



City of San Antonio

Agenda Memorandum

File Number:19-8472

Agenda Item Number: 3.

Agenda Date: 11/13/2019

In Control: Intergovernmental Relations Committee

DEPARTMENT: Government & Public Affairs

DEPARTMENT HEAD: Jeff Coyle

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Briefing on a resolution to protect the Edwards Aquifer from the potential negative impacts of oil and gas pipelines.

SUMMARY:

This item provides a briefing on a proposed resolution opposing the construction of oil and gas pipelines that could potentially impact groundwater over the Edwards Aquifer area, and directing a review of legislative and legal actions to protect the Aquifer from the dangers of oil and gas pipelines.

BACKGROUND INFORMATION:

Enterprise Products Partners L.P. (Enterprise), a Houston based service provider for oil and gas producers and consumers, is in the process of expanding its Midland to Houston network through the construction of a 30-inch crude oil pipeline. The initial route planned by Enterprise indicated it would likely cross over the Edwards Aquifer's contributing, recharge and artesian zones. The proposed pipeline raised landowner and community concerns about the impact of a pipeline over sensitive underground water supplies.

City staff conducted research and outreach to Enterprise to gather information on the proposed pipeline and the regulatory process in place related to oil and gas pipelines. During this period, Enterprise met with landowners along the proposed route and, in a press release issued on October 4, indicated that the pipeline would avoid the Edwards Aquifer.

The Edwards Aquifer provides the San Antonio region with an abundant source of groundwater, vital to the region's growing population and expanding economy. Since 2000, voters have supported a sales tax collection dedicated to the Edwards Aquifer Protection Program (EAPP). Through the program the City has purchased properties and easements in the Edwards Aquifer recharge and contributing zones to limit development in those areas and protect the aquifer.

Because of the sensitivity of San Antonio's primary water source and the City's conservation easements

through the EAPP, there is continued concern about the construction of oil and gas pipelines over the Edwards Aquifer. The Texas Railroad Commission is the state agency with responsibility to regulate the oil and gas industry in the state; however, in regards to pipelines the Commission's authority is limited to pipeline safety and rate regulation. Intrastate pipelines are not required to be permitted before being built and there is no statutory or regulatory requirement that operators seek or receive approval for the pipeline's route or construction.

ISSUE:

The Resolution states the City of San Antonio will oppose oil and gas pipelines that could negatively impact groundwater quality over or adjacent to the Edwards Aquifer area and directs staff to study legislative and legal avenues to protect the aquifer. It is existing City Council policy to seek the advancement of City interests at the State Legislature and to protect the Edwards Aquifer and aquifer contributing zones in and around Bexar County.

ALTERNATIVES:

The Intergovernmental Relations Committee may provide guidance to staff to alter the proposed resolution, decide to delay action, or support full City Council consideration of the resolution.

FISCAL IMPACT:

There is no fiscal impact associated with this item at this time.

RECOMMENDATION:

This item is for briefing purposes.