

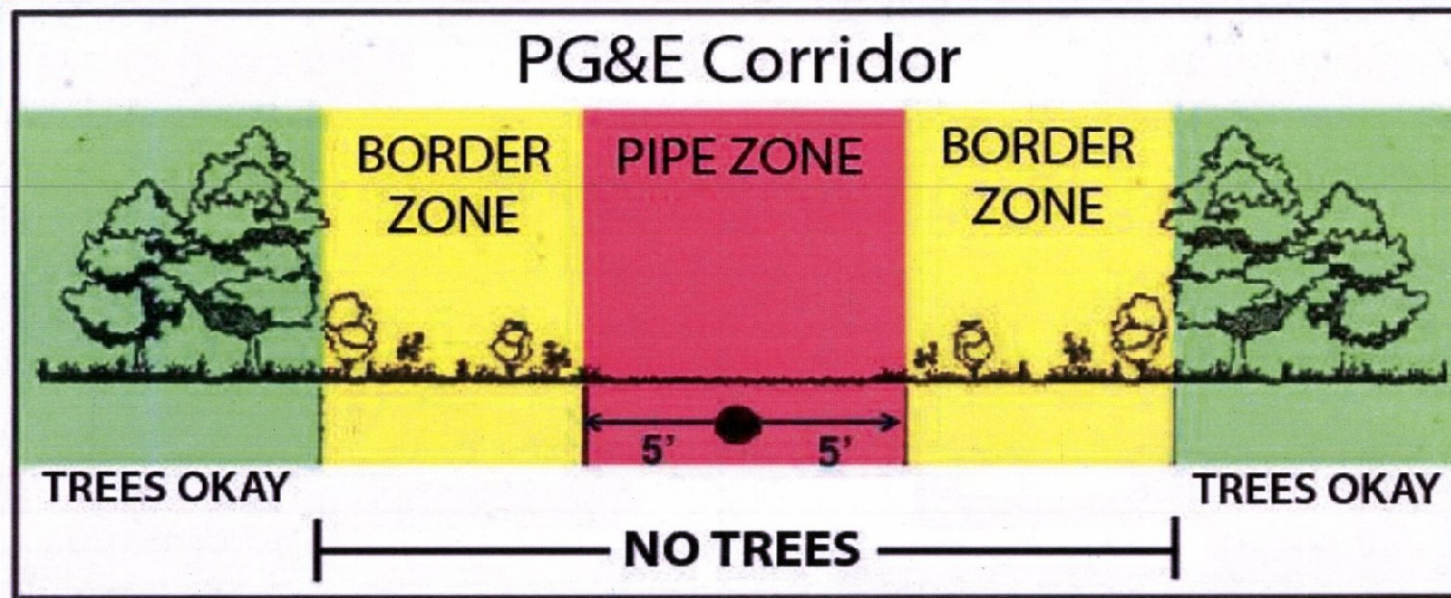
BOARD OF SUPERVISORS FEBRUARY 3, 2015

PG&E Pipeline Pathways Project Framework Agreement

Overview – Initial Project

- ▣ PG&E pursuing Pipeline Pathways Project (PPP)
- ▣ What is the issue?
 - PG&E requesting a 20 foot clear zone along their pipeline pathways – safety priority
 - Tree roots cause potential damage to pipes
- ▣ What does this mean for our communities?
 - Initial proposal - potential removal of a significant number of trees Countywide
 - including highly protected species in public Right of Way and private easement areas
- ▣ Initial reaction = public outcry
 - Conflicts with local tree preservation ordinances

Restrictions



Pipe Zone- the Pipe Zone is defined as the area that extends 5 feet from the edge of the pipe on both sides. Planting within this zone restricts vegetation to non-woody, low profile ground covers not to exceed 18 inches in height.

Border Zone- the Border Zone is defined as the area outside of the Pipe Zone extending to the edge of the PG&E Easement. Trees are not permitted within the Border Zone, however a large variety of woody shrubs can be used.

PG&E seeking removal of vegetation and improvements above and adjacent to PG&E's gas transmission pipelines

Initial Steps

- ▣ Approached problems on countywide basis (Contra Costa & Tri-Valley)
 - Collaborative work among elected officials, legal counsels and city managers/staff
- ▣ PG&E 'paused' PPP
- ▣ Sub-committee of Public Managers Association negotiated Framework Agreement
- ▣ PG&E to provide countywide information and potential impacts to our communities

Framework Agreement

- ▣ Process
 - Several meetings with key PG&E leaders
 - PMA reps met with PG&E
 - ▣ Seeking solutions that can work for the County and cities
 - Provided Framework Agreement
- ▣ Agreement outlines commitments going forward
 - both parties' committed to maintaining gas pipeline integrity and safety and to the importance of trees and landscaping to community character

PG&E Commitments

- ▣ reevaluating all trees; only proposing tree removal if data supports safety concerns
 - goal is reduce #of trees removed
- ▣ complying with ministerial encroachment permits
- ▣ identifying trees protected by local ordinances
- ▣ mitigating protected tree removals as agreed by County and PG&E
- ▣ paying County costs associated with our evaluation of work
- ▣ evaluating mitigation measures that could potentially avoid tree removals
- ▣ providing detailed data to allow staff to evaluate and understand the project, and
- ▣ conducting field reviews with the County

Agreement - Impacts to County

▣ Does:

- develop a framework for limiting the number of trees required for removal,
- develop information for the County to carefully consider PG&E's tree removal requests

▣ Does Not

- resolve the dispute between the County and PG&E over whether PG&E is subject to local tree removal ordinances
- If tree removal unresolved, County and PG&E can use legal or regulatory remedies

Key Points

- ▣ Approve Framework Agreement
 - commitments made by PG&E in the Agreement are appropriate
 - additional information to be developed by PG&E as it pursues PPP allows County to make tree removal decisions with better information
 - Agreement does not prevent the County from enforcing its rights at some point in the future
 - PG&E to work with County staff to review each area of work and communicate with District Supervisors and the public before pursuing work
 - PG&E to provide Countywide information in Spring 2015 before work begins in communities

Recommendation:

Approve and authorize the Chair of the Board of Supervisors to execute the Framework Agreement with PG&E to establish a framework for evaluating the removal of trees as part of the PG&E Pipeline Pathway Project.