

RESOLUTION NO. _____

IDENTIFYING APPROACHES TO EXPAND BROADBAND ACCESS IN WHATCOM COUNTY

WHEREAS, Whatcom County recognizes broadband as an essential utility and critical infrastructure requiring significant public investment; and

WHEREAS, many communities within Whatcom County do not have adequate access to affordable, high-speed internet; and

WHEREAS, this lack of access has created a digital divide and exacerbated inequities in rural and already unserved and underserved communities; and

WHEREAS, many people rely upon stable internet for meeting basic needs such as working, attending school, accessing healthcare, or purchasing goods and services remotely; and

WHEREAS, Whatcom County is a supportive partner with the Port of Bellingham (Port) and Public Utility District No. 1 of Whatcom County (PUD) in the effort to expand broadband throughout Whatcom County; and

WHEREAS, Whatcom County has invested millions of dollars in matching funds for high-priority Port and PUD broadband projects throughout rural Whatcom County; and

WHEREAS, on April 15, 2023, Whatcom County entered into an interlocal agreement (Contract #202304010) formalizing its partnership with the Port and PUD; and

WHEREAS, the interlocal agreement provides a framework to coordinate and collaborate, including the establishment of a joint broadband steering committee to facilitate and provide joint decision-making on a publicly owned rural broadband fiber network; and

WHEREAS, it is in the best interest of Whatcom County to establish policy to coordinate the installation of utilities, including broadband telecommunications, during certain planned and permitted road construction projects and all residential, commercial, and industrial development; and

WHEREAS, developing a framework for utility coordination helps streamline processes, increase efficiency, minimize excavation on roads, and reduce the cost of installing utilities; and

WHEREAS, this framework helps Whatcom County move forward in our collective efforts to increase access to quality and affordable broadband for all residents of Whatcom County; and

WHEREAS, this resolution outlines action items that are critical to the County's goal to increase access to broadband; and

1 **WHEREAS**, for the purpose of efficiency and providing clear policy guidance, this
2 resolution aims to establish Council support for potential approaches that form a broadband
3 access policy.
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5 **NOW, THEREFORE, BE IT RESOLVED** by the Whatcom County Council that the
6 County Council and their staff will work cooperatively with the County Executive and their
7 staff to develop proposals on the following topics for Council consideration and possible
8 action as appropriate to improve access to broadband for all residents of Whatcom County:
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- 10 1. A joint notification system to communicate and facilitate opportunities for the Port, PUD,
11 and other public and private utility and telecommunications providers (including internet
12 service providers) to install utility infrastructure, such as broadband conduit and/or fiber.
13 Notification to all utility and telecommunications providers could be sent during all
14 planned and permitted road construction projects and residential, commercial, and
15 industrial development (in high-priority broadband areas) to allow for timely
16 coordination and installation of utilities. The County's 'Stay Informed' list could be a tool
17 to facilitate the notification.
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- 19 2. A 'notification and coordination of construction activities' clause to be included in all new
20 and renewed franchise agreements. For example, language may read:
21 Coordination of construction activities; Shared excavations
22 Grantee and the County shall each exercise reasonable efforts to coordinate any
23 construction work that either may undertake within the Right-of-Way so as to
24 promote the orderly and expeditious performance and completion of such work as
25 a whole. Grantee and the County shall further exercise reasonable efforts to
26 minimize any delay or hindrance to any construction work undertaken by the
27 Parties within the Right-of-Way.
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- 29 3. A geographic information services (GIS) "Broadband Priority Map," partnering with the
30 PUD and Port to develop a multilayered GIS map that can take inventory of current
31 internet availability and identify high-priority areas where future installation or
32 improvements to broadband service could be most reasonable and track where conduit
33 and/or fiber were installed .
 - 34 a. Partner with relevant parties such as the Broadband Steering Committee, internet
35 service providers, and county staff to establish criteria to help guide and identify
36 priority areas on the "Broadband Priority Map".
 - 37 b. Use this map in tandem with the notification system to facilitate coordination of
38 utility and telecommunications installation including coordinated trenching for
39 broadband/internet infrastructure during ground disturbance in the County Right
40 of Way efficiently and cost-effectively.
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- 42 4. The addition of broadband/internet infrastructure to any relevant permit review check
43 lists, effectively making broadband/internet a required utility as a condition of permit for
44 all residential, industrial, and commercial development.
45
- 46 5. Coordination between contractors and utility and telecommunications providers to
47 facilitate the installation of broadband/internet infrastructure for certain right-of-way
48 construction projects, as identified by the "Broadband Priority Map" and criteria.
 - 49 a. Develop criteria for exemption from the requirement where compliance is found
50 to be not practical or feasible. Include an option for a director to approve an
51 exemption in whole or in part, with or without conditions.
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- 6. A moratorium on excavating new or recently excavated roads, unless there is an active declared emergency or with administrative approval.
 - a. A prohibition of excavation can be considered for new or recently excavated roads for a specified period of years to incentivize coordinated trenching.
 - b. Exempt certain projects from the moratorium where excavation is found to be necessary in the interest of public safety. Include an option for director approval of an exemption in whole or in part, with or without conditions; and

ADOPTED this ____ day of _____, 2023.

ATTEST: WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

WHATCOM COUNTY EXECUTIVE
APPROVED AS TO FORM:

WHATCOM COUNTY, WASHINGTON

Karen Frakes (by email 8/1/2023)

Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed: _____