

RESOLUTION NO. _____

**REQUESTING THAT THE WHATCOM COUNTY EXECUTIVE AND DEPARTMENT
STAFF PROPOSE AMENDMENTS TO THE WHATCOM COUNTY CODE
TO SUPPORT CLEAN ENERGY**

WHEREAS, clean energy is a resource that preserves public health, safety, and welfare by reducing the emission of greenhouse gases; and

WHEREAS, the Clean Energy Transformation Act (CETA) ([SB 5116, 2019](#)) commits Washington State to an electricity supply free of greenhouse gas emissions by 2045; and

WHEREAS, on November 9th, 2021, the Whatcom County Council approved [Resolution 2021-049](#) adopting the [2021 Climate Action Plan](#); and

WHEREAS, the [2021 Washington State Energy Strategy](#) acknowledges that importing renewable energy from eastern Washington and other nearby states is limited by transmission, which can take decades to plan and build; and

WHEREAS, the 2021 Climate Action Plan is committed to fostering the local growth of clean energy adoption such as solar power, geothermal energy, and hydrogen fuel to harness its environmental and economic benefits and create energy resilience; and

WHEREAS, the 2021 Climate Action Plan recommends setting a goal consistent with the U.S. Department of Energy programs to provide community solar energy to 3,500 Whatcom County households by 2025; and

WHEREAS, according to the [2019 Community Research Project](#), lack of community solar is a common concern of Whatcom County stakeholders; and

WHEREAS, the [U.S. Department of Energy](#) (DOE) defines community solar as a project or purchasing program that provides energy flow to multiple customers' types and allows subscription to a shared system of solar panels from larger 'solar farms' and land-based solar energy systems; and

WHEREAS, land-based solar energy systems are ground-mounted solar arrays that offer an independent source of energy or serve as part of a hybrid system, allowing property owners to choose an electric supply at a fixed price and offer the ability to generate extra income by selling surplus electricity to a utility; and

WHEREAS, community solar projects benefit renters and low-income households by creating greater equity and energy access, as renters do not have access and many homeowners cannot afford the costs of rooftop solar; and

WHEREAS, the Washington State Department of Ecology is [undergoing a process](#) to produce statewide Programmatic Environmental Impact Statements to evaluate impacts and mitigations for future clean energy projects including utility scale solar and wind power, Green Hydrogen, and co-located battery storage systems, to be completed by 2025; and

1 **WHEREAS**, the 2021 Climate Action Plan promotes the need to research, develop, and
2 collaborate to build a hydrogen electrolysis facility to support the transition of large diesel
3 engines found in shipping and construction to emissions-free hydrogen fuel cells; and
4

5 **WHEREAS**, the [U.S. DOE defines electrolysis](#) as carbon-free hydrogen production which
6 splits hydrogen and oxygen cells using renewable electricity sources through a unit called an
7 “electrolyzer”; and
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9 **WHEREAS**, the [U.S. DOE Energy Earthshots Initiative](#) aims to expand the hydrogen
10 market and reduce the cost of clean hydrogen by 80% by 2031; and
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12 **WHEREAS**, Washington State passed [SB 5588-2019](#) which authorizes public utilities
13 districts (PUDs) to produce, distribute and sell renewable hydrogen energy; and
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15 **WHEREAS**, according to the 2019 Community Research Project, community members
16 are advising the County to explore geothermal projects and resources for power production in
17 Western Washington; and
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19 **WHEREAS**, the U.S. DOE supports the [Enhanced Geothermal Earthshots Initiative](#) as an
20 effort to reduce by 90% of the cost of enhanced geothermal systems by 2035 and promote
21 carbon-pollution-free electricity; and
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23 **WHEREAS**, the [U.S. DOE defines geothermal energy](#) as a renewable resource such as
24 natural or man-made reservoirs of hot water deep below the Earth’s surface which can be used
25 for electricity generation, heating and cooling, or direct use of hot water; and
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27 **WHEREAS**, the Washington State Department of Natural Resources (DNR) has
28 conducted research to pinpoint areas in Washington state where geothermal energy
29 development would be most promising and has concluded that the test well sites near Baker
30 Lake and south of Mt. Baker have commercial scale temperature gradients; and
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32 **WHEREAS**, [WCC 20.68.060](#) limits the siting of electricity-generating facilities, including
33 those utilizing renewable resources, to Heavy Impact Industrial (HII) zones; and
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35 **WHEREAS**, Whatcom County Code currently prohibits all uses that are not explicitly
36 listed within the code as a permitted, accessory, administrative approval, or conditional use
37 within a zoning district; and
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39 **WHEREAS**, on September 21, 2023, the Whatcom County Climate Impact Advisory
40 Committee (CIAC) discussed the need for revised codes to accommodate the expansion of clean
41 energy systems; and
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43 **WHEREAS**, the adoption of clear and comprehensive codes for land-based solar energy,
44 geothermal energy, and hydrogen energy is essential for the safe and efficient expansion of
45 clean energy systems; and
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47 **WHEREAS**, Whatcom County needs to expand clean energy alternatives to meet the
48 goals of Washington State and the Climate Action Plan (2021).
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1 **NOW, THEREFORE, BE IT RESOLVED** that the Whatcom County Council requests the
2 Executive's Office, Planning and Development Services (PDS) Department, Public Works
3 Department, and other staff as needed propose an amendment to the Whatcom County Code to
4 address land-based solar systems; and
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6 **BE IT FURTHER RESOLVED** that the Whatcom County Council requests the Executive's
7 Office, PDS Department, Public Works Department, and other staff as needed propose an
8 amendment to the Whatcom County Code to address hydrogen fuel systems; and
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10 **BE IT FURTHER RESOLVED** that the Whatcom County Council requests the Executive's
11 Office, PDS Department, Public Works Department, and other staff as needed propose an
12 amendment to the Whatcom County Code to address geothermal energy systems; and
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14 **BE IT FINALLY RESOLVED** that the Whatcom County Council requests that Planning
15 and Development Services Department staff add these projects to address code amendments
16 for land-based solar energy, geothermal energy, and hydrogen energy into the annual docket of
17 proposed code amendments.
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23 **APPROVED** this ____ day of _____, 2023.
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27 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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30 _____
Dana Brown-Davis, Clerk of the Council

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Barry Buchanan, Council Chair

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33 APPROVED AS TO FORM:

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35 _____
Karen Frakes by email 10/17/2023/ch

36
37 Civil Deputy Prosecutor