

Attachment A

New Section 14.16.835 Pipeline Safety

- (1) Pipeline Consultation Area. The Pipeline Consultation Area is the area within 100 feet of any hazardous liquid or gas transmission pipeline. The Pipeline Consultation Area is depicted on the Skagit County Pipeline Consultation Area map on file in the Department and available on the official County website.
- (2) Permit Requirements. The Department must not issue any permit for a land division or development permit for a project wholly or partially within the Pipeline Consultation Area unless it meets the following requirements.
 - (a) Consultation. Immediately after determining the application complete, the Department must send a request for consultation to the operator of any pipeline within the Pipeline Consultation Area. The request for consultation must include a project description, site plan, contact information for the applicant, and any required SEPA checklist. The Department must provide the applicant with a copy of the request for consultation and any response from the pipeline operator. The Department may wait up to 15 days for a response from the pipeline operator before proceeding with processing the application. Consultation provides no additional authority to the Department to require changes to the application.
 - (b) SEPA. Any required SEPA environmental checklists must include reference to pipeline(s) within the Pipeline Consultation Area and provide information concerning any impact the project will have on the pipeline(s).
 - (c) Title Notice. The applicant must record a title notice with the County Auditor that contains the following language: “The above-referenced property is located wholly or partially within the Skagit County Pipeline Consultation Area, defined by Skagit County Code as the area within 100 feet of any hazardous liquid or gas transmission pipelines.” Forms for this title notice are available from the Department.
- (3) Pipeline Protection Requirements. The following provisions apply to all development, including permit-exempt development, within the Pipeline Consultation Area.
 - (a) Development or site development activity is prohibited within defined transmission pipeline rights-of-way or easements when prohibited by the easement.
 - (b) Pipeline easements must be identified and protected prior to and during construction, by placement of temporary barricades and on-site notices, except with the express written consent of the pipeline operator. Barricades and on-site notices are subject to review by the Department prior to and during construction.
- (4) Compliance with this section does not relieve an applicant of the obligation to comply with state Call-Before-You-Dig laws (e.g. RCW 19.122).