

ORDINANCE NO. 2136

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND MUNICIPAL CODE AND THE REDMOND COMMUNITY DEVELOPMENT GUIDE TO ADOPT POLICIES RELATED TO HAZARDOUS LIQUID PIPELINES, DGA 02-005, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, two hazardous liquid pipelines extend through the western portion of Redmond carrying gasoline, diesel and aviation fuel; and

WHEREAS, these pipeline facilities, if ruptured or damaged, can pose a significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive and toxic properties of the products transported; and

WHEREAS, the City of Redmond desires to adopt policies and regulations intended to reduce the likelihood of accidental damage to the hazardous liquid pipelines and to help reduce adverse impacts in the event of a pipeline failure; and

WHEREAS, the Planning Commission has conducted a public hearing to receive public comments on the proposed policies and regulations; and

WHEREAS, a SEPA Checklist was prepared and a Determination of Non-Significance was issued June 6, 2002, for the proposed policies and regulations; and

WHEREAS, the City Council of the City of Redmond acknowledges that the proposed policies and regulations are for the benefit of the public health, safety, and welfare,
NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Conclusions. After carefully reviewing the record and considering the evidence and arguments in the record and at public meetings, the City Council hereby adopts the findings, analysis and conclusions in the Planning Commission Report dated August 30, 2002.

Section 2. Amendment of Redmond Comprehensive Plan Utilities Chapter. The Utilities Chapter of the Redmond Comprehensive Plan is hereby amended to add the text, policies and other provisions as set forth in Exhibit 1, incorporated herein by this reference as if set forth in full.

Section 3. Severability. If any policy, section, sentence, clause, or phrase of this ordinance, or any policy adopted or amended hereby, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other policy, section, sentence, clause, or phrase of this ordinance or any policy adopted or amended hereby.

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect five days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

ROSEMARIE IVES, MAYOR

ATTEST/AUTHENTICATED:

BONNIE MATTSON, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____

FILED WITH THE CITY CLERK:	September 23, 2002
PASSED BY THE CITY COUNCIL:	October 1, 2002
SIGNED BY THE MAYOR:	October 1, 2002
PUBLISHED:	October 5, 2002
EFFECTIVE DATE:	October 10, 2002
ORDINANCE NO.: <u>2136</u>	

EXHIBIT 1: Recommended Amendment to Comprehensive Plan Utilities Element

Organization of this Chapter (Amended)

The Utilities Chapter is divided into the following sections:

The Introduction describes the intent of the Utilities Chapter and its relationship to Redmond's vision of the future and other chapters.

The Planning Context summarizes how this chapter responds to the requirements of the Growth Management Act and the Countywide Planning Policies and describes how the proposed policies relate to other laws, policies, commissions and local needs.

The Utilities Policies are divided into the following areas:

- A. **General Utility Policies** address provision of utilities in general, including issues of adequacy, phasing, economic and environmental considerations.
- B. **Facility Plans, City-Managed Utilities** incorporate functional facility plans into the Development Guide by reference.
- C. **Water Policies** provide an inventory of facilities, addresses source of supply and discusses facility design and level of service criteria.
- D. **Sewer Policies** include an inventory of facilities and policies relating to design and level of service criteria.
- E. **Stormwater Policies** provide an inventory of facilities and policies relating to design and level of service criteria.
- F. **Solid Waste Policies** include an inventory of conditions and policies concerning recycling and waste management.
- G. **Non-City-Owned Utilities Policies** encourage an adequate infrastructure to provide a wide range of utility choices, energy conservation, and environmental protection.
- H. **Electric Policies** provide an inventory of facilities and policies relating to the siting of such facilities.
- I. **Natural Gas Policies** relate to the provision of natural gas and includes a brief description of the existing system and capacity.
- J. **Telecommunications Policies** provide a brief description of the existing system and capacity and address new technologies.
- K. **Hazardous Liquid Pipeline Policies** provide a brief description of the existing system and include policies intended to minimize the likelihood of pipeline damage, address land use compatibility, and promote continued improvement in safety measures.

(Ord. 1847)

K. Hazardous Liquid Pipelines (New)

Facilities, Inventory of Conditions and Future Needs

The Olympic Pipe Line Company operates a 400-mile long petroleum pipeline system from Ferndale, Washington to Portland, Oregon. Two parallel lines, 16-inch and 20-inch, pass through the west portion of Redmond generally along the Puget Sound Energy easement. The pipelines carry gasoline, diesel, and aviation fuel. Delivery lines carry products from this mainline to bulk terminals at Sea-Tac International Airport; Seattle, Tacoma, Olympia and Vancouver, Washington; and Linnton and Portland, Oregon.

The pipelines are hazardous liquid pipelines, as defined by RCW 81.88.040 and WAC 480-93-005. Liquid pipelines provide an important service transporting petroleum products much more efficiently than possible by truck. Pipeline facilities, if ruptured or damaged, can pose a significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive, and toxic properties of the transported products.

The Federal Office of Pipeline Safety (OPS) is responsible for regulation of interstate pipeline facilities. OPS regulations and other risk management approaches address safety in design, construction, testing, operation, maintenance, and emergency response for pipeline facilities. Through passage of the Washington Pipeline Safety Act of 2000 (E2SHB 2420), the state legislature significantly enhanced the local pipeline safety program. As part of this legislation, the Washington State Utilities and Transportation Commission (UTC) was directed and obtained the authority to inspect interstate pipelines from the Federal Office of Pipeline Safety (OPS). By being an agent for OPS, the UTC is able to dedicate more resources to inspections and preventive safety measures.

In 2000, Redmond's fire department established a response plan in the event of a pipeline failure. The Olympic Pipeline Response Plan includes technical information about the pipeline, potential hazards, a guide to hazardous-materials scene management, emergency response and evacuation plans, and contacts and other resources.

The policies below supplement existing regulations and risk management/response plans by focusing primarily on land use measures that help minimize and prevent unnecessary risk to the public due to hazardous liquid pipelines, recognizing it is impossible to eliminate risk entirely. The primary purpose of these policies is to:

- Minimize the likelihood of damage to hazardous liquid pipelines due to external forces such as construction equipment, the leading cause of pipeline accidents.
- Avoid exposing land uses with high on-site populations that are difficult to evacuate, emergency facilities, and similar high consequence land uses to risk of injury in the event of a pipeline failure.

- Facilitate early detection of potential pipeline damage or failures through adequate maintenance of the hazardous liquid pipeline corridor and neighborhood education.
- Continue to work with other governments and industry representatives to seek improvements in safety measures for hazardous liquid pipelines.

The provisions of this section are intended to protect the health, safety and welfare of the general public and are not intended to protect any particular individual, class of individuals, or organization.

Policies to Minimize Pipeline Damage

The corridor for the hazardous liquid pipeline system through Redmond varies, but is typically about 50 feet wide and contains the pipelines and right-of way or easements. The depth and location of the pipelines within the corridor also varies, although the lines are typically buried at a depth of 3 to 4 feet. The depth of cover over the pipelines may also change over time due to erosion or other reasons.

The following policies concern development review and construction for projects in the vicinity of the pipelines, including coordination between Redmond and the pipeline operator, Olympic Pipe Line Company, or its successor. Identifying the location of the pipeline corridor on site plans and plats and using the one-call locator service are important first steps in avoiding accidental damage, particularly during construction on adjacent properties. Depending on the type and location of project work, pipeline locations may need to be physically verified to minimize the likelihood of damage. Land disturbance close to the pipelines needs to be monitored by the pipeline operator or their representative.

UT-108 Site plans for proposed developments shall show the location of hazardous liquid pipeline corridors.

UT-109 Redmond shall require applicants and designees for private and public development to use the one-call service to locate pipelines before undertaking land disturbance or other significant work along the pipeline corridor.

UT-110 Redmond shall notify the pipeline operator of proposed development projects located within one-quarter mile of a hazardous liquid pipeline corridor. This notice should include general information about the project such as location, project contact, number of residences or size, site plan, and whether the project is likely to affect surface water flow patterns.

UT-111 To minimize the likelihood of accidental damage during construction, the pipeline operator, in response to notification of a proposed project, shall determine if additional measures, above the normal locating process, are necessary to physically verify pipeline locations.

UT-112 Redmond should seek the pipeline operator's participation in pre-construction meetings for projects located within 150 feet of a hazardous liquid pipeline corridor.

UT-113 Redmond shall seek monitoring by the pipeline operator of permitted development that involves land disturbance or other significant work within the pipeline corridor, or within 30 feet of a pipeline, whichever is greater.

If not properly directed, on- or off-site stormwater discharge can erode soil cover over the pipelines. This is particularly a concern where the pipeline is located in areas of steep slope, such as the Willows/Rose Hill Neighborhood.

UT-114 During review of development, Redmond shall seek to identify existing or potential erosion problems over pipelines associated with stormwater discharge.

The Office of Pipeline Safety (OPS) keeps statistics on pipeline accidents, including cause and commodity involved. External forces are the leading cause of reported pipeline releases, accounting for 31 percent. Damage from external forces such as construction equipment could produce an immediate release or a scratch on a coated-steel pipeline that leads to accelerated corrosion and failure at a later time. Ensuring that new or expanded structures and other significant land disturbance are set back from the hazardous liquid pipelines helps reduce the likelihood of accidental damage.

UT-115 New or expanded structures and other significant land disturbance shall be setback from hazardous liquid pipelines to minimize the likelihood of accidental damage to the pipelines. Required setbacks shall not deny all reasonable economic use of property.

UT-116 During development project design and construction, minimize the likelihood of pipeline damage through techniques such as site design, use of signs to clearly identify pipeline locations, and fences.

Policies on Land Use Compatibility

Redmond can help reduce the risk of injury in the event of a pipeline failure by not allowing certain land uses to locate near hazardous liquid pipelines. Land uses with high-density on-site populations that cannot be readily evacuated or protected in the event of a pipeline failure are considered “high consequence land uses”. Examples include but are not limited to schools or multi-family housing exclusively for elderly or handicapped people. These types of uses are not appropriate near pipelines due to the risk and potential consequences in the event of a pipeline failure. Facilities that serve critical “lifeline” or emergency functions, such as fire and police facilities or utilities that provide regional service, are also considered “high consequence land uses”.

There are many other developments located in the vicinity of the hazardous liquid pipelines that because of this location warrant special consideration due to the number of occupants, characteristics of the development, or other factors. Examples include the businesses located along Willows Road and multi-family development in the Grass Lawn and Willows/Rose Hill Neighborhoods. It is important that these types of developments have appropriate emergency procedures in place, such as an emergency guide or plan. New or expanded developments need to use measures such as site planning that reflects anticipated flow paths for leaking hazardous materials and emergency procedures to help reduce the likelihood of fire and injury in the event of a pipeline failure.

UT-117 Locating new high consequence land uses near a hazardous liquid pipeline corridor represents an unusually high risk and shall not be allowed. Proposed expansions to high consequence land uses located near pipeline corridors shall at a minimum be designed to avoid increasing the level of risk in the event of a pipeline failure, and where feasible, reduce the risk.

UT-118 Commercial, industrial, multi-family or other development which, because of proximity to a hazardous liquid pipeline corridor, poses safety concerns due to characteristics of the occupants, development or site, shall use appropriate mitigation measures to help reduce adverse impacts in the event of a pipeline failure.

Policies to Facilitate Detection of Pipeline Failures and Improve Pipeline Safety

The pipeline operator can help reduce the likelihood of accidental damage by adequately maintaining the pipeline corridor. Dense vegetation such as blackberry bushes can impede visibility and access. The pipeline corridor should be properly maintained with grass or other low growing vegetation that enables easy inspection while preventing erosion. Ensuring that the pipeline locations are marked and that missing markers are replaced is also important, as is periodic aerial inspection of the pipeline corridor to detect potential problems.

UT-119 The pipeline operator shall adequately maintain their corridor area. Maintenance includes but is not limited to:

- **Maintaining vegetation to enable visibility and access for inspection while avoiding soil erosion,**
- **Ensuring that above and below grade pipeline markers containing information such as operator name and number and facility type are in place,**
- **Periodic visual inspections of the corridor.**

People who live, own property, or work near the pipelines can play an important part in avoiding pipeline damage and identifying potential problems early on. Redmond and Olympic Pipe Line Company or its successor can promote public safety through periodic neighborhood mailings and meetings. Important information should include facts about the pipelines, how to avoid damage, potential problems to watch out for such as unusual smells or suspicious construction activities, and how to respond in the event of a failure or other problem.

UT-120 Redmond, in cooperation with the pipeline operator, should establish neighborhood programs to educate the public about pipeline safety. The education programs should be held every two years at a minimum for people who live or work within one-quarter mile of the hazardous liquid pipeline corridor.

In 2000, Redmond joined the Washington City and County Pipeline Safety Consortium. The consortium purpose is to take a unified approach in addressing pipeline safety issues with particular emphasis on operation of the pipeline system. The consortium is not a permanent organization. Among the issues to be addressed include: developing a model franchise agreement, reviewing the pipeline operator's safety action plan to identify any deficiencies, and advocacy of city and county concerns regarding pipeline safety regulations.

UT-121 Redmond should continue to work with other jurisdictions, state and federal governments, and the pipeline operator to seek improvements in safety measures for hazardous liquid pipelines.