

## Chapter Five Utilities

### 3 Introduction

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

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

### 19 Purpose

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

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

### 35 ~~Consistency with Process~~

36 ~~In March 1991, a Utilities Planning and Advisory Committee (UPAC) was formed in~~  
37 ~~response to the requirements of GMA to address utility issues with the exception of~~  
38 ~~water, sewer, and solid waste issues. The committee was comprised of~~  
39 ~~representatives from electric power purveyors, Cascade Natural Gas, Whatcom~~  
40 ~~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 Reason for change: Omitting outdated information.

29 **GMA Goals ~~and~~, County~~w~~-Wide Planning Policies, ~~and~~ Visioning Community**  
30 **Value Statements**

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

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

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

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

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

26 Reason for change: Omitting outdated information.  
 27

## 28 GMA Requirements

29 The Growth Management Act mandates that counties required to plan under the act  
 30 adopt comprehensive plans including "a utilities element consisting of the general  
 31 location, proposed location, and capacity of all existing and proposed utilities,  
 32 including, but not limited to, electrical lines, telecommunication lines, and natural  
 33 gas lines." The utilities element will include maps illustrating existing and proposed  
 34 facilities and define goals and policies concerning those facilities and future  
 35 proposed locations for utility facilities and corridors. By future proposed locations, it  
 36 is the interpretation of Whatcom County that "proposed" means projects that have  
 37 been submitted to the appropriate Whatcom County agency seeking permits or  
 38 approval. See **Map 11**, which shows existing and planned electrical facilities; **Map**  
 39 **12**, natural gas facilities; and **Map 13**, communications facilities.

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

1 Whatcom County is not a municipal purveyor of electric power or water. While this  
2 chapter ~~of the comprehensive plan does thoroughly~~ addresses provision of electric  
3 power and other utilities by private and public purveyors, ~~the chapter~~ it does not  
4 address water supply other than as might be provided by Whatcom PUD or through  
5 other various water districts, associations, or private wells with one or more  
6 connections. Water supply and coordination affected by these organizations or  
7 parties is largely addressed in the *Whatcom County Coordinated Water System Plan*  
8 (*CWSP*). Maps showing locations of water purveyors' pipelines and service areas, ~~of~~  
9 ~~water purveyors~~ and locations of existing sewer system areas, are adopted as they  
10 presently exist or are modified.

## 11 **Background Summary**

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

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

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

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

## 37 **Issues, Goals, and Policies**

### 38 **Locational Criteria for Siting Utilities**

39 County ~~Wide~~ Planning Policies, ~~the Visioning Process~~, open space, greenways, the  
40 environment, zoning, existing development patterns, ~~Growth Management~~ urban  
41 growth areas, and other physical, political, business, economic, and geographical  
42 constraints will demarcate both the need for and the locations available for any new

1 electric power and/or natural gas corridors. Electric power, communications and  
 2 natural gas purveyors are part of regional systems that are demand-driven and are  
 3 regulated at the State and, to some degree, at the Federal levels. This chapter  
 4 provides for general locations of utility facilities needed in the future. Precise  
 5 locations will be determined in the future and will be evaluated through existing  
 6 regulatory and review processes including conditional use and environmental  
 7 review.

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

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

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

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

25 Policy 5A-2: When expansion or improvements of utility systems are being  
 26 considered, Whatcom County prefers the following in the order  
 27 provided:

- 28 • upgrading of existing facilities in existing corridors;
- 29 • replacing facilities in existing corridors where appropriate;
- 30 • sharing existing corridors.

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

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

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

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

41 Reason for change: Expand to include all Threatened & Endangered species, not  
 42 just fish.

## 1 Trends in Utility Technology

2 Changing technology will affect the costs and types of utility services and systems  
 3 available. Technologies can evolve very rapidly, particularly when breakthrough  
 4 discoveries occur. ~~Fiber optics are a good example; it is generally accepted that  
 5 fiber optics technology is changing the way we communicate, and is doing so  
 6 rapidly and in a widespread manner.~~ It is likely that new technologies will emerge  
 7 and existing technologies will evolve within ~~this~~ the planning period.

8 Reason for change: Removing outdated information.

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

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

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

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

17 Policy 5B-4: Support development regulations that are flexible and receptive to  
 18 innovations and advances in communication technologies technology  
 19 and that recognize the positive impact of moving information rather  
 20 than people.

21 Policy 5B-5: Work closely with major utility providers to enhance the eCounty and  
 22 private geographic information systems (GIS) data-bases.

## 23 Electric Power, Natural Gas, Petroleum, and Telecommunications

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

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

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

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

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

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

6 Reason for change: Revised for clarity – utility installation and projects don't always  
7 coincide.

8 Policy 5C-4: Make use of advanced technology to assist government operations  
9 and enhance public accessibility.

10 Policy 5C-5: Encourage regional planning of public facilities and utilities ~~which that~~  
11 will facilitate coordinated land-use management and capital facility  
12 construction.

13 Policy 5C-6: Support capital facilities to correct existing deficiencies, and to  
14 accommodate new growth in an efficient, cost effective, and timely  
15 fashion.

16 Policy 5C-7: Public facilities and utilities will be designed and located in a manner  
17 ~~which that~~ protects the integrity of planned land uses, existing land  
18 forms, drainage ways, natural systems, critical areas, and resource  
19 lands.

20 Policy 5C-8: Extension of urban utility services shall be limited to areas  
21 designated for urban development. ~~will be carefully staged in order~~  
22 ~~to discourage new development in areas that are premature in terms~~  
23 ~~of planning, timing and funding.~~

24 ~~Policy 5C-9: Extension of urban governmental services and utilities will be~~  
25 ~~confined to areas planned for urban development and be consistent~~  
26 ~~with the optimal land use and urban growth area plan.~~

27 Reason for change: Consolidating two similar policies – urban governmental  
28 services policies are contained in Chapters 2 and 4.

29 Policy 5C-~~10~~9: Appropriately scale pPublic utility systems ~~will be appropriately~~  
30 ~~sealed~~ to accommodate anticipated population growth.

### 31 **Permitting Process Efficiency**

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

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

1 | Policy 5D-1: Maintain streamlined and simplified permitting processes relating  
 2 | to installation of utility facilities designed to serve existing or  
 3 | approved development.

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

5 | **Goal 5E: Reduce unnecessary obstacles to land use development**  
 6 | **applications.**

7 | Policy 5E-1: County Planning and Development Services will notify and seek  
 8 | comment from utility operators concerning land use development  
 9 | applications adjacent to existing major utility facilities and will take  
 10 | comments received under advisement.

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

14 | Policy 5E3: Utility companies shall provide notification of proposed projects to  
 15 | abutting landowners when required by County code.

## 16 | **Impediments to the Provision of Utilities**

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

22 | **Goal 5F: Identify and remove impediments to effective siting of**  
 23 | **necessary utility facilities.**

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

## 27 | **Regulatory Controls Encouraging Energy Conservation**

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

36 | **Goal 5G: Support cost-effective conservation as a significant supply**  
 37 | **factor and implement policies that promote energy**  
 38 | **conservation measures.**

39 | Policy 5G-1: ~~Review and revise existing and proposed~~ Land use regulations should  
 40 | be for consistency with the conservation and ~~the~~ other goals in this  
 41 | chapter.

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

3 Policy 5G-3: Support energy conservation and energy efficiency in all proposed  
4 residential, commercial, and industrial projects by improving the  
5 energy efficiency of new construction and the existing building stock  
6 through building codes and practices, and support refurbishing and  
7 remodeling projects to include energy efficient components via  
8 expedited permitting and assistance.

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

13 Policy 5G-5: The County should consider funding and promoting energy education  
14 services in order to inform citizens on energy conservation and the  
15 use of renewable energy sources.

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

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

22 Policy 5H-1: ~~Land use Review and revise existing and proposed~~ regulations should  
23 be for consistency\_ with the renewable energy goals and ~~the~~ other  
24 goals in this chapter.

25 Policy 5H-2: Encourage and support the development of renewable energy  
26 projects and technologies, including pursuing renewable energy  
27 supply portfolios for the County from power suppliers as well as small  
28 local renewable energy projects such as anaerobic digesters and  
29 solar and wind energy, where applicable.

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

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

### 35 **Utility Corridors**

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

41 Questions have been raised concerning potential for long-term, adverse health  
42 effects associated with exposure to 60Hz electric and magnetic fields. Many studies

1 have been conducted concerning those effects and many are in process; results are  
2 mixed.

3 **Goal 5J: Facilitate maintenance and rehabilitation of existing utility**  
4 **systems and facilities and encourage use of existing utility**  
5 **corridors.**

6 Policy 5J-1: Encourage utility providers to explore expanded and/or joint use of  
7 existing utility corridors before seeking sites for new rights-of-way.

8 Policy 5J-2: Promote, when reasonable and feasible, the co-location of new public  
9 and private utility distribution facilities in shared trenches/corridors,  
10 as well as coordination of construction timing.

11 Policy 5J-3: Allow for recreational use of utility corridors where practical.

12 Policy 5J-4: ~~Require~~ Encourage utility companies to notify impacted residents of  
13 vegetation control measures.

14 Reason for change: Code does not have requirements for notification of vegetation  
15 control measures.

16 **Goal 5K: Be responsive to new information on electric and magnetic**  
17 **field (EMF) research progress.**

18 Policy 5K-1: As new information regarding EMF becomes available, consider the  
19 need for new standards.

20 Policy 5K-2: Educate the public with regard to any new information concerning  
21 possible EMF health effects.

22 **Goal 5L: Support direct and indirect economic benefits to Whatcom**  
23 **County originating with energy or utilities in general.**

24 Policy 5L-1: Recognize economic benefits derived from coordination of utilities  
25 with established and projected residential, commercial, and industrial  
26 growth patterns in the County.

27 Policy 5L-2: Require a utility proponent to show how the proposal provides local  
28 or regional benefit.

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

30 Transmission of hazardous liquids and gases by pipeline is an efficient and  
31 convenient, essential transportation mode for transporting these products. ~~While~~  
32 ~~pipelines offer an efficient and convenient method of transport~~ However, potential  
33 for ruptures and uncontrolled leaks of products which are highly flammable,  
34 explosive, or toxic requires careful consideration of pipeline siting and protection of  
35 pipelines from third party damage.

36 The goals of Whatcom County regarding pipelines are: to provide safety for County  
37 residents and to provide predictability for future pipeline siting.

38 The County is not able to control all issues regarding pipelines, as there are other  
39 agencies with jurisdictional authority (such as the EFSEC Energy Facility Site  
40 Evaluation Council and the FERC Federal Energy Regulatory Commission), as well as

1 demand from areas outside of Whatcom County, which preclude the County from  
 2 having the ultimate authority. Nonetheless, goals and policies for the County are  
 3 appropriate and incorporated herein.

4 The following goals and policies shall apply to all natural gas and hazardous liquid  
 5 transmission pipelines. This shall include pipelines which operate at a hoop stress of  
 6 twenty percent or more of the specified minimum yield strength or as may be  
 7 amended hereafter by federal regulations. Such a pipeline would by federal, state,  
 8 and local definition be classified as a transmission line. The goals and policies  
 9 presented herein should be interpreted in conjunction with the general utility  
 10 policies of this chapter where applicable, with priority and deference given to these  
 11 policies which are specific to natural gas and hazardous liquid pipelines where they  
 12 appear contradictory. *The Natural Gas and Hazardous Liquid Pipelines Background*  
 13 *Report* contains more detailed information regarding pipelines and related issues  
 14 ~~and is adopted by reference~~. The Utilities Committee concluded notification was the  
 15 most appropriate method to meet the County's goals, as opposed to imposing  
 16 setbacks or other restrictions which would limit landowners' use of land on the  
 17 remote possibility an event would occur. Map 12 indicates a notification area of  
 18 1320 feet (660 feet from each side from the pipeline) for natural gas and hazardous  
 19 liquid transmission pipelines, which may be of value to the public.

20 Reason for Change: We only adopt by reference though policies, not in narrative.

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

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

31 Policy 5M-2: Carefully scrutinize new or updated franchise agreements, ~~R,~~ review  
 32 and evaluate model franchise agreements, if available, for provisions  
 33 to be incorporated into negotiation discussions regarding proposed  
 34 provisions in future franchise agreements.

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

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

- 1 GIS ~~department staff~~ is to provide update copies of all major pipeline  
2 routes to Whatcom County's Division of Emergency Management.
- 3 Policy 5M-5: Require, early in the transmission pipeline permitting process, that  
4 the proponent provide funds to the County, adequate to cover the  
5 cost of an informational session which will be conducted by an  
6 independent third-party to be selected by the County on the topics of  
7 eminent domain and right-of-way acquisition. Pipeline proponents  
8 shall also be required to conduct "open house" and "town\_hall" style  
9 public meetings as a part of ~~County any~~ land use development  
10 permit process for a new or major transmission pipeline expansion.
- 11 Policy 5M-6: Require transmission pipeline proponents to notify all fire ~~districts~~,  
12 water, and sewer districts, and jurisdictions with urban growth areas  
13 where the siting of new pipelines crosses those service areas.
- 14 Policy 5M-7: Monitor transmission pipeline construction to ensure pipelines are  
15 installed in accordance with all applicable critical area regulations.
- 16 Policy 5M-8: Encourage the Office of Pipeline Safety to enact stronger safety  
17 measures for transmission pipelines, and to encourage pipeline  
18 applicants to voluntarily enact stronger safety measures than  
19 required by federal law ~~in Whatcom County~~.
- 20 **Goal 5N: Develop locational siting criteria specific to special conditions**  
21 **regarding transmission and large distribution pipelines.**
- 22 Policy 5N-1: ~~Utilize Use a~~ GIS-based siting criteria for evaluating transmission  
23 pipelines ~~which is~~ consistent with the comprehensive plan policies for  
24 transmission pipelines and the recommendations in the *Natural Gas*  
25 *and Hazardous Liquid Pipeline Background Report*.
- 26 Policy 5N-2: Encourage transmission pipelines to ~~follow~~ locate adjacent to  
27 established corridors where possible. Require applicant justification  
28 for proposed deviations.
- 29 Policy 5N-3: Transmission pipelines are inappropriate and discouraged in urban  
30 growth areas and areas of intense rural development ~~which would~~  
31 ~~render such pipeline siting inappropriate~~.
- 32 Policy 5N-4: No transmission pipeline facilities should be constructed or located in  
33 critical areas without fully mitigating the project impact.
- 34 Policy 5N-5: Designated agricultural and forestry lands ~~in the Comprehensive Plan~~  
35 are preferred locations for transmission pipelines.
- 36 Policy 5N-6: Restrict the location of transmission pipelines in high-risk landslide  
37 areas where evidence of instability could be ascertained by recent  
38 events, or verifiable geological conditions.
- 39 Policy 5N-7: For natural gas transmission pipelines, encourage siting of critical  
40 facilities and high occupancy facilities pursuant to the regulations of  
41 WAC 480-93-020, and 480-93-030 (not closer than 500' from a 500  
42 psi pressure or greater pipeline, not closer than 100' from a pipeline

1 with a pressure between 250 and 499 psi) and as hereafter  
2 amended.

### 3 **Water Supply**

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

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

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

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

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

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

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

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

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

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

42 | Reason for Change: Text updated and moved from Chapter 1. CWSP plan is in the  
43 | process of being updated, with an expected completion date of 2016. That  
44 | document will contain additional updated and detailed information.

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

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

25 Reason for Change: Remove or edited outdated information.

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

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

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

1 Management Project ~~has been~~was initiated~~implemented~~ to address issues of water  
 2 quantity, water quality, fish habitat, and in-stream flows. Additionally, Whatcom  
 3 County created the Water Resources Division of the Public Works Department in  
 4 1999 to address water issues.

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

13 Reason for Change: Water availability issues are discussed in Chapter 11.

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

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

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

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

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

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

41 Policy 5P-4: The County should periodically examine its role as a potential  
 42 purveyor of water and sewer service in order to determine if  
 43 increased involvement may be needed to help solve some of the  
 44 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 Reason for Change: Moved from Chapter 5 Action Plan item 26, which was not  
10 addressed previously in policies.

11 **Goal 5Q: Work with ~~Whatcom County PUD and other water purveyors~~**  
12 **to provide service to all existing and designated urban growth**  
13 **or industrial areas.**

14 Policy 5Q-1: Work with the PUD, ~~Birch Bay Water and Sewer District, Blaine,~~  
15 ~~Ferndale, Ecology, and other~~appropriate jurisdictions ~~as appropriate,~~  
16 to ensure adequate water rights and supplies to the Urban Growth  
17 Areas and designated industrial areas in northwest Whatcom County.  
18 Consider all options, including but not limited to, extension of water  
19 service areas, extending a water transmission pipeline from Ferndale  
20 to the District, to convey water from the PUD's and /or Ferndale's  
21 water rights, conjunctive management of surface and groundwater,  
22 artificial storage and recovery and reclamation of wastewater.

23 Policy 5Q-2: Ensure provision of urban levels of water service to urban growth  
24 within areas designated for urban growth.

25 Policy 5Q-3: Periodically rReview Urban Growth Areas to ensure appropriate  
26 actions have occurred to provide adequate water supplies.

27 Policy 5Q-4: Encourage annexation of areas zoned for urban densities concurrent  
28 with extension of urban level services.

29 Policy 5Q-5: The County should work closely with purveyors and the State  
30 Department of Health in the development and review of  
31 Comprehensive Water Plans to ensure consistency with land use and  
32 urban growth area needs.

33 ~~Policy 5Q-6: Where necessary, to protect public health or the environment, utility~~  
34 ~~extensions may be made.~~

35 Reason for Change: GMA, case law governs this.

36

37 Policy 5Q-~~7~~6 The County will work with the Department of Ecology, City of  
38 Bellingham, the Port of Bellingham, the PUD, and local, regional, and  
39 state economic development agencies to ensure an adequate water  
40 supply to areas planned for industrial development.

1 **Goal 5R: Ensure that potable water supplies required to serve**  
2 **development are available at the time the development is**  
3 **available for occupancy and use.**

4 Policy 5R-1: Building permit applicants, new subdivisions, short plats, and binding  
5 site plans will be required to provide evidence that adequate and  
6 legal (in consultation with the Department of Ecology) supplies of  
7 water are available prior to their approval by the County.

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

## 10 Sewage Treatment

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

25 **Goal 5S: Reduce the incidence of on-site sewage treatment system**  
26 **failure through system management and enforcement of**  
27 **standards.**

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

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

35 Policy 5S-3: The development and implementation of the maintenance and  
36 operation program should consider use of the private sector where  
37 possible.

38 **Goal 5T: Support development of new sewage treatment facilities,**  
39 **including new pipelines and extensions of existing pipelines,**  
40 **to areas designated for urban-level growth.**

41 Policy 5T-1: Discourage extension of sewer lines in areas not designated as urban  
42 growth areas or Rural Communities, except in those limited  
43 circumstances shown to be necessary to protect basic public health

1 and safety and the environment and when such services are  
2 financially supportable at rural densities and do not permit urban  
3 development.

4 Policy 5T-2: For those areas designated as Rural Communities and wishing to  
5 infill, work with the communities to create sewer and water districts  
6 as necessary to manage both utilities. Public water and sewer service  
7 shall be limited to areas where existing lot sizes and development  
8 patterns make public water and sewer appropriate and shall not be  
9 extended outside of the Rural Community.

10 Policy 5T-3: Assist sewer and water districts in environmental review and  
11 mitigation and in preparing grant applications to obtain package  
12 sewer services that can be developed in a phased and cost-effective  
13 manner to serve designated Rural Communities.

14 Policy 5T-4: Support the development of new technology and alternative sewage  
15 disposal methods as an alternative to expensive sanitary sewer  
16 systems to assure ground water quality is maintained.

## 17 **Solid Waste Management**

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

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

35 State law (RCW 70.95.010) requires counties to plan an integrated solid waste  
36 management system that emphasizes waste reduction and recycling. Management  
37 of solid waste that cannot be recycled can be incinerated or placed in a landfill.  
38 Whatcom County Health Department is the lead planning agency for solid waste  
39 planning in the County as of January 1, 2015, taking on the responsibility formerly  
40 with the Public Works Department. The County prepared a Comprehensive Solid  
41 and Hazardous Waste Management Plan in 2008 and began the process of updating  
42 the plan in 2014. That plan has been prepared to meet the requirements of RCW  
43 70.95.

1 Private collection, processing, and disposal services managed in accordance with  
 2 the provisions of county ordinances and city contracts constitute Whatcom County's  
 3 solid waste management system. Adopted Disposal and Collection Districts, and a  
 4 Service Level Ordinance serve as the foundation for county waste management.  
 5 The Lummi and Nooksack Reservations and the Newhalem area are not included in  
 6 the ~~e~~County's waste management plan.

7 Generally, ~~e~~County waste management system priorities are met by waste  
 8 prevention, recycling and source-separated composting, market development to  
 9 increase local use of recycle-ables, collection, transfer, export, and land-filling.

10 The county includes several waste-prevention programs as part of its highest waste  
 11 management priority, including waste reduction and re-use, education, legislation,  
 12 and governmental waste-prevention activities. Education is directed at school-age  
 13 children through in-school programs; at shoppers; and at the general public  
 14 through awareness programs, videos, demonstration sites, and awards programs.

15 Whatcom County and the City of Bellingham jointly provide a hazardous waste  
 16 management program including education, technical assistance, and operation of a  
 17 moderate risk waste (MRW) facility. The MRW facility receives household hazardous  
 18 waste and small quantities of commercial hazardous waste and prepares the waste  
 19 for ~~re-use or transport to a hazardous waste landfill~~ off-site treatment in Oregon.  
 20 The County and City also jointly maintain a clean green yard waste facility open to  
 21 all County residents.

22 Reason for Change: Remove outdated information.

23 **Goal 5U:** ~~Support waste prevention for both solid waste and hazardous~~  
 24 ~~substances—waste as a primary focus prior to waste~~  
 25 ~~management.~~  
**Support waste prevention for both solid waste and hazardous**

26 Policy 5U-1: Support solid waste source reduction activities including conservation  
 27 education programs, source reduction programs for county agencies,  
 28 a waste exchange and materials re-use clearinghouse, and home  
 29 composting and other activities related to yard debris.

30 **Goal 5V:** ~~The County's waste diversion goal is to reach 50 percent~~  
 31 ~~source-separated recycling, with additional diversion~~  
 32 ~~potentially available through waste processing of non-source-~~  
 33 ~~separated recyclables.~~  
**The County's waste diversion goal is to reach 50 percent**

34 **Goal 5W:** ~~Using existing and future technologies, mMake available safe,~~  
 35 ~~effective, economical, and environmentally sound techniques~~  
 36 ~~for solid and hazardous waste disposal available using~~  
 37 ~~existing and future technologies.~~  
**Using existing and future technologies, mMake available safe,**

38 Policy 5W-1: Support best -management practices for disposal of household,  
 39 commercial, and industrial solid and hazardous wastes.

40 Policy 5W-2: ~~Establish—Maintain~~ and enforce standards for disposal of bio-solids,  
 41 including management of the amount of heavy metals and other  
 42 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 ~~1. Provide a mechanism for the county and utility providers to cooperatively~~  
6 ~~support education programs for both citizens and government officials on~~  
7 ~~conservation issues, and promote awareness regarding location of all types~~  
8 ~~of utility facilities.~~

9 Reason for change: This item is already addressed by Policies 5M-3 and 5U-1.

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

11 Reason for change: See Policy 5G-6.

12 ~~3. Directly support communities to work with utility providers in promoting~~  
13 ~~utility conservation.~~

14 Reason for change: This item is already addressed by Goal 5-G and implementing  
15 policies.

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

17 Reason for Change: This item is already addressed by Goal 5-G and implementing  
18 policies.

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

20 Reason for change: Energy codes are part of IBC, which the County has adopted.  
21 IBC is reviewed regularly at the state level.

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

25 Reason for Change: This item is addressed Goal 5-G and implementing policies.

26 ~~7. Adopt land-use implementation strategies such as development standards~~  
27 ~~and incentives, and investigate multiple problem solving aimed at conserving~~  
28 ~~water and energy.~~

29 Reason for change: This item is addressed Goal 5-G and implementing policies.

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

31 Reason for change: Energy codes are part of IBC, which the County has adopted.

### 32 ~~Alternative Energy Sources~~

33 ~~9. Adopt solar access ordinances such as solar orientation and solar design~~  
34 ~~standards.~~

35 Reason for Change: See Goal 5H and implementing polices, and Policy 6G-3.

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

2 Reason for change: This item was addressed by adoption of ordinances on wind  
3 energy systems and electric vehicle charging.

4 **Permitting Process**

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

6 Reason for change: This item is already addressed by Policies 5D-1 and 5D-2.

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

8 Reason for change: screening is required between unlike zones, WCC 20.80.300.

9 ~~13. Direct growth and appropriate utility facilities to designated urban growth  
10 areas.~~

11 Reason for change: This item is already addressed by Policy 5C-8

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

15 Reason for change: This item already addressed in WCC 20.81.050.

16 **Task Forces**

17 ~~15. Direct the county Health Department to do the following concerning EMF:  
18 • monitor research;  
19 • plan and accomplish public education concerning EMF; and  
20 • review regulations and policy.~~

21 Reason for change: This item is already addressed by Policies 5K-1 and 5K-2.

22 **Education and Information**

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

26 Reason for change: Information on "one call" is currently provided with permit  
27 materials.

28 ~~17. Design an educational program and handouts which explain the importance  
29 of using the "one-call" system.~~

30 Reason for change: Need to review administratively and prioritize on work plan.

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

34 Reason for change: Need to review administratively and prioritize on work plan.

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

Reason for change: Need to review administratively and prioritize on work plan.

~~**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 placed 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.~~

Reason for change: This item is already addressed under Goal 5N.

~~**Water Supply**~~

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

Reason for change: County already supports CWSP – intent unclear.

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

Reason for change: This item is addressed in WRIA 1 and CWSP.

~~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.~~

Reason for change: This item already addressed in Policy 5P-1.

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

Reason for change: This item already addressed in Policy 5P-2 and in Chapter 11.

~~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.~~

Reason for change: This item moved to new Policy 5P-6.

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

Reason for change: This is already addressed by Policies 5U-1 and 5Q-3.

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

1 Reason for change: This is already required.

2 ~~29. The county shall notify purveyors of potential inconsistencies between their~~  
3 ~~water system plans and the comprehensive plan, and shall work with them to~~  
4 ~~find acceptable solutions.~~

5 Reason for change: This is already part of CWSP process.

6 ~~30. The county shall work with rural water system operators to achieve level of~~  
7 ~~service and construction standards for rural systems that are consistent with~~  
8 ~~rural densities and service expectations.~~

9 Reason for change: This item already addressed in Policy 5R-2.

10 ~~**Sewage Treatment**~~

11 ~~31. Establish a maintenance management program for all new and existing septic~~  
12 ~~treatment systems.~~

13 Reason for change: This item already addressed in Policies 5S-1, 2, and 3.

14 ~~32. Require no-protest agreements from all developers for sewer service LIDs.~~

15 Reason for change: This is not currently being required – policy discussion may be  
16 warranted prior to inclusion in comprehensive plan as policy.

17 ~~**Solid Waste Management**~~

18 ~~33. Monitor changes in technology and in the marketplace that could change the~~  
19 ~~economics of solid waste management and waste-to-energy projects.~~

20 Reason for change: This item already addressed in Policy 5W-1.

21 ~~34. Implement the recommendations of the Whatcom County 1999~~  
22 ~~Comprehensive Solid Waste Management Plan.~~

23 Reason for change: CSWMP is currently being updated, Health Department is  
24 charged with implementation.