

**RESOLUTION NO. 20190619-183**

**WHEREAS**, Kinder Morgan and Exxon Mobil, in partnership with EagleClaw Midstream Ventures (the “Private Partnership”), have begun the process of routing a 42-inch buried natural gas pipeline, known as the Permian Highway Pipeline (the “PHP”) from Cayanosa, Texas, to Sheridan, Texas, through the Texas Hill Country across the Edwards and Trinity aquifers; and

**WHEREAS**, the PHP will carry a quantity of hydrocarbons for export that, when burned, will produce more carbon pollution than the entire Austin area, which will contribute to climate change with all its deleterious effects on the people of Austin and the world; and

**WHEREAS**, the PHP is currently proposed to transport natural gas and may, at any time in the future and without regulatory or public input, transport crude oil, gasoline, diesel, and liquefied natural gas; and these products, including natural gas, present significant environmental and public safety risks; and

**WHEREAS**, the laws of Texas provide for little oversight of the routing of private pipelines, such as the PHP pipeline, to ensure public safety and limit environmental impacts; and

**WHEREAS**, the Private Partnership has not performed a formal Environmental Impact Study evaluating the potential impact to the Trinity and Edwards aquifers, other groundwater sources, erosion, drainage, subsidence, and other generally detrimental impacts to the surrounding communities; and

**WHEREAS**, the City of Austin has an interest in the protection of its natural resources including the Edwards Aquifer and Barton Springs, and an interest in how the PHP may affect its citizens; and

**WHEREAS**, the Edwards Aquifer serves as a major source of drinking water for two million people, is a vital resource to the general economy and welfare of Central Texas, and forms the only known habitat for the endangered Barton Springs Salamander and the Austin Blind Salamander; and

**WHEREAS**, the PHP will be constructed within karst geology through the recharge zone of the Edwards Aquifer for the purpose of transporting natural gas; however, other hydrocarbons including liquids could be transported, and even a natural gas-only pipeline will include some amounts of liquid hydrocarbons; and

**WHEREAS**, the Barton Springs/Edwards Aquifer Conservation District performed dye tracing studies within the area of the PHP route, and the results indicate that a release of hydrocarbons along the proposed route will result in potential harm to Barton Springs, and the karst formation would make it nearly impossible to adequately clean up hydrocarbon leaks from the pipeline; and

**WHEREAS**, with the review by the Barton Springs/Edwards Aquifer Conservation District, there is not reasonable assurance that the Edwards Aquifer and Barton Springs will be protected during the construction and operation of the PHP; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council opposes the Permian Highway Pipeline on behalf of the interests of the citizens of the City of Austin in recognition of the potential harm the PHP poses to Austin's natural and economic resources; and in recognition of the danger to people, wildlife, and ecosystems along its route, and through its transport and subsequent export of hydrocarbons, to the health of global ecosystem services including a stable climate.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to study the potential water quality impacts a pipeline transporting hydrocarbons would have on the Trinity and Edwards aquifers and report back to Council by August 30, 2019.

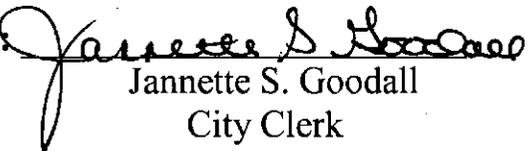
**BE IT FURTHER RESOLVED:**

The City Manager is directed to study legislative or other legal avenues to effectively oppose the pipeline in ways that could include requesting the State of Texas to protect landowners, landowners' property rights, and communities from the negative impact of PHP and other potential oil and gas pipelines by the following measures:

1. Creating a state regulatory process for oil and gas pipeline routing that enables affected landowners and communities to provide input on the routing process, similar to the practice followed by the Public Utility Commission of Texas regarding the routing of electric transmission lines.
2. Requiring environmental and economic impact studies for all intra-state oil and gas pipelines, including the participation of local governmental entities, and making these studies available for review by the public.
3. Requiring governmental oversight over the power of eminent domain delegated to private companies and/or rescinding the unlimited power of eminent domain delegated to private companies.

**ADOPTED:** June 20, 2019

**ATTEST:**

  
Jannette S. Goodall  
City Clerk