any land development application where the property proposed to be developed is located within 660 feet of the centerline of any Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline.

(2) As part of a tentative plan submission for any application for a planned residential development (PRD where the property proposed to be developed is located within 660 feet of the centerline of any Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline.

(3) As part of a conditional use application for the following uses when the property where the use is proposed is located within 660 feet of the centerline of any Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline:

- (a) Any residential development.
- (b) Township park.
- (c) Place of worship or religious institution, excluding hospitals, sanitariums, penal or corrective institutions.
- (d) Public or private primary or secondary school.
- (e) Publicly owned recreation.
- (f) Public utility facility.
- (g) Private recreation facility.
- (h) Church or place of worship.
- (i) Nursing home or personal-care center.
- (j) Life-care center.
- (k) Business and professional offices.
- (l) Gasoline service station, which may include the sale of gasoline as an accessory use.
- (m) Shopping center.
- (n) Day care, child or adult.
- (o) Hotel or motel.
- (p) Mobile/manufactured home park in accordance with § 205-64B of this Chapter 205.

(q) Medical facility for patient care that is supplementary to normal hospital services, but not including a hospital.

(r) Hospital.

(s) Cyber charter school campus

(t) Conference center.

]

(u) Treatment center.

(v) Exercise/health/tennis clubs.

(x) Fire or ambulance station.

B. Contents. The PHMS shall contain the following information:

(1) Background information.

(a) A general description of the property subject to the application, including lot area, topography, watercourses, vegetation, landscaping, existing improvements including buildings, structures, driveways, parking, loading areas, fire hydrants, surrounding uses, etc.

(b) A specific description of the Hazardous Liquid Pipelines and Natural Gas Transmission Pipelines located within 660 feet of the proposed land development, PRD or conditional use which shall include:

[1] Size of pipeline.

[2] Number of pipelines.

[3] Width of easement.

[4] Materials transported through the pipeline.

(2) An assessment of the potential negative impacts and hazards to health, safety and welfare of the occupants and buildings associated with the proposed land development, PRD or conditional use due to the proximity of the Hazardous Liquid Pipeline or Natural Gas Transmission Pipeline.

(3) Mitigation measures that Applicant may implement to address the potential negative impacts and hazards to the health, safety and welfare of the occupants and buildings associated with the proposed land development, PRD or conditional use and suggested measures to mitigate the potential negative impacts and hazards to the proposed

occupants and buildings proposed in the development, PRD or conditional use, including but not limited to: design alternatives, reconfiguration of buildings, access driveways, interior driveways and parking lots, additional means of access, additional and/or enhanced fire protection measures and devices, enhanced emergency communication systems, use of specific building materials, increased setbacks, buffering, landscaping, conservation of existing vegetation, and any other appropriate measurer permitted under the terms of this chapter and other Township ordinances.

C. As part of the review of the preliminary plan submission, tentative PRD plan submission or conditional use submission for the uses specified in §205-40.1.A(3) above, the Planning Commission and Board shall consider the contents of the PHMS and evaluate if the respective plans appropriately address the potential negative impacts and hazards to the health, safety and welfare of the occupants and buildings associated with the Hazardous Liquid Pipelines and Natural Gas Pipelines located within 660 feet of the proposed development, PRD or conditional use. The Planning Commission and Board may seek input from the Emergency Management Coordinator, Fire Marshall, Fire Chief, utility providers, Pipeline Task Force or any other person or entity with experience or knowledge of hazards associated with Hazardous Liquid Pipelines and Natural Gas Pipelines. As a result of such review, the Planning Commission and Board may require the Applicant to revise its plans to mitigate potential negative impacts and hazards to the health, safety and welfare of the occupants and buildings caused by the proximity of the Hazardous Liquid Pipeline or Natural Gas Pipeline to the proposed development, PRD or use.”

SECTION 3. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 4. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 5. Effective Date. This Ordinance shall become effective five days from the date of adoption.

ENACTED AND ORDAINED this _____ day of _____, 2020.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

E. Martin Shane, Chair

David E. Shuey, Vice-Chair

John Hertzog, Member

Michael P. Lynch, Member

Michele Truitt, Member

Model Ordinance for Land Use and Construction Near Transmission Pipelines
Appendix B from PIPA Report
“Partnering to Further Enhance Pipeline Safety In Communities Through Risk-
Informed Land Use Planning”
November 17, 2010

Appendix B: Model Ordinance

The following model ordinance may be used by cities or other jurisdictions with planning authority (e.g., counties, townships, villages) as a starting point for development of an ordinance to incorporate or promote recommended practices for protecting communities and underground utility infrastructure. Although the model ordinance as written refers directly to transmission pipelines located in a *city*, it may be used by other jurisdictions (with appropriate changes). It is expected that each specific jurisdiction would change the text of the ordinance to fit the circumstances of that jurisdiction.

Bill No. _____

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR MINIMUM REQUIREMENTS PERTAINING TO LAND USE,
CONSTRUCTION, AND PUBLIC SAFETY NEAR GAS TRANSMISSION AND/OR HAZARDOUS
LIQUID TRANSMISSION PIPELINES WITHIN THE CITY

WHEREAS, the United States economy is heavily dependent on gas transmission and hazardous liquids pipelines to transport and distribute energy and raw materials; and

WHEREAS, gas transmission and/or hazardous liquid transmission pipelines extend through portions of the City of; and

WHEREAS, these pipelines, if ruptured or damaged, may pose a risk to public safety and/or the environment; and

WHEREAS, new development in proximity to pipelines should incorporate design features to minimize possible public safety and/or environmental risks; and

WHEREAS, the [Board of Aldermen] [City Council] wishes to minimize risk of rupturing or damaging these pipelines; and

WHEREAS, the National Transportation Safety Board has recognized that third-party damage and pipeline right-of-way encroachment are significant threats to pipeline safety; and

WHEREAS Title 49, Code of Federal Regulations, Parts 192 & 195 provide regulations for transmission pipelines; and

WHEREAS, the City has been encouraged by the U.S. Department of Transportation to adopt policies and regulations intended to reduce the likelihood of accidental damage to gas and hazardous liquid pipelines and to reduce adverse impacts of pipeline failures located within its jurisdiction; and

WHEREAS, the City desires to amend the City Code by adopting policies and regulations intended to reduce the likelihood of accidental damage to the gas and hazardous liquid pipelines and to help reduce adverse impacts in the event of a pipeline failure; and

[WHEREAS, the City held a Public Hearing on these proposed City Code amendments; and]

[WHEREAS, at the Public Hearing, all interested persons and citizens were given an opportunity to be heard on these proposed amendments to the City Code; and]

**NOW THEREFORE, BE IT ORDAINED BY THE [BOARD OF ALDERMEN] [CITY COUNCIL]
OF THE CITY OF _____, AS FOLLOWS:**

SECTION 1. That Section of the City Code shall be and is hereby amended by adding the following definitions:

CONSULTATION ZONE means an area within _____ feet of a transmission pipeline. See Section 2 below. [Refer to PIPA Recommended Practice BL05.]

DEVELOPMENT PERMIT means, for the purposes of the consultation zone requirements, any permit for activity that involves construction, grade modification, excavation, blasting, land clearing, or the deposit of earth, rocks or other materials that places an additional load upon the soil. Construction that involves work totally within an existing building footprint, such as residential remodeling projects, is specifically exempted from these consultation zone requirements.

GAS TRANSMISSION PIPELINE means a “transmission line” as defined by Title 49, Code of Federal Regulations, Section 192.3.

HAZARDOUS LIQUID PIPELINE means a pipeline designed for the transmission of a “hazardous liquid”, as defined by Title 49, Code of Federal Regulations, Section 195.2.

PERSON means any individual, firm, joint venture, entity, partnership, corporation, association or cooperative.

PIPA REPORT means a report prepared by the U. S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) through the Pipelines and Informed Planning Alliance (PIPA) initiative with support from many participating stakeholders. The report was initially released in 2010 and will be updated as needed. It is available on the PHMSA Pipeline Safety Stakeholder Communications web site at <http://primis.phmsa.dot.gov/comm/>.

PIPELINE means the same as is defined by Title 49, Code of Federal Regulations, Sections 195.2 and 192.3.

PIPELINE FACILITY means the same as is defined by Title 49, Code of Federal Regulations, Sections 195.2 and 192.3.

PLANNING AREA means an area around a transmission pipeline that is defined, based on characteristics of the pipeline and the surrounding area, to determine where the requirements of Section 6 below apply. [Refer to PIPA Recommended Practice BL06.]

TRANSMISSION PIPELINE means gas transmission pipeline or hazardous liquid pipeline as defined above.

SECTION 2. That Section _____ of the City Code shall be and is hereby amended by adding Subsection thereto, which Subsection shall read as follows:

CONSULTATION ZONE

a. Consultation Zone Distance

A consultation zone is hereby established for any parcels within _____ feet of the centerline of a transmission pipeline. [Refer to PIPA Recommended Practice BL05.]

b. Consultation Zone Notification

At application for a development permit, staff at the permit counter shall notify the individual they are within the consultation zone, explain the relevant application procedures, and provide contact information for the applicable pipeline operator(s). This same procedure shall be followed whenever an individual inquires about development regulations or zoning restrictions for property within the consultation zone.

c. Application Process within Consultation Zone

Complete application for development permit within a designated consultation zone must include written verification from applicant that:

1. Applicant has contacted the pipeline operator(s) and has provided them with documentation detailing the proposed development type and place of the activity; and
2. The pipeline operator(s) has reviewed the documents.
3. The written verification required by this section can be in any form acceptable to the City, including electronic communications, so long as it is clear that the pipeline operator(s) has received and reviewed documentation showing the proposed information concerning any impact the activity will have upon the integrity of the transmission pipeline(s). The verification should include all comments received from the operator or a notice from the operator indicating that the operator has no comments.
4. If the operator does not respond within 30 days after being contacted and provided information by the developer pursuant to c.1 above, then the City may waive the requirement for written verification given under c.3 above.

SECTION 3. That Section _____ of the City Code shall be and is hereby amended by adding Subsection thereto, which Subsection shall read as follows:

PLANNING AREA

a. Planning Area Distance

Planning areas are hereby established within the following distances of the pipeline centerlines, for the following transmission pipeline(s).

Pipeline A – YYY feet

Pipeline B – ZZZ feet

Pipeline C –Etc. [See PIPA Report Recommended [Practice BL06](#)]

b. Applicability of Planning Area

At application for a development permit, staff at the permit counter shall notify the individual they are within the planning area and explain the relevant requirements.

Development within the planning area shall meet the requirements under Section 6 below.

SECTION 4. That Section _____ of the City Code shall be and is hereby amended by adding Subsection thereto, which Subsection shall read as follows:

The plat must provide a note that all existing gas transmission and/or hazardous liquid pipelines or pipeline facilities through the subdivision have been shown, or that there are no known existing gas transmission and/or hazardous liquid pipelines or pipeline facilities within the limits of the subdivision.

The location of all transmission pipelines and related easements shall be shown on all preliminary plat, zoning, building, and record plat maps when proposed development is within the planning area.

For proposed development within the consultation zone around pipeline(s), developer shall forward all site or subdivision plans for review comments to the Pipeline Operators by certified mail, return receipt requested, to be supplied to the City as proof of notification prior to plan approval.

SECTION 5. That Section _____ of the City Code shall be and is hereby amended by adding Subsection thereto, which Subsection shall read as follows:

[Insert selected PIPA Recommended Practices for protecting transmission pipelines]

SECTION 6. That Section of the _____ Code shall be and is hereby amended by adding Subsection thereto, which Subsection shall read as follows:

[Insert selected PIPA Recommended Practices ND11 through ND23, as appropriate, indicating requirements within the planning area]

SECTION 7. Severability. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen (or City Council) that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision that had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 8. Effective Date. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION 9. Savings. Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

Read two times and passed this _____ day of _____, 2____.

As Presiding Officer and as Mayor

Attest: _____

City Clerk

Approved this _____ day of _____, 2008.

Mayor

Attest: _____

Consultation Zones and Planning Areas

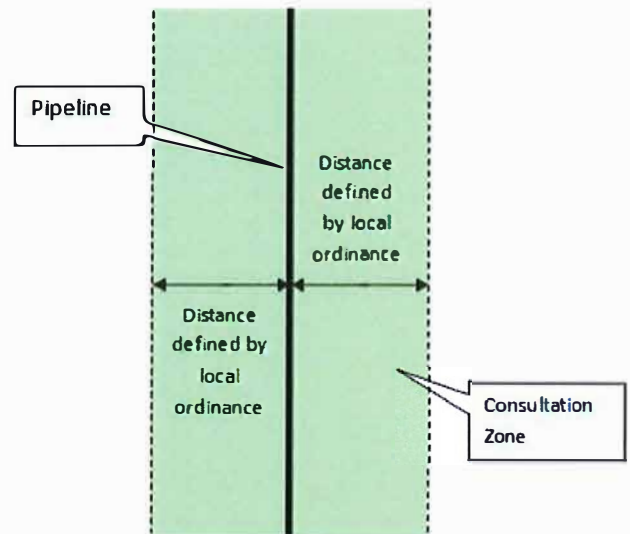
Communication Helps Ensure Safety

Land use changes and development near transmission pipelines can create risks to communities and to the pipeline infrastructure. Safety is a primary and common goal for all stakeholders and should be considered when decisions are made that impact life, property or the environment. Early communication among stakeholders can help. Doing so will ensure that development plans minimize risks to the people living or working nearby, and are consistent with the needs and legal rights of developers and pipeline operators.

Consultation Zone - Local governments should define "consultation zones" to provide mechanisms for communication between property developers/owners and operators of nearby transmission pipelines when new land uses and property developments are being planned. (PIPA Recommended Practice BL05)

Planning Area - Local governments should consider implementing "planning areas" to enhance safety when new land use and property developments are planned near transmission pipelines. (PIPA Recommended Practice BL06)

A planning area should not be construed as an unsafe area and the planning area distance is not intended to be used as a fixed setback distance. Rather, these are areas where additional development regulations, standards or guidelines to ensure safety should be considered. PIPA Recommended Practices ND11 through ND23 describe additional considerations for use within a planning area.



Consultation Zone and Planning Area Distance - Absent any site specific information, the recommended size for consultation zones and planning areas is:

- 660 feet on either side of the centerline of natural gas pipelines
- 660 – 1000 feet on either side of the centerline of hazardous liquid pipelines

However, in either case it is recommended that communities develop and utilize site-specific distances for planning areas, based on the unique characteristics for the pipeline and the area surrounding the pipeline. Generally, consultation zones and planning areas larger or smaller than the recommended default distances may be warranted.

Incorporate Consultation Zones and Planning Areas by Ordinance

The most effective way for a local government to ensure early communication among stakeholders to help them make risk-informed decisions about land use and development near transmission pipelines is to require by ordinance that such communication be conducted. PIPA developed a model ordinance which is included as Appendix B in the [PIPA Report](#) (a link to the model ordinance is provided below). Additionally, several communities have already taken steps to require by ordinance that such communications occur.

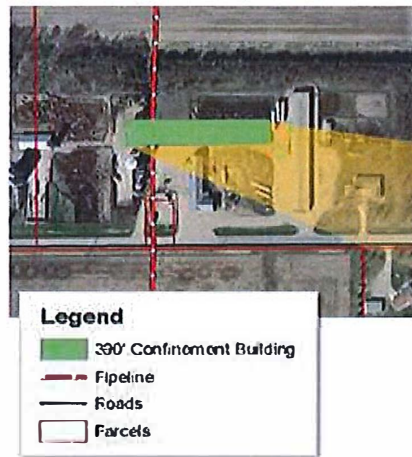
Examples of land planning ordinances and codes

- PIPA Model Ordinance  
- Brookings, South Dakota
- Whatcom County, Washington
- Austin, Texas

Land Planning Ordinance: Brookings County, SD - Transmission Pipeline Risk Reduction Overlay District

An overlay is an additional "layer" of zoning targeted to a specific area with special needs.

Brookings County adopted a consultation zone and a planning zone ordinance which uses an overlay district to identify when



Landowner's final plan after consulting with pipeline operator



development is planned near a transmission pipeline. The Transmission Pipeline Risk Reduction Overlay District was incorporated into the County's GIS and is used primarily when issuing zoning and building permits, to facilitate discussions among developers, landowners, and pipeline operators.

The **consultation zone** is an area within 660 feet of existing pipelines. When a building permit is requested within the consultation zone, the person requesting the permit is verbally informed that the building is being constructed near a transmission pipeline. A pipeline safety brochure is provided along with the building permit. The permit office notifies the pipeline operator of the building permit request, and the type and size of the building. The property developer/owner must initiate a consultation with the transmission pipeline operator as early as possible in the development planning process.

The **planning zone** distance is determined based on the site-specific and pipeline-specific characteristics. The planning zone is a tool to identify where new development requires a physical response. When an individual or organization requests a building permit and the location is within the planning zone then the permit office staff will request a detailed site plan – a hand rendered drawing will suffice. The building permit requestor will be given a brochure with information on the point-of-contact for the pipeline company, and the recommended land management practices for new development near existing transmission pipelines. The requestor will also be notified to contact the South Dakota One Call to have the pipeline located and marked prior to the issuance of a building permit. The individual or organization requesting the building permit must then confirm or correct the actual location of the pipeline on the site drawing.

If excavation will occur completely outside of the pipeline right-of-way, a building permit will be issued. The pipeline operator will be notified that a building permit has been issued and will be provided with the location of the construction by the permit office.

If excavation will occur inside the pipeline right-of-way, the developer must obtain a written, signed encroachment agreement from the pipeline operator. The encroachment agreement must be submitted to the building permit issuing office before a building permit will be issued. The pipeline operator will be notified that a building permit has been issued and will be provided with the location of the construction by the permit office.

Land Planning Ordinance: Whatcom County, WA - Consultation Zone Ordinance

Whatcom County's consultation zone ordinance specifies:

- No high-occupancy, hard-to-evacuate buildings such as schools, hospitals, nursing homes, etc. within 500 feet of transmission pipelines
- Consultation zone of 500 feet
- Protect easements during construction
- Verify use of one-call

SPONSORED BY: Consant
 PROPOSED BY: PDS
 INTRODUCTION DATE: 6/8/2010

ORDINANCE NO. 2010-033

AMENDING WCC TITLE 20, TO ADD PIPELINE SAFETY REGULATIONS

WHEREAS, Whatcom County Planning and Development Services responded to a 2007 Whatcom County Council proposal, Resolution Number 2007-034, to amend the zoning code to include pipeline safety and development changes, as processed under case file number ZON2007-00014.

WHEREAS, due to other priorities, Whatcom County Planning and Development Services first reviewed this amendment and public hearing in early 2010.

WHEREAS, Pursuant to RCW 36.70A.106, a Notification for 60-Day Review of Development Regulation Amendment was submitted to the State of Washington, Department of Commerce on February 2, 2010.

WHEREAS, a determination of non-significance (DNS) was issued under the State Environmental Policy Act (SEPA) on February 8, 2010, case number SEP2010-00012.

WHEREAS, the SEPA DNS Legal Notice was published one time in the Bellingham Herald on February 8, 2010.

WHEREAS, Notice of the proposed Planning Commission Public Hearing was published in the Bellingham Herald on March 14, 2010.

WHEREAS, Planning staff prepared a staff report dated March 15, 2010, summarizing the proposal, background information, amendment analysis, findings of fact and reasons for action, conclusions, and recommendations of ordinance language.

WHEREAS, the Whatcom County Planning Commission held a public hearing on March 25, 2010, and voted to form a subcommittee to prepare draft ordinance language for consideration.

WHEREAS, the Whatcom County Planning Commission subcommittee held public meetings on March 29th, April 7th, and April 14th, 2010, and prepared a draft ordinance for review by the Planning Commission at their April 22, 2010 public hearing.

WHEREAS, the Whatcom County Planning Commission held a public hearing on April 22, 2010, and modified the draft ordinance and invited further public comment.

Land Planning Ordinance: Austin, TX

Austin's Municipal Code 25-2-516, "Land Use Development" specifies:

- "Use requiring evacuation assistance" prohibited within 500 feet of a pipeline
- New construction within 200 feet of a pipeline must meet enhanced building code
- No structures or excavation within "restricted pipeline area" within 25feet of a pipeline
- Residential lots less than 1 acre cannot include a "restricted pipeline area"

The screenshot shows the Austin Texas website interface. On the left is a navigation menu with a tree view of ordinance titles. On the right is a table of ordinance sections with their corresponding titles. The table includes a search bar at the top, navigation buttons for document, advanced search, results, print, and save, and a table with columns for ordinance number and title.

Ordinance Section	Title
§ 25-2-492	Site Development Regulations
§ 25-2-511	Dwelling Unit Occupancy Limit
§ 25-2-512	Minimum Lot Size
§ 25-2-513	Openness of Required Yards
§ 25-2-514	(Reserved)
§ 25-2-515	Rear Yard of Through Lot
§ 25-2-516	Development near a Hazardous Pipeline

PIPA Recommended Practice BL05

BL05 "Define Transmission Pipeline Consultation Zone"

Practice Statement Local governments should define a "consultation zone" to provide a mechanism for communication between property developers/owners and operators of nearby transmission pipelines when new land uses and property developments are being planned.

Audience(s): [Local Government](#)

Practice Description

Local governments should define a consultation zone to provide a mechanism to initiate communication between property developers/owners and operators of nearby transmission pipelines when new land uses and property developments are being planned. Optimally, the consultation zone distance should be measured from the transmission pipeline centerline and should be based on specific pipeline characteristics and local conditions.

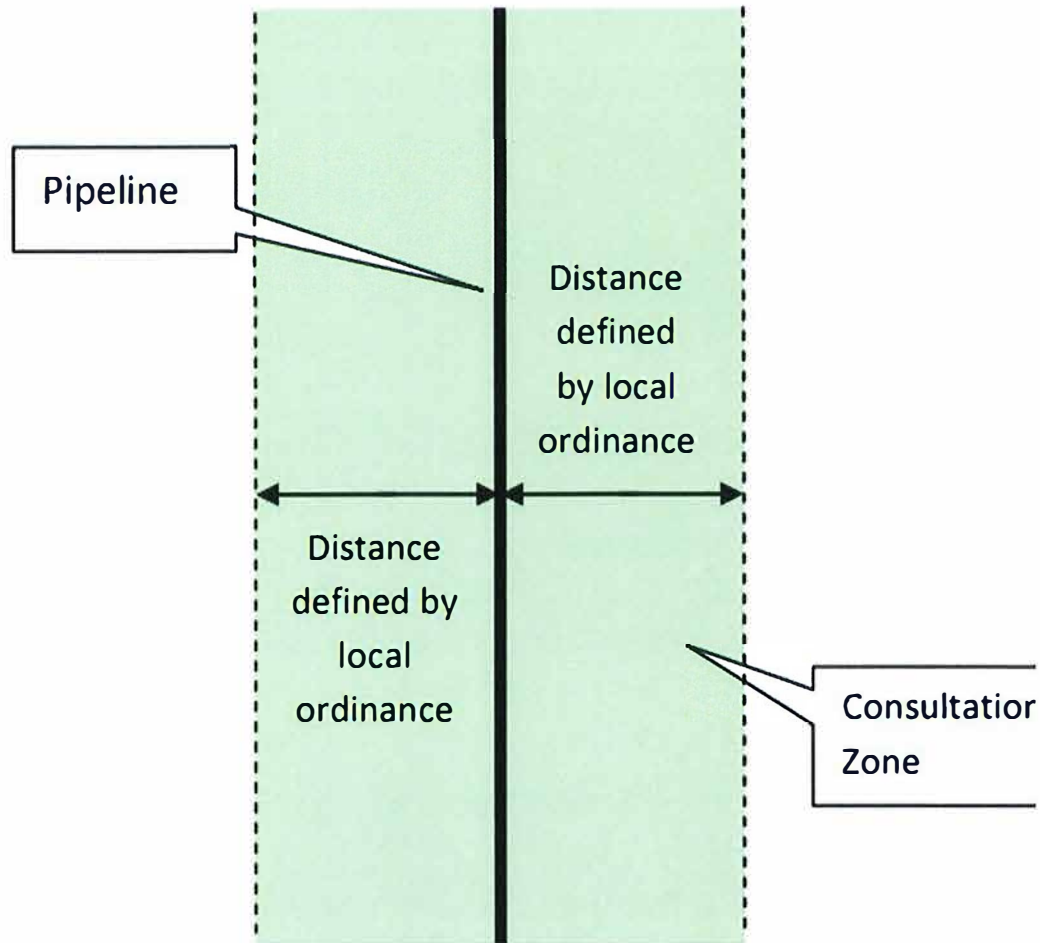
The intent of this recommended practice is to initiate a dialogue between the property developer/owner and the transmission pipeline operator when new land use or property development is planned near a transmission pipeline. This dialogue will serve to: (1) protect the transmission pipeline by promoting adequate consideration of the potential safety impacts of the proposed land use or property development on the pipeline; and (2) raise awareness of the potential safety impacts of the transmission pipeline on the proposed land use or development so they can be taken into account during planning and design.

For proposed new land uses and developments within the consultation zone, the property developer/owner should be required to initiate consultation with the transmission pipeline operator as early as possible in the development planning process. The local government and the property developer/owner should consult local land records to determine if transmission pipelines are located in the proposed development area. In addition, the National Pipeline Mapping System (NPMS), <https://www.npms.phmsa.dot.gov/>, may be utilized, with the caution that the accuracy of pipeline locations in the NPMS vary from pipeline to pipeline and may be as much as +/- 500 feet. Also, neither local land records nor the NPMS should ever be used in lieu of calling the one-call center to have the actual position of transmission pipelines and other underground facilities located and marked prior to excavation. In most cases an excavator can generally dial 811 to contact the one-call center.

Once consultation has begun, specific considerations to further enhance safety and protect communities where new development is planned near transmission pipelines may be taken into account. Several additional considerations are discussed in PIPA recommended practices BL06 and ND11

through ND23. Recommended [Practice BL06](#) addresses the development and implementation of a "planning area". A consultation zone distance should be measured from the transmission pipeline centerline. So that consultation zone requirements are appropriately applied to proposed land uses and developments, a site-specific distance based on the characteristics of the pipeline (e.g., pipeline diameter, operating pressure, potential spill volumes, transported commodities, unrestrained flow characteristics of transported commodities) and the area surrounding the pipeline (e.g., topography, population density, vegetation, structures, etc.) should be determined. Local governments should work with the pipeline operators to determine site-specific pipeline characteristics when developing their consultation zone distances.

Absent site-specific information, it is suggested that a standard consultation zone distance, on either side of the pipeline centerline, of 660 feet be used for natural gas transmission pipelines. For hazardous liquid pipelines, also absent site-specific information, it is suggested that a standard consultation zone distance in a range from 660 to 1,000 feet be considered. However, in either case it is recommended that communities develop and utilize site-specific distances for consultation zones, based on the unique characteristics for the pipeline and the area surrounding the pipeline. As noted, the transmission pipeline operator can be helpful and should be consulted in assisting local governments to better understand the pipeline characteristics when they develop site-specific consultation zone distances. Generally, consultation zone distances larger or smaller than the standard distances may be warranted. High/low operating pressure, large/small pipe diameters, type of product carried and local topography can influence the potential impact on nearby development. Related information on refining planning area distances (see PIPA Recommended [Practice BL06](#)) is provided in Appendix I. Additionally, American Petroleum Institute Recommended Practice ([API RP 1162](#), Public Awareness Programs for Pipeline Operators, First Edition, December 2003, includes recommendations for collaboration among pipeline operators, property owners/developers and emergency response officials that may be helpful in developing criteria for a planning area. API RP 1162 applies within 660' of a hazardous liquid pipeline.



Local requirements should be clear that the consultation zone is only intended to:

Alert the transmission pipeline operator that a development near its pipeline is being planned;

- Help protect transmission pipelines by promoting adequate consideration of the potential safety impacts of the development on the transmission pipeline; and
- Raise awareness of the potential safety impacts of the transmission pipeline on the development.

Satisfying these objectives may help to avoid costly changes in land use and development plans at a later date and potential damage to the pipeline.

Relationship to [Practice BL04](#)

PIPA Recommended [Practice BL04](#) encourages local governments to enact ordinances, regulations, or procedural recommendations that require property developers/owners to consult with transmission pipeline operators as part of the land use planning and permitting process, when development is planned within a consultation zone. The definition of a consultation zone, as provided here in Recommended [Practice BL05](#), helps to simplify the determination of when such

consultations should be initiated. Verification that the requirements for consultation are met should not impose an undue burden on the landowner, developer, or pipeline operator.

Relationship to Pipeline Operator Public Awareness Programs

The purpose for and size of a consultation zone does not affect the requirements for transmission pipeline operators to develop and implement pipeline public awareness programs as defined by PHMSA pipeline safety regulations.

Information the Transmission Pipeline Operator may need from the Property Developer/Owner

During consultation, a transmission pipeline operator may need information from the property developer/owner in order to discuss appropriate considerations for the proposed development.

1. What is the street address (or if not available, the general location) of the property.
2. Is the property encumbered by a pipeline easement? If so, please attach a copy of the easement or provide the recording (volume and page) information.
3. Is there visual evidence of a pipeline on subject property (e.g., aerial markers, above-ground appurtenances, etc.)?
4. Will the proposed development of the property require/entail (and if so, please describe briefly):
 - a. Road crossings over the pipeline?
 - b. Other utility lines crossing over or under the pipeline?
 - c. Permanent structures or paving within the easement area (e.g., paving, parking lots, buildings, pedestrian paths, signage, poles, retaining walls, septic systems, basketball/tennis courts, etc.)?
 - d. Extensive landscaping (including irrigation systems) within the easement area?
 - e. Changing the amount of cover (by adding or removing dirt) within the easement area?
 - f. Construction equipment crossing the pipeline?
 - g. Blasting, seismic vibration testing, pile driving, or similar event which produces significant shock and/or sound waves?
 - h. Significant excavation (underground parking structures or building foundations, core samples, rock/mineral quarries, dams, etc.)?
 - i. Impounding water or building drainage ditches or other drainage facilities?
 - j. Fencing running parallel to (within 100 feet) or crossing the pipeline?
 - k. Storing materials, equipment, vehicles, or other items within the easement area (e.g., construction materials, junk or scrap heaps, cut timber, boats, military equipment, etc.)

5. What is the approximate distance of the proposed building closest to the pipeline?
6. Has the pipeline operator been previously contacted regarding this development? If so, by whom.
7. Provide a site plan if available.

Information Transmission Pipeline Operators may provide during Consultation

Some examples of information that transmission pipeline operators may provide to local governments and/or property developers/owner to assist them in developing consultation zone distances or planning specific developments:

1. Pipeline diameter and wall thickness
2. Age of pipeline
3. Depth of cover
4. Typical operating pressure and maximum allowable operating pressure
5. Material transported and typical daily flow rate
6. Estimated worst case spill volume in the area of the development

References

- [California Department of Education, Guidance Protocol for School Site Pipeline Risk Analysis, 2007](#)
- [American Petroleum Institute \(API\) Recommended Practice \(RP\) 1162, Public Awareness Programs for Pipeline Operators.](#)
- References on Potential Gas Pipeline Impacts:
 - [Gas Research Institute GRI-00/0189, A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines, 2000](#)
 - [49 CFR 192.5, 49 CFR 192.903](#)
 - [ASME B31.8-2004, Managing System Integrity of Gas Pipelines](#)

Navigate to Other Practices:

- **Baseline (BL) Recommended Practices:** [BL01](#) [BL02](#) [BL03](#) [BL04](#) **BL05** [BL06](#) [BL07](#) [BL08](#) [BL09](#) [BL10](#) [BL11](#) [BL12](#) [BL13](#) [BL14](#) [BL15](#) [BL16](#) [BL17](#) [BL18](#)
- **New Development (ND) Recommended Practices:** [ND01](#) [ND02](#) [ND03](#) [ND04](#) [ND05](#) [ND06](#) [ND07](#) [ND08](#) [ND09](#) [ND10](#) [ND11](#) [ND12](#) [ND13](#) [ND14](#) [ND15](#) [ND16](#) [ND17](#) [ND18](#) [ND19](#) [ND20](#) [ND21](#) [ND22](#) [ND23](#) [ND24](#) [ND25](#) [ND26](#) [ND27](#) [ND28](#)
- [Table of Recommended Practices](#)

PIPA Recommended Practices

Recommended Practices - Expanded Version [condensed version]

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
Baseline (BL) Recommended Practices					
BL01	"Obtain Transmission Pipeline Mapping Data" Local government agencies responsible for land use and development planning or the issuance of development permits should obtain mapping data for all transmission pipelines within their areas of jurisdiction from PHMSA's National Pipeline Mapping System or from the transmission pipeline operators and show these pipelines on maps used for development planning.	Yes			
BL02	"n/a - Recommendation is incorporated into other practices."				
BL03	"Utilize Information Regarding Development around Transmission Pipelines" Transmission pipeline operators should provide information about their pipelines to local governments and property developers/owners who are planning development around their pipelines. Local government authorities regulating development should use this information to establish requirements regarding land use and development around transmission pipelines.	Yes		Yes	

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
BL04	<p><i>"Adopt Transmission Pipeline Consultation Zone Ordinance"</i></p> <p>Local governments should adopt land development procedures requiring property developers/owners to consult with transmission pipeline operators early in the development process, so that development designs minimize risks to the populace living or working nearby and are consistent with the needs and legal rights of the operators.</p>	Yes			
BL05	<p><i>"Define Transmission Pipeline Consultation Zone"</i></p> <p>Local governments should define a "consultation zone" to provide a mechanism for communication between property developers/owners and operators of nearby transmission pipelines when new land uses and property developments are being planned.</p>	Yes			
BL06	<p><i>"Implement New Development Planning Areas around Transmission Pipelines"</i></p> <p>Local governments should consider implementing "planning areas" to enhance safety when new land use and property development is planned near transmission pipelines.</p>	Yes			
BL07	<p><i>"Understand the Elements of a Transmission Pipeline Easement"</i></p> <p>Property developers/owners should have an understanding of the elements of and rights conveyed in a transmission pipeline easement.</p>		Yes		
BL08	<p><i>"Manage Land Records"</i></p> <p>Land use agreements between pipeline operators and property owners should be documented and managed and, when necessary, recorded.</p>		Yes	Yes	
BL09	<p><i>"Document and Record Easement Amendments"</i></p> <p>Easement amendments should be documented, managed and recorded.</p>		Yes	Yes	

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
BL10	<p><i>"Implement Communications Plan"</i> Transmission pipeline operators should develop and implement effective communications plans when communicating acceptable transmission pipeline right-of-way uses and activities to property developers/owners and other stakeholders.</p>			Yes	
BL11	<p><i>"Effectively Communicate Pipeline Risk and Risk Management Information"</i> Transmission pipeline operators should identify barriers to effectively communicating with stakeholders and use communication techniques designed to overcome those barriers and effectively engage stakeholders to communicate with them regarding pipeline risks and how the operator manages such risks.</p>			Yes	
BL12	<p><i>"Notify Stakeholders of Right-of-Way Maintenance Activities"</i> Transmission pipeline operators should notify affected stakeholders of right-of-way maintenance activities, including vegetation management.</p>			Yes	
BL13	<p><i>"Prevent and Manage Right-of-Way Encroachment"</i> Transmission pipeline operators should communicate in a documented and timely manner with property developers/owners to prevent or rectify unacceptable encroachments or inappropriate human activity within the transmission pipeline right-of-way.</p>			Yes	
BL14	<p><i>"Participate to Improve State Excavation Damage Prevention Programs"</i> All pipeline safety stakeholders should participate in the work of organizations seeking to make improvements to state excavation damage prevention programs, especially efforts to reduce exemptions from participation in one-call systems.</p>	Yes	Yes	Yes	

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
BL15	<p><i>"Enhance Damage Prevention Practices near High-Priority Subsurface Facilities"</i> Transmission pipeline operators should implement enhanced damage prevention practices within the transmission pipeline right-of-way to ensure that pipeline operators and excavators meet on-site prior to excavation activity near high-priority subsurface facilities.</p>			Yes	
BL16	<p><i>"Halt Dangerous Excavation Activities near Transmission Pipelines"</i> Transmission pipeline operators should have procedures and established contacts with local enforcement personnel in order to act appropriately to halt dangerous excavation activities that may damage their pipelines and potentially cause an immediate threat to life or property.</p>	Yes		Yes	
BL17	<p><i>"Map Abandoned Pipelines"</i> When a transmission pipeline operator abandons a transmission pipeline, information regarding the abandoned pipeline should be maintained and included in the information provided to the one-call center.</p>			Yes	
BL18	<p><i>"Disclose Transmission Pipeline Easements in Real Estate Transactions"</i> As part of all real estate sales contracts, each state should require the disclosure of known transmission pipeline easements on the property.</p>				Yes
<i>New Development (ND) Recommended Practices</i>					
ND01	<p><i>"n/a - Recommendation is incorporated into other practices."</i></p>				

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND02	<p><i>"Gather Information for Design of Property Development near Transmission Pipelines"</i></p> <p>In designing a proposed property development the property developer/owner should use all reasonable means to obtain information about transmission pipeline facilities in the area of the proposed development.</p>		Yes	Yes	
ND03	<p><i>"Review Acceptability of Proposed Land Use of Transmission Pipeline Right-of-Way Prior to Design"</i></p> <p>The property developer/owner should review preliminary information about acceptable land uses on a transmission pipeline right-of-way prior to the design of a property development.</p>		Yes		
ND04	<p><i>"Coordinate Property Development Design and Construction with Transmission Pipeline Operator"</i></p> <p>When property development is planned within the consultation zone (reference PIPA Recommended Practice BL05), the property developer/owner and the transmission pipeline operator should communicate to ensure possible impacts of pipeline incidents and maintenance needs are considered during development design and construction.</p>		Yes	Yes	
ND05	<p><i>"n/a - Recommendation is incorporated into other practices."</i></p>				
ND06	<p><i>"Require Consideration of Transmission Pipeline Facilities in Land Development Design"</i></p> <p>Whenever development is proposed on property containing transmission pipeline facilities, local governments should require that the submitted land development plans address in detail the steps necessary to safely integrate the transmission pipeline into the design of the project.</p>	Yes	Yes		

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND07	<p><i>"Define Blanket Easement Agreements When Necessary"</i> Upon request by the landowner, a transmission pipeline easement agreement may be defined to an acceptable, reasonable, and safe width and explicit location. State statutes or local government regulations may require easements to be defined prior to the approval of rezoning, subdivision plats and development permits.</p>	Yes	Yes	Yes	
ND08	<p><i>"Collaborate on Alternate Use and Development of Transmission Pipeline Right-of-Way"</i> Property developers/owners, local governments and transmission pipeline operators may collaborate on alternative use of the transmission pipeline right-of-way and related maintenance.</p>	Yes	Yes	Yes	
ND09	<p><i>"Provide Flexibility for Developing Open Space along Transmission Pipeline Rights-of-Way"</i> Local governments should consider allowing site planning flexibility in the development of commercial, industrial or residential property whenever a transmission pipeline is located in, or in close proximity to, the proposed development.</p>	Yes			
ND10	<p><i>"Record Transmission Pipeline Easements on Development Plans and Final Plats"</i> Local governments should require all recorded development plans and final plats to clearly show the location of transmission pipeline easements and identify the pipeline operators.</p>	Yes	Yes		

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND11	<p><i>"Reduce Transmission Pipeline Risk through Design and Location of New Parking Lots and Parking Structures"</i></p> <p>Parking lots and parking structures should be preferentially located and designed to reduce the consequences that could result from a transmission pipeline incident and to reduce potential interference with transmission pipeline maintenance and inspections.</p>	Yes	Yes		
ND12	<p><i>"Reduce Transmission Pipeline Risk through Design and Location of New Roads"</i></p> <p>Roads and associated appurtenances should be preferentially located and designed to reduce the consequences that could result from a transmission pipeline incident and reduce the potential of interference with pipeline operations and maintenance.</p>	Yes	Yes		
ND13	<p><i>"Reduce Transmission Pipeline Risk through Design and Location of New Utilities and Related Infrastructure"</i></p> <p>Utilities (both above and below ground) and related infrastructure should be preferentially located and designed to reduce the consequences that could result from a transmission pipeline incident and to reduce the potential of interference with transmission pipeline maintenance and inspections.</p>	Yes	Yes		

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND14	<p><i>"Reduce Transmission Pipeline Risk through Design and Location of Aboveground Water Management Infrastructure"</i></p> <p>Storm water and irrigation water management facilities, retention ponds, and other above-ground water management infrastructure should be preferentially located and designed to reduce the consequences that could result from a transmission pipeline incident and to reduce the potential of interference with transmission pipeline operations and maintenance.</p>	Yes	Yes		
ND15	<p><i>"Plan and Locate Vegetation to Prevent Interference with Transmission Pipeline Activities"</i></p> <p>Trees and other vegetation should be planned and located to reduce the potential of interference with transmission pipeline operations, maintenance, and inspections.</p>	Yes	Yes		
ND16	<p><i>"Locate and Design Water Supply and Sanitary Systems to Prevent Contamination and Excavation Damage"</i></p> <p>Individual water supplies (water wells), small public/private water systems and sanitary disposal systems (septic tanks, leach or drain fields) should be designed and located to prevent excavation damage to transmission pipelines, interference with transmission pipeline maintenance and inspections, and environmental contamination in the event of a transmission pipeline incident.</p>	Yes	Yes		

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND17	<p><i>"Reduce Transmission Pipeline Risk in New Development for Residential, Mixed-Use, and Commercial Land Use"</i></p> <p>New development within a transmission pipeline planning area (see PIPA Recommended Practice BL06) should be designed and buildings located to reduce the consequences that could result from a transmission pipeline incident and to provide adequate access to the pipeline for operations and maintenance.</p>	Yes	Yes		
ND18	<p><i>"Consider Transmission Pipeline Operation Noise and Odor in Design and Location of Residential, Mixed-Use, and Commercial Land Use Development"</i></p> <p>Consider noise, odor and other issues when planning and locating developments near above-ground transmission pipeline facilities, such as compressor stations, pumping stations, odorant equipment, regulator stations and other pipeline appurtenances.</p>	Yes	Yes	Yes	
ND19	<p><i>"Reduce Transmission Pipeline Risk through Design and Location of New Industrial Land Use Development"</i></p> <p>New industrial land use development within a transmission pipeline planning area (see PIPA Recommended Practice BL06) should be designed and buildings located to reduce the consequences that could result from a transmission pipeline incident and reduce the potential of interference with transmission pipeline operations and maintenance.</p>	Yes	Yes		

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND20	<p><i>"Reduce Transmission Pipeline Risk through Location, Design, and Construction of New Institutional Land Use Developments"</i></p> <p>New development of institutional facilities that may be difficult to evacuate within a transmission pipeline planning area (see PIPA Recommended Practice BL06) should be designed and the facilities located and constructed to reduce the consequences that could result from a transmission pipeline incident. Such facilities should also be located to reduce the potential of interference with transmission pipeline operations and maintenance activities. Emergency plans for these facilities should consider potential transmission pipeline incidents.</p>	Yes	Yes		
ND21	<p><i>"Reduce Transmission Pipeline Risk through Design and Location of New Public Safety and Enforcement Facilities"</i></p> <p>New development of emergency responder facilities within a transmission pipeline planning area (see PIPA Recommended Practice BL06) should be designed and the facilities located and constructed to reduce the consequences that could result from a transmission pipeline incident. Such facilities should also be designed and located to avoid the potential of interference with pipeline operations and maintenance. Planning for these facilities should include emergency plans that consider the effects of a transmission pipeline incident.</p>	Yes	Yes		

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND22	<p><i>"Reduce Transmission Pipeline Risk through Design and Location of New Places of Mass Public Assembly (Future Identified Sites)"</i> New development of places of potential mass public assembly within a transmission pipeline planning area (see PIPA Recommended Practice BL06) should be designed and the facilities located and constructed to reduce the consequences of a potential transmission pipeline incident, the risk of excavation damage to the pipeline, and the potential of interference with transmission pipeline operations and maintenance. Planning for these facilities should include emergency plans that consider the effects of a potential pipeline incident.</p>	Yes	Yes		
ND23	<p><i>"Consider Site Emergency Response Plans in Land Use Development"</i> Emergency response plan requirements should be considered in new land use development within a planning area (see PIPA Recommended Practice BL06) to reduce the risks of a transmission pipeline incident.</p>	Yes	Yes		
ND24	<p><i>"Install Temporary Markers on Edge of Transmission Pipeline Right-of-Way Prior to Construction Adjacent to Right-of-Way"</i> The property developer/owner should install temporary right-of-way (ROW) survey markers or fencing on the edge of the transmission pipeline ROW or buffer zone, as determined by the transmission pipeline operator, prior to construction to provide a clearly defined boundary. The property developer/owner should ensure that the temporary markers or fencing are maintained throughout the course of construction.</p>	Yes	Yes		

No	Title and Practice Statement	Local Government	Property Developer/Owner	Transmission Pipeline Operator	Real Estate Commission
ND25	<p><i>"Contact Transmission Pipeline Operator Prior to Excavating or Blasting"</i> Anyone planning to conduct excavating, blasting and/or seismic activities should consult with affected transmission pipeline operators well in advance of commencing these activities. Excavating and blasting have the potential to affect soil stability or lead to movement or settling of the soil surrounding the transmission pipeline.</p>	Yes	Yes	Yes	
ND26	<p><i>"Use, Document, Record and Retain Encroachment Agreements or Permits"</i> Encroachment agreements should be used, documented, recorded and retained when a transmission pipeline operator agrees to allow a property developer/owner or local government to encroach on the pipeline right-of-way for a long or perpetual duration in a manner that conflicts with the activities allowed on the easement.</p>	Yes	Yes	Yes	
ND27	<p><i>"Use, Document and Retain Letters of No Objection and Conditional Approval Letters"</i> Transmission pipeline operators may use, document and retain "letters of no objection" in agreeing to land use activities on or near a transmission pipeline right-of-way. Such land uses may or may not be temporary.</p>	Yes	Yes	Yes	
ND28	<p><i>"Document, Record and Retain Partial Releases"</i> Partial releases may be used to allow some part of the transmission pipeline right-of-way to be released from certain easement conditions, and should be documented, recorded and retained.</p>		Yes	Yes	