Austin's Pipeline Ordinance

A Risk Based Approach

What's a City to Do?

Federal law severely limits the authority of cities in the area of pipeline regulation

- *How do you protect the public and the environment? and;*
- *Provide developer flexibility?*
- *What can a City actually do within it's authority?*

Austin, Texas

Pop 656,000, metro area pop. 14 million

Rapid growth thru ’80’s and ’90’s, much of it over former rural areas home to pipelines

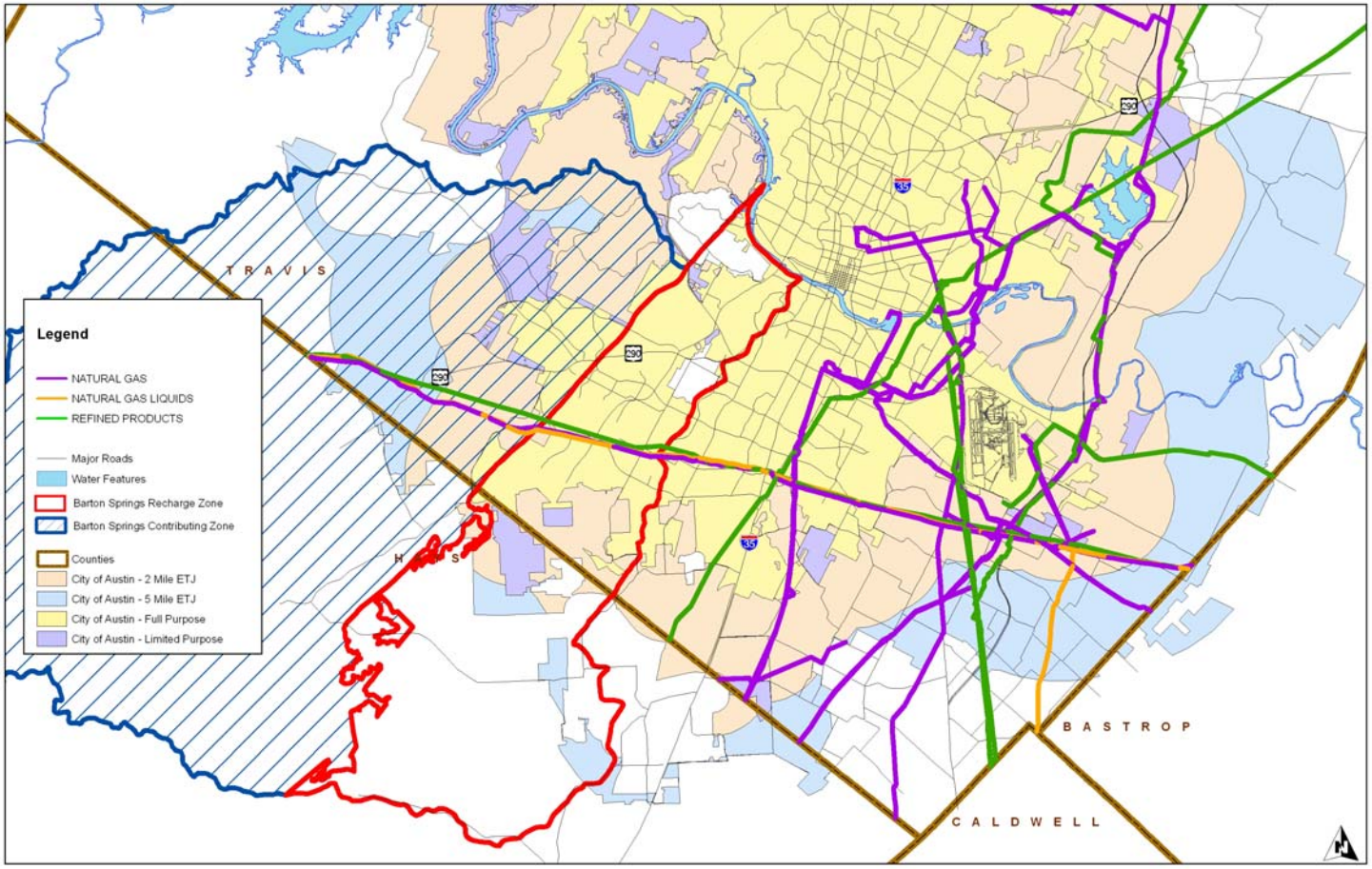
High level of citizen political involvement and environmental awareness

Numerous sensitive environmental features and issues (river, creeks, aquifer, endangered species)

Over 400 miles of hazardous liquids and natural gas pipelines

Watershed Protection
Development Review

Austin's Pipelines



Watershed Protection
Development Review

Austin Pipeline Experiences

Historical contamination problems have been associated with tank farms and pipelines

Multiple ruptures in the last 30 years (NGL, crude)

Longhorn lawsuit, EA, and conversion

Kinder Morgan, Enterprise risk evaluations

Longhorn Pipeline

Watershed Protection
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Longhorn Pipeline

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Flexible risk and performance-based approach

- Prevent ROW encroachment, protect the pipeline and make developers aware
- Protect residents and occupants of nearby structures by providing <u>1-hour evacuation time</u>
- Developer decides how to meet standard

Watershed Protection
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Limitations

- Only applies to areas near hazardous liquids lines over 8" in diameter
- Doesn't include natural gas lines
- Doesn't address the issue of flowing product
  - *Studies indicate product can flow as much as 4 miles from a rupture in 1 hour*

Watershed Protection
Development Review

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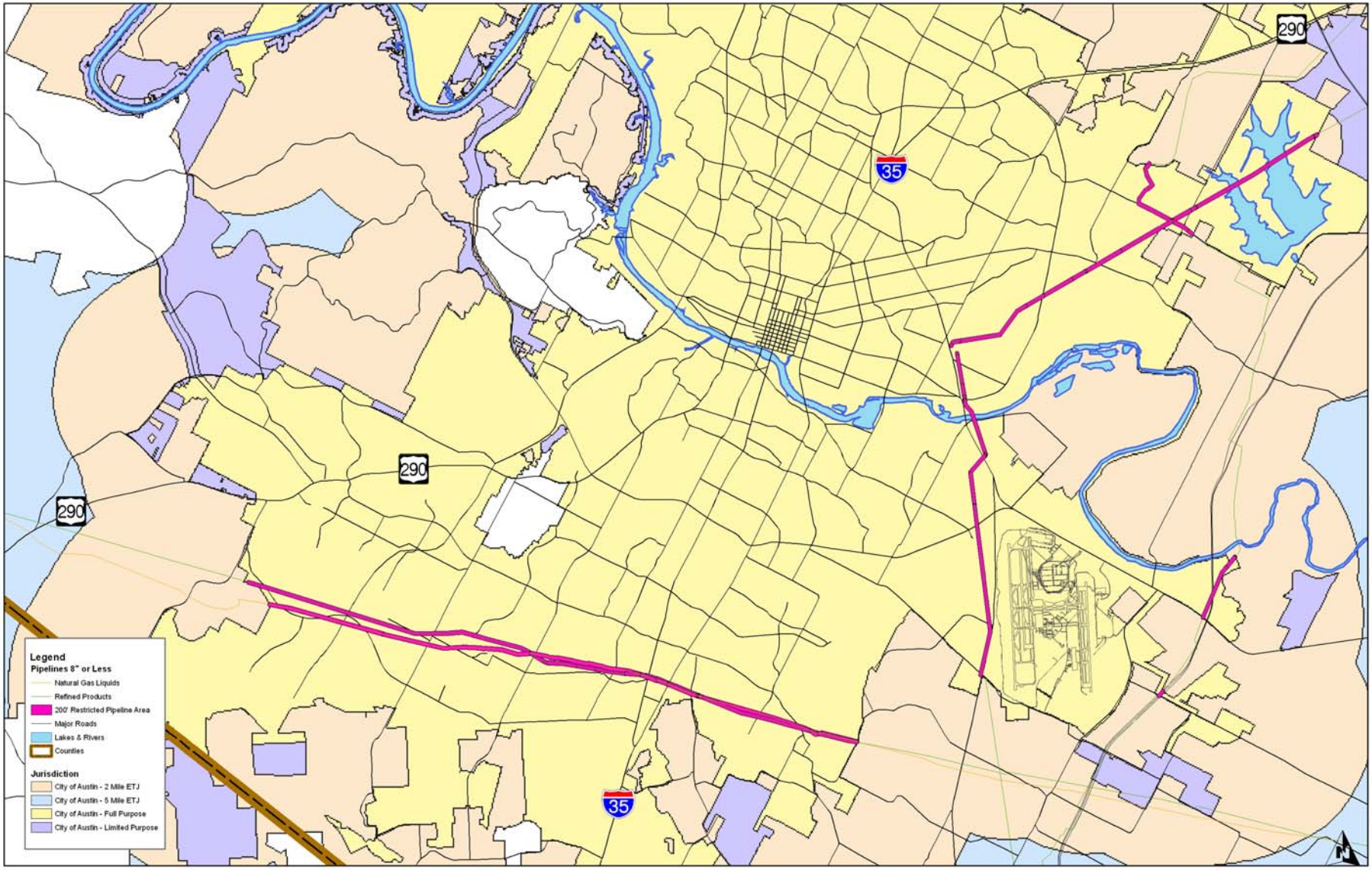

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ROW Encroachment/Developer Awareness

- No platted lots or structures within 25' of a pipeline or within a pipeline easement
- Subdivision plat must show pipeline easement or area within 25' of line
- Engineer certify that roads, parking lots, and utility lines are designed to protect pipeline

Austin's Pipeline Ordinance

Protect the Public

- Buildings with difficult to evacuate populations (hospitals, schools, daycare, etc) <u>prohibited</u> within 500' of pipeline ROW
- Residential lot < 1 acre = no ROW allowed in lot
- Buildings within 200' must:
  - Provide 1-hour evacuation time; and
  - Early leak detection system (if commercially available)

Watershed Protection
Development Review

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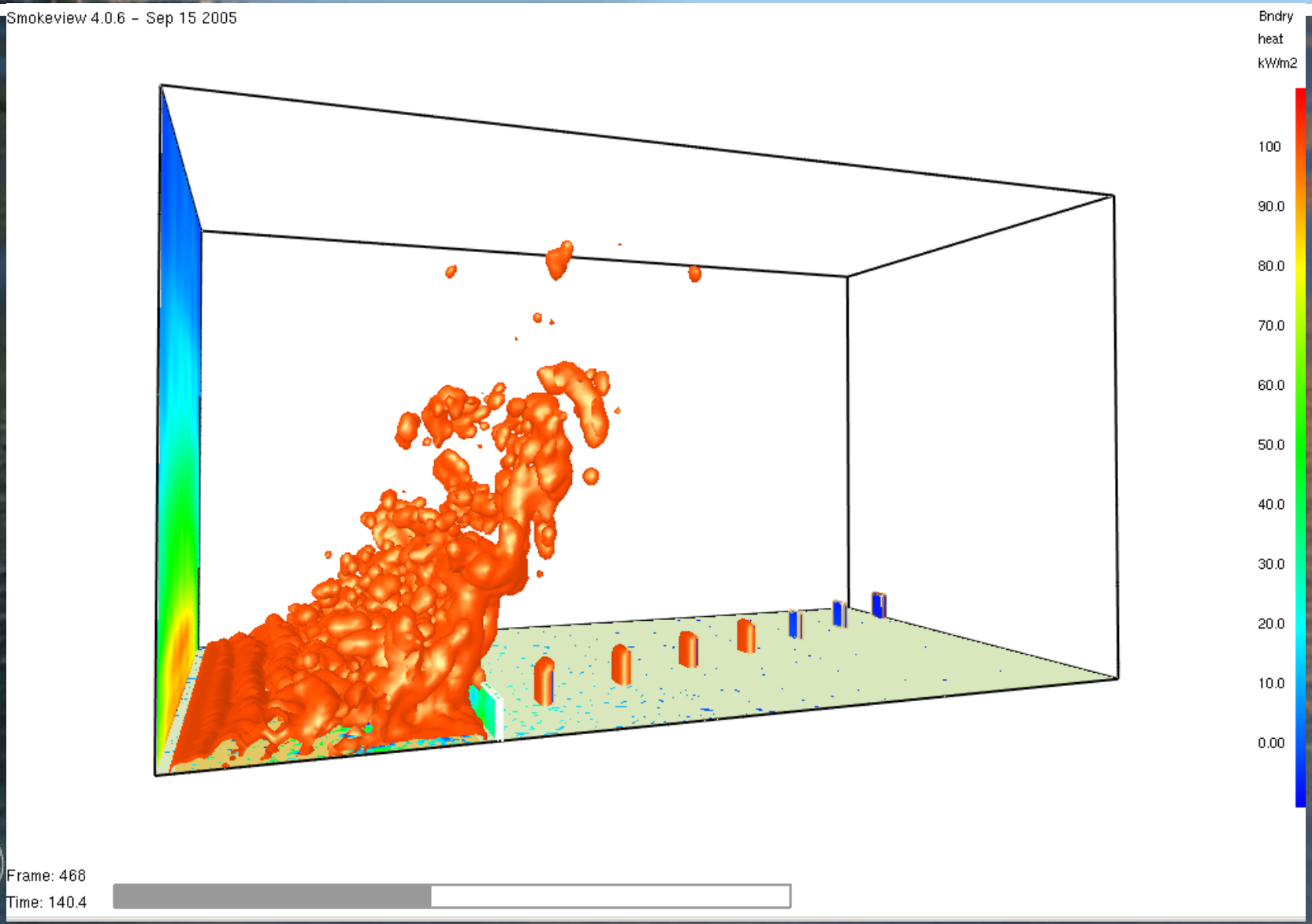

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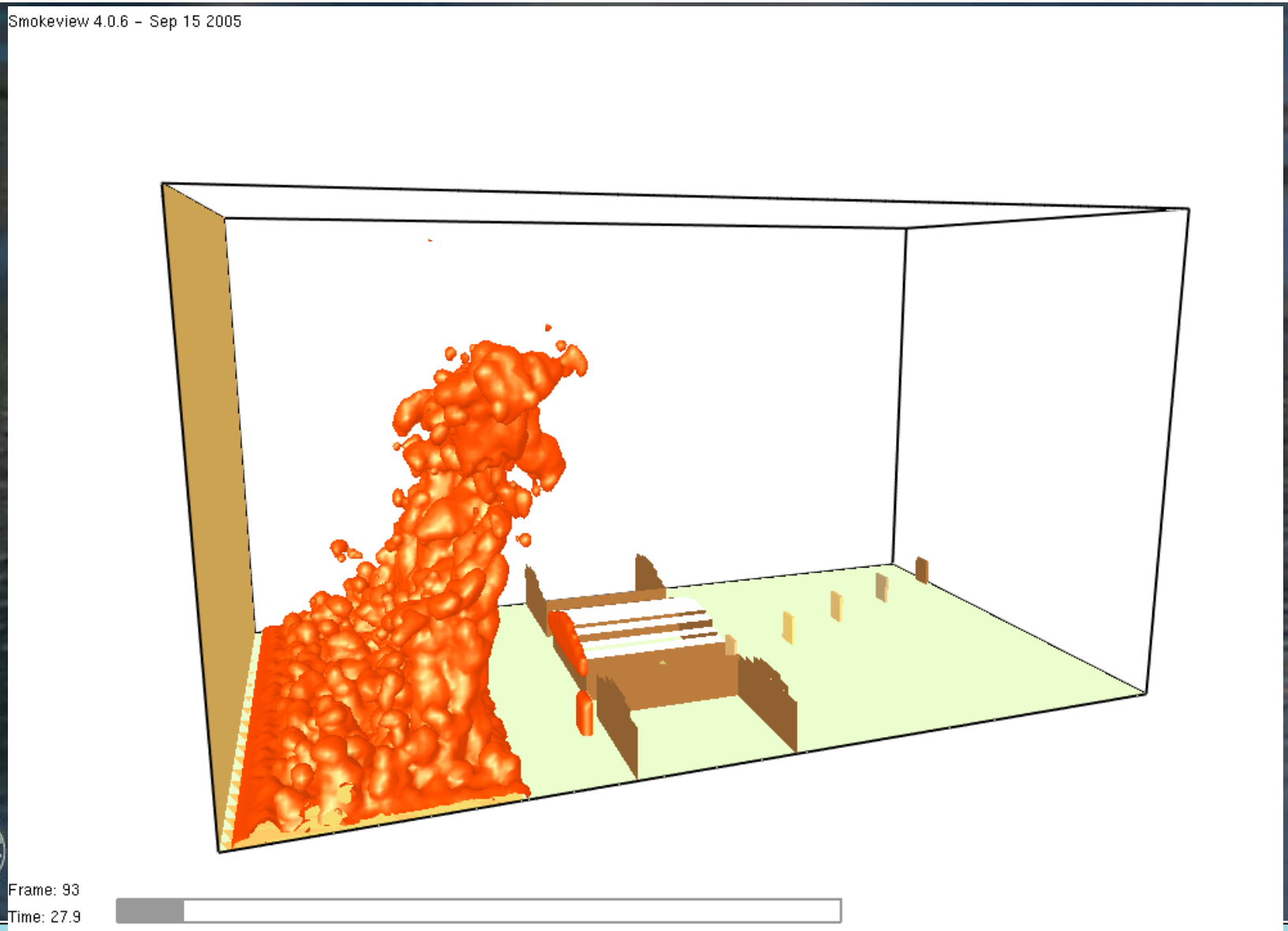

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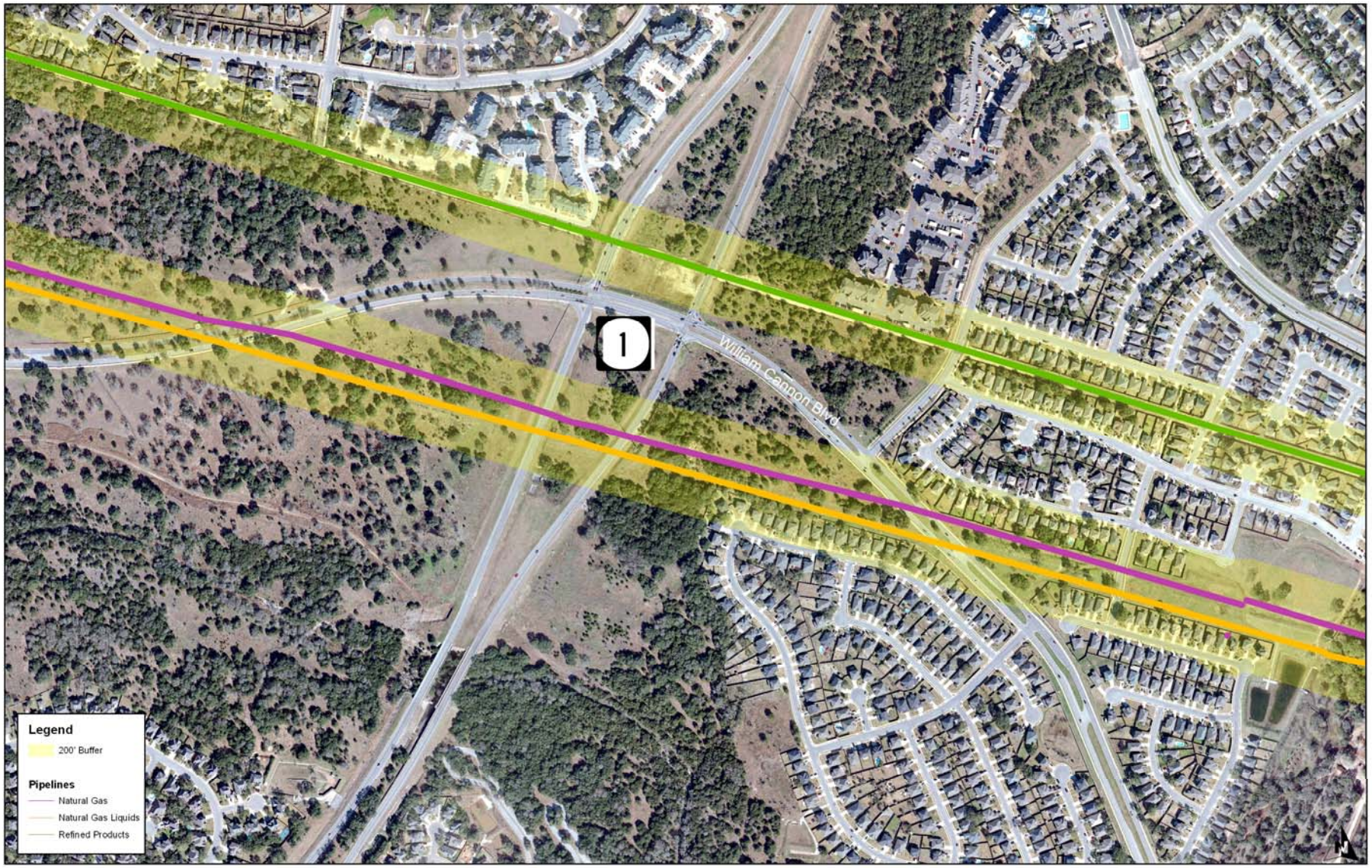


Austin's Pipeline Ordinance

Operator Financial Responsibility

- Original ordinance required pipeline owner to have liability insurance
- Insurance provision overturned (preemption) after challenge in federal court by the Texas Oil & Gas Association

Austin's Pipeline Ordinance

Ordinance Development Challenges

Line location information often poor

- CoA team "GPS'd" every line

Developer and property owner buy-in

- Multiple public meetings and 1:1's with developer groups
- Flexibility for builders to meet requirements

Watershed Protection
Development Review

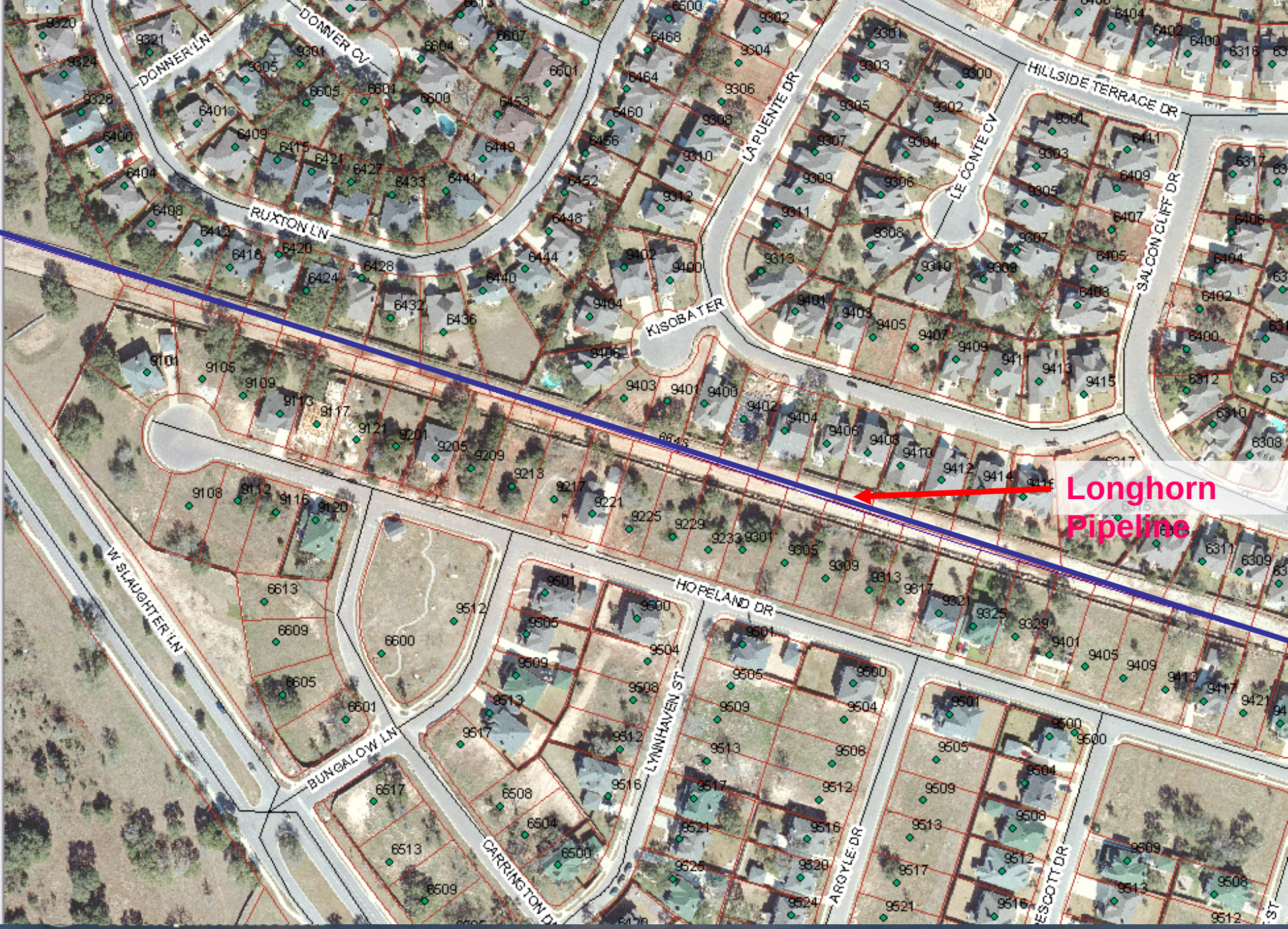
Austin's Pipeline Ordinance

Successes

- Minimal subdivision impact, pipeline areas already subdivided
- Flexible, performance based rules have allowed almost all projects near lines to be built with enhanced safety

Problems

- Vast majority of projects easily comply
- Mobile home developments impacted
- Loss of insurance requirement


DONNER LN
DONNER CV
RUXTON LN
LA PUENTE DR
LE CONTE CV
HILLSIDE TERRACE DR
SALCON CLIFF DR
KISOBA TER
HOPELAND DR
W SLAUGHTER LN
BUNGALOW LN
CARRINGTON DR
LYNNHAVEN ST
ARGYLE DR
ESCOTT DR
Longhorn Pipeline

Mobile Home Lots
COGNAC CV
FLORENCIA LN
TOSCANA AVE
PIZER ST
SADDLER LN
TINER TRL
BOOLEY TRL
FAR EAST DR
MARR CV
OGIER DR
MELWOOD DR
HIDDEN VIEW PL
KEY VIEW DR
KEY VIEW CV
EBAGBY D
BANNING LN
BRUTUS ST
HIDDEN WEST BLVD
LILY LAKE LOOP
HIDDEN VIEW CIR
SATICOY DR
TAZA TRL
CANOGA AVE
STRATHERN DR
CHASM LAKE LN

Next Steps?

- Add natural gas transmission lines?
- Add consultation requirement?
- Other?