

## CHAPTER 5 – Utilities

#	Page	Section/Policy	Proposed Amendment	Sponsor	Meeting
1	5-1 5-6	Purpose Electric Power... Policy 5C-10, 11	Replace references to “broadband” with “internet”  <i>Rationale:</i> Internet is a broader term that encompasses technologies including but not limited to broadband and is more consistent with RES 2024-019 In Support of Expanding Access to Affordable and Reliable Internet for All Residents of Whatcom County.	Galloway	APPROVED via “CONSENT” SCOTW 3.17.26
2	5-4	Locational Criteria	It is the County’s preference that utility corridors must be located in areas of least impact to the public and environment as measured by proximity to populous and environmentally sensitive areas. <u>Furthermore, any construction activities within utility corridors should be done with proper notification and coordination.</u>	Galloway	APPROVED via “CONSENT” SCOTW 3.17.26
3	5-4	Goal 5A	Specify a clear process for determining appropriate locations <u>and coordinating construction activities</u> for future needed utility facilities.	Galloway	APPROVED via “CONSENT” SCOTW 3.17.26
4	5-4	Policy 5A-1	Use existing permitting and environmental review processes to evaluate and determine the suitability of proposed locations for any new utility facilities <u>not under exclusive Energy Facility Site Evaluation Council (EFSEC) jurisdiction or</u> above the distribution level.	Galloway	APPROVED via MOTION SCOTW 3.17.26
5	5-4	NEW Policy 5A-2 Renumber subsequent policies	<u>Policy 5A-2: Any new construction, expansion, or improvements of utility systems located within the County’s Rights-of-Way should be done with proper notification to and coordination with Whatcom County Public Works, any co-located utility providers, and area businesses and residents, as applicable.</u>	Galloway	APPROVED via “CONSENT” SCOTW 3.17.26
6	5-4	Policy 5A-2 (renumbered to 5A-3)	When expansion or improvements of utility systems <u>or generation facilities</u> are being considered, Whatcom County prefers the following in the order provided: <ul style="list-style-type: none"> <li>• upgrading of existing facilities in existing corridors;</li> <li>• <u>parcels where generation is currently sited, or in already disturbed sites;</u></li> <li>• replacing facilities in existing corridors where appropriate;</li> <li>• sharing existing corridors.</li> </ul>	Galloway	APPROVED via “CONSENT” SCOTW 3.17.26

7	5-5	Policy 5B-1	Facilitate the use of new technologies by allowing flexibility in regulations and policies affecting utility facilities when it can be shown that a net benefit, <u>including net reliability benefits</u> , to the public is likely to result.	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
8	5-5	Electric Power, Natural Gas...	<b>Scrivener in nature:</b> Acronym for Department of Labor and Industries (DLI) is more commonly <u>L&amp;I</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
9	5-6/7	Policy 5C-11	Encourage utility purveyors to <u>coordinate their construction activities and</u> consider underground installation and co-location of <del>broadband</del> facilities <u>as a way to minimize ground disturbance and improve overall resiliency of utility infrastructure.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
10	5-7	Permitting Process Efficiency	Time required for permitting processes can increase development costs and can impede the timely provision of electric power and other utilities to residential, commercial, and business users. Any new utility installation requires precisely designed and selected components to complete and bring a facility on line. Careful planning is necessary to ensure the proper components are available as needed. Delays in obtaining permits can disrupt planning cycles and can result in utility services not being available when needed. Local permit processing should not interfere with or cause long delays for the provision of utilities to residents, industry, or business. <u>However, permitting processes should also consider impacts to human and environmental health and facilitate mitigation measures when feasible.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
11	5-7	Policy 5D-1	Maintain streamlined and simplified permitting processes relating to installation of utility facilities designed to serve existing or approved development, <u>while mitigating against associated harms to human health and environment.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
12	5-8	Policy 5F-1	Periodically review existing regulations to identify <u>regulatory gaps</u> and <u>to</u> eliminate unintended or unreasonable constraints on the provision of necessary utilities as defined in this section.	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
13	5-8	NEW Policy 5F-2	<u>Policy 5F-2: Review and update Whatcom County Code to align with current state law.</u> <i>Note: For example, WCC 20.68.060 is out of alignment with RCW 80.50.020 as it pertains to generating capacity thresholds for thermal power plants.</i>	Galloway	APPROVED AS AMENDED via MOTION SCOTW 3.17.26
14	5-8	Policy 5G-5	The County <del>shall</del> <u>should work with utility providers and</u> consider <u>funding opportunities for coordinated public</u> education and outreach <del>and promoting energy education services in order to</del> inform the public about energy efficiency and renewable energy sources.	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26

15	5-9	Policy 5H-2 (renumbered to 5H-4)	Encourage and support the development of <u>low-carbon or</u> renewable energy projects and technologies, such as anaerobic digesters, solar, battery energy storage systems, wind energy, <del>and</del> geothermal, <u>nuclear, wave, tidal</u> , and green hydrogen where applicable.	Galloway	APPROVED AS AMENDED via MOTION COTW 3.24.26
16	5-10	NEW Policy 5K-3	<u>Policy 5K-3: Coordinate with Cities on the development, expansion, or improvement of energy and utilities infrastructure within city adjacent UGAs in effort to accommodate future growth and maximize potential benefits.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
17	5-10/ 11	Natural Gas and Hazardous Liquid Transmission Pipelines	<p><del>Natural</del> <b>Gas and Hazardous Liquid Transmission Pipelines</b></p> <p>Transmission of hazardous liquids and gases by pipeline is an efficient and convenient transportation mode for <del>transporting</del> these products. However, pipelines pose a risk of ruptures and uncontrolled leaks of products which that are highly flammable, explosive, or toxic and therefore require careful consideration of pipeline siting, nearby land uses, and protection of pipelines from excavation damage. <u>The goal is to protect the health, safety and welfare of County residents, to provide predictability for future pipeline siting, and to encourage communication and coordination with pipeline operators, landowners, and county, state and federal agencies.</u></p> <p>The County is not able to control all issues regarding pipelines, as there are other agencies with jurisdictional authority (such as the Energy Facility Site Evaluation Council and the Federal Energy Regulatory Commission), as well as demand from areas outside of Whatcom County, which preclude the County from having the ultimate authority. Nonetheless, goals and policies for the County are appropriate and incorporated herein.</p> <p>The following goals and policies shall apply to all <del>natural</del> gas and hazardous liquid transmission pipelines as defined by state and federal regulations. The goals and policies presented herein should be interpreted in conjunction with the general utility policies of this chapter where applicable, with priority and deference given to these policies which are specific to <del>natural</del> gas and hazardous liquid pipelines where they appear contradictory. The Natural Gas and Hazardous Liquid Pipelines Background Report, Oct 2001, contains more detailed information regarding pipelines and related issues. Map 5-2 indicates a notification area of 1,000 feet (500 feet from each side of the pipeline) for <del>natural</del> gas and hazardous liquid transmission pipelines, which may be of value to the public.</p> <p><i>Note: striking "natural" allows a broader application such as hydrogen, CO2, butane, and propane.</i></p>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
18	5-11	Policy 5M-2	Carefully scrutinize new or updated franchise agreements. Review and evaluate model franchise agreements, if available, for provisions to be incorporated into negotiations regarding proposed provisions <u>and mitigations</u> in future franchise agreements. Consider the adoption of a franchise agreement ordinance for consistency and guidance if multiple new agreements are anticipated.	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26

19	5-12	Policy 5M-7	<p><b>Proposed Amendment</b></p> <p>Monitor transmission pipeline construction to ensure pipelines are installed in accordance with all applicable County, <u>state, and federal</u> regulations.</p>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
20	5-20, 5-21	Policies 5S-5, 5S-6, 5S-7	<p><b>Strike policies 5S-5, 5S-6, 5S-7</b></p>	Donovan	<p>APPROVED TO SEND TO PC 10/21/25 COTW</p> <p>APPROVED via "CONSENT" SCOTW 3.17.26</p>
21	5-20	NEW Policy 5S-5	<p><u>Policy 5S-5: Evaluate water management strategies to address insufficient instream flows and out-of-stream water needs.</u></p>	Donovan	APPROVED via "CONSENT" SCOTW 3.17.26
22	5-23	Goal 5V	<p>Support waste prevention for both solid waste, <u>including food waste</u>, and hazardous waste as a primary focus prior to waste management.</p>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
23	5-23	Policy 5V-1	<p>Support solid waste source reduction activities, including <u>countywide</u> conservation education programs, source reduction technical assistance for small quantity generators through the Pollution Prevention Assistance Program, <del>and</del> home composting, and <del>education and</del> commercial waste reduction, <u>including reducing the volume of nonrecyclable single-use items and product packaging materials.</u></p>	Galloway	APPROVED via "CONSENT" SCOTW 3.17.26
24	5-23	Policy 5V-2	<p>The County's waste diversion goal is to increase source-separated recycling, with additional diversion potentially available through waste processing of non-source-separated recyclables.</p> <p><b>Question:</b> didn't we amend code to transition away from source-separated recycling to single stream?</p>	Galloway	RESOLVED
25	5-24	Policy 5W-1	<p><u>The County's goal is to R</u>reduce Whatcom County's share of food waste sent to landfills by 50%, consistent with the Use Food Well Washington Plan, <u>Whatcom County Food Systems Plan</u>, <u>Whatcom County Climate Action Plan</u>, and Comprehensive Solid and Hazardous Waste Management Plan.</p>	Galloway	APPROVED AS AMENDED via MOTION SCOTW 3.17.26

**NEW AMENDMENTS FOR 3/24**

26	5-9	NEW Policy 5G-6	<u>New Policy 5G-6: Consider the County's potential role in supporting rural off-grid residential development in partnership with landowners and partners, where such development is designed to minimize public infrastructure demand, including demand on the energy grid, generate useful performance data, and remain consistent with the long-term use of adjacent resource lands.</u>	Galloway	APPROVED via "CONSENT" COTW 3.24.26
27	5-9/10	NEW Policy 5H-10	<u>New Policy 5H-10: Explore pathways to support integrated off-grid renewable energy and utility systems — including solar generation with battery storage and alternative onsite wastewater treatment — serving low-impact rural residential development on resource lands, subject to applicable state health and building codes, site suitability, and County capacity considerations. Consider off-grid renewable energy systems as a complementary distributed energy strategy.</u>	Galloway	APPROVED via "CONSENT" COTW 3.24.26
28	5-23	Policy 5U-4	Support the development of new technology and alternative sewage disposal methods as an alternative to expensive current sanitary sewer systems to assure groundwater quality is maintained. <u>This includes composting toilet systems and engineered graywater management meeting applicable state health standards, particularly where deployed in conjunction with low-impact rural residential development that minimizes the need for new public infrastructure.</u>	Galloway	APPROVED via "CONSENT" COTW 3.24.26
29	5-9	NEW Policy 5H-2 Move existing 5H-2 to 5H-4	<u>Policy 5H-2: Explore emerging low-carbon or renewable energy technologies, and when applicable, update Whatcom County Code as needed to support renewable energy production, generation, transmission, and distribution.</u>	Galloway	APPROVED AS AMENDED via MOTION COTW 3.24.26
30	5-9	NEW Policy 5H-3 Re-number subsequent policies	<u>Policy 5H-3: Whatcom County should engage and coordinate with Tribal treaty rights holders and other impacted communities before recommending resource, land, or water-intensive energy projects such as hydroelectricity, nuclear, and tidal energy when the County has permitting responsibilities.</u>	Galloway	APPROVED AS AMENDED via MOTION COTW 3.24.26

**ADDITIONAL AMENDEMENTS FOR 6/2**

31	5-10	New Policy 5H-11	<u>Support reliable, affordable, resilient, and environmentally responsible energy systems, including renewable, non-carbon or low-carbon, and emerging energy technologies, while ensuring appropriate protection of natural resources, treaty rights, cultural resources, public safety, and rural character.</u>	Elenbaas	APPROVED AS AMENDED via MOTION SCOTW 6.2.26
32	5-10	New Policy 5H-12	<u>Recognize geothermal energy, including hydrothermal, direct-use, closed-loop, and other emerging geothermal technologies, as a potential renewable energy resource that may contribute to regional energy reliability, economic development, and greenhouse gas reduction goals.</u>	Elenbaas	APPROVED AS AMENDED via

					MOTION SCOTW 6.2.26
33	5-10	New Policy 5H-13	<u>Recognize that certain non-carbon or renewable energy resources, including geothermal resources, may be geographically constrained and may require case-specific siting considerations based on geology, thermal resource location, transmission availability, environmental constraints, and public safety considerations.</u>	Elenbaas	APPROVED AS AMENDED via MOTION SCOTW 6.2.26
34	5-10	New Policy 5H-14	<u>The County should periodically evaluate and update development regulations, permitting procedures, definitions, and environmental review processes related to non-carbon, renewable, and emerging energy technologies to ensure regulations remain effective, scientifically informed, and consistent with state law, technological advances, and regional energy needs.</u>	Elenbaas	APPROVED AS AMENDED via MOTION SCOTW 6.2.26
<i>Note: Council relocated proposed new policies from Chapter 2 (#171 and #172) to Chapter 5 as policies 5H-15 and 5H-16 on 6.2.2026.</i>					