



Report Out
Task Team #2
Protecting Transmission Pipelines

Pipelines and Informed Planning Alliance (PIPA)
January 17, 2008 - Plenary Session- Arlington, VA

Designated Members - Participating

Designated Member	Affiliated Organization
Chuck Kanoy	AGA
James Sanford	API/AOPL
Monty Zimmerman	APWA
Dave Swearingen	FERC
Jeannette Jones	GPA
Eric Amundsen	INGAA
Terry Mock	IRWA
Thais Austin Co-Chair	NAHB
Darin Burk	NAPSR
David Lykken	NARUC
Paul Maldonado	NASFM
Steve Patton Co-Chair	IRWA (not designated member)

Need Members

Designated Member	Affiliated Organization
County Commissioner	NACo
City Planning Director	NLC or APA
Community or Home Owners Associations	Community Associations Institute (CAI)??
Public	???

Mission Statement

Develop ROW guidance/standards that enhance the ability of stakeholders to perform risk-informed land use planning while allowing operators to protect, operate and maintain the nation's pipeline transmission infrastructure.

Significant Changes To Team Goals

Scope is to include new pipelines as well as existing.

Scope does not include:

- Environmental resource conservation issues (e.g., preservation of trees and habitat) in pipeline rights-of-way.
- Building setbacks from the edge of transmission pipeline ROW.

Team Goals

Determine if there is consensus on best practices and document the reasons for them:

1. ROW activity
 - i. Acceptable land owner uses and activities on the ROW.
 - ii. Maintenance practices on and adjacent to the ROW
 - Vegetation management
 - 3rd party heavy construction equipment in the easement and necessary precautions.
 - Encroachment prevention (How to handle historical, need for consistency)
2. Best practices of minimum requirements for a ROW Agreement
3. Incorporating the ROW space in new developments; residential, commercial, and industrial.
4. Identify and manage the risk. (i.e. If you let tree roots grow to surround the pipe, you may increase the likelihood of compromising the integrity of the pipeline). Define what type of risks we will look at. (protecting ROW rights of the operator, protecting the pipeline from the people)

Anticipated/Desired Products from Team

(e.g., guidelines, best practices, model ordinances, decision support information)

- Develop best practices for the management of land documents (easements, encroachment agreements, retention, recording practices). Audience includes operators, surveyors and land owners.
- Develop guidance/best practices for the specification, acquisition, development and maintenance of the transmission pipeline ROW. Audience is operators.
- Develop Model Ordinances, Planning Policies, Permitting, Regulations, or State Legislation incorporating or promoting any of these best practices. Audience is for developers and planning agencies. To address issues around record easements.

Presentations to the Task Team

Eric Amundsen	Panhandle Energy Representing INGAA	<i>Land Use On and Adjacent to the ROW</i>
Terry Mock	Mock & Associates Representing IRWA	<i>Increasing Pipeline Safety Through Shared Planning</i>
Eric Amundsen Steve Patton John Garrison	Panhandle Energy Williams Conoco Phillips	<i>Need to Maintain ROW Operator's Practices Followed by Panel Discussion (Emergency Access, Maintain growth on the ROW, 3rd Party Heavy Equipment, Monitoring, Encroachment Prevention, Special Needs/provisions During Construction)</i>
Kevin Docherty	Buckeye Partners	<i>Communicating with Pipeline Stakeholders</i>

Issues to be Addressed by the Team

Activities on the ROW

- What vegetation should be allowed in ROW? What size?
- What distance is acceptable to utility poles, sheds and other structures?
- Are walking trails an acceptable use of the ROW?
- Aerial is the most common method of patrolling. Helicopters are generally more effective than fixed wing. Desire to find best practice. How does this affect what is on the ROW?
- How should you reestablish maintaining a ROW that has become overgrown? What types of variances are acceptable? When should there be flexibility or is consistency more important?
- How should past undesirable situations or practices be handled? What should be grandfathered?
- Need to define encroachment and when to allow variances.
- How to handle encroachments? Consequences of not being consistent?
- How to deal with legacy encroachment issues? Consistent enforcement of easement language is important.

Recordation

- Most operators record encroachment agreements. What type of encroachments should be recorded? Letters allowing crossing are not recorded.

Guidance Issues

- Guidance to provide public about construction of pipelines such as FAQ's. ROW agents' education on use /threat of eminent domain (could abuse result in repeal of right in NGA?) Different rights of gas vs. liquid to use eminent domain.
- If model ordinances are modified by each jurisdiction, will this cause difficulty in managing pipelines that cross jurisdictions?
- Does guidance need to convey differences in change to density/class location for liquids vs. gas. Depth of cover vs. wall thickness/%SMYS.
- Will guidance for audiences be the same for liquid and gas pipelines?

Operator Best Practices

- There is a need for consistent practices in the industry.
- New technologies are emerging for monitoring encroachments. Experience is needed in them. There may be a trade off in other information gathered about changes/activities in the ROW.
- There needs to be focus on monitoring near industrial properties.
- Where within an operator's organization does responsibility for ROW rest?
- What are preventative and mitigative measures using land use?

Miscellaneous

- Texas has passed a Bill of Rights for landowners. What issues are they facing with it?

TABLED ISSUES

Setbacks

- Define “setback”.
- How are setbacks influenced by ease to remove structure for emergency access?
- There is a cost for setbacks. Who would pay for it?
- Setbacks can cut both ways. Rules for pipe to be installed in developed area needs to be the same for development next to existing pipeline.
- How would setbacks be documented and recorded with homeowner and/or developer?
- What are the pipeline’s rights outside of the ROW? (ex. Building sheds next to ROW varies)

Relationship to Other Task Teams

(Shared or transferred responsibility)

Is Communications Team working on-

- Model ROW/Easement language?
- Determine what stakeholders needs are when there is new development/pipeline proposed. What do they need to know about the ROW early in the process?
- Does the communication group deliver to the land owners the acceptable uses of the ROW and team 2 provides them a list of best practices?

What risk is Protecting Communities Team working on-

- Ensuring that the developer/planner is integrating the pipeline operation to effectively balance protection of public and pipeline.
- Risk due to increased activity on ROW. Risk to legal rights. Type of activities allowed on the ROW.

Plan - the Next Step

Action	Responsibility	Timeframe
Document and distribute meeting notes	Julie	Jan. 21
Teleconference with Chairs, PHMSA and CYCLA to set agenda for Team Teleconference	Julie to arrange	Prior to Conference Call
Team Teleconference	Julie to arrange	Jan. 24 2:00 EST
Webcast of James Sanford's Presentation, <i>API Guidelines for Property Development</i>	Julie to arrange	TBD
Team Meeting	PHMSA	July 14, 2008

Parking Lot Issues

Easements

- Blanket easements
- Minimal easements
- Changing size rights
- Additional line rights

Location of pipe in ROW