

CHAPTER 8 - Utilities

Bayview Ridge residents and businesses rely on a number of basic utility services that help define their quality of life and maintain their health and well-being. Power, natural gas, telecommunications, and cable are considered utilities under the Growth Management Act. These services are usually taken for granted. Yet without coordination and conscientious planning for future growth, services may be interrupted, inadequate, or prohibitively expensive.

The purpose of this section is to facilitate coordination between the utility providers and Skagit County. Such coordination ensures that new facilities provided are compatible with planned growth and utility planning is done in conjunction with land use. While planning for utilities is the primary responsibility of the utility providers, this section identifies issues and policies related to the provision of utilities that are of importance to Skagit County.

EXISTING PUBLIC AND PRIVATE UTILITIES

PUBLIC UTILITIES

Electricity

Electricity within the Bayview Ridge Subarea is provided by Puget Sound Energy (PSE). PSE maintains both 230 KV and 115 KV transmission lines to both the city of Anacortes and the refineries that traverse the south and east borders of Bayview Ridge. These facilities are available to provide power to Bayview Ridge. PSE also maintains a gas generation station at the intersection of Farm to Market and SR 20 that is used to boost system-wide power during peak demand times. PSE reports no current capacity issues.

Telecommunications

Mount Vernon, Burlington, the Port of Skagit County, and Skagit County are partners in a project to bring fiber optic cable to the industrial and airport portions of the subarea. Skagit County awarded an economic development grant of \$300,000 to the project, which has an estimated total cost of just over \$600,000. Project implementation is scheduled for 2008.

PRIVATE UTILITIES

Natural Gas

Cascade Natural Gas (CNG) provides natural gas service within Bayview Ridge. CNG maintains both an 8-inch and 16-inch distribution mains that traverse the southern boundary of the urban growth area (UGA). These major supply lines serve both the city of Anacortes and the refineries and have adequate capacity to meet the Bayview Ridge needs throughout the 2025 planning period.

Telecommunications

Telecommunications is the transmission of data or information by wire, radio, cable, electromagnetic waves, satellite, or other similar means. In Skagit County, telecommunication utilities include telephone, cellular telephone, cable, and satellite data and voice. In 1996, the federal government passed the Telecommunications Act, which, among other things, deregulated the provision of data and information. The Telecommunications Act was intended to promote competition in this vastly changing and expanding industry.

Considerable expansion of the telecommunications industry has occurred as a result of expanded licensing by the FCC and technological innovation, leading to the blurring of lines between traditional delivery systems and media.

Bayview Ridge land line telephone service is provided by Verizon. Telephone service is initiated by customer demand and requests, and service providers are required to provide adequate telecommunications service on demand (RCW 80.36.090). Accordingly, telephone service providers will provide facilities to accommodate whatever growth patterns occur.

Several internet service providers (ISPs) are available via DSL, cable, wireless, and dial-up access in the Bayview Ridge Subarea. ISP ownership frequently undergoes change in the current environment of deregulation, and new service providers continuously enter the market. Current and future needs of the Bayview Ridge

Subarea appear to be met adequately.

Bayview Ridge is served by several cellular telephone companies. These companies are licensed to operate in the county and throughout the region within guidelines set by the Federal Communications Commission (FCC). Siting and design of towers is regulated by the Federal Aviation Administration (FAA) and the local zoning authority.

Cable television service in Bayview Ridge is provided by Comcast and Wave Broadband. Several firms offer satellite television access.

Pipelines

Two petroleum pipelines traverse the Subarea. The Terasen pipeline runs through the southern and eastern portion of the Subarea, through both industrial and residential areas. The Olympic Pipeline runs through the eastern portion of the Subarea in a north-south direction, through the Skagit Golf and Country Club and the residential area north of Peterson Road.

SPECIAL DISTRICTS

Port of Skagit County

The Port of Skagit County is a major property owner within the Bayview Ridge Subarea. As a special district, the Port of Skagit County can develop property for industrial use and can lease and sell land, buildings, and facilities to private industry in accordance with state laws. State laws specify that ports may acquire, construct, maintain, operate, develop, and regulate within the district:

- harbor improvements,
- rail or motor vehicles transfer and terminal facilities,
- water transfer and terminal facilities,
- air transfer and terminal facilities,
- other commercial transportation,
- transfer, handling storage and terminal facilities, and
- industrial improvements.

Port districts are funded by revenue from the operation of terminals, the sale or lease of properties, and tax levies. A port district may incur debt, including issuing general obligation bonds up to 0.25 percent of the assessed value of taxable property in the district without vote of the people. An additional 0.05 percent debt may be incurred if 60 percent of the electorate approves. They also have the power to issue revenue bonds for the acquisition, construction, reconstruction, or extension of various improvements.

Together with the Skagit County Economic Development Association, the Port is a leader in promoting economic development in Bayview Ridge.

Their largest operation is the Skagit County Regional Airport. At the airport site, the Port operates an industrial park which in 2008 had 72 major tenants employing 1219 workers.

RELATIONSHIP TO OTHER PLANS

Growth Management Act Requirements

The 1990 Washington State Growth Management Act (GMA) requires that local comprehensive plans include a utilities element. According to the GMA, the utilities element shall, at a minimum, consist of "the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to: electrical lines, telecommunication lines, and natural gas lines."

In addition, the State guidelines for implementing the GMA (Chapter 365-195 WAC) state that policies should be adopted that call for:

1. *Joint use of transportation rights-of-way and utility corridors, where possible.*
2. *Timely and effective notification of interested utilities of road construction and of maintenance and upgrades of existing roads to facilitate coordination of public and private utility trenching activities.*
3. *Consideration of utility permits simultaneously with the proposals requesting service and, when possible, approval of utility permits when the project to be served is approved.*

Countywide Planning Policies

Countywide Planning Policy No. 12 addresses the need for public facilities and services. The policy states that public facilities and services necessary to support development shall be adequate to serve the development at the time of occupancy without decreasing current service levels. The countywide planning policy calls for an integrated system of facilities. It further requires that lands be identified for public purposes, such as utility and transportation corridors, landfill, sewage treatment facilities, recreation, schools, and other public uses. Such planning will lead to a more efficient delivery of services.

MAJOR ISSUES

Coordination and Concurrency

As development occurs, system and facility improvements must keep pace with the higher demand. The improvements must take place within predetermined timeframes to maintain appropriate levels of service. To ensure concurrency, Skagit County needs to coordinate with private utility companies and other regional jurisdictions so that utilities may provide high-quality and reliable services to their customers and plan for future development and expansion of utility facilities.

Compatibility and Design Standards

The siting of utility facilities requires coordination with Skagit County's land use plan and this comprehensive plan so that they will be sited in a manner reasonably compatible with adjacent land uses, including the airport. When new roads are constructed, electrical and telecommunications lines are required to be placed underground.

REGULATORY SETTING

Washington Utilities and Transportation Commission

The Washington Utilities and Transportation Commission (WUTC) is responsible for regulating privately owned utility and transportation businesses in the state. The WUTC is a three-member board appointed by the governor and confirmed by the state senate. It is the WUTC's responsibility to see that companies provide safe and reliable service to their customers at reasonable rates. The WUTC regulates private utilities only (including, but not limited to, electric, gas, telecommunication, and water companies).

Publicly owned utilities (such as municipal utilities and public utility districts) are regulated by their respective legislative bodies.

WUTC mandates that utility facilities and service must be provided on a uniform or nondiscriminatory basis to all customers and that cost of service must be equitable. State law regulates the rates and charges, services, facilities, and practices of utilities. Any change in customer charges or service provision policy requires WUTC approval.

In accordance with state law, private utilities have an obligation to provide service upon demand. In other words, the utility companies must provide service to customers within their service territory as it is requested. This is known as a utility's duty to serve. Consistent with this duty, the utility providers follow growth and will provide service to development in accordance with service territories.

There are other federal and state agencies that impose requirements on utilities. The Washington State Department of Health (WDOH) has jurisdiction over water purveyors; the Federal Energy Regulatory Commission and Department of Energy have jurisdiction over electric power service; and the Federal Communications Commission (FCC) has jurisdiction over the telecommunications industry.

Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission (FERC) is an independent, five-member commission with the U.S. Department of Energy. FERC establishes rates and charges for the interstate transport and sale of natural gas, for the transmission and sale of electrical power, and for the licensing of hydroelectric power projects. In addition, the commission establishes rates and charges for the interstate transport of oil via pipeline.

BAYVIEW RIDGE SUBAREA PLAN

PUBLIC UTILITIES

Electricity

Puget Sound Energy plans to continue to improve and extend its facilities as necessary to serve the growing demand in its service area. . System planners design and build their systems to follow population and employment growth projections based on county and city plans. The electricity load is determined from these plans and projections. An electric system plan is then developed to serve those loads at prescribed reliability levels, taking into account environmental, economic, financial, and operational factors. Utility construction is coordinated with the appropriate jurisdictions and agencies and is typically phased in as actual growth occurs.

PRIVATE UTILITIES

Natural Gas

Cascade Natural Gas does not plan in advance for individual connections. Rather, connections are initiated by customer requests for new construction or conversion from electricity to gas. CNG expects to continue developing distribution systems and services in accordance with the Integrated Resource Plan Guidelines set forth by the state. CNG will identify necessary reinforcement and continue to meet growth at the lowest possible cost by maximizing the capacity of the existing distribution system.

Other than the public fiber optic project mentioned above, expansion of telecommunications services is driven by market demand, technology, and return on investment..

SPECIAL DISTRICTS

Port of Skagit County

Expansion of industrial facilities at the Skagit Regional Airport is anticipated by the Subarea Plan. Please refer to Chapter 3 of this document.

GOALS, OBJECTIVES, AND POLICIES

Goal 8A The provision of utilities is critical to urban development at urban densities. Land use and transportation planning and development must be supported with adequate utility infrastructure.

Objective 8A-1 Maintain consistency, compatibility and concurrency between utility providers, local, state, and federal plans.

Policy 8A-1.1 Require that the utilities and services needed to support development be available concurrent with the impacts of development.

Policy 8A-1.2 Utility services that are provided by a private purveyor should have a plan that is consistent with, and coordinated with, the Subarea Plan.

Policy 8A-1.3 Each utility shall have a response plan for emergency management that is coordinated with the Skagit County Emergency Response Plan.

Policy 8A-1.4 Require the joint use of utility corridors when feasible.

Objective 8A-2 Encourage underground utility distribution to reduce visual and safety impacts of overhead lines where economically feasible.

Policy 8A-2.1 Large new developments and subdivisions in the Bayview Ridge Subarea shall have underground distribution lines.

Objective 8A-3 Regulate the construction of communication facilities consistent with needs of the Subarea.

Policy 8A-3.1 Telecommunication towers are prohibited in the Bayview Ridge Subarea, except in the Heavy Industrial District, and only in conformance with the Federal Aviation Agency's Part 77 Surfaces and other regulations as described in the Port of Skagit County's Skagit Regional Airport Master Plan (2005) or as further amended.

Policy 8A-3.2 Encourage the co-location of communication utilities to reduce the potential for more monopoles.

Policy 8A-3.3 Require removal of unused telecommunication equipment.

Policy 8A-3.4 Require mitigation of visual impact.

Objective 8A-4 Coordinate the placement of overhead power lines.

Policy 8A-4.1 Include Puget Sound Energy, Verizon, and all other overhead line users in development and implementation of streetscape planning.

Policy 8A-4.2 If power lines are to be moved, establish an early notification system for any proposed public or private project so that opportunities to retain existing trees are adequately planned for.