

# API RP 1185 Pipeline Public Engagement

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## Foundation

This Recommended Practice (RP) provides guidance to hazardous liquids and gas transmission and gathering pipeline operators, interested parties in the public, governments, and rights holders<sup>1</sup> for effective stakeholder engagement. This RP builds upon and augments existing provisions and is not intended to duplicate requirements of any other consensus standards or regulations, including API RP 1162, *Public Awareness Programs for Pipeline Operators*, and API RP 1173, *Pipeline Safety Management Systems (PSMS)*. Public awareness activities are only a part of public engagement. Public awareness activities are intended to inform the public but are fundamentally one-way communication activities.

## Benefits of Engagement

The benefits of applying this RP are to develop relationships, build trust and achieve meaningful involvement in the engagement process, with the ultimate outcome of improving pipeline and environmental safety. Pipeline operators will benefit from this guidance as they consider and develop pipeline projects and operate pipeline systems. Members of the public will benefit from this guidance as they learn and understand more about pipelines and provide input on pipelines' potential effects on them and their community. This guidance will benefit government as it supports public safety and environmental protection.

## Core Principles

The following principles comprise the basis of this engagement recommended practice:

- **Openness and Transparency:** frank discussion, sharing of truthful, timely, and relevant information, and willingness to listen and learn and nurturing an environment of transparency.
- **Respect:** considering and respecting others' points of view by listening to questions, understanding concerns, and allowing each other to share perspectives.
- **Reciprocity:** communication and action for mutual benefit, listening as well as speaking, being responsive to inquiries and interests, and sharing responsibility for interactions and relationships.
- **Inclusiveness:** a deliberate effort to involve parties interested in the subject or action.
- **Accessibility:** commitment to provide a variety of methods and opportunities for all interested stakeholders to participate.
- **Equity:** deliberation and decision-making that take into account the needs, circumstances, and resources of all stakeholders.

## Effective Engagement

Effective engagement involves establishing and facilitating processes, methods and tools that allow stakeholders to be actively involved in providing input to an operator. Effective engagement seeks to have a broad set of stakeholders and embody the principles described above. Meaningful engagement will offer different perspectives, allow the public to provide input to an operator's plans and proposed solutions, and allow for public input to modify those plans. Modifications may include public concerns ensuring highly effective outcomes that benefit the

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<sup>1</sup> Many tribal groups refer to themselves as "rights holders" and not stakeholders.

community and the organizations engaged in pipeline operations. This can result in reducing mistrust and misinformation as well as helping prevent or mitigate miscommunication and misunderstanding about the likelihood and consequences of an unintended release or abnormal operations. The approach outlined here emphasizes increased proactive engagement between key stakeholders and can empower them to be involved in the process.

Engagement can be relational. i.e. one-on-one with an individual; it can be personal. Engagement can also be transactional. Stakeholders may simply want information about a pipeline so they are informed and may not be interested in longstanding engagement. Engagement incorporates equity (3.5) and inclusivity (3.8) not only into an operator's decision-making, but planning and sharing. Engagement is not something "done" to stakeholders; it's done with stakeholders.

Effective engagement requires purposeful efforts to connect with stakeholders that face ongoing barriers to participation in pipeline safety. This includes communities and stakeholders historically underrepresented due to economic, cultural, racial, health-related, and other disparities or differences. These communities and populations may face challenges to engagement, such as linguistic differences, lack of transportation, lack of access to technology, and other barriers. Because of these barriers, effective engagement may require proactive efforts that bring tailored resources to address these disparities and differences to achieve meaningful participation, communication, and interaction with and between all participants.

## **Engagement Elements**

This framework intends to comprehensively define a set of elements (i.e. processes) to be consistently applied throughout the pipeline life cycle. While engagement is often thought of as part of the project development phase, engagement spans the life cycle of a pipeline from early siting and design to abandonment or decommissioning. The following elements are intended to apply to any engagement process at any point in a pipeline's lifecycle. The six primary elements of this framework are as follows:

1. Commit and Align – describes how operators, through their management, demonstrate the organization's commitment to stakeholder engagement.
2. Identify, Understand and Confirm – describes stakeholders who should be the subject of engagement.
3. Plan and Prepare – describes how operators get ready for stakeholder engagement activities.
4. Share Information – describes what operators should share as part of baseline information.
5. Ask, Listen and Respond – describes how operators engage with stakeholders.
6. Monitor, Evaluate and Adjust – describes how operators assess, document, verify and improve stakeholder engagement performance.

These six elements provide pipeline operators with a framework to evaluate and improve existing practices for engagement with stakeholders and rights holders, or to develop, implement and evaluate a new engagement system. These elements are depicted in Figure 1.

While the elements are presented as a linear process for operators to follow to initiate engagement, it should be recognized that stakeholders may seek to initiate engagement by

requesting information before they have been identified, before any information has been shared with them, or before there is an engagement program in place.



**Figure 1 – Six Elements of Stakeholder Engagement**

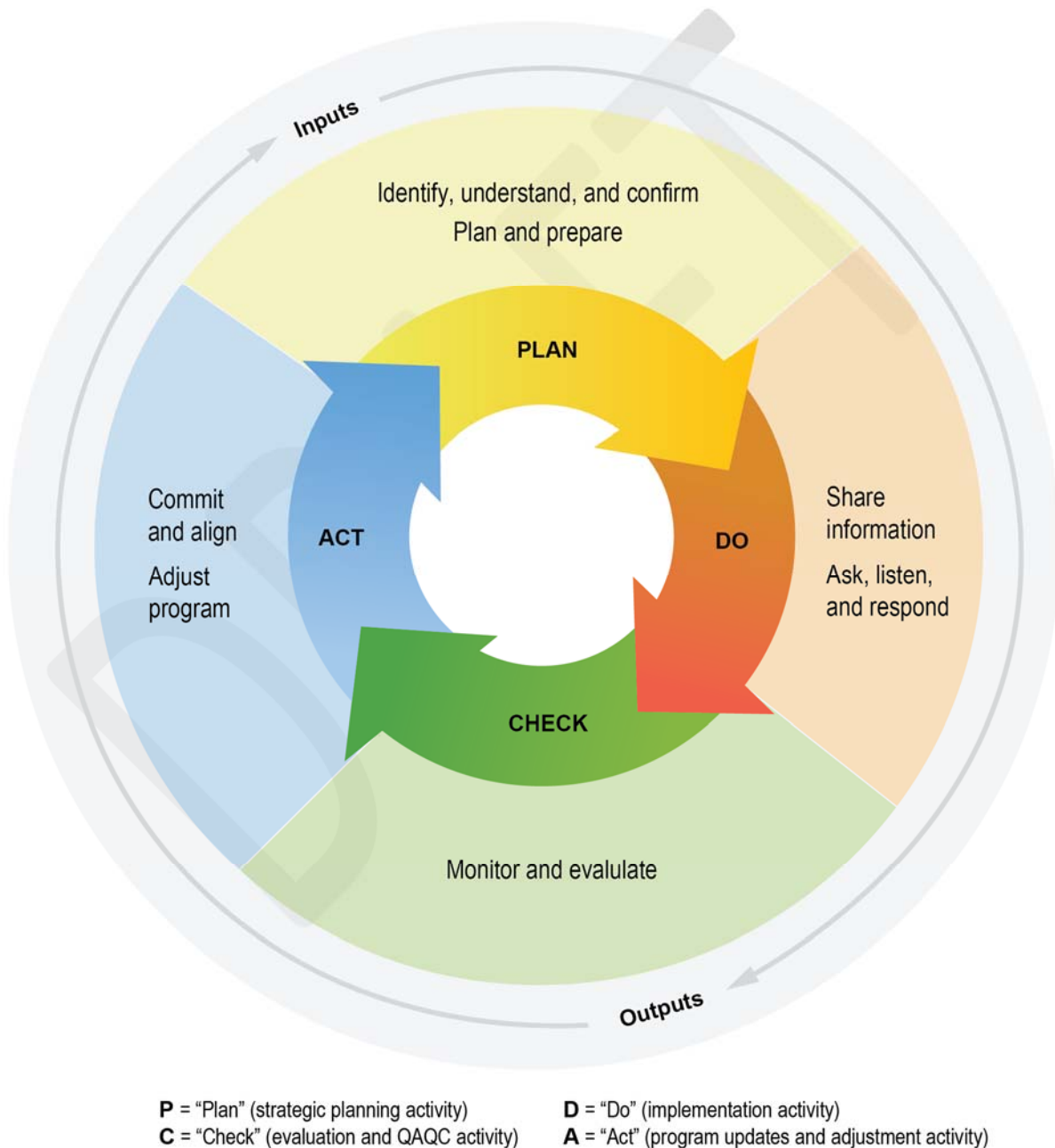
### **Integrating Safety Management Systems and Engagement**

Stakeholder engagement is one of the core elements of a pipeline safety management system as set forth in API RP 1173, which establishes basic requirements for stakeholder engagement. RP 1185 builds on the high-level requirements in RP 1173, providing provisions for operators as well as stakeholders to consider in engagement. Effective engagement programs embody concepts essential to safety management systems including:

- Continuous Improvement: on-going learning about stakeholders and learning practices, adjusting, and improving; a journey not a destination.
- Innovation: continuous efforts to explore new engagement methods and technologies to advance and improve effectiveness of engagement over time for operators, stakeholders, and the industry.

- Flexibility and Scalability: tools, processes, and approaches that are adaptive and may differ through a range of engagements, from one-on-one engagement to very broad, expansive engagement with the general public.
- Integration: processes in place to enable dependent and interrelated functions within the organization to share information.

The six elements can be viewed using the concepts of Plan, Do, Check and Act as given in API RP 1173, as shown below in Figure 2.



**Figure 2 – Alignment to Engagement Elements with Plan, Do, Check and Act**

## **Flexibility**

This framework should be applied with flexibility to account for the current state of development of particular elements of an operator's engagement program. Flexibility means that the framework can be adjusted to address the number and variety of stakeholders and the nature of any particular engagement. Flexibility for stakeholders means they can get the information they want in a time, place, or manner that works best for them. Flexibility can also mean that a stakeholder may choose to engage across the entire life cycle or only during certain times when they feel engagement is necessary.

In cases where an operator is already operating under an established, comprehensive engagement program, this framework serves as a basis for comparing and evaluating RP 1185 and the operator's program, which may help identify ways to improve the program. Other operators may have some individually established engagement practices but no comprehensive engagement program. For them, this RP provides a means to integrate and add provisions of elements and sub-elements within this RP to establish a comprehensive engagement program. In all cases, operators should have the flexibility to apply this RP as appropriate to their specific circumstances, but with the goal of having a comprehensive and effective program.

## **Scalability**

The framework is scalable, has broad application, and is strongly recommended for pipeline operators of all sizes. The elements comprising the framework apply to organizations of any size and complexity. The level of detail in each pipeline operator's engagement program should be appropriate for the size of their operations and the risk to the public and the environment. Even small operators can and should build on relevant provisions herein to develop an effective engagement program. For stakeholders, scalable means engagement can be adjusted to the size of their organization or community and collaborations between stakeholders with similar interests.

## **Safety Culture**

A robust engagement process with all stakeholders strengthens safety and the safety culture in an organization by sending a message to all employees that their actions affect the community and environment. In addition, sharing leading engagement practices among operators will further strengthen the safety culture of the entire pipeline industry. When executed as deliberate, routine, and intentional, the individual elements are designed to result in improved communication and coordination and a stronger safety culture.

## 1. Scope

This recommended practice (RP) establishes an engagement framework for companies that operate hazardous liquids, gas transmission, or gas gathering pipelines which are regulated by the U.S. Department of Transportation. The framework enables pipeline operators to develop and implement an engagement program with external stakeholders throughout the life cycle of those pipelines. The scope of this RP does not apply to gas distribution systems, including transmission lines operated by a local distribution company (LDC) or municipality downstream of, or dedicated to, a city gate station. Nor are the provisions intended to apply to Type R gathering lines or to regulated (Type C) onshore gas gathering lines in Class 1 locations that are 12.75 inches or less in outside diameter that are not required to have public awareness programs. Operators of pipelines outside the scope of this RP and all external stakeholder groups may find this document, including the various leading practices, useful for their pipeline public engagement.

## 2. Normative References

There are no normative references in this document.

## 3. Terms and Definitions

For the purposes of this document, the following definitions apply.

### 3.1

#### **align**

Employees and company representatives have a common understanding, agree upon defined goals and objectives of engagement, and work to achieve them through their actions.

### 3.2

#### **city gate stations**

Primary pressure reduction point for the high-pressure pipelines that transfer gas to distribution systems. The basic function of these stations is to link high-pressure transmission pipelines to distribution pipe systems.

NOTE: A city gate station usually performs three primary functions:

- a) It reduces the pipeline pressure to operating pressure of the utility pipe system.
- b) It measures the volume of gas delivered to the utility.
- c) Odorant is added to the natural gas to enable the detection of gas.

[Source: AGA *Leading Practices to Reduce the Possibility of a Natural Gas Over-Pressurization Event.*]

### 3.3

#### **emergency officials**

Persons whose jobs (either paid or volunteer) are to plan for and respond to hazardous incidents that either have or may cause harm to persons, property and/or the environment, such as fires and liquid spills.

### **3.4**

#### **environmental justice**

The fair treatment, representation, and involvement of all people in planning and management of pipelines, which includes reducing and preventing disproportionate harm to, and providing equal access to benefits for, vulnerable populations, in order to provide equal enjoyment of the environment and to ensure safe and healthy lives for present and future generations.

NOTE: Also refer to Annex B for environmental justice background.

### **3.5**

#### **equity**

Recognition that people live under different circumstances and therefore may require different resources and special efforts to adequately engage with and participate in pipeline safety.

### **3.6**

#### **fair treatment**

No person or group of people bear(s) a disproportionate share of negative environmental or human health effects resulting from pipelines, and stakeholders are provided meaningful involvement in pipeline projects and operations.

### **3.7**

#### **federal government**

Officials responsible for federal government oversight of pipeline infrastructure; employees of the federal government that are engaged in:

- Pipeline permitting, regulation, and/or emergency planning and response;
- Management of lands and waters encumbered by pipeline easements; and
- Representing constituents and creating legislation relating to pipelines.

NOTE: This group also includes federally elected officials such as members of Congress.

### **3.8**

#### **inclusivity**

Practice or policy of providing equal access to engagement opportunities and resources for people who might otherwise be excluded or marginalized.

### **3.9**

#### **landowners and tenants**

Individuals, companies, organizations, Tribes and governments with ownership or tenancy rights to real property that have easements containing pipelines, are being considered for an easement, or are adjacent to easements. Landowners and tenants also include those that may be directly impacted by incidents, or by local zoning or planning laws focused on pipeline safety or siting.

### **3.10**

#### **local government**

Elected and appointed officials or staff including those persons who have been elected for a public office and oversee managers, departments, or agencies, as well as appointed officials



and staff working for elected officials and in local government departments such as public works, planning, public health, public safety, environment, recreation, among others.

### **3.11**

#### **management [noun]**

Person or group of people, as defined by the pipeline operator, who directs and controls all or part of a facility, location, department, or other function; has fiscal responsibility for the organization; and is accountable for compliance with legal and other applicable requirements.

NOTE: For some pipeline operators, top management (3.19) and management are the same.

[Source: API RP 1173, First Edition]

### **3.12**

#### **management system**

A framework of elements that an organization uses to direct and control work to achieve its objectives in an intentional and continual manner.

[Source: API RP 1173, First Edition]

### **3.13**

#### **maturity**

A point at which an element or sub-element has become embedded into the processes of an organization and planned activities are completed and planned results are achieved regularly, without gaps. Maturity is a term of art used in assessing management systems.

[Source: based on API RP 1173, First Edition]

### **3.14**

#### **meaningful involvement**

Stakeholders have an opportunity to participate in consideration of and decision-making about pipelines that affect their communities, natural and cultural resources, environment, and health by being actively sought out by the operator, provided information on the pipeline project or operations, and asked about, listened to, understood, and responded to in their concerns.

### **3.15**

#### **pipeline life cycle**

stages include new, proposed pipeline projects, pipeline routing and construction; pipeline expansions, conversions, idling, and abandonments; operations, maintenance, integrity management, and emergency response planning; and pipeline incidents or abnormal operating conditions.

### **3.16**

#### **public**

Persons potentially affected by a pipeline including individuals, local communities, and those who may share a national interest in that pipeline.

### **3.17**

#### **stakeholder**

Individuals, including communities and populations and their representatives potentially affected by a pipeline who have a local, regional, or national interest in that pipeline.

NOTE: Stakeholders include the public (3.16), landowners and tenants (3.9), local government (3.10), emergency officials (3.3), state government (3.18), Tribal Nations (3.20), and federal government (3.7). Each are defined and described in Annex A.

### **3.18**

#### **state government**

State elected or appointed officials and departments including but not limited to state level emergency officials, public utility commissions, health departments, environmental departments, and homeland security.

### **3.19**

#### **top management**

A person or group of people who direct and control the organization at the highest level.

[Source: API RP 1173, First Edition]

### **3.20**

#### **Tribal Nation**

A governing body of a Tribe, Band, Pueblo, community, village, or group of Native American Indians, or Alaska Natives.

## **4. Commit and Align**

### **4.1. General**

The pipeline operator shall maintain a program for engagement with stakeholders. Top management shall undertake steps to demonstrate commitment to the program. Management, supported by top management (3.19), shall demonstrate commitment to the program and alignment of appropriate resources.

### **4.2. Responsibilities**

#### **4.2.1. Top Management**

Top management shall lead and demonstrate its commitment to the development, implementation, continuous improvement, and evaluation of the maturity of its stakeholder engagement program. This shall entail establishing and maintaining engagement policies, goals, and objectives that align with the organization's vision and values, and the principles of this RP. Top management shall establish high-level performance measures for transparency and engagement. It will also entail identifying the executive(s) accountable for implementation and continuous improvement, and managers responsible for engagement.

Top management shall make clear to employees and stakeholders its commitment to engagement. Top management should promote engagement with individual stakeholders, as well as at appropriate levels within stakeholder organizations, seeking to achieve mutual trust. Recognizing that there can be a power imbalance between stakeholders, including the impact of

environmental justice issues, top management should foster an environment where employees and contractors are receptive to and recognize stakeholders' beliefs, objectives, values, and interests. While there may not be agreement between stakeholders, recognizing the imbalance is essential to achieve mutual trust.

Top management shall ensure engagement programs are adequately budgeted and resourced. Responsibilities of top management also include having processes in place to enable sharing of information among dependent and interrelated functions within the organization. By sharing information, the organization can work to achieve the policies and objectives for engagement. Top management shall conduct annual reviews of the stakeholder engagement program consistent with management reviews required by API RP 1173. During annual reviews, top management shall review, evaluate, and approve, as appropriate, changes recommended to the engagement program by management and employees.

NOTE: For some pipeline operators, top management and management are the same. The terms top management and management are used in API RP 1173 and used here for consistency.

#### **4.2.2. Management**

Management, supported by top management, shall demonstrate its commitment and alignment of resources to engagement. This will entail establishing an end-to-end process to implement, evaluate, and improve processes, procedures, systems, and training to meet engagement policies, goals, and objectives. It will entail aligning and integrating resources across the organization to ensure continuity with stakeholders, information sharing, transparency, and commitments over time and throughout the pipeline life cycle. When changes in personnel involved in engagement occur, the change should be communicated to applicable stakeholders, so a gap in communication does not arise.

Management shall identify key personnel accountable for engagement success across the pipeline life cycle and support the clear connection between objectives and day-to-day work activities, including those needed to meet the requirements of this document. This will entail identifying, seeking, and allocating resources sufficient for effective engagement, drawing upon established performance measures that address engagement effectiveness. When personnel and resources are defined, management shall establish expectations, develop and implement processes, which can include training, to ensure employees and contractors attain appropriate levels of competence to fulfill their responsibilities in engagement. Management shall ensure that pertinent employees and contractors understand environmental justice concerns and are aware of the expectations of top management.

Management shall align existing programs and actions involving engagement, such as a PSMS, public awareness, damage prevention, integrity management, emergency preparedness, and abandonment. This will include sharing relevant data, results, findings, and lessons learned, and integrated in order to execute and continuously improve the engagement program. Management shall also ensure that communications about engagement occur routinely with employees and contractors so they can see that company leaders are engaging and how they are engaging. Safety culture assessments have demonstrated that when employees and contractors see how leaders are engaging, it instills pride in what they do and increases their confidence in their engagement with stakeholders.

Management shall apply safety assurance processes and practices of the PSMS, including periodic audits of the program. Management shall integrate annual reviews of the engagement program into PSMS management reviews, including evaluation of continuous improvement, evaluating, and recommending changes to the program.

#### **4.3. Minimum Program Documents**

Operators shall maintain the following, which can be used for monitoring (section 9.3) and evaluating (section 9.4) their engagement programs:

- Demonstration of commitment from top management (e.g. policy/statement/letter) to continuous improvement of public engagement, which may be indicated through the adoption of RP 1185.
- Policies/work plan/budget from management that shows how public engagement will be implemented and integrated throughout the organization, throughout the life cycle of pipelines.
- Identification of key personnel, such as an organizational chart or similar document that shows who is responsible for public engagement at various levels within the organization, and how that integrates with other programs such as safety management systems, public awareness, governmental relations, etc.
- Annual management public engagement program review documents.
- Periodic public engagement program review documents that show how continuous improvement is being demonstrated.

### **5. Identify, Understand and Confirm**

#### **5.1. General**

The pipeline operator shall have an engagement program that includes identifying and understanding stakeholders' interests and confirming the accuracy of their information as appropriate to a specific pipeline system, geographic area, or circumstance.

#### **5.2. Objectives**

The objective of identifying stakeholders for engagement is to establish which persons or groups have an interest in or concern with a pipeline project under consideration or an existing pipeline. The objective of understanding stakeholders is to determine not only the geographic location and contact information of identified stakeholders, but also to gain a deeper understanding of their values, cultures, as well as historical impacts of pipelines or other facilities or infrastructure. The objective of confirming stakeholders is to confirm identified stakeholders and their interests relating to pipeline infrastructure, associated activities, and impacts, generally as discussed in Annex A.

#### **5.3. Tools & Techniques**

##### **5.3.1. Full Range of Stakeholders**

Meaningful and equitable engagement includes considering a full range of stakeholders (3.17) as appropriate to a specific pipeline system, geographic area, or circumstance. More detailed stakeholder descriptions are found in Annex A.

An effective engagement process includes consideration of environmental justice (see Annex B for background) and where identifying stakeholders takes into account location-based and localized differences in how vulnerable communities and populations can be impacted. Cultural differences can also affect how a population relates to a project in their community, such as in indigenous communities with differing historical, cultural, and political relationships to their environment. A community not traditionally thought of as vulnerable as a whole can still include vulnerable populations who should be accounted for to ensure equitable representation and participation.

Therefore, the identification process shall consider historical and current environmental and social injustices, including economic, racial, health, and other disparities, and how these injustices and disparities may have been produced or exacerbated by cumulative historical impacts. The operator shall include applicable Tribal/Indigenous Nations that may be present (or have an interest) along a potential or existing right-of-way, in the region of the right-of-way, or with cultural resources near the right-of-way (even if the Tribe or nation no longer resides in the area but still has cultural or natural resources in the area). An operator should include members of Tribes who may have differing positions from Tribal governments, as there can be recognized leaders among a Tribe. In addition, the operator shall also, in good faith, identify communities that can need more targeted engagement to overcome barriers such as linguistic differences, lack of transportation, physical and cognitive differences, lack of access to childcare, lack of access to technology, lack of transportation, among other barriers.

The operator should consider applicable federal, state, and local guidelines and regulations for identifying the full range of stakeholders, including the factors described in Annex A. The operator should have a process for identifying and considering new environmental justice identification tools as they become available from local, state, and federal governments, including Tribes. See the U.S. Environmental Protection Agency <https://www.epa.gov/ejscreen>, and the U.S. Department of Transportation as a starting point, followed by state governments or other informed entities. The operator shall identify pertinent legal rights held by identified stakeholders and have a process to understand and acknowledge those rights. This includes the fact that many Tribes hold constitutionally protected treaty rights that guarantee them the ability to act as sovereign nations. Landowners and local governments have many legal rights that can vary from state to state.

### **5.3.2. Life Cycle Analysis**

The operator shall identify and seek to understand stakeholders' interests reflective of the engagement objectives of the pipeline's specific life cycle stage and consistent with the principles of engagement defined in the Foundation section of this RP. Life cycle stages can include:

- new, proposed pipeline projects;
- pipeline routing and construction activities;
- pipeline expansions, conversions, idling, and abandonments;
- operations, maintenance, integrity management, and emergency planning associated with an existing pipeline; and,
- pipeline incidents<sup>2</sup> or abnormal operating conditions.

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<sup>2</sup> The term "incident" is used within this RP to address incidents as defined by 49 CFR 191.15 and "accidents" as defined by 49 CFR 195.50.

Considering engagement interest by pipeline life-cycle stage and intent of the engagement activity can help the operator be more effective in identifying and understanding the appropriate stakeholders in order to provide equitable opportunities for engagement. For example, landowners and residents along a right-of-way (ROW) can have interest throughout the pipeline life cycle, and an interest that goes beyond information they may receive through an operator's public awareness program. Local communities can be interested in potential health and environmental impacts of a pipeline project or how the pipeline affects the impacts of cumulative industrial processes in the area. The interests of some groups can change across the pipeline life cycle. For example, Tribal representatives can be particularly interested in cultural and natural resource impacts during siting, jobs and economic benefits during construction, and environmental monitoring during operations. Alternatively, communities along a ROW not engaged in planning stages can become more engaged following a safety incident.

### **5.3.3. Pertinent Information**

In identifying stakeholders, the operator shall identify key contacts. This can include leaders in the stakeholder's organization, local community elders and leaders, multiple levels of management authority, and influential individuals regardless of position. Consideration should be given to requirements to work through intermediaries designated as contact points by specific stakeholders. For example, an operator seeking to engage with a Tribe may need to work through an intermediary initially or for an extended period to make connections with Tribal safety and environmental staff, the Tribal Historic Preservation Officer and Tribal leaders.

The operator shall have a process for refreshing lists of known stakeholders and identifying new stakeholders as the pipeline moves from one life-cycle stage to another (for example, from completion of pipeline installation to testing), with hand-over to personnel responsible for operations and maintenance, and as applicable for integrity management. The operator should have a process for documenting stakeholders who have expressed interest in engagement and which stage of the life cycle they are interested in, and then engage accordingly. Operators should have a procedure/policy for maintaining stakeholder information (privacy/confidential).

Operators should also continue to consider stakeholders who may have yet to express interest because their interests in the pipeline may change. This can provide an opportunity for stakeholders to engage if they wish.

The operator should invite stakeholders to confirm and improve stakeholder information. The operator can seek assistance from external parties to identify, learn about, and understand stakeholders on a pipeline project, in a region, or with particular interests or characteristics. Such external parties could have local knowledge, expertise, or relationships that could enhance the operator's understanding of the stakeholders and their interests and needs. Information shared by stakeholders shall be maintained under established company policy and procedures.

### **5.3.4. Understanding Stakeholders**

Understanding stakeholders means recognizing and appreciating the range of interests, values, needs, concerns, language(s) spoken, cultural concerns, and organizational affiliations present within communities and populations implicated in a project, and location of each defined stakeholder (address and jurisdictional interest).

Operators should seek out opportunities to interact directly with stakeholders. Operators should learn about particular stakeholders in preparation for connecting with them and consider identifying where there might be common interests among stakeholders. This can enable the operator to plan more effectively for the subsequent engagement, Plan and Prepare (Section 6), as well as in engagement activities described in Annex C. It can also provide the operator an opportunity to engage with a stakeholder with whom they have not recently engaged, to discuss how to best connect, and then more broadly engage with those having common interests.

Understanding stakeholders can be an iterative and integrated process. Applying the geographic location of interested stakeholders and other forms of desktop analysis have value for identifying factors such as jurisdictional interests, state-designated environmental justice areas, and other indicators. For large operators, identification of stakeholder location and interests can entail use of a database or other means of cataloging the information. For smaller operators, a listing in a spreadsheet or comparable document can be sufficient. Some operators can choose to use mapping systems to facilitate analysis, but for others use of a mapping system may not provide value and may not be necessary. Understanding stakeholders can include training to ensure employees and contractors attain appropriate levels of competence to fulfill their responsibilities in engagement.

Once stakeholders are identified, and an understanding of their interests, rights, and affiliations has been confirmed, operators shall identify and educate applicable employees and contractors about who the different stakeholders are, their interests, and rights. The type and level of education should reflect the role of the person in the engagement process. Operators should also identify stakeholders who are likely to seek engagement following the occurrence of an incident or abnormal operations with a public impact (e.g. audible or visible blowdowns, etc.).

### **5.3.5. Confirming Stakeholders**

Successful engagement requires confirming information about potential stakeholders is correct and is an effective means to engage. Individuals and subsets of stakeholders can have differing preferred connection approaches, so it is important for an operator to confirm that a contact method has been identified that works for each stakeholder. An operator may need to start with the contact information they have, such as the address of those living along a pipeline, and use that contact information to try to determine the best connection method. The goal is to establish the best communication/engagement avenue and to provide contact information for the operator to the stakeholder. Multiple attempts to establish such an avenue can be necessary, and in some cases, a stakeholder may just not want or be ready to engage. Stakeholders are encouraged to be proactive and ensure that the operator has the correct contact information using the methods provided by the operator.

Stakeholder audience information can be restricted or limited due to privacy laws and change frequently. In the case of multiunit residences where the owner may restrict or forbid direct contact with residents, operators should make a reasonable effort to identify the stakeholders.

Operators should confirm their understanding of each defined stakeholder's interests, needs and concerns, and update as needed. Combining the affiliation and understanding proposed under this RP with the confirmed connection methods may allow an operator to use common engagement connection methods with multiple stakeholders with common interests.

Initial engagement attempts can lead directly to other engagement activities, such as requests for additional information, or the need to listen to, seek information, or share additional

information with the stakeholder. An operator should be prepared for this before implementing initial connection attempts.

#### **5.4. Minimum Program Documents**

Operators shall maintain the following, which can be used for monitoring (section 9.3) and evaluating (section 9.4) their engagement programs:

- Description of the process used to identify, understand, and confirm potential stakeholders together with the accuracy of their information, and how that information is stored, updated and refreshed in a listing, database, or directory.
- Documented program identifying stakeholders' interests, potential legal rights held by identified stakeholders, key contacts, and stakeholder interests, and process for refreshing lists of known stakeholders and identifying new stakeholders.
- Policy and procedures for maintaining information shared by stakeholders.

### **6. Plan and Prepare**

#### **6.1. General**

The pipeline operator's engagement program shall have a process for planning and preparing engagement with stakeholders. Planning and preparing for stakeholder engagement allows the operator to ensure its engagement reflects the needs of identified stakeholders and is fit for the purpose of engagement, which can vary depending on the pipeline life cycle.

#### **6.2. Objectives**

The objective of Plan and Prepare activities is to ensure engagement activities and information reflect stakeholders' needs and the engagement's purpose. Engagement plans and preparations shall reflect information gathered during Identify, Understand and Confirm activities (Section 5). This includes stakeholders' interests, values, concerns, needs, and an understanding of cultural and historical concerns to the extent any of that information is available prior to connecting with a stakeholder.

Another objective is to tailor the engagement to its purpose, which can vary greatly depending on the pipeline's life cycle, and the breadth of stakeholders identified. Additionally, plans and preparations should reflect the tools and methods deemed most effective for engaging with identified stakeholders. The result is engagement plans and preparations fit for the purpose of the engagement and its intended stakeholders.

#### **6.3. Planning Considerations**

Successful engagement planning requires efforts reflective of and tailored to the needs of identified stakeholders. Subsets of stakeholders will have preferred connection approaches. In addition to the techniques suggested below, Annex C contains a variety of connecting methods for major stakeholder subgroups.

Operators should understand that multiple channels for engagement can be necessary to maximize contact with a single stakeholder. While some stakeholders may have a short-term or periodic interest, and the level of interest and intensity of interest may vary over time and the life of a pipeline, the operator should seek to maintain its connection by offering stakeholders the opportunity for continued engagement. The operator should recognize that interested parties



can also be individuals. Initial engagement sets the stage for effective longer-term engagement. Finally, operators shall ensure that pertinent employees understand and apply safety, health and environmental justice-related leading practices, applicable laws, and rights while engaging with stakeholders.

In planning for engagement, the operator should consider their understanding of each defined stakeholder's interests, needs and concerns, and update as needed. The operator should also use the stakeholder Identification, Understanding and Confirming process described in Section 5 to identify engagement methods for stakeholders with similar or common interests and needs. The operator can apply common methods to multiple stakeholders with common interests. For example, an operator identifying that multiple landowners have a common set of interests can apply common engagement methods for that grouping using targeted social media.

Some stakeholder groups can face barriers in connecting that prevent their fair representation, inclusion, and equitable involvement in the engagement process. Factors affecting the participation of vulnerable populations of color, low-income populations, persons with disabilities, senior citizens, Tribes, indigenous populations, and other vulnerable groups identified in 5.3.1 that can face barriers. These barriers can be compounded by a lack of trust in officials, differing socio-economic status, and power dynamics between stakeholders in a given community.

Operators should engage stakeholders from vulnerable communities and populations to learn about their perspectives and equity-related challenges so that vulnerable groups have ample opportunity to participate in the engagement process. Operators can consider tools and techniques described in Annex C to overcome these potential hurdles. Operators should connect with one another and consider collaborating in their engagement with regional and national pipeline safety advocacy groups, environmental groups, landowner groups, community organizations, local governments and Tribes, and directly with residents in communities with environmental justice concerns. Preparing engagement in this way can help operators understand issues and concerns that transcend a project or a particular operator. Seeking advice, perspectives, and experiences from such groups can also help operators identify and potentially overcome challenges they are having in engagement and establish opportunities for longer-term trust building and cooperation.

First responders in some areas of the country have shared that they are challenged to engage with operators because of the number of pipelines in their jurisdictions and the demands on their time to engage with various stakeholders other than pipelines. In areas with a high density of pipeline facilities, operators should consider joint efforts with industry partners in engaging with first responders on common projects and exercises.

## **6.4. Planning Methods of Engagement**

### **6.4.1. Overview**

Operators shall plan, prepare, and establish clear channels for stakeholders seeking to connect with the operator. Operators should:

- include simplified forms of engagement for stakeholders, so they know whom to go to with questions or concerns, as well as deeper forms of engagement for stakeholders seeking a more invested role in an operator's decision-making processes;
- provide multiple means for connection based on availability of, or access to, technology,

diverse communication styles and comfort, and cultural norms;

- ensure ease of accessibility, clarity, specificity, and ease of navigation for stakeholders seeking to reach out to and connect with the operator and/or other stakeholders;
- encourage communication between different stakeholders such that they can learn about each other's engagement needs and concerns;
- create equitable engagement methods that account for the differing needs, circumstances, and resources of invested stakeholders (refer to Annex C).

#### **6.4.2. Methods of Engagement**

Operators shall consider a variety of ways to engage with groups of stakeholders. Specific methods of engagement can include:

- Gatherings, such as public hearings, "town hall" or other public meeting formats, public workshops, open houses, multi-stakeholder or community advisory groups, locally established meetings held by others, and focus groups
- Direct communication mediums such as a single point of contact within particular operating areas, a single email or phone call, or a clear and limited set of contacts for different needs or questions
- Site visits
- One-on-one meetings with individual stakeholders
- Facilitated meetings or mediation
- Public docket comments

The methods outlined above, as well as communication tools and other considerations, are all described in more detail in Annex C, including:

- Methods
- Benefits
- Challenges
- Additional information pertinent to the use of the type of gathering

#### **6.4.3. Communication Tools**

Communication tools support methods of engagement, including two-way engagement. Examples can include but are not limited to:

- Surveys
- Interactive tools and maps
- Fact sheets, including public awareness materials
- Videos
- Websites
- Social media
- Dedicated telephone number and/or email address

All parties should practice the principles of engagement defined in the Foundation section in any

of the gatherings described above.

## **6.5. Key Process Steps**

Operators should consider using the following process steps or a set of similar steps building on existing processes to develop plans to connect with stakeholders:

1. ensure there are trained and motivated operator staff engagement personnel;
2. assemble information from the Identify, Understand and Confirm element (Section 5);
3. develop an engagement strategy building on existing processes to make an initial connection with identified stakeholders, and confirm the best connection methods, affiliations, interests, and rights;
4. develop an engagement strategy for periodic outreach to stakeholders who do not respond to initial connection attempts;
5. develop methods for stakeholders to self-identify themselves and their preferred connection methods;
6. implement initial engagement connection and self-identification strategies, and track existing confirmed contacts, affiliations, interests, rights, etc.;
7. provide feedback on connection experiences to the operator's engagement team;
8. prepare ways to quickly sort and make lists of stakeholders with similar interests, affiliations, rights, etc. in preparation for more mature listening, seeking and sharing information engagement activities.

## **6.6. Engagement Considerations Over the Pipeline Life Cycle**

### **6.6.1. New Pipeline and Pipeline Expansion Projects**

For new pipeline projects, expansions or significant changes impacting stakeholders, the operator shall plan to engage early in the development process. Engagement is most effective when it occurs early enough in the process for an operator to provide information and data on alternatives it is considering and while there is still time to adjust the route reflective of issues raised during the engagement process.

Planning and preparing should include use of a variety of the tools discussed above geared toward seeking information from stakeholders and including stakeholders in the project's planning and decisions as much as possible. At a minimum, operators should plan and prepare to engage early with the following:

- local governments (municipal, county, township, parish, etc.)
- Tribal governments;
- landowners;
- residents living adjacent to the pipeline ROW or proposed ROW;
- citizens and businesses impacted, directly or indirectly, or concerned about the project;
- the federal government for interstate projects and intrastate projects as applicable;
- state governments for intrastate, and interstate projects, as applicable: and,
- non-governmental organizations (NGOs)

Plans for such early inclusive engagement can provide the following benefits for the operator:

- Aids the operator to further enhance, establish and maintain relationships as the pipeline transitions from initial siting to initial ground disturbance, through construction, and then into operation and abandonment.
- Allows the operator to gain additional local knowledge regarding environmentally sensitive areas, populations, and hazards.
- Provides information on alternative routes being considered and can suggest new alternatives.
- Provides needed time to seek authorizations, permits, and approvals, as well as valuable perspectives on projects that can help operators address stakeholders' issues and concerns.

Plans for such early inclusionary engagement can provide the following benefits for stakeholders:

- Provides stakeholders with as much time as possible to familiarize themselves with the proposal and provide feedback to operators and regulators.
- Aids stakeholders in seeking more information or outside expert assistance for their engagement.
- Develops trust with stakeholders.
- Creates a framework for outcomes that benefit all parties.

Operators shall strive to share information, especially for new projects and significant expansions or changes. Operators may utilize the information-sharing process given in Figure 4 to identify information to share. While sharing information about benefits can be helpful for stakeholders, placing too much emphasis on the benefits of a project can undermine trust in a project.

It is important that operators plan to engage with stakeholders in a way that increases the likelihood that stakeholders will continue to participate and that engagement activities are undertaken respecting stakeholders' values, needs, and concerns. Engagement is more likely to be successful when stakeholders participate in a dialogue with the operator. However, stakeholders may not elect to reciprocate or participate in dialogue with an operator, nor should the validity of their needs and concerns be predicated on doing so. If an operator engages with a stakeholder with respect and dignity, and the stakeholder fails to respond or engage, the operator may be unable to achieve some of the provisions defined above.

### **6.6.2. Existing Pipelines**

Engaging with stakeholders after a pipeline is in service provides continuing benefits to both the operator and stakeholders. This standard and API RP 1162 share the responsibility to make stakeholders aware of a pipeline. Maintaining engagement during operation is critical as an operator prepares, conducts, and completes maintenance and integrity work on the ROW. Continuing engagement on existing pipelines can also address changing development or activity over time around a pipeline ROW, changes to the profile of the surrounding community and its residents over time, and changes in the community's perception of the pipeline over time.

Stakeholders will also benefit from maintaining a constructive relationship with the pipeline operator by having an established line of communication and relationship that can yield information sought by the stakeholder.

Engaging with first responders and local officials during normal operations provides opportunities to establish and strengthen relationships if an incident occurs. Those relationships aid in conducting tabletop and field exercises and making sure everyone clearly understands their proper roles under the Incident Command System (ICS).

### **6.6.3. Pipeline Incidents and Abnormal Conditions**

Connecting with appropriate key stakeholders as soon as possible after an incident occurs is an important step to ensure the public has access to timely and accurate information about the incident or condition. Connecting with stakeholders is especially important if the incident or other conditions are likely to generate public concern or put communities at risk.

Stakeholders can also play a meaningful role in understanding the impact of the incident on the community and how best to address those impacts, especially when positive relationships have been developed through successful engagement activities.

Using previously identified and maintained connections for emergency response stakeholders can help increase the efficiency of any needed response. Using previously identified and maintained connections with local news media and public officials can help provide accurate information to the media to promptly share with the public living in the area. Sharing information can help those that may have been impacted and can help identify concerns, answer questions, and as needed, help provide a venue for answering questions from concerned citizens in the community.

Preparedness is essential to the success of any pipeline response. The foundation of preparedness is built on strong relationships established between pipeline operators, first responders, state and local emergency planning organizations, key government officials (including Tribal) and communities in which the pipeline operates. Additionally, strengthening these relationships through tabletop and field exercises can ensure a more coordinated response, including more effective communications with the affected public.

*API RP 1174 Recommended Practice for Onshore Hazardous Liquid Pipeline Emergency Preparedness and Response* provides an enhanced framework to enable continual improvement of pipeline emergency response. Although developed for liquid pipeline operators, gas operators can consider the RP and the priority placed on communications in the guidance for pipeline emergency response. Specifically, the RP emphasizes emergency response organizations and operators having active, ongoing dialogue and communications.

In the event of a reportable incident, communications take the form of initial notification to the public early in the response, where evacuations or shelter in place may be required to follow on from two-way communications through active briefings and press availabilities. Frequent interaction with stakeholders throughout a response is critical in providing them with pertinent factual information on the response and encouraging engagement with the public and media who will have questions on safety and risks associated with the incident and the response.

For many incidents, the operator or a responsible responding agency may establish an Incident Command System (ICS), a federally recognized response management system for emergency

incidents. Within the ICS framework, Public Information Officer and Liaison Officer positions can be assigned to support external engagement with media and public and facilitate the integration of local and state-wide response and regulatory agency resources into the incident organization, respectively. Regardless of the ICS structure an operator employs, they are responsible for ensuring the public is well informed and a mechanism for open and transparent communications is at the heart of a response.

Finally, in the U.S., the National Transportation Safety Board (NTSB) can elect to take responsibility for investigations of reportable pipeline incidents under their statutory authority. When the NTSB takes over an investigation, their policy is that they are the sole communicator of any information related to the incident. As such, the operator and local officials, including those operating under ICS, are limited in the information they can communicate regarding the incident. Operators can report on the status to restore service.

## **6.7. Minimum Program Documents**

Operators shall maintain the following, which can be used for monitoring (section 9.3) and evaluating (section 9.4) their engagement programs:

- A description of how the operator will engage with stakeholders during the stages of a pipeline life cycle and following abnormal operations with public impact or incidents, including how that information will be sought and how additional input from the public that goes beyond what is directly sought, will be handled.
- A description of how the operator plans to use the confirmed information to create groupings or lists for easy engagement connections with different stakeholders during different phases of the pipeline life cycle.
- A description of how the engagement connections are documented (including such information as connections attempted, confirmed information (best contact methods, interests, affiliations, rights), engagement connections made, frequency of connections, input sought and provided, whether connections were operator specific or a shared effort with other operators).

## **7. Share Information**

### **7.1 General**

The pipeline operator's engagement program shall have a process for developing and sharing initial baseline information about a pipeline or project to encourage initial engagement. This information, or a stakeholder's request for information, begins the interactive part of the engagement process and can be followed up by additional information during the Ask, Listen and Respond phase (Section 8).

### **7.2 Objectives**

The objective of sharing information is to provide stakeholders with a baseline set of information sufficient to inform recipients about the pipeline or project so they can knowledgeably participate in engagement. The back-and-forth engagement between stakeholders and an operator shall start with using this baseline information or at any other point where a stakeholder requests information. The baseline information shall reflect the needs of stakeholders from the Identify, Understand and Confirm phase (Section 5) and the results of the Plan and Prepare phase

(Section 6). The baseline information and stakeholder communication should be presented in an unbiased manner in order to increase trust in the information provided.

### 7.3 Scope of Information

Operators shall develop a baseline set of information sufficient to inform recipients about the pipeline or project. The baseline information an operator uses to begin the stakeholder engagement process does not need to be comprehensive. An operator cannot be expected to know every question or point of information in advance of stakeholder engagement. Indeed, a purpose of stakeholder engagement is to help the operator understand what information is desired by a stakeholder. Requests for additional, in-depth, or different information will flow from the Ask, Listen and Respond phase (Section 8). However, some information is needed to begin the engagement process and help foster engagement activities.

Often operators have information about proposed pipelines, project alternatives, pending pipeline expansions or major changes, scheduled maintenance activities, incidents, or abandonments that are good candidates for sharing with stakeholders to start the engagement process. Operators can also harness information developed through public awareness activities as a starting point for baseline information sharing. If previously developed information is utilized, it should still undergo a check and adjustment reflecting the Identify, Understand and Confirm (Section 5) and Plan and Prepare (Section 6) elements.

The types of information shared in this phase can include:

- Facts about the system (e.g. pipeline ownership, mileage, diameter, product(s), incident history).
- Description of work being conducted or to be undertaken (e.g. surveying, trenching, mowing or side trimming of ROW, installing a cathodic protection test point).
- When and where maintenance work will be conducted and its duration.
- Route alternatives being considered.
- Basic description of a proposed pipeline or expansion project and how to get more information and become engaged.
- Description of how to engage with local, state, and federal permitting agencies.
- Short and long-term impacts and how they can be mitigated.
- Expected benefits from the operator's project work and/or operation:
  - pipeline improvements to lessen environmental risk (e.g. pipe depth lowering, reroutes around sensitive areas, pipe integrity replacements);
  - facility improvements to improve air quality, noise abatement, traffic safety improvements, etc., as needed.;
  - economic development benefits (e.g. creating local employment opportunities, creating new tax revenue streams, community civic contributions).

Where such information is intended to inform stakeholders of new infrastructure, it should be provided early in the engagement between the operator and stakeholder, and as part of the first contact when possible. When sharing information in this phase the operator shall include how stakeholders can request more information – see Section 8.

## **7.4 Minimum Program Documents**

Operators shall maintain the following, which can be used for monitoring (section 9.3) and evaluating (section 9.4) their engagement programs:

- A baseline set of information to share with stakeholders.

## **8. Ask, Listen and Respond**

### **8.1. General**

The pipeline operator's engagement program shall have a process for asking stakeholders what they want to know about a pipeline or project, listening to their concerns and observations, and responding to stakeholders' requests. The pipeline operator's engagement program shall have a process for responding to stakeholders and sharing information that stakeholders request or that the operator believes will help answer questions throughout the entire pipeline life cycle from inception to abandonment. Stakeholders should provide timely responses to an operator's request to assist in the operator's understanding of their concerns and observations.

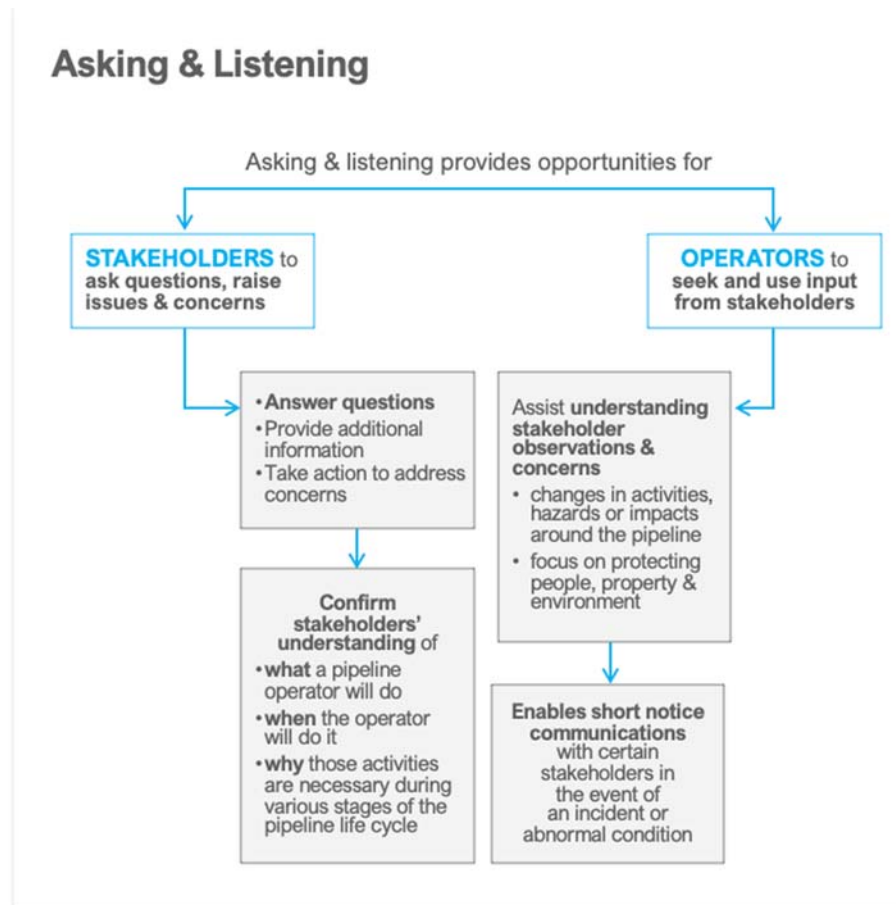
### **8.2. Objectives**

The objective of Asking, Listening, and Responding to stakeholders is to develop relationships, build trust, and achieve meaningful involvement in the engagement process. Meaningful involvement means stakeholder groups are sought out, there is two-way dialog, and their involvement facilitated. They have an appropriate opportunity to engage with the operator, the stakeholder's contribution influences the operator's decisions and future engagement, and good faith attempts are made to address the stakeholder's concerns. Their contributions are considered as the operator makes decisions about plans, projects or the need for additional engagement. An objective of this element is to respond in a timely manner and to share available information with the stakeholder that meets their needs. If the information the stakeholder has requested cannot be provided, the operator shall provide an explanation of why it cannot be provided and work with the stakeholder to find possible alternative information to address the stakeholder's needs. Operators' responses form a foundation for establishing transparency and building trust.

### **8.3. Asking and Listening**

The operator shall establish a process for seeking input from stakeholders, i.e. asking and listening. Asking questions of and listening to stakeholders may be spurred by an engagement process begun by the operator or may result from a person or stakeholder initiating an information request on their own. Information provided through the Share Information phase (Section 7), resulting from a public awareness program or from some external source of information, will naturally serve as a starting point in the engagement process. Some stakeholders may be satisfied with the initial baseline information and not require further engagement. Other stakeholders can be expected to ask follow-up questions. The Ask and Listen phase will help the stakeholder articulate and the operator understand what specific areas or issues with the pipeline or project interest the stakeholder. This process is depicted in Figure 3.





**Figure 3 – Asking and Listening Process**

Operators shall also have a process for receiving stakeholders' observations, concerns, and requests for information about a pipeline. Operators shall also seek information on identifying changing activities, hazards, or impacts around the pipeline to protect people, property, and the environment, especially those that live along the ROW or live and work in the surrounding community. Stakeholders should be able to access operator personnel through established channels described above to discuss these hazards and impacts. Operators shall provide readily accessible contact information, including user-friendly instructions to enable stakeholders to provide information.

When stakeholders share observations, concerns, and ideas on addressing hazards or impacts regarding the pipeline, operators should describe what actions they will take to address them. This creates an opportunity for broader discussions of threats to system integrity, risk management, and low probability to high consequence concerns.

#### **8.4. Tools and Techniques**

When asking and listening, operators should build on the principles of accessibility, respect, reciprocity, inclusiveness, and transparency described in the Foundation section. The operator should ask stakeholders what they think will be the most effective means of engaging and sharing information. Operators should share their perspectives with stakeholders on their successes in using different information-sharing approaches.

An operator can consider using standardized approaches collectively assembled for consideration in a “toolbox.” Tools can take many forms, including but not limited to the following:

- Standardized tools for new projects where permitting agencies define specific processes,
- Standardized tools for an operating pipeline through use of tools in API RP 1162, *Public Awareness Programs for Pipeline Operators*, and
- Educational in nature to provide information and locations where information can be found and accessed, among others.

The operator’s process should include multiple platforms to engage with stakeholders. Such platforms can include social media, a dedicated stakeholder hotline, and a single point of contact, among others. Having established channels for stakeholders to raise questions or concerns, as well as to seek information, enables the operator to be responsive and timely.

While it is important to have multiple channels for access, the sharing should be two-way, starting with acknowledgement of receipt of information. And even with multiple platforms, the operator should identify those instances where verbal and face-to-face communication will benefit the engagement.

The operator shall be respectful of cultural needs, including the confidentiality of locations of cultural sites, resources, and sensitive environmental habitats, plants, and animals. On Tribal lands, this shall entail consultation with Tribal Historic Preservation Offices. The operator shall prepare personnel who engage with Tribal Nations and those potentially impacted by environmental justice issues to understand the cultures and circumstances of the people with whom they will interact. The operator should consider seeking assistance in cultural understanding and training from Tribes and communities with which they will be engaging. Examples include engaging on issues in ways that are tailored to each community (e.g. translation, timing, location, technology), bridging cultural and economic differences that affect participation, and using communication techniques that enable more effective interaction. Operators should also consider developing partnerships on a one-to-one or small group basis to ensure representation, actions that build trust between the operator and potentially impacted communities and developing stakeholder capacity to effectively participate in the engagement process.

Examples of methods that can be considered for use by an operator in seeking information are found in Annex C. They include examples where operators can form ongoing efforts for inclusionary participation from specific stakeholders to both improve safety and community engagement.

## **8.5. Responding to Stakeholders**

The operator shall have a process to address stakeholders' requests using stakeholder information developed under the Plan and Prepare element within this document (Section 6). This can include use of a single point of contact through use of:

- a website,
- a dedicated telephone number,
- social media capable of receiving requests,

- email,
- mail, or
- persons in particular locations on its system or some combination of these.

The operator's process shall define how stakeholder requests that come into the organization through other channels will be routed to established channels to develop a response and criteria or guidance for timely responses. All forms of requests should be treated fairly and respectfully for a timely response.

The operator should respond with a sense of urgency where needed based on the potential impact on a stakeholder. For example, if the operator or their contractor is planning to conduct initial surveying for a new pipeline project within a matter of weeks, the operator should respond with a sense of urgency to a request that may have come in after notification to stakeholders of near-term work.

With respect to timeliness, the operator should provide an estimate of time to respond to requests. An initial response might be that the stakeholder request has been received, and a more detailed response will follow. The initial response might also entail discussing the request to ensure the operator understands it.

Some stakeholders may request periodic updates on project progress and pipeline safety throughout the entire pipeline's life cycle, for example, when a change in a route impacts them or a change in plans or timing of work on the ROW. The operator should use established contacts and channels defined in this document to track and provide such updates and have a method for stakeholders to opt-out of such updates if no longer desired.

Sometimes the information a stakeholder is seeking can best be provided by someone other than the pipeline operator, such as the Call Before You Dig System, National Pipeline Mapping System, a trade association, a federal or state regulator, or a Tribal or local official. If operators do not have pertinent information that a stakeholder is seeking, they should use their knowledge and contacts to help the stakeholder obtain information from other sources.

## **8.6. Sharing Limitations**

There are types of information that an operator cannot share for legal, regulatory, or business proprietary reasons. When asked about a specific type of information that can be subject to one of these restrictions, the operator should strive to share a summary of the information that meets the stakeholder's needs. If the information cannot be shared, the operator shall explain why it cannot be shared; for example, why the information has been deemed proprietary or otherwise cannot be shared or the specific regulation that restricts access. The operator should focus on what can be shared with stakeholders. This can also entail working with local, state, Tribal, and federal officials who administer laws and regulations to help provide information to stakeholders. Information that cannot be shared based on security considerations shall have been designated as critical energy infrastructure information or sensitive security information (see Figure 4 involving explaining what information requested cannot be shared and providing information about the exact nature of the information that restricts access and why, as well as providing company policy or governmental guidance that sets restriction).

## 8.7. Sharing Information

The operator shall strive to ensure that its responses are clear, provide the necessary context, are timely, and are expressed in terms that match the stakeholder's understanding level. Each stakeholder's expertise on pipelines may differ, so an operator should work to understand the stakeholder's understanding in order to provide the information necessary to result in a meaningful answer to an information request. Basic information geared toward a layperson should be provided in response to the initial request. But, if requested, an operator should also be ready to provide more in-depth technical information and data for some stakeholders, experts working for stakeholders, or emergency officials to ensure an operator's approach is understood and in context, and that the information request is met, using the process defined in Figure 2. The objective is to encourage dialogue between the operator and stakeholders to identify ways to share information and work towards continual improvement in engagement. Examples of resources that can be considered for use by an operator are found in Annex C.

Sharing information that a stakeholder may request is foundational to effective engagement. The objective of this process is to ensure that an operator provides as much of the information that is requested as possible. The operator should be as transparent as possible by sharing the information it can and explaining why it cannot in some instances. In general, the operator should find a way to share information in some fashion once the request is understood, and if necessary, invite a conversation with the requester to better understand their needs. The operator should use the process shown in Figure 4.

The operator should consider that information sharing can be an iterative process. A stakeholder may review information received, generating new questions and additional discussion, which can help ensure that the stakeholder's information request has been met. Operators should answer questions objectively and without attempting to present information for the purpose of swaying public perception.

In applying the process described above, operators should ensure they understand what's being asked and seek clarification as necessary. Operators should answer questions as fully, clearly, and directly as possible.

The operator shall track requests and responses and ensure that responses have been provided. The operator can consider providing an expected response time via a website or dedicated phone number, which could be updated if needed. In defining the need for a response, the operator should consider establishing a due/delivery date and tracking the timeliness of completion. The operator should check back periodically with stakeholders to see if they wish to discuss requests further or have additional requests. The operator should also document stakeholders' impact on projects and in-service pipelines, sharing those results with stakeholders. These represent opportunities to build trust and share learnings that may help in future engagements together.

As information requests are received and there are repeated requests, operators can develop common answers, e.g. in the form of frequently asked questions (FAQs). The operator should compile and periodically update a set of FAQs and responses to publicly post on their web site. The FAQs will have the additional benefit of aiding stakeholders in their requests, ensuring stakeholders get the same answers, and enabling stakeholders to ask better questions in the future. The FAQs will aid operators by not having to repeatedly answer similar questions.

Operators should share their perspectives on engagement successes and failures with peer operators and the pipeline industry more broadly to improve overall engagement effectiveness.

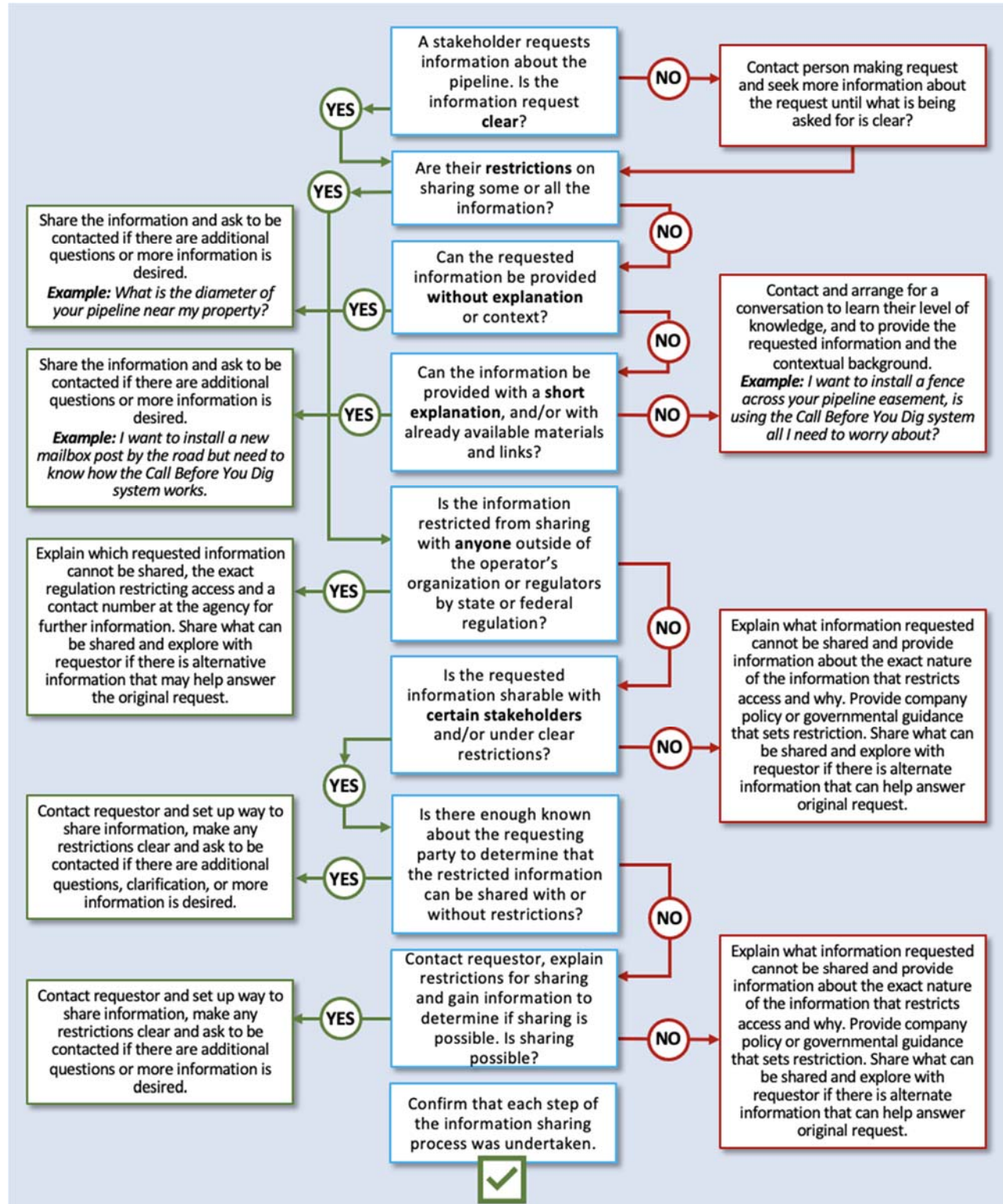


Figure 4 – Pipeline Information Sharing Process

## **8.8. Minimum Program Documents**

Operators shall maintain the following, which can be used for monitoring (section 9.3) and evaluating (section 9.4) their engagement programs:

- Documented process to seek information from stakeholders on what they want to know about a pipeline or project such as the hazards and impacts of pipeline operations, and feedback of engagement activities.
- A clear policy regarding identification of confidential and security-sensitive information and how information can be shared including any restrictions that can be required.
- Documented process that describes how requests from different avenues are received, routed, and responded to in a timely manner.
- Documented mechanism such as a database or listing that tracks pertinent information regarding requests received and responses given.

Operators may maintain the following, which can assist in the implementation of their engagement programs:

- A list of publicly available FAQs prepared for use as a response.
- Listing of key discussions with each stakeholder audience about concerns and risks such as those to or resulting from pipeline construction and operations, including incidents, what was learned, how they were addressed, including tracking open items that require additional action.
- Documentation of engagement lessons learned, and leading practices shared among other operators or stakeholders in an attempt to improve engagement.

## **9. Monitor, Evaluate and Adjust**

### **9.1. General**

The pipeline operator's engagement program shall have a process for monitoring, evaluating, and adjusting its program. Use of the terms Monitor, Evaluate, and Adjust are consistent with the Plan, Do, Check and Act (adjust) principles set forth in API RP 1173, and many quality standards.

### **9.2. Objectives**

The objectives of monitoring, evaluating, and adjusting the stakeholder engagement program are to:

- Monitor the program through information and measure collection sufficient to determine its performance.
- Evaluate program performance to determine its effectiveness.
- Adjust program activities based on evaluation results to improve performance and effectiveness.

### **9.3. Monitoring**

The operator shall have a process for monitoring execution of processes developed for each of the elements in this Standard. Operators can use the minimum program documents provided at

the end of each element section as basis for developing a monitoring process, which is summarized in Table 1. Monitoring using the program documents can include tracking tasks completed and timeliness of their completion. Information collected through monitoring can be used to evaluate program performance. Some operators can choose to combine some of the minimum program documents.

**Table 1 – Minimum Program Documents**

| <b>Section 4</b> |   |
|------------------|---|
| 1.               | Demonstration of commitment from top management (e.g. policy/statement/letter) to continuous improvement of public engagement, which may be indicated through the adoption of RP 1185.  |
| 2.               | Policies/work plan/budget from management that shows how public engagement will be implemented and integrated throughout the organization, throughout the life cycle of pipelines.  |
| 3.               | Identification of key personnel such as an organizational chart or similar document that shows who is responsible for public engagement at various levels within the organization, and how that integrates with other programs such as safety management systems, public awareness, governmental relations, etc.                |
| 4.               | Annual management public engagement program review documents.   |
| 5.               | Periodic public engagement program review documents that show how continuous improvement is being demonstrated.   |
| <b>Section 5</b> |   |
| 6.               | Description of the process used to identify, understand, and confirm potential stakeholders together with the accuracy of their information, and how that information is stored, updated and refreshed in a listing, database or directory.   |
| 7.               | Documented program identifying stakeholders' interests, potential legal rights held by identified stakeholders, key contacts, and stakeholder interests, and process for refreshing lists of known stakeholders and identifying new stakeholders.   |
| 8.               | Policy and procedures for maintaining information shared by stakeholders.   |
| <b>Section 6</b> |   |
| 9.               | A description of how the operator will engage with stakeholders during the stages of a pipeline life cycle and following abnormal operations with public impact or incidents; including how that information will be sought, and how additional input from the public that goes beyond what is directly sought will be handled. |
| 10.              | A description of how the operator plans to use the confirmed information to create groupings or lists for easy engagement connections with different stakeholders during different phases of the pipeline life cycle.   |

| <b>Section 6 (continued)</b> |  |
|------------------------------|--|
| 11.                          | A description of how the engagement connections are documented (including such information as connections attempted, confirmed information (best contact methods, interests, affiliations, rights), engagement connections made, frequency of connections, input sought and provided, whether connections were operator specific or a shared effort with other operators). |
| <b>Section 7</b>             |  |
| 12.                          | A baseline set of information to share with stakeholders.  |
| <b>Section 8</b>             |  |
| 13.                          | Documented process to seek information from stakeholders on what they want to know about a pipeline or project such as the hazards and impacts of pipeline operations, and feedback of engagement activities.  |
| 14.                          | A clear policy regarding identification of confidential and security-sensitive information and how information can be shared including any restrictions that can be required.  |
| 15.                          | Documented process that describes how requests from different avenues are received, routed, and responded to in a timely manner.   |
| 16.                          | Documented mechanism such as a database or listing that tracks pertinent information regarding requests received responses given.  |
| <b>Section 9</b>             |  |
| 17.                          | Listing of improvements in use within the elements and the overall program showing a connection to a Plan, Do, Check and Act/Adjust process.   |
| 18.                          | Description of ways an operator includes stakeholders in the review of their engagement program performance.   |
| 19.                          | Description of how engagement performance and lessons learned are shared with other operators and the public.  |

#### **9.4. Evaluation**

The operator shall evaluate its engagement program to determine its effectiveness. Operators can use the minimum program documents provided at the end of each element section as basis for developing an evaluation process. Effective engagement can reflect both quantitative and qualitative measures. For example, operators can determine timeliness of response through quantitative data. Measures of completion and timeliness can serve as measures to track program performance trends as well as to define improvements in processes. However, these measures may not be sufficient to determine whether an engagement, while timely in its response, was effective in meeting the goals of the operator or was timely, meaningful to, and met the stakeholder's needs.

Operators can consider use of surveys, deliberative polling, focus groups, and advisory groups, among others. Qualitative measures may need to be developed to determine whether a



stakeholder was satisfied with the engagement. Additional steps may need to be developed to determine whether an engagement leaving a stakeholder unsatisfied is still effective based on reasonable compliance with this recommended practice and the operator's engagement program.

The operator should involve stakeholders in its evaluation process, seeking feedback on its engagement activities. Seeking feedback in this way can build trust. Those measures should be shared publicly as part of the program.

### **9.5. Adjusting**

The operator shall have a process adjusting its engagement program to improve its effectiveness. Similar to API RP 1173 for *Pipeline Safety Management Systems*, operators can expect their program's performance will improve through adjustment, but this is a process under which the program matures over time by monitoring, evaluating, and adjusting activities. The operators should rely primarily upon findings from monitoring and evaluating to adjust the program. Such a process can entail adjustments to one or more processes supporting elements of this Standard.

The operator should define methods for sharing the lessons learned from its engagement program with stakeholders. This can include processes and practices that the operator considers leading practices. Sharing lessons learned in this way can demonstrate transparency and build trust.

The operator should consider sharing lessons learned and leading practices with peer operators.

Pipeline industry associations should consider promoting sharing of operators' lessons learned and collecting minimum key performance indicators/measures from member companies to provide comparative data and drive improvements as needed.

### **9.6. Minimum Program Documents**

Operators shall maintain the following, which can be used for monitoring (section 9.3) and evaluating (section 9.4) their engagement programs:

- Listing of improvements in use within the elements and the overall program showing a connection to a Plan, Do, Check and Act/Adjust process.
- Description of ways an operator includes stakeholders in the review of their engagement program performance.
- Description of how engagement performance and lessons learned are shared with other operators and the public.

## ANNEX A (Informative)

### Descriptions of Stakeholders

#### A.1 Overview

Stakeholders can be categorized as described below. This is provided to assist users of this RP in understanding who the stakeholders may be and information regarding their interests. The descriptions of interests are intended to be informative, provide examples, and may not be inclusive of all interests.

#### A.2 The Public

##### A.2.1 Brief Definition

“Public” refers to persons potentially affected by a pipeline including individuals, to local communities, to the public at large who may share a national interest in that pipeline.

##### A.2.2 Description

Members of the *public* means those affected by the environmental, public health, economic, or cultural costs and/or benefits of a pipeline. The public is defined in two broad categories.

First, public includes those individuals who live, work, study, shop, recreate, pray, or undertake activities in locations near or on the pipeline and who should have knowledge of the pipeline’s location and its operation and hazards. This may include members of the public whose property, work, or education activities abut or are quite near properties where the pipeline is located and could be directly adversely affected by a pipeline incident. These individuals constitute broader local and regional *geographic/spatial* communities of people that may span a neighborhood, town, township, city, or county where a pipeline is located. (Note: Local government is described as a stakeholder category later in this section.)

Second, the public also includes those in the above category who may be directly or indirectly adversely or positively affected by the environmental, economic, or cultural costs and/or benefits of the pipeline’s location, operation, and risks but express their interests through *social or cultural affiliation*, such as through districts, wards, neighborhood associations, labor unions, school districts, religious groups, Tribal affiliations, non-profit organizations, or who may lack any formal organization but identify with like-minded members of their community. In many instances, individuals may have multiple affiliations with competing interests. This category of public stakeholder may be more difficult to clearly identify since it can also include members of the other stakeholder categories outlined in this RP, such as government officials who have interests via affiliations beyond their official duties, or Tribal members who belong to organizations that do not hold views congruent with their official Tribal government.

##### A.2.3 Interests

In general, the public may want to know where the pipeline is located, what the pipeline is transporting, and the short and long-term costs and/or benefits of the pipeline. They may want to understand what risks and impacts – both positive and negative – it may have on them and their activities or actions in a certain location, from the local environment to the global climate, to

the local, regional, or national economy, and to local or regional culture. They also may want to be listened to and acknowledged regarding their fears, concerns, expectations, local ecological and place-based knowledge, and cultural practices.

- *In pre-construction*, the public may want to:
  - Understand the pipeline location relative to schools, places of worship, spiritual practices, cultural sites, historic sites, drinking and recreational water sources, burial grounds and cemeteries, recreation areas, traditional hunting, and fishing areas, natural or conservation areas, community buildings, shopping and retail areas, underground electrical and water/ sewer infrastructure, critical roads, and bridges.
  - Understand how the right-of-way/pipeline path was established and what impact analysis was done by whom and when to identify impacts and what steps were taken to avoid, minimize or mitigate that impact.
  - Have local ecological, place-based, and cultural knowledge and practices that they want taken into consideration and fully respected when pipeline locations and construction timelines are being planned.
  - Know who will own the pipeline and their safety record, what product(s) will be transported in the pipeline, where those product(s) came from and where they are going, who will benefit from the product(s), how long the pipeline will operate, how it will be maintained, what are the impacts on climate as well as the local environment.
- *During construction* the public want to:
  - Know what measures will be taken to minimize impacts to soil, wildlife, ecosystems, waterways, human health, culture, and livelihoods, especially regarding restoration, reclamation, and reparation.
  - Know how the land will be managed over time, how the public can access the land/water in the short and long-term.
  - Participate in environmental and public health monitoring during construction activities.
  - Know what emergency plans are in place and who will respond (e.g. local first responders) if there is an accident at a construction site.
  - Understand the impacts on traffic flow and noise during construction.
  - Understand what measures will be taken to protect the public and workers during the movement of construction equipment, line pipe, valves, and other appurtenances in the community, and when those movements might occur.
  - Know what measures will be put in place to protect the public from negative impacts such as noise, air pollution, and other health concerns, as applicable.
  - Know where construction equipment and materials will be stored and how they will be transported and handled.
  - Know if the workers who are doing the construction are local or are a member of a union.

- Know who to contact if they have a concern about what is happening at a construction site (e.g. regarding potential environmental or human health issues or general disruption in their daily lives or possible OSHA violations, or potential damage to pipe or other appurtenances).
- *During Operation* of the pipeline, the public may want to:
  - Know where the pipeline and related facilities are located.
  - Know what will be done to operate the pipeline safely and how that safe operation will be monitored.
  - Know who is responsible for the safe operation and monitoring, and who to call if they have a concern about what they see, hear, or smell at a pipeline facility.
  - Know what measures will be taken to protect the pipeline from excavation damage, corrosion, and outside force including changes to our natural resources due to climate change including how that monitoring/adjustment will happen throughout the lifetime of the pipeline.
  - Know what emergency planning has been done and is in place to prepare for and respond to pipeline emergencies, including transparency on the plans and how the operator has engaged with local responders.
  - Know if (and how) local volunteer firefighters, police or emergency medical technicians will respond if there is an emergency.
  - Be notified before a significant maintenance or repair activity occurs on a pipeline, or related facility (e.g. involving earth moving, loud noises, heavy equipment, unusual worker activity, possible discharges during the course of operations (e.g. hydrotest water, flaring).
- *Following an incident* that appears to have involved a pipeline, the public may want to:
  - Know who to contact for information within the operator's organization.
  - Know who from local, state, or federal government they can speak with about their concerns – what is the unified command and who is in charge of response, clean-up, and restoration at every level.
  - Have access to material, financial, health care, and psychological assistance following a pipeline incident.
  - Know what has been done to make them safe from future pipeline incidents and which entities are enforcing lessons learned.
  - Know who is investigating the incident and who will be held responsible.
  - Understand what happened and why it happened, including impacts to soil, wildlife, ecosystems, waterways, human life, air quality, and the built environment.
- *During decommissioning, idling, or abandonment*, the public may want to:
  - Know why it is being abandoned and left in place rather than removed.
  - Know how the contents of the pipeline will be safely removed and the disposition of the pipeline, especially what products the pipeline may be used for next and how they will be notified of this.

- Know who is making the decision to abandon in place and whether there are any easement terms, or state or local regulations that may inform that decision.
- Know who is responsible for any environmental costs or clean-ups associated with abandonment and who will monitor the pipeline for leaks or problems.

Interests of the public may arise during early planning, pre-permitting, pre-construction, or at any other point in the life cycle of the pipeline. These stakeholders may wish to have information that comes from local and already trusted members of the public or officials such as public safety or emergency officials, public health departments, and local community organizations, and not just the pipeline operator or a regulator.

#### **A.2.4 Expectations of this Stakeholder Group**

The public is responsible for abiding by state laws regarding “Call Before You Dig.” There is also an expectation that, if there is suspicious activity near a pipeline ROW, that public members will contact local officials and/or the pipeline operator; consistent with an expectation of “*see something, say something.*”

When given appropriate and meaningful opportunity by governments and the pipeline industry, the public may participate in proceedings on pipeline safety, including environmental, economic, and cultural costs and benefits, during all phases of the pipeline life cycle. However, the validity of the public’s interests in a pipeline should not be contingent on their participation in all of these processes. It may be the case that members of the public only find interest in a project following an incident, for instance. In the cases of environmental justice issues (see appendix materials on environmental justice), the ability to participate in proceedings can be hindered by language barriers, lack of transportation, and other factors.

### **A.3 Landowners and Tenants**

#### **A.3.1 Brief Definition**

Landowners are individuals, companies, Tribes or organizations with ownership or tenancy rights to real property that have easements containing pipelines, are being considered for an easement, or are adjacent to properties with easements.

#### **A.3.2 Description**

Landowners include individuals, groups of individuals, trusts, companies, organizations, or governments that own, rent or lease land through which a pipeline transits. The pipeline occupies an easement that is defined in a legal relationship between the landowner and the owners of the pipeline. Pipeline operators may have to deal with owners, their agents, family members and heirs, tenants who occupy and use the land, trustees, officers or their agents, officials, and other utilities under the mantle of landowner.

Landowners have an investment in ownership, residency, derivation of income, and/or provision of services that has already been affected by the presence of a pipeline. Landowners have an existing and ongoing relationship with pipeline owners and operators (that might have been favorable or unfavorable). Both landowners and pipeline owners generally have little recourse to withdraw from this relationship. Landowners also have an interest in protecting the pipeline from damage or harm.

### **A.3.3 Interests**

Prior to the acquisition of the pipeline easement, landowners are focused on negotiating the terms of the contract, including terms and compensation, although their choices may be restricted by eminent domain. Then and later, they will be interested in how the presence of the pipeline will affect their ability to occupy and use their property. They may have concerns about safety; the frequency of various normal pipeline operations and likelihood of abnormal operating conditions and responses; and the potential and hazards of short term and long-term impacts.

- *In pre-construction*, most landowners in the potential path of a pipeline will have strong interest in whether the pipeline will transit their property, and if so, the exact details of easement size and location. Some may resist the acquisition process. Landowners may seek all possible information that may impact the negotiation of an enduring contractual relationship. Compensation will be a strong interest, but future use by the landowner and pipeline operator, or decommissioning and removal may also be just as great a concern.
- *During construction* they will be party to a complex relationship including pipeline owners and contractors, but also regulators and members of the public both for and against the pipeline. Conflicts during construction at other locations may have an impact that requires renegotiating agreements about timing and use. Some landowners, such as farmers or government, might have inflexible needs to use the land in their accustomed manner, or may be less tolerant of risk.
- *During Operation* of the pipeline, they may have a strong interest in what will be done to manage safe operations. They may want to know what measures will be taken to protect the pipeline from excavation damage, corrosion, and outside force to protect their property and their use of it. They may want assurances that potential problems are being detected and managed in a way that prioritizes their concerns.
- *Following an incident*, they will have a strong interest in assuring the safety of people and livestock and assessing the damage and cause. Although they may be sympathetic to the needs of securing the site for investigation, this may run counter to their immediate needs of continuing to use the land.
- *During decommissioning, idling, or abandonment*, they may want to know details about the disposition of the pipeline and its contents, and the future of the easement.

Landowner interests may arise during early planning, pre-permitting, pre-construction, or at any other point in the life cycle of the pipeline.

### **A.3.4 Types of and Accessibility to Information of Interest**

Landowners and tenants are often interested in information related to safety, site activities, impact to land value, protection of the land for use and enjoyment, and environmental protections. They are often interested in such information as pipeline specific information such as size, pressure, products, age, location, emergency response plans, emissions data, right-of-way and repair activities, company contacts, and applicable regulations, regulatory filings, and opportunities to comment, and regulatory agencies and their contact information. These stakeholders may wish to have information from local trusted officials such as public safety or emergency officials, public health departments, and the company itself. They may want to know how to find a copy of the easement on their property and the extent to which it may constrain their uses of their land.

### **A.3.5 Expectations of this Stakeholder Group**

Landowners have an existing and ongoing relationship with pipeline owners and operators that are broadly established in the terms of the easement, but may be subject to differences in interpretation, and motivated by needs imposed by regulatory requirements, the desire to derive income from the land, or to simply occupy and enjoy it. It is also worth noting that, where landowners overlap with definitions of the “public” noted above, their interpretations may be affected by community relationships, social and cultural affiliations. Given their proximity to pipelines, landowners with awareness of pipelines can be helpful in identifying and reporting a spill, a leak or a change of soils or vegetation around a pipeline.

## **A.4 Local Government**

### **A.4.1 Brief Definition**

Elected and appointed officials or staff, including those persons who have been elected for a public office and oversee managers, departments, or agencies; as well as appointed officials and staff working for elected officials and in local and county government departments, such as public works, planning, public health, public safety, recreation, among others.

### **A.4.2 Description**

*Local government represent the general public who live in the area of a pipeline.* The general public rely on the local officials to govern and pass laws to protect and provide a safe place to live. Local government elected officials can include county, borough, and parish commissions/ councils, townships, towns, cities, school district boards and conservation districts, among others. Such titles and organization vary by municipality, state, and region. Municipal departments may have authority over any number functions, including but not limited to property assessment and taxation, budgeting and finance, recreation, conservation, public works, public safety, public health, education, land use planning and permitting, wetlands, water supply and wastewater.

### **A.4.3 Interests**

In general, local government may want to know what the pipeline is transporting and the benefits of the pipeline. They may want to understand what impacts – both positive and negative – it may have on them and their activities or actions in the area.

- *In pre-construction*, they may want to understand the pipeline location relative to schools, places of worship, drinking and recreational water sources, recreation areas, natural or conservation areas, buildings and shopping areas, underground electrical and water/ sewer, critical roads and bridges, and compatibility with existing local plans (zoning, capital plans, comprehensive land use plans, etc.), the rights of local government and how the operator will make them whole if public resources are damaged in construction or operation. Local government officials may also want to know about the economic benefits to their community—projected jobs and tax revenues. They usually have extensive local knowledge and a deep understanding of their community and its public through professional and informal relationships.
- *During construction* they may want to know what measures will be taken to minimize impacts to land, environment and people. They may want to understand the impacts on traffic flow, noise, and emissions during construction. They may also want to understand what measures will be taken to protect the public for safety and health during the

movement of construction equipment, line pipe, valves, and other appurtenances in the community, and when those might occur.

- *During Operation* of the pipeline, they may want to know what will be done to manage safe operations. They may want to know what measures will be taken to protect the pipeline from excavation damage, corrosion, and outside force to protect their community. Local government may want to know what planning is done to prepare for and respond to pipeline emergencies. Some may be volunteer firefighters, police, or emergency medical technicians.
- *Following an incident* that appears to have involved a pipeline, local government will want to know contacts for information within the operator's organization and be informed as early as possible so that they can in turn inform their constituents. They may want to understand what happened and why it happened including impacts on land, environment, and people. They will want to know what is done to make the community safe and who is investigating the incident.
- *During decommissioning, idling or abandonment*, they may want to know how the contents of the pipeline will be safely removed and the disposition of the pipeline.

Local government interests may arise during early planning, pre-permitting, pre-construction, or at any other point in the life cycle of the pipeline. Local government may also want to know where they can reference safe standards for operation and what the operator will do to manage safe operations.

#### **A.4.4 Types of and Accessibility to Information of Interest**

Local government is often interested in information related to safety, site activities, and environmental protections. They are often interested in such information as pipeline specific information such as size, pressure, products, age, location, emergency response and spill plans, data on any emissions, right-of-way and repair activities, company contacts, and applicable regulations, regulatory filings, and opportunities to comment, and regulatory agencies and their contact information. Local government will wish to have detailed information that is pertinent to public safety or emergency officials, public health, and the company and its managers.

#### **A.4.5 Expectations of this Stakeholder Group**

Local government has specifically defined responsibilities, but these are often preempted by state and federal agencies, under applicable statutes.

### **A.5 Emergency Officials**

#### **A.5.1 Brief Definition**

Emergency officials are persons whose jobs are to plan for and respond to hazardous incidents that either have, or may cause harm to persons, property, and/or the environment such as fires and liquid spills.

#### **A.5.2 Description**

Fire departments, emergency medical services, and emergency officials all provide public safety functions for a local jurisdiction, be that firefighting, emergency response, or general emergency planning and preparation. Such staff may be volunteer or paid staff depending on the population and resources of the local jurisdiction.



### **A.5.3 Interests**

Emergency officials may want to know what the pipeline is transporting and the pipeline operator's procedures for reacting to an incident. They may want to understand what impacts it may have on their team, their mode of response, and their actions in the area.

- *In pre-construction*, they will want to know the routes of ingress for their equipment in case of an accident on site.
- *During construction* they will want to receive briefings on emergency response and what PPE they should be wearing to an incident site. A site visit is often preferred so that the first responders can go to the correct place in a timely manner, participate in safety briefings, and be engaged with the physical site.
- *During Operation* of the pipeline, they will want to know what will be done to manage safe operations. They may also want to receive information on what is happening with the operation and a response plan so that they can update their established procedures with what it takes to respond to a pipeline event. 911 call centers may want to have the operator contact numbers to contact for emergency actions.
- *Following an incident* that appears to have involved a pipeline, Emergency officials may need to be notified under federal reporting requirements and when near an incident site, any PPE as required by individual departmental policies. Delays in notification can result in delayed and/or unsafe responses to incidents. Improper notification can also lead to relationships of distrust with operators.
- *During decommissioning, idling or abandonment*, they may want to know the disposition of the pipeline and any related safety issues (which may be similar to construction if there is active construction equipment for physical removal).

### **A.5.4 Types of and Accessibility to Information of Interest**

These stakeholders are often interested in information related to safety, site activities, and environmental protections. They are often interested in such information as pipeline specific information such as size, pressure, products, age, location, emergency response and spill plans, data on any emissions, right-of-way and repair activities, company contacts, and applicable regulations, regulatory filings, opportunities to comment, and regulatory agencies and their contact information.

### **A.5.5 Expectations of this Stakeholder Group**

Emergency officials will be expected to respond to incidents when called to do so, and work with the operator and relevant government agencies to be as informed as possible on the nature of the incident. Full-time staff may be better resourced to respond to pipeline incidents and may have more formal processes, training, and time to coordinate with operators and other fire companies. Volunteer fire departments may have less time and resources to expend on relationship building and may have less access to training, equipment, and other resources. Volunteer fire departments may need operators to be more engaged during incidents to ensure appropriate responses.

## **A.6 State Government**

### **A.6.1 Brief Definition**

State Government includes state elected or appointed officials and departments including but not limited to state level emergency officials, public utility commissions, health departments, environmental departments, and homeland security.

### **A.6.2 Description**

All pipeline operators will have to interact and work with regulatory and permitting agencies within a state. These potentially include oil/gas commissions, public service commissions, environmental quality, state land office, wildlife and fisheries, state fire marshal, transportation departments and others. States may also have offices that administer and provide guidance on environmental justice and inclusion.

Depending on the size/attention to the project, inquiries from elected and appointed officials may occur. Constituents will contact state government officials for information resulting in questions from those offices to the operator. The ability of the state officials to respond to these inquiries quickly and accurately will help give the public confidence in the independent agencies and elected officials' ability to properly review and regulate pipelines; therefore, prompt, and accurate responses to inquiries are a necessity.

Hazmat/emergency officials/Homeland Security officials may be interested in the product(s) transported and the impact radius of the pipeline. Engagement with these entities will facilitate preparation for and efficient emergency response should an incident occur.

### **A.6.3 Interests**

In general, they may want to know what the pipeline is transporting and the benefits of the pipeline. They may want to understand what impacts – both positive and negative – it may have on them and their activities or actions in the area.

- *Pre-Construction* is generally the period with the most attention on the pipeline. Notices are being sent to landowners to acquire rights-of-way and permits are being discussed/filed with state agencies. This is a critical time for the operator to be proactive and engage state government officials with as much transparency as possible. Contacting these state government officials prior to notices being sent out and permits being filed will enable them to be able to answer questions from the public about the project. Some regulatory agencies may want to conduct pre-construction audits which may include reviewing welding/joining qualifications, design specifications and construction procedures. These audits will ensure that construction is properly conducted and eliminate the need to replace any pipe that may be improperly installed due to a lack of qualifications or failure to follow procedures.
- *During construction*, interaction will mostly be limited to the permitting and regulatory agencies. Operators should expect regular field audits from permitting/regulatory agencies to ensure construction practices are being followed. Audits help ensure pipe is constructed properly and any errors found can be corrected before pipe is put into service. Audits during construction will also limit issues during operation.
- *During operation* of a pipeline, the majority of an operator's interaction will be with the pipeline regulatory agency and generally with the agent responsible for auditing the

pipeline. Staying in frequent contact with your agent is a good practice. Notify the agent of any routine maintenance that may cause noise or releases from the pipeline as those events, while routine in nature, may startle the public in the area creating inquiries to the regulatory agency or other state government officials. The pipeline regulatory agency will schedule routine audits on the operator's programs and spend time in the field inspecting the condition of equipment. These audits may last one day or an entire week.

- *Following an incident*, contact should first be made with emergency officials. Development of relationships with these agencies in the pre-construction phase is critical for these moments. Elected officials will want information to pass on to the public to keep them informed and advise them of any precautions they should take for personal safety. Your regulatory agency should also be one of the first to be notified (within one hour to comply with regulations). A follow up audit will be conducted by the regulatory agency to review operations that may have led to the incident and to review the operator's emergency response.
- *During decommissioning, idling or abandonment*, notification of *abandonment* should be made to the permitting agencies and may be required by the regulatory agency. There may be specific requirements for abandonment beyond the pipeline safety code that need to be discussed with the permitting agencies. Pipeline safety regulators may conduct an audit to determine compliance with the abandonment requirements in 192/195.

State government officials will take an active interest in the pipeline from planning to decommissioning.

#### **A.6.4 Types of and Accessibility to Information of Interest**

State elected officials will have different interests from state permitting, regulatory and emergency officials. State elected officials may be more interested in the economic impact of the project and how the project could impact constituents while state agencies will be more interested in design specifics and location.

#### **A.6.5 Expectations of this Stakeholder Group**

State government agencies will have specific roles in the construction, maintenance, and abandonment of the pipeline. Their primary role is to ensure compliance with state construction and safety regulations. Quite often the agents who inspect the pipelines also live in the impacted communities, their role can provide reassurance to those in the public with concerns about personal and environmental safety.

### **A.7 Tribal Nations**

#### **A.7.1 Brief Definition (from 25 USC S.5130)**

A governing body of a Tribe, Band, Pueblo, community, village, or group of Native American Indians, or Alaska Natives, qualifies as an Indian Tribal government.

#### **A.7.2 Description (from National Congress of American Indians)**

Currently, 574 sovereign Tribal Nations (variously called *Tribes, Nations, Bands, Pueblos, Communities, and Native Villages*) have a formal nation-to-nation relationship with the U.S. government. These Tribal governments are legally defined as "federally recognized Tribes." Two-hundred-and-twenty-nine of these Tribal Nations are in Alaska; the remaining Tribes are

located in 35 other states. In total, Tribal governments exercise jurisdiction over lands that would make Indian Country the fourth largest state in the nation. There are also over 60 state-recognized nations, and hundreds of other non-recognized nations that share geography with the United States. Members of Tribes both federally recognized and otherwise live throughout the United States, many of them not on Tribal reservations.

Tribal governments are an important and unique member of the family of American governments. The U.S. Constitution recognizes that Tribal Nations are sovereign governments, just like Canada. *Sovereignty* is a legal word for an ordinary concept—the authority to self-govern. Hundreds of treaties, along with the Supreme Court, the President, and Congress, have repeatedly affirmed that Tribal Nations retain their inherent powers of self-government. These treaties, executive orders, and laws have created a fundamental contract between Tribes and the United States. Tribal governments are not municipal or local governments.

Native nations' sovereignty allows them to decide for themselves how to govern. The majority of Native nations hold their own regularly scheduled elections to determine who will create laws and represent their citizens. Every Native nation is unique, and election processes vary significantly between nations. Native nations' constitutions lay the foundation for their governmental processes, structures, and functions. Political term limits vary for Native nation with most having two- or four-year terms. Some Tribal elections take place in the summer, and others take place in the fall at a similar time to elections for non-Tribal governments. As for voter eligibility for Tribal elections, some nations require that Tribal citizens reside on the reservation to be eligible, whereas other nations allow enrolled citizens living anywhere in the world to vote. The most important takeaway is that Native nations and their election processes are extremely diverse.

The number of elected positions also varies between Native Nations. A Native Nation's number of elected leaders can range from three to 24. Elected positions have titles such as "Tribal Chair," "Secretary," and "Treasurer," among others. While Tribal Nations sovereignty is constrained in that they do not have the ability to make treaties with other nation-states, Tribal elected positions have the same status as would any other head of a nation-state recognized by the U.S. Congress.

The U.S. became what it is today through treaties negotiated with the Tribes and, in return, received the guarantee under the U.S. Constitution allowing for ongoing self-government on their own lands. The treaties and laws create what is known as the federal "trust responsibility," to protect both Tribal lands and Tribal self-government, and to provide for federal assistance to ensure the success of Tribal communities. Today, Tribal governments maintain the power to determine their own governance structures, pass laws, and enforce laws through police departments and Tribal courts.

Federal agencies are required to meaningfully consult with Tribes for any federal actions under their purview, such as the approval of Section 404 Clean Water Act (CWA) Permits by the U.S. Army Corps, or other such reviews during the pipeline lifecycle. Executive Order 13175 of November 6, 2000 (Consultation and Coordination with Indian Tribal Governments), charges all executive departments and agencies with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of federal policies that have Tribal implications. Presidential [Memoranda on Tribal Consultation and Strengthening Nation-to-Nation Relationships](#) were issued on November 9, 2009 and January 26, 2021. Both Presidential Memoranda highlight Tribal sovereignty and the federal trust responsibility to Tribal Nations as the cornerstones of its federal Indian policy. The involvement of Native American Tribes is also a component of the January 26, 2021, Presidential Memorandum to address environmental justice initiatives.

Tribal Nations ceded millions of acres of land to strengthen the Nation-to-Nation relationship between the United States and Tribal Nations. While the ultimate responsibility for the tribal consultation process does not fall directly to pipeline companies, but rather to federal agencies with trust responsibilities, companies bear a responsibility to provide tribal governments and their agencies with proposed routes and other relevant detailed information they may request for review and evaluation (e.g. spill modeling, emergency response plans, reporting directly to Tribes where spills, leaks, and safety incidents occur). Companies can and should engage in additional consultation with tribal governments and their members as requested by Tribes. Tribal governments provide multiple programs and services, including, but not limited to: social programs; first-responder services; education; workforce development; and energy and land management. They also build and maintain a variety of infrastructure, including roads, bridges, and public buildings.

It is important to note that Tribal Indian reservation boundaries are not necessarily static; for instance, additional lands can be added to reservations and new reservations can be created. In addition, Indian Reservations can have varied land ownership patterns. Some Indian reservations consist solely of lands that are held in trust status with the United States. Other reservations may have mixed ownership of property within the reservation (including tribal, public, and private ownership). Mixed ownership and trust status within reservations can occur for a variety of reasons, including land inheritance, when and how the reservation was established, and treatment of the reservation by Congress as interpreted in court decisions. It should be noted that there may be specific jurisdictional and other legal matters that are in dispute within specific states and with specific Tribes. Furthermore, tribal government interests may extend beyond federally described reservation boundaries for lands and resources that are within the traditional territory and use of the Tribe. A Tribe or Tribes may have an interest in cultural artifacts found or cultural sites, regardless of whether the particular location or geography of such cultural resources is within or near the current boundaries of the Tribe's reservation as well as natural resources. Off-reservation authority on land often occurs under, but is not limited to, the National Historic Preservation Act (NHPA) and the Native American Graves Protection and Repatriation Act (NAGPRA).

### **A.7.3 Interests**

Except where otherwise specified in this section, Tribes' interests will generally be the same as those of the state, local and public stakeholders.

### **A.7.4 Responsibility**

The following are some of the principal Tribal representatives who hold responsibility within their respective Tribal government who may be concerned about or involved in pipelines from pre-construction to abandonment.

- *Elected officials*: Tribal council members who are chosen to represent their Tribe. They are the governing body of the Tribe who develop Tribal resolutions and laws and enact all Tribe-specific and federally enacted Tribal laws within their nation.
- *Emergency officials*: Tribally designated personal or volunteers who oversee safety, emergency preparedness and emergency response. (e.g. The Tribal Emergency Manager coordinates planning with state local emergency planning committees (LEPC) and outside agencies. Tribal emergency response committees do the same as a LEPC for the Tribe. Emergency officials could be paid or volunteer groups such as fire rescue

teams, ambulance squads, Tribal and the Bureau of Indian Affairs (BIA) Police, tribal security groups, etc.)

- *Planning, Zoning and Permitting:* Frequently conducted under the Tribal Segments/Tribal Districts that Tribal council members represent. Building codes are typically overseen by construction management departments. Permitting can be under many different divisions. construction management, public works, rural water departments, Tribal employment rights office, and many others tribal groups can require a permitting process for a variety of needs. BIA and natural resources divisions can oversee zoning. Many Tribes may not have a division for zoning.
- *Schools* are funded from BIA, Tribal, state, and private sources. Tribal governments and/or Tribal Local School Boards would have the responsibilities over these school grounds.
- *Water Resources and Public Works* operate and maintain the delivery and sanitary infrastructure such as water and sewer.
- *Tribal Historic Preservation Office (THPO) and Cultural Resources:* Manage tribal historic and culturally significant resources both on and off the reservation. This is a major point of consultation for both on and off the reservation development. THPO and Tribal energy offices, where they exist for a Tribe, are essential for consultation on upstream development and facility maintenance for any potential tribal water source.
- *Other Tribal Government Departments:* Many departments are required for consultation within Reservation/Tribal boundaries. Water resources, energy, game and fish, pipeline authority, natural resources, GIS and mapping, tribal employment rights, and environmental divisions and/or departments can all be part of the industrial planning, permitting, and monitoring process. Concurrence may be required from each division/department before development can occur on tribal reservation and treaty lands. Energy divisions, utility divisions or pipeline authorities, where they exist, development standards (depth of cover, safe distance requirements from homes, lakes, etc.) which the BIA will normally adhere to for their consent.

#### **A.7.5 Types of and Accessibility to Information of Interest**

Tribal elected officials and tribal departments or divisions will have additional information interests from federal, state, and local permitting, regulatory, and emergency officials. Tribal elected officials are keenly interested in the impacts from project design, location, construction practices, reclamation, operations, and abandonment to land and water resources, sacred sites, cultural practices, and economic interests guaranteed by treaty rights under the U.S. Constitution and federal tribal law.

#### **A.7.6 Expectations of this Stakeholder Group**

Tribal governments are responsible for abiding by damage prevention requirements in 49 CFR 196 - Protection of Underground Pipelines from Excavation Activity. There is also an expectation that, if there is suspicious activity near a pipeline ROW, that Tribal members will contact local officials and/or the pipeline operator; consistent with an expectation of “see something, say something.”

When meaningful engagement and consultation occurs by federal (and where appropriate, state) governments and the pipeline industry, Tribes may participate in proceedings on pipeline location, construction, operation, and safety, including environmental, economic, and cultural

costs and benefits, during all phases of the pipeline life cycle. However, while it is rare that a Tribe would not participate in all phases of a pipeline project, the validity of Tribes' interests in a pipeline should not be contingent on their participation in all of these processes. In cases of environmental justice communities (see appendix materials on environmental justice), the ability to participate in proceedings can be hindered by distance and remoteness, language barriers, cultural barriers, lack of transportation, and other social and economic factors.

## **A.8 Federal Government**

### **A.8.1 Brief Definition**

Officials responsible for federal government oversight of pipeline infrastructure; employees of the federal government that are engaged in:

- Pipeline permitting, regulation, inspection, operations, maintenance, and emergency response;
- Management of lands encumbered by pipeline easements; and
- Representing constituents and creating legislation relating to pipelines.

This group also includes federally elected officials such as Congresspersons and Senators.

### **A.8.2 Description**

Federal government officials may have many roles with regard to pipeline infrastructure. The federal government's roles may include permitting and environmental review of proposed infrastructure to meet the public disclosure obligations under the National Environmental Policy Act of 1969; the safety of pipeline transportation; and the oversight of the existing pipeline easements on federal lands. Federal elected officials may provide guidance to constituents that they represent and also make legislation that impacts the regulation of pipelines.

### **A.8.3 Interests**

In general, the federal government's interest will vary based on its regulatory/statutory responsibilities with regard to pipelines. This may be related to impacts on a federally regulated resource, to a crossing of federally owned property, or could be as extensive as regulating a pipeline for its life cycle.

- *In pre-construction*, federal agencies may need information necessary to consider permitting a project or authorizing an easement when it falls under their regulatory or land-management responsibilities. Federal agencies involved in safety oversight may need to be informed prior to commencing construction. Federal elected officials may need information to provide to their constituents.
- *During construction*, federal agencies' interest will relate to their regulatory or land/resource management responsibilities. They will need to be informed about issues that arise during construction that individual agencies have authority to oversee. Federal elected officials may need information about the progress of construction to be able to inform constituents.
- *During operation*, federal agencies' interest will focus on their regulatory or land/resource management responsibilities. Federal elected officials may need information necessary to inform constituents about operations and safety concerns.

- *Following an incident* that appears to have involved a pipeline, federal agencies' interest will focus on their regulatory or land/resource management responsibilities with regard to the incident and the information that is needed to carry out those responsibilities. Federal elected officials may need information necessary to inform constituents about the incident.
- *During decommissioning, idling or abandonment* federal agencies may need information necessary to consider permitting the abandonment of a project or an easement and to ensure the facility is abandoned safely. Federal elected officials may need information to provide to their constituents concerning the easement disposition and possibly the loss of gas service.

The federal government's interests may arise at any stage in the life cycle of the pipeline.

#### **A.8.4 Responsibilities**

Federal government agencies may have a statutory or regulatory responsibility with regard to pipelines. Elected officials provide a method of contact and education for constituents affected by pipeline projects.

#### **A.8.5 Types of and Accessibility to Information of Interest**

The federal government may be interested in any and all information available related to the specific regulatory or land managing responsibilities of the agency. This information could cover the entirety of the pipeline lifecycle and may be sought from regulated entities or stakeholders. Federal elected officials may be interested in the information necessary to inform constituents, respond to constituent concerns, or make regulatory decisions. This information could be very general or very specific and could encompass the entire pipeline lifecycle. The information may be sought from pipeline companies, the public, and/or agencies.

#### **A.8.6 Expectations of this Stakeholder Group**

The expectations of federal regulators or land managers is that they will be provided with the information necessary to carry out their specific regulatory or land managing responsibilities of the agency. The information is expected to be provided timely and in accordance with regulatory requirements. The expectations of federal elected officials are that they will be provided with the information that they request to inform and/or respond to constituents and make any regulatory decisions. The expectation would be that the source is providing timely information to the elected officials.



## **ANNEX B (informative)**

### **Environmental Justice Background**

#### **B.1 Environmental Justice**

Environmental justice (EJ) emerged in the 1980s as a way to describe systemic patterns of inequality in which vulnerable populations and communities experience a disproportionate share of the negative consequences of industrial, commercial, and governmental development projects—as well as unequal representation in federal, state, local, and Tribal programs and policies governing those projects—while also being deprived of the positive benefits associated with the environment. When describing vulnerable populations that can experience the disproportionate impacts of environmental injustices, these may include, but are not limited to:

- People of color
- Low income
- Indigenous peoples
- Persons with disability
- Senior citizens
- Linguistically isolated
- Low educational attainment

#### **B.2 Defining Environmental Justice**

The EPA, DOE, DOJ, and DOT all provide guidance on EJ leading practices. There is currently no federal-level EJ law, although many states have codified affordances for EJ in various ways. Nevertheless, since the inception of EJ as a way of thinking about patterns of environmental inequality, significant work within governmental agencies, academic institutions, and the nonprofit sector has been done to expand understandings of how environmental injustices manifest in marginalized communities, the harms they produce, and how to ensure more just futures. This section details current thinking on EJ for the purposes of meaningfully operationalizing EJ in pipeline public engagement practices.

Fundamentally, EJ is about:

1. Ensuring equal access to, and enjoyment of, the environment and its resources;
2. Preserving lifeways and place-based ways of knowing, which are almost always dependent upon maintaining connections to the environment;
3. Protecting the right of individuals and communities, as well as future generations within those communities, to live safe and healthy lives; and
4. Ensuring the prevention of harm (the precautionary principle) in order to not reproduce harms or generate future injustices.

Of note across these aspirations is that EJ should be thought of as a basic human right and not bound by the limits of existing laws and regulations; nor by a limited set of indicators such as “race and income” alone. Instead, instilling EJ into the planning and management of

development projects requires attention to three primary dimensions of environmental equity: distributive equity, procedural equity, and recognition/context equity. Each of these are detailed in turn below.

**Distributive equity:** refers to the reduction and deterrence of disproportionate harms that vulnerable populations and communities can experience relative to other populations and communities, such that the potential impacts of development projects are more equally borne by the population at-large. In addition to attending to burdens, distributive equity also refers to fair access to the environment and its benefits. Distributive equity requires identifying existing disparities in the allocation of resources, risks, and political power impacting vulnerable populations and communities. Distributive equity is not necessarily achieved by equally balancing project-related risks across communities, but by recognizing how historically vulnerable populations and communities already experience cumulative burdens and lack of benefits, and that additional burdens or reduction of benefits can be exponentially felt by these communities and should be mitigated.

**Procedural equity:** refers to fair representation and involvement in the planning, implementation, and management of development projects. Procedural equity requires that operators and policymakers collaborate with vulnerable populations and communities to learn about their perspectives so that vulnerable groups have ample opportunity to participate in decision-making that directly affects them. Procedural equity implies having the right to act as equal partners at every stage of decision-making, including needs assessment, planning, implementation, and management—as well as across decision-making spaces, including those facilitated by industry, government, and other stakeholder groups. Within these spaces, procedural equity can be ensured by identifying factors that contribute to subtle and overt forms of discrimination, marginalization, and suppression of dissenting perspectives. Procedural equity is also ensured by providing greater opportunity for learning, personal empowerment, and access to information necessary to act as equal partners in decision-making.

**Recognition/Context equity:** recognizes that considerations for environmental justice must take into account place-based and localized differences in how disparities play out within vulnerable populations and communities. While it may be true that a community can be thought of as an “environmental justice community” due to dominant marginalizing factors compared to other communities, there are also differences within that community that may make some groups of people more vulnerable than others. As an example, disabled senior citizens within a predominantly non-white community are likely more vulnerable compared to neighboring residents who are marginalized along other axis of discrimination. By extension, a community not traditionally thought of as vulnerable (i.e. high-income, well educated) may still contain populations considered vulnerable (i.e. youth, chronically ill). Recognition/context equity also refers to differences in culture, values, economies, and ways of knowing that can affect how populations relate to development projects in their community, such as in indigenous communities that can have differing historical, cultural, and political relationships to their environment. Recognition/context equity thus ensures that these differences in “context” are “recognized” and accounted for when developing distributive and procedural equity strategies.

## Annex C (informative)

### Engagement Methods

This annex contains examples of a variety of connecting/engagement methods and tools that can be considered for use by an operator.

**Table C.1—Gatherings**

| Tool  | Description   | Who Typically Hosts   | Tool Use Considerations  | Benefits  | Challenges   | Additional information  |
|---|---|---|--|---|--|---|
| <b>Public Hearings</b>  | Formal public hearings with comments and transcripts – typically required by statute, not in the format of questions and answers but allows the public to make time limited comments to government staff or officials | Government agencies, typically during a formal public comment period, often during scoping of an environmental review or at consideration of a permit or other formal agency action | Access (timing such as day or night and location), comfortability of certain marginalized populations expressing their views in large groups, accommodation for those with different needs (language, sight, hearing, child/elder care, transportation access, etc.)                 | Provides all in attendance equal time to express views; formally documents concerns and issues; meets regulatory requirements; captures the full range of concerns brought to the hearing by the public     | Comes typically very early or late in an action, thus could limit problem solving on specific issues; does not provide a fuller forum for questions, answers, and engagement.  | Public hearings can be coupled with open houses and public meetings to ensure a range of means for the public to participate; transcribers can be made available for the public who attends but does not want to speak publicly; fair and reasonable time limits for speaking can ensure all have equal but reasonable time to express views.   |
| <b>Public "Town Hall" Meetings or Typical Public Meeting Format</b> | A range of meeting types but usually include presentations by the convenor of the meeting and questions and answers in a back-and-forth fashion   | Any organization from a federal to local government agency to a company to a national, regional, or local non-governmental organization can host a public meeting                   | Access (timing such as day or night, location, including virtual), comfortability of certain marginalized populations expressing their views in large groups, accommodation for those with different needs (language, sight, hearing, child/elder care, transportation access, etc.) | Provides for questions and answers in full view of all participants; allows for identification of concerned parties to be engaged with afterward; identifies common issues and concerns that need attention | Preferences those comfortable in public settings and public speaking; may not provide for answering all or specific, narrower questions; can be a forum that exacerbates differences and conflicts, positioning rather than problem solving. Can favor strong views and personalities, or those with more influence, over those with marginalized or more mixed or uncertain views | Public meetings can be coupled with open houses to provide a fuller range of engagement; public meetings should be well designed with clear agendas, information covered provided ahead of time, set ground rules or expectations for civility and safety and allowing for free expression of view, well prepared, succinct, and clear presenters, adequate and sufficient time for questions and interactions., and appropriate balance between talking and listening. Capable moderators or facilitators may aid in running more effective public meetings. Local or other stakeholder co-sponsors can help plan and tailor meetings to the particular audiences and their needs. |

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| Tool                      | Description   | Who Typically Hosts  | Tool Use Considerations  | Benefits  | Challenges  | Additional information   |
|---------------------------|---|--|--|---|---|--|
| <b>Public Workshops</b>   | A range of formats but where participants engage each other in small and large groups to explore problems and possible solutions, and/or different scenarios in project planning, with more diverse ways to engage across the length of the meeting, often focused on specific topics or issues | Any organization from a federal to local government agency to a company to a national, regional, or local non-governmental organization can host a public workshop | Access (timing such as day or night, location including virtual), comfortability of certain marginalized populations expressing their views in large groups, accommodation for those with different needs (language, sight, hearing, child/elder care, transportation access, etc.)    | Provides for focused, in-depth discussion of issues; increases shared learning and deeper understanding of projects, problems, and solutions; provides for means to build relationships and dialogue; may reduce the division and confrontation of presenters/proponents and responders/opponents                       | Preferences those comfortable in public settings; often takes longer time commitment to prepare and participate. Can favor strong views and personalities, or those with more influence, over those with marginalized or more mixed or uncertain views. Workshops may be able to only engage with a smaller subset of potentially interested parties compared to public meetings or open houses | Public workshops should be well designed with clear agendas, information covered provided ahead of time in order to prepare participants, set ground rules or expectations for civility and safety and allowing for free expression of views. Should provide well-prepared, succinct, and clear presenters, adequate and sufficient time for questions and interactions, and appropriate balance between talking and listening. Capable moderators or facilitators may aid in running more effective public workshops. Local or other stakeholder co-sponsors can help plan and tailor meetings to the particular audiences and their needs. |
| <b>Public Open Houses</b> | Open meetings formats typically held over longer periods of time where people can come and go for their schedule and interact at small stations or posters with subject matter experts  | Any organization from a federal to local government agency to a company to a national, regional, or local non-governmental organization can host an open house     | Access (timing such as day or night and location including virtual), comfortability of certain marginalized populations expressing their views in large groups, accommodation for those with different needs (language, sight, hearing, child/elder care, transportation access, etc.) | Provides for specific questions to be answered by specific experts in informal, individual, or small group setting; allows for the public to come and go as fits their desire and schedule to engage; allows for more informal and multiple interactions at the same time, as well as with a range of potential experts | Participants do not hear the questions of others that they might have not thought of; answers may vary or be more inconsistent across multiple one-on-one interactions; sentiment of a group as a whole may be harder to ascertain; may be perceived as avoiding the public and their shared views and collective concerns  | Public open houses can be coupled with public meetings and public hearings to provide a fuller range of engagement. Open houses should be well designed and provide effective and clear posters and written information, capable and engaging subject matter experts, multiple means to engage from conversations to written comments, and a clear way to document questions and issues raised individually to identify common themes and issues for further engagement across participants.   |

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| Tool  | Description   | Who Typically Hosts   | Tool Use Considerations   | Benefits   | Challenges   | Additional information   |
|---|---|---|---|--|--|--|
| <b>Multi-stakeholder or Community Advisory Groups</b> | Groups of community residents and/or stakeholder representatives meeting on a regular and on-going basis usually over multiple meetings for a period of time ranging from months to years | Any organization from a federal to local government agency to a company to a national, regional, or local non-governmental organization can form and host an advisory group | Access (timing such as day or night, location including virtual), comfortability of certain marginalized populations expressing their views in large groups, accommodation for those with different needs (language, sight, hearing, child/elder care, transportation access, etc.) | Valuable for long-term dialogue, relationship building, and problem solving. Can demonstrate commitment to community and by community. May be led by communities and build capacity for local engagement. Can help engage stakeholders in dialogue beyond single project to policy, leading practices, and broader relationship building.              | May be time consuming to establish and maintain. May not represent all the community at large given typically a select membership. Can be difficult to organize around linear projects across broad and diverse geographies. Groups may emerge in later stages of a project in response to feeling left out of, or unheard by, other participatory processes. In addition, the federal government has administrative law limitations for creating on-going, membership bodies. | Consider creating on-going groups where there is an on-going project or policy issue. Ensure that selection of participants is fair, transparent, and allows for a range and balance of views. Engage the community in the design, convening, and membership selection such that such groups are created with, not just for, the community. Allow the community to take a leadership role in determining agendas and priorities. |
| <b>Locally established meetings held by others</b>    | Government or Industry attending others' meetings such as the Lions, Chamber, Kiwanis, local or regional environmental or other public interest groups, etc.                              | Local groups host their own meetings. Industry, Government or Public Interest Groups may attend, present, or engage with existing other organizations.                      | Consider the range of local groups to meet with, including those with members from or represent diverse classes, races, and ethnicities. Recognize that this a specific audience and may not represent the broad spectrum of stakeholders   | Draws from existing networks and meetings and thus can increase participation and engagement in other participation tools. Meets people from where they are, going to them rather than asking them to attend a separate, project-specific meeting. Provides for new contacts and connections. Provides a forum for pertinent information to be shared. | Can be time consuming on the part of the host to attend multiple events. Only those individuals attending such meets are reached so some segments of the community or general public may not be reached through such efforts. Existing networks and organizations may not capture traditionally marginalized populations.  | Useful forums to supplement, but not supplant, broader public outreach through the number of tools listed elsewhere in this matrix. Can be particularly useful for reaching marginalized groups and disadvantaged communities.   |

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| Tool                | Description   | Who Typically Hosts   | Tool Use Considerations  | Benefits   | Challenges  | Additional information  |
|---------------------|---|---|--|--|---|---|
| <b>Local Events</b> | These might include fairs, rodeos, barbecues, and other local events  | Industry or Public Groups typically participate in such events through booths or other means. Less likely for government to participate in this way | Recognize that attendees of events may not represent the broad spectrum of stakeholders affected by or interested in pipeline safety | Meets people from where they are, going to them rather than asking them to attend a separate, project-specific meeting. Provides for new contacts and connections. Provides an informal means for questions, information, and engagement.  | Can be time consuming on the part of the host to attend multiple events. Only those individuals attending such meets are reached so some segments of the community or general public may not be reached through such efforts. May be seen more as advertising or sales rather than engagement. Is not an effective tool for deeper discussion on issues given participants will generally have limited time to engage with hosts at events. | Useful efforts to supplement, but not supplant, broader public outreach through the number of tools listed elsewhere in this matrix.  |
| <b>Focus Groups</b> | Organized groups of less than 15 who engage with moderator around a set of typically scripted, structured questions | Any organization may host such focus groups   | Careful consideration of group selection to represent a range of views and perspectives, including all affected communities          | Allows for focused, structured small group conversations with in-depth questions and topics. Can be useful tool for evaluation and review of projects and programs. Provides a means to potentially obtain more "unvarnished" feedback and listening rather than talking when such groups are led by independent parties. If done in an appreciative inquiry and participatory mode, participants can share information, learn, and discuss from one another, and explore a range of issues. | Does not provide the transparency of several other forums described in this matrix. Such forums are not as effective for information sharing and can be seen as biased depending on who and how the participants are selected. May be seen as market research rather than engagement.   | Focus groups should be organized in ways to ensure a range of views and people are invited and may attend. Multiple focus groups should be offered at various times throughout a day or week will likely increase attendance. Focus groups are best led by independent parties without a particular stake in the outcome. Though somewhat risking perceptions of "paying people," providing for modest compensation to attend shows respect for people's time and wisdom. |

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| Tool                       | Description  | Who Typically Hosts                          | Tool Use Considerations   | Benefits  | Challenges  | Additional information  |
|----------------------------|--|--|---|---|---|---|
| <b>Site Visit</b>          | Visiting a proposal or actual site, in small or larger groups as a kind of "tour"  | May be hosted by any sector.                 | Access (timing such as day or night and location), comfortability of certain marginalized populations in large groups, accommodation for those with different needs (language, sight, hearing, child/elder care, transportation access, etc.) | Provides the opportunity for stakeholders to discuss concerns in the field, which provides context. Allows for experiential learning and important to "show" not just "tell". Allows informal and real-time engagement in less formalized setting such as meetings. Technical specialists can provide real-time, specific, concrete interaction   | Property access, transportation and liability concerns may limit of constrain such efforts. Often limited in size and scale to manage individuals safely. Does not allow for group-level problem naming and problem solving in ways that other more "meeting" formats can. Can require significant time on the part of participants.                          | Hold tours with local sponsors or community convenors. Provide for access such as time of day and week, transportation, and other assistance so that a range of the public can attend. Hold multiple tours if interest is high. Invite and seek out attendees who go beyond local decisionmakers and influencers to be more community engaged. Be fully transparent and prepared to discuss activities occurring on a site. |
| <b>One-on-One meetings</b> | Individual meetings or conversations between two or a few people   | May be hosted by any sector.                 | Knowledge that this is possible, and consideration of language, culture, or other accommodations needed to make the interaction fruitful for all  | Allows for detailed information exchanged and increase in mutual understanding. Can build and establish relationships when done in active listening and dialogue mode. Can be constructive to resolve specific, individual concerns when appropriate and needed.  | Is essential yet time consuming. Does not raise nor address broader community-wide concerns or issues. Depends on the capability and skill set of many different organizational representatives engaging many different people, potentially leading to different or contradictory information and a range of experience depending on personalities and roles. | Train those engaging one-on-one for both substantive knowledge and skilled and respectful interaction with individuals who may present strong opposing views. Be prepared to field a range of informational requests. Supplement individual meetings with more community-wide forums based on community interest and concern  |
| <b>Facilitation</b>        | A facilitator is a person who helps organize and moderate meetings or events and who has no vested interest in the outcome | Typically retained by Government or Industry | Should be trained in social equity and justice and in some cases reflective of the communities to which they help serve   | Provides a distinct, separate process-based role and skillset that is not always available within an organization. Helps with dialogue/understanding when government may have few options. Provides balance for voices across concerns and issues. Essential in many multi-stakeholder or community-industry gatherings in order to ensure all voices are heard and common ground is established. | Adds additional cost for the funding party or parties. Identifying facilitators who are credible with a community can be a challenge and the entity may be seen as biased if selected and funded by a project proponent.  | May be a tool best for large groups, more complex meeting formats, and when differences are expected to be greater and more strongly felt. Consider retaining a local facilitator known by the community or engage the community in facilitator selection. Utilize facilitators to increase dialogue, listening, and implement innovative and inclusive processes.  |

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| Tool                            | Description   | Who Typically Hosts  | Tool Use Considerations  | Benefits  | Challenges  | Additional information  |
|---------------------------------|---|--|--|---|---|---|
| <b>Mediation</b>                | A mediator is a person who helps resolve a conflict or disagreement by working with designated parties in joint and individual sessions and who has no vested interest in the outcome | Typically retained by Government or Industry   | Should be trained in social equity and justice and in some cases reflective of the communities to which they help serve  | Provides a distinct, separate process-based role and skillset. Provides balance for voices across concerns and issues. Brings a strong listening, problem-solving and agreement focus to interactions. Can ensure all voices are heard and common ground is established. May help resolve intense or long-standing conflict to allow all parties to move forward. | Adds additional cost for the funding party or parties. Identifying mediators who are credible with a community can be a challenge and the entity may be seen as biased if selected and funded by a project proponent. Is often a tool of "last resort." Due to confidentiality and private caucuses among parties, may not be transparent and inclusive to and of the larger community. | Engage the community or participants in mediator selection. Utilize mediators to address specific, well-scoped disagreements or conflicts. Ensure a transparent link between mediation and broader engagement efforts so that the broader community is aware of the mediation, its process, progress, and outcomes.             |
| <b>Participatory Evaluation</b> | A method or process for involving stakeholders directly in the evaluation or review of programs or projects   | Project or program proponents such as Industry or Government typically hosts these processes | Access (timing such as day or night and location), comfortability of certain marginalized populations expressing their views in large groups, accommodation for those with different needs (language, sight, hearing, child/elder care, transportation access, etc.) | Participatory evaluation can ensure that those most affected have a direct voice and participation in the review of engagement programs and efforts. Increases engagement and shows good faith in such efforts. Provides a means to gather a range of feedback from a host of viewpoints, providing for richer, more robust evaluation.                           | Can be difficult to get participants with a range of views to participate. Can be costly in time and resources. Can be difficult for project professionals with subject matter expertise to accept the validity of those with lay/local expertise   | Utilize independent evaluators to organize and manage such processes. Ensure participatory evaluation is done with rigorous social science methodologies and approaches. Consider how to include all voices in the evaluation. When the evaluation is complete, share conclusions publicly for transparency and trust building. |



**Table C.2—Supplemental Communication Tools**

| <b>Tool</b>                      | <b>Description</b>  | <b>Tool Use Considerations</b>   | <b>Benefits</b>  | <b>Challenges</b>   | <b>Additional Information</b>   |
|----------------------------------|---|--|--|---|---|
| <b>Community Surveys</b>         | Surveys on-line, mailed, door-to-door, or telephoned, in or after meetings, to provide input on specific questions  | Accessibility in terms of languages, reading levels, and other factors   | Can help direct outreach and engagement around survey results.   | Getting them completed and returned (participation can be below 10% response rate). Often limited in scope and may not cover all stakeholder concerns. Satisfied parties may not respond so biases negative results. Difficult to follow up or start dialogue         | Consider using throughout the project for feedback and continuous improvement.  |
| <b>Interactive GIS Tool/Maps</b> | Used to map stakeholders and their interests; Used to display information on a project on a website via a webapp; use a story map to describe a project or process; use a 123 survey (GIS tool with select options, simple form, ease of use) for communication inquiries | Internet access may be limited (story maps and maps can be printed for broader dissemination). Ensure available in smart phone format, multiple languages, ADA compliant, and distributed in a host of means and ways. | Very user friendly and versatile. Changes/additions are easy to make.  | Slight learning curve to implement. Public often voices frustration if locations are changed during a siting process. Companies can be hesitant to provide information until a route is much more concrete. Can create frustration because allows only limited input. | Companies may vary in the sophistication and detail they provide but the tool can provide helpful spatial data and extensive interaction with the pipeline's physical location and geography.   |
| <b>Fact Sheets</b>               | Visually compelling, shorter documents clearly written accessible language(s) to provide facts, information, and detail on a project  | Make available in all needed languages; use of plain language essential along with graphics and other means for multiple ways to engage different learning styles  | Simple, effective, can be made digital and incorporated into websites and provides information as a foundation for future engagement and dialogue and often satisfies information needs of many. | Static information that does not provide a means for real-time feedback or engagement. May be seen as marketing or promotion rather than information and education  | Should always provide means to move beyond fact sheet to further engagement via contact, event, or other further connections. Seek to provide clear, trusted, able writing that is more science translation than marketing skill set. |
| <b>Videos</b>                    | Videos often used for showing and explaining physical aspects like horizontal drilling, construction, etc. Can be relatively low cost and provide regular updates, allow range of presenters,   | Internet access may be limited. Ensure available in smartphone format, in multiple languages, ADA compliant, and distributed in a host of means and ways.  | Provide visual experience for visual learners. Can show more than tell.  | A range of audiences may react quite differently.   | Both visual and language cues have to be thoughtful regarding use of terms, risk communication, and other factors. Depends on legitimate and more trusted speakers.   |
| <b>Project Website</b>           | Project-specific websites that are easy to find (1-2 clicks), detail information in plain language, including company contacts. Websites can be updated when significant changes in schedule and scope occur.   | Internet access may be limited. Ensure available in smartphone format, in multiple languages, ADA compliant, and distributed in a host of means and ways.  | If kept simple, can be very impactful and good way to make first contact or maintain information flow.   | Can't rely on as sole information flow due to some people not having or being able to use the internet.   | Can incorporate digital fact sheets or GIS story maps or interactive maps. Provide links to stakeholder whom have more information, including regulatory agency links and documents.  |

**Table C.3—States and Federal Agencies with EJ Screening Tools<sup>3</sup>**

| <b>Source</b>            |  |
|--------------------------|--|
| <b>State</b>             | California   |
|                          | Connecticut  |
|                          | Illinois   |
|                          | Maryland   |
|                          | Massachusetts  |
|                          | Michigan   |
|                          | Minnesota  |
|                          | New Mexico   |
|                          | New York   |
|                          | North Carolina   |
|                          | Pennsylvania   |
|                          | Washington   |
| <b>Federal and Other</b> | CDC Social Vulnerability Index                               |
|                          | EPA EJ Screen  |
|                          | Indiana University Review of State EJ Screening Tools (2021) |

<sup>3</sup> Available as of the publication date of this document.

## Bibliography

API RP 1162 *Public Awareness Programs for Pipeline Operators*

API RP 1173 *Pipeline Safety Management Systems*

API RP 1174 *Onshore Hazardous Liquid Pipeline Emergency Preparedness and Response*  
*Pipeline Safety Trust – Education and Background Materials; [www.pstrust.org](http://www.pstrust.org)*

Note: Examples of participatory evaluation

<https://ctb.ku.edu/en/table-of-contents/evaluate/evaluation/participatory-evaluation/main>

[https://www.betterevaluation.org/en/plan/approach/participatory\\_evaluation](https://www.betterevaluation.org/en/plan/approach/participatory_evaluation)

<https://meera.snre.umich.edu/participatory-evaluation>