

**Chapter Five  
Utilities**

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**Introduction**

Utilities, as defined here~~in~~ and for purposes of the plan, include all lines and facilities used to distribute, collect, transmit, or control electric power, natural gas, petroleum products, information (telecommunications), water, and sewage. Most utilities in Whatcom County are operated by special-purpose districts, ~~and~~ private companies, or ~~are extended~~ by cities. The ~~e~~County's responsibility for utilities provided by other agencies ranges from regulating ~~land~~ ~~their~~ use ~~of land~~ to managing ~~their~~ activities in public rights-of-way.

Electricity ~~power~~, natural gas, petroleum, and some other utilities treated herein are inherently regional and are regulated directly and indirectly at several levels, including ~~by~~ the Washington Utilities and Transportation Commission (WUTC) and the Federal Energy Regulatory Commission (FERC). ~~Changing regulations at~~ every level, ~~changing regulations~~ affect the way utilities will be managed through the planning period. Changes in the utility marketplace, together with new and varying utility needs, can be expected to affect the way other utilities are marketed, transmitted, and used.

**Purpose**

This section contains policies to guide Whatcom County in reviewing private utility development proposals ~~and~~ regional transmission proposals, and in reviewing and regulating utility services and facilities provided by other public agencies and the private sector. This section also provides a general framework for utility-specific comprehensive plans including those prepared by entities other than Whatcom County. The cities, Puget Sound Energy, Cascade Natural Gas, Public Utility District No. 1 (Whatcom PUD) and other special-purpose districts are encouraged to use the Whatcom County Comprehensive Plan in preparing their own plans and capital improvement programs.

It is the intent of this plan to support ~~providers of~~ electricity ~~power~~, natural gas, petroleum, telecommunications, and other ~~utilities providers~~ in fulfilling their "public service obligations" required by state law to provide service on demand to existing and future customers. It is also the intent of this plan to minimize any negative effects resulting from the provision of that service on the residents, infrastructure, and the environment of the county.

~~**Consistency with Process**~~

~~In March 1991, a Utilities Planning and Advisory Committee (UPAC) was formed in response to the requirements of GMA to address utility issues with the exception of water, sewer, and solid waste issues. The committee was comprised of representatives from electric power purveyors, Cascade Natural Gas, Whatcom PUD, Whatcom County Planning Division, City of Bellingham, the small cities, and~~

1 ~~citizen groups. A list of UPAC members and their represented groups is located at~~  
2 ~~the beginning of this plan.~~

3 ~~Unlike most other GMA committees, members were not appointed by the County~~  
4 ~~Executive; instead they are appointed by the County Council. The committee is~~  
5 ~~comprised of a mix of utility industry professionals and private citizens who have~~  
6 ~~conscientiously attended meetings whenever called. The first meeting of the UPAC~~  
7 ~~was in April 1991. The committee met monthly for approximately one and one-half~~  
8 ~~years, then directed county staff to prepare a draft utility chapter for the GMA~~  
9 ~~Comprehensive Plan. Since then, the UPAC members have met when called~~  
10 ~~together for review of subsequent drafts of the chapter, and have been consulted~~  
11 ~~individually on industry-specific issues and questions. Regulations imposed at the~~  
12 ~~state and federal levels and their impact on local jurisdictions' ability to plan were,~~  
13 ~~perhaps, the most difficult issues the committee had to deal with. Of recent note,~~  
14 ~~UPAC was reconvened in 2000 from a request by County Council to look at~~  
15 ~~transmission pipeline siting issues, and has been actively involved in the 2002~~  
16 ~~update to the utility chapter.~~

17 ~~The coordination requirements of the GMA were complied with in the process of~~  
18 ~~producing this chapter. Many of the main purveyors of utilities as defined in this~~  
19 ~~chapter contributed to the process by providing information and sample plans and~~  
20 ~~by participation in the process itself.~~

21 ~~Documents submitted by Cascade Natural Gas, Puget Sound Energy, (formerly~~  
22 ~~Puget Sound Power & Light), and Qwest (formerly US West) as models for this~~  
23 ~~chapter were used in preparing this document; these and other references~~  
24 ~~consulted are listed in the bibliography for this chapter. The *Draft GMA Electrical*~~  
25 ~~*Facilities Plan*, Puget Sound Power & Light Company Inc., September 1992, and the~~  
26 ~~*Natural Gas and Hazardous Liquid Pipeline Background Report*, October 2001, were~~  
27 ~~particularly useful.~~

### 28 ~~GMA Goals and, Countyw-Wide Planning Policies, and Visioning Community~~ 29 ~~Value Statements~~

30 ~~The goals, policies, and action plans in this chapter contribute to achievingment-of~~  
31 ~~several of the GMA planning goals, including those considering urban growth,~~  
32 ~~reduction of sprawl, open space and recreation, and public facilities and services.~~  
33 ~~The chapter has been written to satisfy those goals while also meeting the intent~~  
34 ~~and requirements of the Countyw-Wide Planning Policies (CWPP) and general~~  
35 ~~guidelines of Visioning Community Value Statements.~~

36 ~~Although CWPPs do not address all utilities as defined in this chapter as a separate~~  
37 ~~category, various types of utilities are addressed within a number of sections.~~  
38 ~~Specifically, the policies encourage sharing of corridors for utilities, trails, and other~~  
39 ~~transportation rights-of-way. The CWPPs also call for cities to develop plans, in~~  
40 ~~cooperation with existing water purveyors and other municipal corporations~~  
41 ~~providing water or sewer services, affording urban-level water and sewer services~~  
42 ~~within their Urban Growth Areas (UGAs). The interlocal agreements specified in the~~  
43 ~~policies must address reasonable criteria for annexation and ensure adequate~~  
44 ~~services including water and sewer utilities. Within Urban Growth Areas this will~~

1 | ~~comply with what has been adopted.~~ The CWPPs specify that cities will not extend  
2 water and sewer utilities without an adopted program for annexation and an  
3 adopted Capital Facilities Plan. Exceptions may be made in cases where human  
4 health is threatened. The CWPPs require that if water extensions are made, they  
5 must be consistent with the service area boundaries and other provisions of the  
6 *Coordinated Water System Plan*. Outside of Urban Growth Areas, cities and other  
7 public and private utilities may extend water only at rural levels of service. If rural  
8 levels of service are extended, availability of pipeline capacity to meet local supply  
9 | needs shall not be used to justify development counter to county-wide land  
10 development patterns and shall not be considered in conversions of agriculture  
11 land, forestry, or rural lands. These and other water quantity and quality issues  
12 covered in the CWPPs are addressed directly and supported in the goals, policies,  
13 and action plans of this chapter.

14 | The Growth Management Act, in conjunction with CWPPs, ~~as presently adopted,~~  
15 clearly ~~identify~~identifies the County in a decision-making role when it comes to  
16 utility provisions. This is implemented through the County's ~~power authority~~ to set  
17 urban growth boundaries ~~granted by the Growth Management Act~~ and can be  
18 specified through the Interlocal Agreements assigned in the CWPPs. It should be  
19 noted that the CWPPs are locally adopted and could be subject to change in the  
20 future.

21 | ~~Visioning Community Value Statements do not directly or indirectly address or~~  
22 ~~identify the importance of utilities of any kind. Growth Management goals and~~  
23 ~~County-Wide Planning Policies will be served by adoption of this chapter and~~  
24 ~~implementation of its goals, policies, and action plans.~~

## 25 **GMA Requirements**

26 The Growth Management Act mandates that counties required to plan under the act  
27 adopt comprehensive plans including "a utilities element consisting of the general  
28 location, proposed location, and capacity of all existing and proposed utilities,  
29 including, but not limited to, electrical lines, telecommunication lines, and natural  
30 gas lines." The utilities element will include maps illustrating existing and proposed  
31 facilities and define goals and policies concerning those facilities and future  
32 proposed locations for utility facilities and corridors. By future proposed locations, it  
33 is the interpretation of Whatcom County that "proposed" means projects that have  
34 been submitted to the appropriate Whatcom County agency seeking permits or  
35 approval. See **Map ~~145-1~~**, which shows existing and planned electrical facilities;  
36 **Map ~~125-2~~**, natural gas facilities; and **Map ~~135-3~~**, communications facilities.

37 This plan does not address all the issues regarding energy or energy policy. As  
38 required by GMA, this plan addresses only those issues that are considered utility  
39 issues of Whatcom County. Therefore, this document does not address coal,  
40 automotive-oriented, or other non-utility energy issues except with regard to  
41 transmission corridors.

42 Whatcom County is not a municipal purveyor of electric power or water. While this  
43 chapter ~~of the comprehensive plan does thoroughly~~addresss provision of electric  
44 power and other utilities by private and public purveyors, ~~the chapter~~it does not

1 address water supply other than as might be provided by Whatcom PUD or through  
2 other various water districts, associations, or private wells with one or more  
3 connections. Water supply and coordination affected by these organizations or  
4 parties is largely addressed in the *Whatcom County Coordinated Water System Plan*  
5 (*CWSP*). Maps showing locations of water purveyors' pipelines and service areas, ~~of~~  
6 ~~water purveyors~~ and locations of existing sewer system areas, ~~are~~ adopted as they  
7 presently exist or are modified.

## 8 **Background Summary**

9 Whatcom County is in a special situation due to its unique location between Canada  
10 and major utility users ~~of utility services~~ to the south. This creates a situation  
11 where utility services move through Whatcom County for their products to reach  
12 from the source to the destination. Whatcom County can be viewed as a gateway  
13 for utilities entering from Canada to reach demand elsewhere. This is especially true  
14 for natural gas, petroleum products, and electricity.

15 Utility services in Whatcom County are provided by a number of private and public  
16 utility operators. The main purveyor of electrical power within Whatcom County is  
17 Puget Sound Energy, but there are other providers as well, notably Whatcom PUD,  
18 and the cities of Blaine and Sumas. Cascade Natural Gas provides natural gas for  
19 the county; however, ~~there are locations throughout the county where natural gas is~~  
20 not available. Such locations have to rely on electricity, propane, or other means to  
21 meet their energy needs. Telecommunications are provided by multiple telephone,  
22 cable television, internet, and carriers ~~(telephone), AT&T Broadband (cable~~  
23 ~~television), and a number of~~ wireless communication companies. Water is obtained  
24 from private and public systems. Sewage treatment is primarily by septic system in  
25 the unincorporated areas of the County. There are areas of the County where  
26 consumers have the choice between multiple providers of the same utility service.  
27 Whatcom County supports free market competition for services, when such  
28 competition benefits the County consumers.

29 Whatcom County strongly encourages utilities to develop in a safe and rational  
30 manner based on the demand requirements of development consistent with the  
31 County Comprehensive Plan.

32 The 20-Year Capital Facilities Plan (Appendix E) provides additional information  
33 relating to water systems, sewer systems, and solid waste management.

## 34 **Issues, Goals, and Policies**

### 35 **Locational Criteria for Siting Utilities**

36 County ~~Wide~~ Planning Policies, ~~the Visioning Process~~, open space, greenways, the  
37 environment, zoning, existing development patterns, ~~Growth Management~~ urban  
38 growth areas, and other physical, political, business, economic, and geographical  
39 constraints, and plans will demarcate both the need for and the locations available  
40 for any new electric power and/or natural gas corridors. Electric power,  
41 communications and natural gas purveyors are part of regional systems that are  
42 demand-driven and are regulated at the State and, to some degree, at the Federal

1 levels. This chapter provides for general locations of utility facilities needed in the  
2 future. Precise locations will be determined in the future and will be evaluated  
3 through existing regulatory and review processes including conditional use and  
4 environmental review.

5 It is the County's preference that utility corridors must be located in areas of least  
6 impact to the public and environment ~~of Whatcom County~~ as measured by  
7 proximity to populous and environmentally sensitive areas.

8 While it is in the best interest of ~~the Whatcom County~~ citizens ~~of Whatcom County~~  
9 to plan for the location of utility services in future growth areas, every effort must  
10 be made to avoid undesirable effects of locating those facilities in areas where the  
11 health or safety of Whatcom County residents may be adversely affected, where  
12 the development is prohibitively expensive, or where environmental costs may be  
13 too high. Utility corridors shall be shared by compatible utilities when safely  
14 possible.

15 **Goal 5A: Specify a clear process for determining appropriate locations**  
16 **for future needed utility facilities, including electric power**  
17 **facilities greater than 55 kV.**

18 Policy 5A-1: Use the existing conditional use, major project permit, and  
19 environmental review processes to evaluate and determine the  
20 suitability of proposed suitable locations for any new utility facilities  
21 above the distribution level during the planning period.

22 Policy 5A-2: When expansion or improvements of utility systems are being  
23 considered, Whatcom County prefers the following in the order  
24 provided:  
25 • upgrading of existing facilities in existing corridors;  
26 • replacing facilities in existing corridors where appropriate;  
27 • sharing existing corridors.

28 Policy 5A-3: Encourage utility purveyors to consider underground installation of  
29 distribution facilities consistent with WUTC rates and tariffs.

30 Policy 5A-4: To the extent that installation of utility facilities affects growth  
31 patterns, utility services should be located and designed appropriate  
32 to the land use designation.~~reflect designated growth areas.~~

33 Policy 5A-5: Discourage siting utility facilities in known natural hazard areas  
34 unless public benefit outweighs the risk.

35 Policy 5A-6: Ensure that utilities and power generating facilities are sited where  
36 they will not adversely impact the ecological ~~flow~~ regime needed for  
37 ~~fish, including~~ threatened and endangered ~~fish~~ species.

### 38 Trends in Utility Technology

39 Changing technology will affect the costs and types of utility services and systems  
40 available. Technologies can evolve very rapidly, particularly when breakthrough  
41 discoveries occur. ~~Fiber optics are a good example; it is generally accepted that~~

1 ~~fiber optics technology is changing the way we communicate, and is doing so~~  
2 ~~rapidly and in a widespread manner.~~ It is likely that new technologies will emerge  
3 and existing technologies will evolve within ~~this the~~ planning period.

4 **Goal 5B: Support the development and use of new utility and**  
5 **information technologies.**

6 Policy 5B-1: Facilitate the use of ~~future-new~~ technologies by allowing flexibility in  
7 regulations and policies affecting utility facilities when it can be  
8 shown that a net benefit to the public is likely to result.

9 Policy 5B-2: Support development and use of new technologies.

10 Policy 5B-3: Recognize the economic opportunities and benefits communication  
11 services access provides to the community.

12 Policy 5B-4: Support development regulations that are flexible and receptive to  
13 innovations and advances in communication technologies ~~technology~~  
14 and that recognize the positive impact of moving information rather  
15 than people.

16 Policy 5B-5: Work closely with major utility providers to enhance the ~~e~~County and  
17 private geographic information systems (GIS) data-bases.

## 18 **Electric Power, Natural Gas, Petroleum, and Telecommunications**

19 All Whatcom County residents should have access to utilities as defined in this  
20 section. The WUTC requires equitable availability and controls the price of electric  
21 power and natural gas services provided by investor-owned utilities. FERC does so  
22 for electric, natural gas and petroleum facilities crossing state lines. Additionally,  
23 the Energy Facility Site Evaluation Council (EFSEC), the Department of Labor and  
24 Industries (DLI), and the US Department of Energy (DOE) regulate utility siting and  
25 operations. Goals relating exclusively to natural gas and hazardous liquid lines are  
26 addressed separately.

27 Changes in the utilities marketplace will probably create a need for recognition of a  
28 variety of service needs and for new models of how energy is distributed, stored,  
29 and used. Regulations concerning provision of utility services to consumers should  
30 remain flexible and offer opportunities for review with respect to changes in utility  
31 industry dynamics dictated by market forces and regulations at the state and  
32 federal levels.

33 **Goal 5C: Facilitate accessibility of utilities.**

34 Policy 5C-1: Support user access to natural gas, electric, and communications  
35 utilities.

36 Policy 5C-2: Review the policies in this chapter as necessary in order to keep  
37 them current with market and regulatory changes.

38 Policy 5C-3: ~~Include Encourage the processing of~~ utility permits ~~in-concurrent with~~  
39 ~~the~~ processing of Major Development Permit and Planned Unit  
40 Development permit applications, ~~when applicable~~.

- 1 Policy 5C-4: Make use of advanced technology to assist government operations  
2 and enhance public accessibility.
- 3 Policy 5C-5: Encourage regional planning of public facilities and utilities ~~which that~~  
4 will facilitate coordinated land-use management and capital facility  
5 construction.
- 6 Policy 5C-6: Support capital facilities to correct existing deficiencies<sub>7</sub> and to  
7 accommodate new growth in an efficient, cost effective<sub>8</sub> and timely  
8 fashion.
- 9 Policy 5C-7: Public facilities and utilities will be designed and located in a manner  
10 ~~which that~~ protects the integrity of planned land uses, existing land  
11 forms, drainage ways, natural systems, critical areas<sub>12</sub> and resource  
12 lands.
- 13 Policy 5C-8: Extension of urban utility services shall be limited to areas  
14 designated for urban development. ~~will be carefully staged in order~~  
15 ~~to discourage new development in areas that are premature in terms~~  
16 ~~of planning, timing and funding.~~
- 17 ~~Policy 5C-9: Extension of urban governmental services and utilities will be~~  
18 ~~confined to areas planned for urban development and be consistent~~  
19 ~~with the optimal land use and urban growth area plan.~~ Policy 5C-10:  
20 Appropriately scale pPublic utility systems ~~will be appropriately~~  
21 ~~sealed~~ to accommodate anticipated population growth.

## 22 **Permitting Process Efficiency**

23 Time required for permitting processes can increase development costs and can  
24 impede the timely provision of electric power and other utilities to residential,  
25 commercial, and business users. Any new utility installation requires precisely  
26 designed and selected components to complete and bring a facility on line. Careful  
27 planning is necessary to ensure the proper components are available as needed.  
28 Delays in obtaining permits can disrupt planning cycles and can result in utility  
29 services not being available when needed. Local permit processing should not  
30 interfere with or cause long delays for the provision of utilities to residents,  
31 industry, or business.

### 32 **Goal 5D: Minimize the time required for processing utilities permits.**

33 Policy 5D-1: Maintain sStreamlined<sub>34</sub> and simplif<sub>35</sub>iedy permitting processes relating  
34 to installation of utility facilities designed to serve existing or  
35 approved development.

36 Policy 5D-2: ~~Eliminate~~ Avoid duplication of criteria in permits.

### 37 **Goal 5E: Reduce unnecessary obstacles to land use development** 38 **applications.**

39 Policy 5E-1: County Planning and Development Services will notify and seek  
40 comment from utility operators concerning land use development

1 applications adjacent to existing major utility facilities and will take  
2 comments received under advisement.

3 Policy 5E2: Require evidence of compliance by the applicant with all relevant  
4 easement provisions as a condition of all discretionary and non-  
5 discretionary land use approvals.

6 Policy 5E3: Utility companies shall provide notification of proposed projects to  
7 abutting landowners consistent with when required by County code.

## 8 **Impediments to the Provision of Utilities**

9 The ability of utility purveyors to meet the mandates of WUTC and FERC could be  
10 affected by all of the following: GMA regulations, goals, and policies; plat  
11 covenants, conditions, and restrictions; infrastructure requirements; zoning ~~(how~~  
12 ~~much? where?)~~; County ~~w~~-Wide Planning Policies; ~~Visioning Community Value~~  
13 ~~Statement scenarios~~; and environmentally sensitive areas.

14 **Goal 5F: Identify and remove impediments to effective siting of**  
15 **necessary utility facilities.**

16 Policy 5F-1: Periodically review existing regulations to identify and eliminate  
17 unintended or unreasonable constraints on the provision of necessary  
18 utilities as defined in this section.

## 19 **Regulatory Controls Encouraging Energy Conservation**

20 Conservation is considered a substantial contributor to regional and local energy  
21 supplies. Generally, there are two components of conservation: *regulatory issues*  
22 and *infrastructure*. Regulatory issues include the efficiencies created by zoning  
23 density, development standards, establishing minimum energy efficiency standards,  
24 and energy code enforcement. Infrastructure issues include existing utility facilities  
25 and privately owned equipment ranging from purveyor-owned hardware to  
26 consumer-owned appliances. While energy demand increases as a result of growth,  
27 conservation plays a large role in limiting the quantity of that new demand.

28 **Goal 5G: Support cost-effective conservation as a significant supply**  
29 **factor and implement policies that promote energy**  
30 **conservation measures.**

31 Policy 5G-1: ~~Review and revise existing and proposed~~ Land use regulations  
32 should shall be for consistency with the conservation and ~~the~~ other  
33 goals in this chapter.

34 Policy 5G-2: Encourage and support the use of conservation-based methods and  
35 technologies.

36 Policy 5G-3: Support energy conservation and energy efficiency in all proposed  
37 residential, commercial, and industrial projects by improving the  
38 energy efficiency of new construction and the existing building stock  
39 through building codes and practices, and support refurbishing and

1 remodeling projects to include energy efficient components via  
2 expedited permitting and assistance.

3 Policy 5G-4 Facilitate and encourage conservation of resources, in order to delay  
4 the need for additional facilities for electrical energy and water  
5 resources, and to ~~achieve improved~~maintain adopted air quality  
6 standards.

7 Policy 5G-5: The County ~~should~~shall consider funding and promoting energy  
8 education services in order to inform citizens on energy conservation  
9 and the use of renewable energy sources.

10 Policy 5G-6: Consider use of renewable energy sources in County facilities.  
11 Improve energy efficiency in County facilities, vehicle fleets, and  
12 equipment consistent with the measures identified in the Whatcom  
13 County Climate Protection and Energy Conservation Plan (2007).

14 **Goal 5H: Support cost-effective renewable energy projects and**  
15 **implement policies that promote renewable energy projects.**

16 Policy 5H-1: ~~Land use Review and revise existing and proposed~~ regulations  
17 ~~should~~shall be for consistency with the renewable energy and ~~the~~  
18 other goals in this chapter.

19 Policy 5H-2: Encourage and support the development of renewable energy  
20 projects and technologies, including pursuing renewable energy  
21 supply portfolios for the County from power suppliers as well as small  
22 local renewable energy projects such as anaerobic digesters and  
23 solar and wind energy, where applicable.

24 Policy 5H-3: Support renewable energy incentives to businesses and groups for  
25 comprehensive renewable energy efforts.

26 Policy 5H-4: Locate solar energy generation equipment on County facilities where  
27 cost/benefit analyses prove advantageous over the life cycle of the  
28 facilities.

## 29 **Utility Corridors**

30 Where feasible, multiple land uses in utility corridors should be encouraged. The  
31 potential for shared use of utility corridors should be realized to the greatest  
32 practical extent. While some corridor uses have proven incompatible, others work  
33 well. Some uses are clearly mutually exclusive, but others are unaffected, and in  
34 some cases enhanced, by proximity to other uses thereby serving multiple needs.

35 Questions have been raised concerning potential for long-term, adverse health  
36 effects associated with exposure to 60Hz electric and magnetic fields. Many studies  
37 have been conducted concerning those effects and many are in process; results are  
38 mixed.

39 **Goal 5J: Facilitate maintenance and rehabilitation of existing utility**  
40 **systems and facilities and encourage use of existing utility**  
41 **corridors.**

- 1 Policy 5J-1: Encourage utility providers to explore expanded and/or joint use of  
2 existing utility corridors before seeking sites for new rights-of-way.
- 3 Policy 5J-2: Promote, when reasonable and feasible, the co-location of new public  
4 and private utility distribution facilitates in shared trenches/corridors,  
5 as well as coordination of construction timing.
- 6 Policy 5J-3: Allow for recreational use of utility corridors where practical.
- 7 Policy 5J-4: ~~Require~~ Encourage utility companies to notify impacted residents of  
8 vegetation control measures.
- 9 **Goal 5K: Be responsive to new information on electric and magnetic**  
10 **field (EMF) research progress.**
- 11 Policy 5K-1: As new information regarding EMF becomes available, consider the  
12 need for new standards.
- 13 Policy 5K-2: Educate the public with regard to any new information concerning  
14 possible EMF health effects.
- 15 **Goal 5L: Support direct and indirect economic benefits to Whatcom**  
16 **County originating with energy or utilities in general.**
- 17 Policy 5L-1: Recognize economic benefits derived from coordination of utilities  
18 with established and projected residential, commercial, and industrial  
19 growth patterns in the County.
- 20 Policy 5L-2: Require a utility proponent to show how the proposal provides local  
21 or regional benefit.

## 22 **Natural Gas and Hazardous Liquid Transmission Pipelines**

23 Transmission of hazardous liquids and gases by pipeline is an efficient and  
24 convenient essential transportation mode for transporting these products. ~~While~~  
25 ~~pipelines offer an efficient and convenient method of transport~~ However, pipelines  
26 pose a risk of potential for ruptures and uncontrolled leaks of products which are  
27 highly flammable, explosive, or toxic and therefore requires careful consideration of  
28 pipeline siting, nearby land uses, and protection of pipelines from excavation third  
29 party damage.

30 The goals of Whatcom County regarding pipelines are: to protect the health, safety  
31 and welfare of provide safety for County residents; ~~and~~ to provide predictability for  
32 future pipeline siting; and to encourage communication and coordination with  
33 pipeline operators, landowners, and county, state and federal agencies.

34 The County is not able to control all issues regarding pipelines, as there are other  
35 agencies with jurisdictional authority (such as the EFSEC Energy Facility Site  
36 Evaluation Council and the FERC Federal Energy Regulatory Commission), as well as  
37 demand from areas outside of Whatcom County, which preclude the County from  
38 having the ultimate authority. Nonetheless, goals and policies for the County are  
39 appropriate and incorporated herein.

1 The following goals and policies shall apply to all natural gas and hazardous liquid  
2 transmission pipelines as defined by state and federal regulations. ~~This shall include~~  
3 ~~pipelines which operate at a hoop stress of twenty percent or more of the specified~~  
4 ~~minimum yield strength or as may be amended hereafter by federal regulations.~~  
5 ~~Such a pipeline would by federal, state, and local definition be classified as a~~  
6 ~~transmission line.~~ The goals and policies presented herein should be interpreted in  
7 conjunction with the general utility policies of this chapter where applicable, with  
8 priority and deference given to these policies which are specific to natural gas and  
9 hazardous liquid pipelines where they appear contradictory. *The Natural Gas and*  
10 *Hazardous Liquid Pipelines Background Report* contains more detailed information  
11 regarding pipelines and related issues ~~and is adopted by reference~~. ~~The Utilities~~  
12 ~~Committee concluded notification was the most appropriate method to meet the~~  
13 ~~County's goals, as opposed to imposing setbacks or other restrictions which would~~  
14 ~~limit landowners' use of land on the remote possibility an event would occur.~~ Map  
15 12-5-2 indicates a notification area of 1,000 ~~320~~ feet (~~66500~~ feet from each side  
16 ~~from of~~ the pipeline) for natural gas and hazardous liquid transmission pipelines,  
17 which may be of value to the public.

18 **Goal 5M: Protect the citizens and the environment of Whatcom County**  
19 **through informational, educational, and regulatory measures.**

20 Policy 5M-1: Seek intervener status on all pipeline proposals which may not be  
21 within the County's regulatory authority, so as to preserve the  
22 County's legal right to retain a voice in the proposal. The County will  
23 review a pipeline proponent's application ~~materials~~ and file  
24 comments with the reviewing bodies according to the appropriate  
25 procedure and within the timelines provided. Staff shall engage in  
26 continual and ongoing communication with the regulatory authorities  
27 regarding the project as the need or occasion arises.

28 Policy 5M-2: Carefully scrutinize new or updated franchise agreements. ~~R,~~ review  
29 and evaluate model franchise agreements, if available, for provisions  
30 to be incorporated into negotiation discussions regarding proposed  
31 provisions in future franchise agreements. Consider the adoption of a  
32 franchise agreement ordinance for consistency and guidance if  
33 multiple new agreements are anticipated.

34 Policy 5M-3: ~~Develop~~ Provide information, ~~/~~education, and notification programs  
35 to alert the public of pipeline location and safety considerations when  
36 making land purchase or development decisions adjacent to  
37 transmission pipelines.

38 Policy 5M-4: Require transmission pipeline operators to provide accurate 'as-built'  
39 pipeline maps as a condition of approval for any county development  
40 permit. In addition to scaled plan maps which shall be accurate to  
41 the parcel level, pipeline information (pipe size, allowable pressure,  
42 fuel type, etc.) shall also be ~~provided~~ required. Whatcom County's  
43 GIS ~~department staff~~ is to provide update copies of all major pipeline  
44 routes to Whatcom County's Division of Emergency Management.

- 1 Policy 5M-5: Require, early in the transmission pipeline permitting process, that  
2 the proponent provide funds to the County, adequate to cover the  
3 cost of an informational session which will be conducted by an  
4 independent third-party to be selected by the County on the topics of  
5 eminent domain and right-of-way acquisition. Pipeline proponents  
6 shall also be required to conduct "open house" and "town hall" style  
7 public meetings as a part of ~~County-any~~ land use development  
8 permit process for a new or major transmission pipeline expansion.
- 9 Policy 5M-6: Require transmission pipeline proponents to notify all fire ~~districts~~,  
10 water, and sewer districts, and jurisdictions with urban growth areas  
11 where the siting of new pipelines crosses those service areas.
- 12 Policy 5M-7: Monitor transmission pipeline construction to ensure pipelines are  
13 installed in accordance with all applicable critical area regulations.
- 14 Policy 5M-8: Encourage the Office of Pipeline Safety to enact stronger safety  
15 measures for transmission pipelines, and to encourage pipeline  
16 applicants to voluntarily enact stronger safety measures than  
17 required by federal law ~~in Whatcom County~~.
- 18 Policy 5M-9: Require land division and land use applicants to show transmission  
19 pipelines on application maps when any part of the property involved  
20 in the application is located within 500 feet of the centerline of the  
21 pipeline corridor.
- 22 Policy 5M-10: Encourage communication between property owners and  
23 transmission pipeline operators to minimize the risk of inadvertent  
24 damage to transmission pipelines and to provide guidance to  
25 property owners about minimizing further risk through site design or  
26 construction. Require notification of transmission pipeline operators  
27 at the earliest possible stage of application review (at least  
28 concurrent with other land use application notifications).
- 29 Policy 5M-11: Require protection of the pipeline corridor by prohibiting land  
30 disturbance and construction within defined rights-of-way except by  
31 express written consent from the pipeline operator.
- 32 Policy 5M-12: Verify the applicant's use of one-call locator services in accordance  
33 with state law prior to issuing any land disturbance or construction  
34 permits abutting pipeline rights-of-way, and require physical  
35 protection of the pipeline corridor during construction.
- 36 Policy 5M-13: Encourage ongoing coordination and communication between  
37 pipeline operators and the emergency response community including  
38 the Local Emergency Planning Committee, Health Department, Fire  
39 Districts, and Sherriff Department to promote education, awareness,  
40 emergency response and evacuation planning with regard to the  
41 environmental and health impacts of potential spills or leaks. Require  
42 pipeline operators to share detailed specifications about their

- 1 ~~pipelines and products transported to~~with the emergency response  
2 ~~community to facilitate better emergency preparedness.~~
- 3 **Goal 5N: Develop locational siting criteria specific to special conditions**  
4 **regarding transmission and large distribution pipelines.**
- 5 Policy 5N-1: ~~Utilize~~Use a GIS-based siting criteria for evaluating transmission  
6 pipelines ~~which is~~ consistent with ~~the comprehensive plan~~ policies for  
7 transmission pipelines and the recommendations in the *Natural Gas*  
8 *and Hazardous Liquid Pipeline Background Report*.
- 9 Policy 5N-2: Encourage transmission pipelines to ~~follow~~locate adjacent to  
10 established corridors where possible. Require applicant justification  
11 for proposed deviations.
- 12 Policy 5N-3: Transmission pipelines are inappropriate and discouraged in urban  
13 growth areas and areas of intense rural development ~~which would~~  
14 ~~render such pipeline siting inappropriate.~~
- 15 Policy 5N-4: No transmission pipeline facilities should be constructed or located in  
16 critical areas without fully mitigating the project impact.
- 17 Policy 5N-5: Designated agricultural and forestry lands ~~in the Comprehensive Plan~~  
18 are preferred locations for transmission pipelines, provided special  
19 attention is paid to facilitating and not impeding agricultural  
20 drainage.
- 21 Policy 5N-6: Restrict the location of transmission pipelines in high-risk landslide  
22 areas where evidence of instability could be ascertained by recent  
23 events, or verifiable geological conditions.
- 24 Policy 5N-7: ~~Prohibit new land uses with high on-site populations that are difficult~~  
25 ~~to evacuate or new essential public facilities from being located~~  
26 ~~nearer than 500 feet from the centerline of a transmission~~  
27 ~~pipeline. For natural gas transmission pipelines, encourage siting of~~  
28 ~~critical facilities and high occupancy facilities pursuant to the~~  
29 ~~regulations of WAC 480-93-020, and 480-93-030 (not closer than~~  
30 ~~500' from a 500 psi pressure or greater pipeline, not closer than 100'~~  
31 ~~from a pipeline with a pressure between 250 and 499 psi) and as~~  
32 ~~hereafter amended.~~
- 33 ~~Policy 5N-8: Require expanded land uses and facilities located nearer than 500~~  
34 ~~feet from the centerline of a transmission pipeline to not increase the~~  
35 ~~level of risk from a pipeline failure and use site design, building,~~  
36 ~~technological, and/or operational techniques to reduce or minimize~~  
37 ~~risk.~~
- 38 ~~Policy 5N-9~~ To allow continued use of property, especially agriculture, pipelines  
39 must be installed and maintained deep enough and in a manner that  
40 maximizes the ongoing use of the land consistent with the zoning in  
41 place at the time the pipeline was approved.

1 **Water Supply**

2 Whatcom County residents obtain domestic water from public and private water  
3 systems. For the purpose of this discussion, the term "public" refers to the State  
4 Department of Health (Health) definition, and not to ownership of the system. This  
5 distinction is important and can often be confusing. Public systems, as defined by  
6 the State Health Department, must comply with specific regulations designed to  
7 protect the health of people using the supply. Private systems do not have to meet  
8 these same requirements. However, the County Council, acting as the Board of  
9 Health, adopted the Whatcom County Drinking Water Ordinance in 2002, which  
10 established standards for private water systems used for new ~~land~~-development.  
11 This ordinance includes siting criteria, such as setbacks from septic tanks, and  
12 initial water quality sampling requirements. It does not impose on-going water  
13 quality monitoring on private water systems.

14 The complete definition of a public water system ~~can be referenced~~ is found in WAC  
15 246-290 and WAC 246-291. In general, State Health regulations define a public  
16 water system as all systems *except* those serving only one single family residence  
17 ~~and or~~ a system with four or fewer connections all of which serve residences on the  
18 same farm. However, the regulations do allow systems with only two connections to  
19 be exempted from State Health rules at the discretion of local/State Health.  
20 Whatcom County has taken advantage of this allowance and, in certain  
21 circumstances, does not require residential systems with two services to meet  
22 public systems requirements. However, these two-party wells that are exempt from  
23 state rules must still comply with the County's Drinking Water Ordinance.

24 ~~As of 1998, 29,196 people (almost 20% of the county's population) were served by~~  
25 ~~individual wells. Additionally, 128,304 people (over 80% of the population) were~~  
26 ~~served by public drinking water systems (Whatcom County Coordinated Water~~  
27 ~~System Plan, Feb. 2000, p. 3-6).~~

28 Over 80 percent of ~~Most~~ Whatcom ~~County~~ residents obtain potable water from a  
29 municipality or ~~district~~ public water systems. ~~There are, however, many people~~  
30 ~~who~~ The rest obtain their drinking water from private water supplies including wells,  
31 surface water, and rainwater catchment. ~~water from one of the over 350 smaller,~~  
32 ~~privately owned public water systems~~ individual wells. Water is critical to Whatcom  
33 County agriculture; irrigation is necessary for all high-value crops. Livestock must  
34 be watered year round, and dairy equipment and facility cleanup also go on all  
35 year. Some industries are also large-scale water users, and they may need both  
36 potable and non-potable water.

37 Four major water systems, Whatcom County PUD #1, City of Bellingham, Lake  
38 Whatcom Water and Sewer District and City of Lynden, draw surface water from  
39 the Nooksack River and Lake Whatcom. Most of the rest rely on groundwater as  
40 their source. This is not as distinct a difference as it seems, since Whatcom County  
41 water resources are an interconnected system. Water supply for public water  
42 systems in the county is identified in the *Coordinated Water System Plan*. The  
43 current Whatcom County Coordinated Water System Plan (CWSP) coordinates the  
44 plans of the county's public water purveyors (e.g., forecasting demand, identifying

1 supplies and service areas) with the objective of ensuring the County has an  
2 adequate supply of potable water to serve planned domestic, commercial, and  
3 industrial uses, provided by public water systems. The CWSP must be consistent  
4 with this Comprehensive Plan, including land use designations, permitted densities,  
5 and related growth management policies, including identifying sufficient water  
6 supplies to accommodate projected growth for the next 20 years.

7 The largest purveyor in the county is the City of Bellingham. Bellingham directly  
8 supplies water to about 76,000 people, relying primarily on water from Lake  
9 Whatcom and the Middle Fork of the Nooksack River via a diversion pipeline.  
10 However, Bellingham also sells water to Water District 2, Water District 7, Water  
11 District 10 and the Lummi Water & Sewer District. If water sold to these districts  
12 were included, Bellingham provides water to approximately 88,000 people. The City  
13 also has the largest collection of water rights of all purveyors in the county. This  
14 large water right portfolio could enable it to continue its role as a major purveyor in  
15 the future. ~~Bellingham has indicated concerns about stormwater in the Geneva area~~  
16 ~~and the County fully supports creation of a stormwater district, even in the absence~~  
17 ~~of annexation.~~

18 The Public Utility District No. 1 (PUD), which obtains water from the Nooksack  
19 River, has the second largest collection of rights in the county. The PUD is a public  
20 water utility authorized under RCW Chapter 54 which provides retail service within  
21 its designated service boundary and has the potential to provide wholesale water on  
22 a county-wide basis. The PUD currently provides both direct retail and wholesale  
23 water supplies to customers within the county. The PUD holds water rights for  
24 municipal water supply purposes – including residential, commercial, industrial, and  
25 agricultural use. Pursuant to state law, the PUD develops and provides water supply  
26 within its service area in accordance with authoritative demand and/or population  
27 projections.

28 The PUD will consider petitions for service or assistance from all areas in Whatcom  
29 County which are not presently claimed by cities, water districts, or other purveyors  
30 operating within the county. The level of service to be provided to PUD customers  
31 requesting service or new supply will be consistent with their water rights and  
32 relevant capital facility and/or land use plans and policies in existence at the time of  
33 service extension.

34 Regardless of size, public or private, many water purveyors in Whatcom County  
35 face common challenges in meeting existing and future demands. Water quality  
36 concerns which have been identified include nitrates, arsenic, bacteria,  
37 iron/manganese, sea water intrusion, and pesticides/VOCs. Quantity concerns  
38 include legal limitations on supplies and questions regarding actual amounts and  
39 depletion of water. Regulatory requirements under the Safe Drinking Water Act, for  
40 example, further challenge the ability of purveyors to meet new demands.

41 Meeting existing and future water demands throughout the county will require  
42 careful integration of land use and water resource planning. The County's strategy  
43 to meet existing and future water demands throughout the county include:

- 1 • Periodically updating the Coordinated Water System Plan to identify future  
2 supply, demand, and delivery requirements for the public water systems that  
3 supply the majority of potable water supplies in the County;
- 4 • Implementing the Water Resource Inventory Area (WRIA) 1 Watershed  
5 Management Project's 2005 WRIA 1 Watershed Management Plan, the  
6 2007 WRIA 1 Detailed Implementation Strategy, and the 2010 Lower  
7 Nooksack Strategy, including pursuing water rights negotiations, developing  
8 a groundwater model to better understand groundwater supply potential and  
9 continuity with surface waters, and identifying future non-public water  
10 system needs such as agriculture and private well owners, including the  
11 WRIA 1 Watershed Management Plan (due in 2003) and the computer-based  
12 Decision Support System model that can aid in evaluating different scenarios  
13 associated with water quantity, water quality, fish habitat and in-stream flow  
14 conditions;
- 15 • Adhering to the various protection and management strategies discussed in  
16 the Chapter Eleven: Environment, Water Resource Section;
- 17 • Incorporating the updated comprehensive water plans that have been  
18 developed by some of the water purveyors; and
- 19 • Implementing the Capital Facilities Plans and Interlocal Agreements  
20 developed by the Cities and County under the Growth Management Act to  
21 facilitate delivery of water to urban growth areas.;
- 22 • ~~the use of short term planning area boundaries within urban growth areas;~~  
23 ~~and~~

24 ~~The Coordinated Water System Plan was completed in February 2000 and was~~  
25 ~~adopted by the State Department of Health in August 2000. The plan, written by~~  
26 ~~some of the local water purveyors, agencies, and others, was intended to help~~  
27 ~~ensure more efficient planning for water supplies throughout the county. It~~  
28 ~~identifies recommendations and requirements related to system design and~~  
29 ~~planning, joint facilities and interties, system service areas, satellite system~~  
30 ~~management, conservation, and general resource management.~~

31 Although the various tools noted above will assist in helping to meet water  
32 demands, there is work to be done in both completing the specific elements and  
33 ensuring their consistency with each other.

34 With so many uncertainties and so few clear answers, caution is necessary in  
35 making water-related decisions. It is likely that much dialogue, coordination, and  
36 clear understanding will be necessary to work through a myriad of water-related  
37 issues and decisions. Changing priorities, organization, and regulations at state and  
38 federal levels make comprehensive decision-making yet more arduous. County staff  
39 and elected officials must participate in all processes aimed at quantifying,  
40 regulating, or controlling/managing water in any way to protect the best interests of  
41 the our citizens of Whatcom County. Specifically, the WRIA 1 Watershed  
42 Management Plan, WRIA 1 Detailed Implementation Plan, and Lower Nooksack  
43 Strategy were developed ~~Project has been initiated~~ to address issues of water

1 quantity, water quality, fish habitat, and in-stream flows. Additionally, Whatcom  
2 County created the Water Resources Division of the Public Works Department in  
3 1999 to address water issues.

4 ~~This plan is based on the assumption that agriculture is important to the County as~~  
5 ~~identified in the Visioning Process and that water will be available to serve the~~  
6 ~~agricultural community. The plan also assumes that adequate water will be~~  
7 ~~available to serve the proposed Urban Growth Areas. It is recognized that certain~~  
8 ~~actions are needed to ensure supplies to those areas. These actions will be pursued~~  
9 ~~and the Urban Growth Areas will be revisited as part of the seven year review~~  
10 ~~process to determine if the boundaries are consistent with water availability.~~

11 ~~Identified urban growth areas are served by public water either within an approved~~  
12 ~~water service area or logical service boundary. Where gaps or shortfalls exist in~~  
13 ~~planning or capital facilities, the County will use short-term planning area~~  
14 ~~boundaries to assure adequate levels of urban services. Water rights are a~~  
15 ~~significant always an~~ issue in planning for adequate facilities. Treaty rights with the  
16 tribes, minimum instream flows for adequate protection of fish, and use and  
17 protection pursuant to state water laws, all affect ~~the ability of the issuance of new~~  
18 ~~water rights~~ purveyors to meet service objectives. ~~It is not the intent of the County~~  
19 ~~to second guess a projection in an approved or pending plan.~~ The County will  
20 review plans periodically to ensure consistency with the growth and population  
21 projections of this plan, and changes in the availability of water or permits ~~which~~  
22 ~~that~~ may affect the ability to serve.

23 Because of concerns about water supply, and requirements of state law,  
24 development will be contingent on providing evidence of adequate water supplies.

25 **Goal 5P: Resolve county water issues through pro-active participation**  
26 **in processes leading to a solution of water-related conflicts**  
27 **including the ~~WRIA 1 Watershed Management Project~~.**

28 Policy 5P-1: Plan for interlocal agreements with other agencies to manage failing  
29 water associations that fall into receivership.

30 Policy 5P-2: Encourage and actively participate ~~actively~~ in forums, workshops,  
31 and other water-related planning activities.

32 Policy 5P-3: Discourage extension of urban levels of water service to areas not  
33 designated as urban growth areas or Rural Communities, except in  
34 those limited circumstances shown to be necessary to protect basic  
35 public health and safety and the environment and when such  
36 services are financially supportable at rural densities and do not  
37 permit urban development.

38 Policy 5P-4: The County should periodically examine its role as a potential  
39 purveyor of water and sewer service in order to determine if  
40 increased involvement may be needed to help solve some of the  
41 utility problems in the county.

- 1 Policy 5P-5: Investigate the opportunity for multiple solutions to other issues such  
2 as flood management; when looking towards acquiring additional  
3 water supplies/rights.
- 4 ~~Policy 5P-6: Evaluate and, where feasible, support alternative supplies of water~~  
5 ~~such as desalinization, re-use of treated wastewater, and storage of~~  
6 ~~flood water. Investigate reservoir holding ponds that take advantage~~  
7 ~~of flood water when needed for beneficial uses such as fisheries,~~  
8 ~~agriculture, domestic and industrial water supplies.~~
- 9 **Goal 5Q: Work with ~~Whatcom County PUD and other~~ water purveyors**  
10 **to provide service to all existing and designated urban growth**  
11 **or industrial areas.**
- 12 Policy 5Q-1: Work with the ~~PUD, Birch Bay Water and Sewer District, Blaine,~~  
13 ~~Ferndale, Ecology, and other~~appropriate jurisdictions ~~as appropriate,~~  
14 to ensure adequate water rights and supplies to the Urban Growth  
15 Areas and designated industrial areas in northwest Whatcom County.  
16 Consider all options, including but not limited to, extension of water  
17 service areas, extending a water transmission pipeline from Ferndale  
18 ~~to the District, to convey water from the PUD's and /or Ferndale's~~  
19 ~~water rights,~~ conjunctive management of surface and groundwater,  
20 artificial storage and recovery and reclamation of wastewater.
- 21 Policy 5Q-2: Ensure provision of urban levels of water service to urban growth  
22 within areas designated for urban growth.
- 23 Policy 5Q-3: Periodically rReview Urban Growth Areas to ensure appropriate  
24 ~~actions have occurred to provide~~ adequate water supplies.
- 25 Policy 5Q-4: Encourage annexation of areas zoned for urban densities concurrent  
26 with extension of urban level services.
- 27 Policy 5Q-5: The County should work closely with purveyors and the State  
28 Department of Health in the development and review of  
29 Comprehensive Water Plans to ensure consistency with land use and  
30 urban growth area needs.
- 31 ~~Policy 5Q-6: Where necessary, to protect public health or the environment, utility~~  
32 ~~extensions may be made.~~
- 33 Policy 5Q-~~7~~6 The County will work with the Department of Ecology, City of  
34 Bellingham, the Port of Bellingham, the PUD, and local, regional, and  
35 state economic development agencies to ensure an adequate water  
36 supply to areas planned for industrial development.
- 37 **Goal 5R: Ensure that potable water supplies required to serve**  
38 **development are available at the time the development is**  
39 **available for occupancy and use.**
- 40 Policy 5R-1: Building permit applicants, new subdivisions, short plats, and binding  
41 site plans will be required to provide evidence that adequate and

1 | legal (in consultation with the Department of Ecology) supplies of  
2 | water are available prior to their approval by the County.

3 | Policy 5R-2: Work with purveyors to assist them in modifying their systems as  
4 | required to support the land use element of the comprehensive plan.

## 5 | **Sewage Treatment**

6 | Whatcom County does not currently own, operate, or maintain a sewage treatment  
7 | facility, or associated pumping stations or pipelines. Sewage treatment in the  
8 | unincorporated county is primarily by septic system. While adequately designed and  
9 | installed on-site septic systems can be appropriate for rural-level development,  
10 | maintenance of such systems varies from excellent to none-at-all. Poorly  
11 | maintained septic systems are a source of ground and surface water pollution and  
12 | have been identified at both the state and the local level as significant contributors  
13 | to high nitrate levels in soil and coliform bacteria in surface water. Some systems  
14 | can be in a failure mode for years before being noticed. "Package" sewage  
15 | treatment systems and multiple-user septic systems may be a desirable alternative  
16 | to the single-user, on-site system. Larger sewage treatment facilities are more  
17 | appropriate for urban levels of growth. Whatever type of system is used, adequate  
18 | maintenance is the best deterrent to system failure and to pollution of ground and  
19 | surface water.

20 | **Goal 5S: Reduce the incidence of on-site sewage treatment system**  
21 | **failure through system management and enforcement of**  
22 | **standards.**

23 | Policy 5S-1: Support state on-site sewage system regulations (WAC 246-272)  
24 | which requires that local health departments implement a program  
25 | ensuring proper maintenance and operation for all on-site systems.

26 | Policy 5S-2: The maintenance and operation program should be phased in  
27 | beginning with high priority areas designated by the County Council.  
28 | In implementing this policy, Lake Whatcom and Drayton Harbor are  
29 | high priority areas.

30 | Policy 5S-3: The development and implementation of the maintenance and  
31 | operation program should consider use of the private sector where  
32 | possible.

33 | **Goal 5T: Support development of new sewage treatment facilities,**  
34 | **including new pipelines and extensions of existing pipelines,**  
35 | **to areas designated for urban-level growth.**

36 | Policy 5T-1: Discourage extension of sewer lines in areas not designated as urban  
37 | growth areas or Rural Communities, except in those limited  
38 | circumstances shown to be necessary to protect basic public health  
39 | and safety and the environment and when such services are  
40 | financially supportable at rural densities and do not permit urban  
41 | development.

- 1 Policy 5T-2: For those areas designated as Rural Communities and wishing to  
2 infill, work with the communities to create sewer and water districts  
3 as necessary to manage both utilities. Public water and sewer service  
4 shall be limited to areas where existing lot sizes and development  
5 patterns make public water and sewer appropriate and shall not be  
6 extended outside of the Rural Community.
- 7 Policy 5T-3: Assist sewer and water districts in environmental review and  
8 mitigation and in preparing grant applications to obtain package  
9 sewer services that can be developed in a phased and cost-effective  
10 manner to serve designated Rural Communities.
- 11 Policy 5T-4: Support the development of new technology and alternative sewage  
12 disposal methods as an alternative to expensive sanitary sewer  
13 systems to assure ground water quality is maintained.

#### 14 **Solid Waste Management**

15 ~~Whatcom County is responsible for managing solid waste generated by any~~  
16 ~~activities in the county. Over 44% of the county's solid waste stream is recycled~~  
17 ~~through public and private efforts. Two privately operated facilities process~~  
18 ~~unseparated county solid waste. This product will then be delivered to a private~~  
19 ~~landfill located outside Whatcom County. Local landfill options are limited to~~  
20 ~~construction waste and demolition debris at a private site on Hemmi Road. No solid~~  
21 ~~waste is deposited at the county-owned Cedarville landfill site which was closed in~~  
22 ~~1990. A private organization leases a portion of the Cedarville site for a solid waste~~  
23 ~~drop box location for "self-haulers." There are three other drop box locations in the~~  
24 ~~county; Birch Bay, Point Roberts, and Lynden drop boxes are privately operated~~  
25 ~~(two of these drop boxes, at Birch Bay and Point Roberts, are on land leased to the~~  
26 ~~operators by Whatcom County). The county will continue to use a private waste~~  
27 ~~disposal system within the GMA planning period assuming no unforeseen and/or~~  
28 ~~uncontrollable circumstances.~~

29 ~~All solid waste management background information, goals, policies, and action~~  
30 ~~plans in this chapter have been extracted directly, or interpreted from, the~~  
31 ~~Whatcom County Comprehensive Solid Waste Management Plan, 1999~~

32 State law (RCW 70.95.010) requires counties to plan an integrated solid waste  
33 management system that emphasizes waste reduction and recycling. Management  
34 of solid waste that cannot be recycled can be incinerated or placed in a landfill.  
35 Whatcom County Health Department is the lead planning agency for solid waste  
36 planning in the County as of January 1, 2015, taking on the responsibility formerly  
37 with the Public Works Department. The County prepared a Comprehensive Solid  
38 and Hazardous Waste Management Plan in 2008 and began the process of updating  
39 the plan in 2014. That plan has been prepared to meet the requirements of RCW  
40 70.95.

41 Private collection, processing, and disposal services managed in accordance with  
42 the provisions of county ordinances and city contracts constitute Whatcom County's  
43 solid waste management system. Adopted Disposal and Collection Districts, and a

- 1 Service Level Ordinance serve as the foundation for county waste management.  
2 The Lummi and Nooksack Reservations and the Newhalem area are not included in  
3 the ~~e~~County's waste management plan.
- 4 Generally, ~~e~~County waste management system priorities are met by waste  
5 prevention, recycling and source-separated composting, market development to  
6 increase local use of recycle-ables, collection, transfer, export, and land-filling.
- 7 The county includes several waste-prevention programs as part of its highest waste  
8 management priority, including waste reduction and re-use, education, legislation,  
9 and governmental waste-prevention activities. Education is directed at school-age  
10 children through in-school programs; at shoppers; and at the general public  
11 through awareness programs, videos, demonstration sites, and awards programs.
- 12 Whatcom County and the City of Bellingham jointly provide a hazardous waste  
13 management program including education, technical assistance, and operation of a  
14 moderate risk waste (MRW) facility. The MRW facility receives household hazardous  
15 waste and small quantities of commercial hazardous waste and prepares the waste  
16 for ~~re-use or transport to a hazardous waste landfill/off-site treatment in Oregon.~~  
17 ~~The County and City also jointly maintain a clean green yard waste facility open to~~  
18 ~~all County residents.~~
- 19 **Goal 5U: Support waste prevention for both solid waste and hazardous**  
20 **~~substances~~ waste as a primary focus prior to waste**  
21 **management.**
- 22 Policy 5U-1: Support solid waste source reduction activities including conservation  
23 education programs, source reduction programs for county agencies,  
24 a waste exchange and materials re-use clearinghouse, and home  
25 composting and other activities related to yard debris.
- 26 **Goal 5V: The County's waste diversion goal is to reach 50 percent**  
27 **source-separated recycling, with additional diversion**  
28 **potentially available through waste processing of non-source-**  
29 **separated recyclables.**
- 30 **Goal 5W: ~~Using existing and future technologies, m~~Make ~~available~~ safe,**  
31 **effective, economical, and environmentally sound techniques**  
32 **for solid and hazardous waste disposal available using**  
33 **existing and future technologies.**
- 34 Policy 5W-1: Support best -management practices for disposal of household,  
35 commercial, and industrial solid and hazardous wastes.
- 36 Policy 5W-2: ~~Establish~~ Maintain and enforce standards for disposal of bio-solids,  
37 including management of the amount of heavy metals and other  
38 pollutants, and management of impacts to sensitive areas.

1 **Stormwater Management**

2 Stormwater management is treated in *Chapter 11: Environment* and is not included  
3 in this Utilities Chapter.

4 ~~Utilities Action Plan~~

5 ~~Provide a mechanism for the county and utility providers to cooperatively support~~  
6 ~~education programs for both citizens and government officials on conservation~~  
7 ~~issues, and promote awareness regarding location of all types of utility facilities.~~

8 ~~2. Support conservation efforts within county government.~~

9 ~~3. Directly support communities to work with utility providers in promoting~~  
10 ~~utility conservation.~~

11 ~~4. Work with state utility regulators to facilitate energy conservation efforts.~~

12 ~~5. Review and enforce existing energy codes.~~

13 ~~6. Work with utility purveyors to define ways for conservation to positively~~  
14 ~~influence Whatcom County's economic development through specific conservation~~  
15 ~~efforts and economic savings obtained through conservation.~~

16 ~~7. Adopt land use implementation strategies such as development standards~~  
17 ~~and incentives, and investigate multiple problem solving aimed at conserving water~~  
18 ~~and energy.~~

19 ~~8. Adopt conservation standards for new construction.~~

20 ~~Alternative Energy Sources~~

21 ~~9. Adopt solar access ordinances such as solar orientation and solar design~~  
22 ~~standards.~~

23 ~~10. Adopt ordinances enabling and facilitating alternative sources of energy.~~

24 ~~Permitting Process~~

25 ~~11. Expedite utility-oriented permitting processes.~~

26 ~~12. Establish screening and landscaping standards for utility facilities.~~

27 ~~13. Direct growth and appropriate utility facilities to designated urban growth~~  
28 ~~areas.~~

29 ~~14. Map existing and proposed utility corridors and establish appropriate~~  
30 ~~notification zone for each type of corridor. Notify applicants for development~~  
31 ~~permits of proximity to utility corridors.~~

32 ~~Task Forces~~

33 ~~15. Direct the county Health Department to do the following concerning EMF:~~

34 ~~• monitor research;~~

35 ~~• plan and accomplish public education concerning EMF; and~~

36 ~~• review regulations and policy.~~

~~Education and Information~~

~~16.— Develop and implement a notice to use the “one-call” system place conspicuously on County land use development permits requiring excavation. Provide “one-call” brochure to applicant with permit materials.~~

~~17.— Design an educational program and handouts which explain the importance of using the “one-call” system.~~

~~18.— Enhance the County’s permitting system by developing a standard procedure to provide copies of project plans to utility companies for opportunity to review and comments.~~

~~19.— Educate the public with regard to landowner rights that are applicable to utilities, including information about eminent domain.~~

~~Transmission Pipelines~~

~~20.— Develop GIS data linked to county permitting system to allow, at a minimum, for permits requiring excavation within 100 feet of a pipeline are to be flagged. The permit applicant can be informed to the existence of the pipeline with a notice place conspicuously on the permit and “one-call” materials are to be included with permits.~~

~~21.— Apply GIS-based siting criteria for evaluating pipelines to any and all future pipeline proposals.~~

~~Water Supply~~

~~22.— Encourage implementation of the Coordinated Water System Plan.~~

~~23.— Develop interlocal agreements with local surface and groundwater management agencies to ensure adequate water supplies in urban areas.~~

~~24.— Establish an interlocal agreement with Whatcom County PUD, Water District 10, and other interested Satellite System Management Agency (SSMA) candidates, consistent with the recommendation from the CWSP, to manage failing water associations that fall into receivership.~~

~~25.— Actively participate in all appropriate water-related meetings, forums, and coalitions.~~

~~26.— Evaluate and, where feasible, support alternative supplies of water such as desalinization, re-use of treated wastewater, and storage of flood water. Investigate reservoir holding ponds that take advantage of flood water when needed for beneficial uses such as fisheries, agriculture, domestic and industrial water supplies.~~

~~27.— Review urban growth areas to ensure adequate water supplies are available and revise boundaries accordingly.~~

~~28.— The county shall review new residential projects requiring land use or construction permit approval for the availability of an adequate water supply.~~

- 1 ~~29.—The county shall notify purveyors of potential inconsistencies between their~~  
2 ~~water system plans and the comprehensive plan, and shall work with them to find~~  
3 ~~acceptable solutions.~~
- 4 ~~30.—The county shall work with rural water system operators to achieve level of~~  
5 ~~service and construction standards for rural systems that are consistent with rural~~  
6 ~~densities and service expectations.~~
- 7 ~~Sewage Treatment~~
- 8 ~~31.—Establish a maintenance management program for all new and existing septic~~  
9 ~~treatment systems.~~
- 10 ~~32.—Require no-protest agreements from all developers for sewer service LIDs.~~
- 11 ~~Solid Waste Management~~
- 12 ~~33.—Monitor changes in technology and in the marketplace that could change the~~  
13 ~~economics of solid waste management and waste-to-energy projects.~~
- 14 ~~34.—Implement the recommendations of the Whatcom County 1999~~  
15 ~~Comprehensive Solid Waste Management Plan.~~