



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
April 2, 2014**

TO: Mayor Schroder and City Council Members

FROM: Anna Gwyn Simpson, Interim City Manager
Veronica A. F. Nebb, City Attorney's Office

SUBJECT: City's Position Relating to the PG&E Pipeline Pathways Project

DATE: April 2, 2014

RECOMMENDATION:

Adopt resolution of the City Council of the City of Martinez regarding the City's position relating to the PG&E Pipeline Pathways project.

BACKGROUND:

As Council is aware, Pacific Gas and Electric Company (PG&E), has recently begun implementation of a project which they have named the Pipeline Pathways project. PG&E began the project by surveying the 6,750 – mile natural gas transmission system operated by PG&E in California. As part of this project, PG&E proposes to clear pathways above these pipelines and is proposing to remove vegetation (trees and brush) to provide 10-14 feet of clearance on either side of their main distribution lines on both public rights of way and private property throughout Contra Costa County. A copy of the information provided by PG&E regarding the proposed locations of the work they are intending to undertake is attached hereto as **Attachment 2**.

Staff had an initial meeting with PG&E staff earlier this month in an effort to understand the proposal specific to Martinez. Based on the initial information provided by PG&E, staff has been informed that PG&E is proposing to remove 265 trees and 241 brush units within the City. Staff has requested additional information from PG&E and has contacted them to request an additional meeting regarding their plans for tree removal in the public right of way and the City's concerns and understanding of its rights. Additionally, we understand that PG&E has sent initial letters to owners of property upon which PG&E has an easement and intends to remove vegetation.

The City has serious concerns about PG&E's authority to unilaterally implement this project. Staff and the Mayor met last week with City leaders from other jurisdictions to discuss our collective concerns and possible approaches to address these concerns. Staff mailed an informational letter on March 27, 2014, to the addresses near the areas slated for work as identified by PG&E in an effort to assist those property owners in understanding their rights and responsibilities as they relate to this project and more specifically the removal of trees and shrubs on their properties. A copy of the letter is attached hereto as **Attachment 3**.

DISCUSSION:

Based on the meeting conducted among the affected jurisdictions, staff has been participating with the other jurisdictions in a coordinated approach to this issue. As you are aware, the Mayor signed a joint letter to PG&E Chairman, Anthony Early, requesting a meeting to discuss the concerns of the local jurisdictions with the proposed project. A copy of the letter is attached hereto as **Attachment 4**. In addition, staff has sent a letter to PG&E staff responsible for the implementation of the project, expressing the City's concerns and expectations regarding any tree removal in the City. A copy of staff's letter is attached hereto as **Attachment 5**.

It is important that the public become aware of this project and that the City Council clearly state its position regarding the manner in which PG&E is proposing to undertake this project. While the City fully supports efforts to ensure pipeline safety, it is not at this point in the proposed project, clear how the contemplated vegetation removal achieves that goal and whether it is necessary or the only manner in which to address PG&E's desired goals.

In addition to the actions taken to date, staff and the City Attorney's office will be preparing additional correspondence to PG&E to detail the City's position regarding the project. We are also requesting that the City Council adopt the resolution attached hereto as **Attachment 1** in an effort to take an official Council position on the project.

This is an urgent matter since PG&E has provided a timeline that anticipates beginning vegetation removal on May 26, 2014.

FISCAL IMPACT:

No fiscal impact.

ACTION:

Adopt resolution regarding the City's position relating to the PG&E Pipeline Pathways Project.

Attachment:

- 1) Resolution
- 2) PG&E Project
- 3) March 27, informational letter
- 4) Joint Letter to PG&E Chairman
- 5) Staff's letter to PG&E

APPROVED BY:


Interim City Manager