

HOUSE BILL REPORT

HB 1251

*As Reported By House Committee on:
Local Government*

Title: An act relating to oil transmission lines.

Brief Description: Regulating oil transmission lines.

Sponsor(s): Representatives Wilson, Haugen, Spanel, Schmidt, Zellinsky, Jones, R. Johnson, R. King, Orr, Basich and Paris.

Brief History:

Reported by House Committee on:
Local Government, March 6, 1991, DPS.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *That Substitute House Bill No. 1251 be substituted therefor, and the substitute bill do pass.*
Signed by 12 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Franklin; Horn; Nelson; Rayburn; Roland; Wynne; and Zellinsky.

Minority Report: *Do not pass.* Signed by 3 members: Representatives Edmondson; Nealey; and Wood.

Staff: Steve Lundin (786-7127).

Background: Counties, cities and towns have been authorized to adopt comprehensive land use plans and zoning ordinances controlling land use activities and improvements to real property.

Counties, cities and towns can regulate matters and activities, within their boundaries, to protect the public health, safety, and welfare, as long as such regulations do not conflict with state law.

Counties, cities and towns are permitted to grant franchises for use of their roads and streets.

Legislation was enacted in 1976 to bring the siting of petroleum or gas transmission lines under the preview of the state energy facilities siting laws. Under these laws, the

governor must approve the siting of various energy facilities after receiving a recommendation from the energy facilities site evaluation council. These laws preempt the regulation and certification of the location, construction, and operational conditions of various energy facilities and supersede contrary regulations established by a county, city, or town.

Summary of Substitute Bill: Applicants for siting oil transmission lines under the state's energy facilities siting laws are required to pay the costs of a county, city, or town that are incurred in presenting information to the council and defending their regulations relating to the oil transmission lines.

Substitute Bill Compared to Original Bill: The substitute is a total rewrite. The language that eliminated the state preemption of local zoning controls relating to oil transmission lines has been deleted.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Original bill): Local people need to have an input. The proposed Trans Mountain Pipeline is a rehash of Northern Tier. They have no contracts with the refineries. The capacity of the pipeline is far greater than refineries capacity. Some of the same people are involved in this proposal. Trans Mountain could easily hook up this pipeline to its existing pipelines reaching the Midwest.

This is planned to go over a sole source aquifer with porous soils. Any spill will be a catastrophe.

The added costs are extreme. The oil will still be brought to the pipeline by tanker. Does this pipeline have anything to do with offshore oil drilling?

Testimony Against: (Original bill): New technology exists. Pipelines are safer than tankers. We are not intending to pipe the oil to Chicago.

Witnesses: (Con): Linda Christophersen and Charles Blumenfeld, Bogle and Gates; Grayden Hayward, Trans Mountain Pipeline. (Pro): Charles and Lillian Peterson, residents of Camano Island; Alice Lee, Island County; and Norma Turner, citizen of Port Angeles.