Chapter 6 – Utilities Element

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I. INTRODUCTION

Purpose of the Utilities Element

This Utilities Element has been developed in accordance with Section 36.70A.070 of the GMA to address utility services in the City of Grandview and its Urban Growth Area (UGA). It represents the community's policy plan for growth during the next 20 years. The Utilities Element describes how the goals in the other plan elements will be implemented through utility policies and regulations.

The Utilities Element has also been developed in accordance with the Countywide Planning Policies, and has been integrated with all other planning elements to ensure consistency throughout the Comprehensive Plan.

Growth Management Act Requirements

The GMA's Procedural Criteria defines "utilities" as:

- Enterprises or facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, telecommunications services, and water, and for the disposal of sewage [WAC 365-196-210 (58)] ~~[WAC 365-195-200 (25)].~~

To comply with the GMA, the Comprehensive Plan must, at a minimum, include a Utilities Element consisting of:

a) 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 [RCW 36.70A.070 (4)].

b) The county or city shall identify all public entities that own utility systems and endeavor in good faith to work with other public entities, such as special purpose districts, to gather and include within its utilities element the information required in (a) of this subsection. However, if, after a good faith effort, the county or city is unable to gather the information required in (a) of this subsection from the other public entities, the failure to include such information in the utilities element shall not be grounds for a finding of noncompliance or invalidity under chapter 228, Laws of 2023. A good faith effort must, at a minimum, include consulting the public entity's capital facility or system plans, and emailing and calling the staff of the public entity.

The GMA requires concurrency in the provision of public facilities and services. Public facilities and services must be available as development occurs without a reduction in the level of service provided. However, private utilities are not bound by the level of service and concurrency provisions of the GMA.

Applicable Countywide Planning Policies

The Yakima Countywide Planning Policy recognizes the need to promote orderly development with appropriate urban services provided to such development. The following Countywide Planning Policies apply to discussion on the Utilities Element:

1. Areas designated for urban growth should be determined by preferred development patterns, residential densities, and the capacity and willingness of the community to provide urban governmental services. (Countywide Planning Policy: A.3.1.)

2. Urban growth should be located first in areas already characterized by urban growth that have existing public facilities and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources. Further, it is appropriate that urban government services be provided by cities, and that urban government services should not be provided in rural areas. [RCW 36.70A.110(3)] (B.3.1.)

3. Urban growth management interlocal agreements will identify services to be provided in an UGA, the responsible service purveyors and the terms under which the services are to be provided. (B.3.2.)

4. The capital facilities, utilities and transportation elements of each local government's Comprehensive Plan will specify the general location and phasing of major infrastructure improvements and anticipated revenue sources. [RCW 36.70A.070(3)(c)(d)]. These plan elements will be developed in consultation with special purpose districts and other utility providers.
    a. (B.3.4.)

5. New urban development should utilize available/planned urban services. [RCW 36.70A.110(3)] (B.3.5.)

6. Formation of new utility special purpose districts should be discouraged within designated UGAs. (B.3.6.)

7. From local inventory, analysis and collaboration with state agencies and utility providers, a list of
    a. Countywide and statewide public capital facilities needed to serve the Yakima County region will be developed. These include, but are not limited to, solid and hazardous waste handling facilities and disposal sites, major utility generation and transmission facilities, regional education institutions, airports, correctional facilities, in-patient facilities including hospitals and those for substance abuse and mental health, group homes and regional park and recreation facilities. (C.3.2.)

8. Some public facilities may be more appropriately located outside of UGAs due to exceptional bulk or potentially dangerous or objectionable characteristics. Public facilities located beyond UGAs should be self-contained or be served by urban governmental services in a manner that will not promote sprawl. Utility and service considerations must be incorporated into site planning and development. (C.3.5.)

9. The multiple use of corridors for major utilities, trails and transportation right-of-way is encouraged. (C.3.6.)

10. The County and cities will work with special purpose districts and other agencies to establish a process for mutual consultation on proposed comprehensive land use plan policies for lands within UGAs. Actions of special purpose districts and other public service providers shall be consistent with Comprehensive Plans of the County and the cities. [RCW 56.08.020, RCW
    a. 57.16.010] (F.3.1.)

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11. The use of interlocal agreements is encouraged as a means to formalize cooperative efforts to plan for and provide urban governmental services. (F.3.2.)

12. Joint financing ventures should be identified to provide services and facilities that will serve the population within the UGA. (F.3.3.)

13. Each interlocal agreement will require that common and consistent development and construction standards be applied throughout that UGA. These may include, but are not limited to, standards for streets and roads, utilities and other infrastructure components. (F.3.5.)

14. The County and the cities will work with special purpose districts, adjacent counties, state tribal and federal governments to formalize coordination and involvement in activities of mutual interest. (I.1.)

15. Special districts, adjacent counties, state agencies, the tribal government and federal agencies will be invited to participate in Comprehensive Planning and development activities that may affect them, including the establishment and revision of UGAs; allocation of forecasted population; regional transportation, capital facility, housing and utility plans; and policies that may affect natural resources. (I.3.)

Urban Growth Area

The UGA boundary was selected to ensure that urban services will be available to all development, including the provision of utility facilities. The City recognizes that planning for utilities is primarily the responsibility of the utility providers. However, the City will incorporate plans prepared by the providers into its comprehensive planning efforts to identify ways of improving the quality and delivery of services provided in the City and its designated UGA. All development requiring urban services will be located in the UGA, and will have these services extended to them in a timely and financially feasible manner.

Federal and State Laws/Regulations

Revised Code of Washington and Washington Utilities and Transportation Commission. Utilities and transportation are regulated in Washington by the Washington Utilities and Transportation Commission (WUTC). The WUTC, composed of three members appointed by the governor, is empowered to regulate utilities (including, but not limited to, electrical, gas, irrigation, telecommunication, and water companies). State law (WAC 480) regulates the rates and charges, services, facilities, and practices of utilities. Any change in customer charges or service provision policy requires WUTC approval. The WUTC requires private utility providers to demonstrate that existing ratepayers will not subsidize new customers. The intent of the WUTC regulations is to ensure safe, reliable, and reasonably priced utility services for consumers.

Federal Communications Commission. The Federal Communications Commission (FCC) was created by the Communications Act of 1934 to regulate interstate and international radio, wire, satellite, cable, and television communications. The FCC is an independent five-member government agency.

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 transportation and sale of natural gas, for the transmission and sale of electricity, and the licensing of hydroelectric power projects. In addition, the commission establishes rates or charges for the interstate transportation of oil by pipeline.

Natural Gas Policy Act of 1978. The central theme of the National Gas Policy Act (NGPA) is encouragement of competition among fuels and suppliers across the country. As a result, natural gas essentially has been decontrolled. The NGPA also contained incentives for developing new natural gas resources and a tiered pricing structure aimed at encouraging the development of nation-wide transmission pipelines. The result of the Act has been that many consumers are now paying less for natural gas than they were in 1980.

1991 Clean Air Amendments. The passage of the Washington State Clean Air Act in 1991 indicates a state intent to promote the diversification of fuel sources for motor vehicle. This is in response to a need to both reduce atmospheric emissions and reduce the nation's reliance on gasoline for strategic reasons. ~~The Act called for encouraging the development of natural gas vehicle refueling stations.~~

Regional Power Plans

Northwest Power and Conservation Council. Since Congress passed the Northwest Power Act in 1980, the Northwest Power and Conservation Council (NWPCC) has developed 20-year electric power plans for the Northwest. Every 5 years, the Council releases its Mid-Term Northwest Power Plan Assessment, most recently in 2021. The Council is currently developing its 9th Power Plan, set to be completed in 2026. In its 2021 Power Plan Mid-Term Assessment, the Council recommends the following:

- Acquire between 750 and 1,000 average megawatts of cost-effective energy efficiency by the end of 2027 and a minimum of 2,400 average megawatts by 2041. Examine two types of demand response (demand response is the voluntary reduction of power use during periods of high demand and limited resource availability, such as in the early morning and early evening, in return for compensation): 1) residential time-of-use (TOU) rates, and 2) demand voltage regulation (DVR). Our assessment shows that about 200 megawatts of TOU and 520 megawatts of DVR are available by 2027
- Acquire at least 3,500 megawatts of renewable resources by 2027 as a cost-effective option for meeting energy needs and reducing emissions.
- Bonneville and regional utilities, along with their associations and planning organizations, work together and with others in the Western electric grid to explore the potential costs and benefits of new market tools, such as capacity and reserves products, that contribute to system accessibility and efficiency

~~In its Sixth Northwest Power and Conservation Plan, adopted February 2010, the Council recommends the following:~~
~~Develop cost-effective energy efficiency aggressively — at least 1,200 average megawatts by 2015, and equal or slightly higher amounts every five years through 2030.~~
~~Develop cost-effective renewable energy as required by state laws, particularly wind power, accounting for its variable output.~~
~~Improve power-system operating procedures to integrate wind power and improve the efficiency and flexibility of the power system.~~
~~Build new natural gas-fired power plants to meet local needs for on-demand energy and back-up power, and reduce reliance on existing coal-fired plants to help meet the power system's share of carbon-reduction goals and policies.~~
~~Investigate new technologies such as the "smart-grid," new energy-efficiency and renewable energy sources, advanced nuclear power, and carbon sequestration.~~

II. INVENTORY AND ANALYSIS

Many public and private agencies are involved in regulation, coordination, production, delivery, and supply of utility services. This section of the element identifies those providers. The inventory includes:

- Natural gas
- Electrical
- Telecommunications
- Cellular phone
- High-speed internet (broadband)
- Cable television

Providers of these utilities for the City of Grandview and its UGA are listed in Table 6.1. Water and sewer utilities are discussed in the Capital Facilities Element of this Comprehensive Plan. Electrical, telecommunications, and natural gas are regulated by the WUTC. Cable television, telecommunications, and cellular phones are regulated by the FCC, in cooperation with local governments.

Table 6.1. Utility Service Providers, City of Grandview/Urban Growth Area

Type of Service	City of Grandview	Remainder of UGA
Natural Gas	Cascade Natural Gas	Cascade Natural Gas
Electric Utility	~~Pacific Power~~PacifiCorp – Pacific Power	~~Pacific Power~~PacifiCorp/Benton REA
Telecommunications	Spectrum Voice ~~Century Link Communications~~	Spectrum Voice ~~Century Link Communications~~
Cellular Telephone	~~Various providers~~Spectrum, Verizon, T-Mobile	Various providers
High-speed Internet	Ziply, Spectrum, Starlink, HughesNet ~~Various providers~~	Ziply, Spectrum, Starlink, HughesNet ~~Various providers~~
Cable/Satellite Television	Dish Network, Direct TV, Spectrum, ~~Various Providers~~	Dish Network, Direct TV, Spectrum ~~Various Providers~~

Table 6.2 Public Utilities Contact Information

Public Utility	Address	Phone Number	Email	Website
Cascade Natural Gas	701 S. 1st St. Yakima, WA 98902	(888) 552-1130	customerservice@cngc.com	https://www.cngc.com/
PacifiCorp/Pacific Power	512 Decatur Ave. Sunnyside, WA 98944	(888) 221-7070	yakimacoordinators@pacificorp.com	http://www.pacificpower.net/

Benton REA	402 7th St. Posser, WA 99350	(509) 786-2913	billing@bentonrea.org	https://www.bentonrea.org/

Natural Gas

Grandview is served by Cascade Natural Gas, which serves areas along I-82. Cascade Natural Gas accommodates consumers in its service area that meet its criteria for financial feasibility. Cascade can serve customers outside its service area if the customer assumes some of the cost of extending the lines. Such contributions may be partly reimbursed only if additional customers connect to the same main. When deciding to serve development outside current service areas, utilities must add expand their service area by applying for a "certificate of convenience" from the WUTC.

Electrical Utilities

The City of Grandview is served by ~~Pacific Power~~PacifiCorp, which has a very strong transmission framework. While the utility has an abundant supply of energy, ~~Pacific Power~~PacifiCorp emphasizes a demand-side resource management policy to encourage efficiency and conservation, and to keep energy costs low while assuring continued power availability. Some areas outside the city limits of Grandview are also served by Benton Rural Electric Association (Benton REA). Benton REA is a rural electric utility provider serving approximately 12,300 members in Benton, Lewis and Yakima Counties.

Transmission for a 115,000-volt system can be accommodated on a single pole structure that uses the road right-of-way. A substation capable of serving 10,000 residential customers typically requires no more than two acres, and is compatible with virtually any adjacent land use. One possible exception to this is ballfields. Although substations are fenced and not energized below nine feet, and are generally impenetrable, persons attempting to retrieve stray balls might be tempted to try to circumvent these protections.

State legislation passed in 2008 (480-108 WAC) established new rules for interconnecting small, alternative power generators of wind, solar, and other energy sources with established utility infrastructure. The intent of the regulations is to establish baseline rights of and responsibilities of both utilities and electric generation owners, and to ultimately connect more alternative power sources to the power grid for the benefit of both parties. The WUTC is exploring ways to ensure that these new rules are fully implemented.

In 2009, PacifiCorp built a new substation between Sunnyside and Grandview, which upgraded capacity for the entire Yakima Valley and improved reliability. PacifiCorp also constructed a 40-mile, 230-kilovolt line connecting the Bonneville Power Administration substation near Vantage with PacifiCorp's Pomona Heights power substation near Selah in May 2020. The project interconnected the Vantage to Pomona Heights transmission line into the Federal Columbia River Transmission System (FCRTS). ~~In 2009, Pacific Power~~PacifiCorp ~~built a new substation between Sunnyside and Grandview, which the company expects will upgrade capacity for the entire Yakima Valley and improve reliability. Pacific Power~~PacifiCorp ~~also plans to construct a new 40-mile, 230-kilovolt line connecting the Bonneville Power Administration substation near Vantage with Pacific Power~~PacifiCorp~~'s Pomona Heights power substation near Selah. The goal of the new line is to enhance operating flexibility and security of the regional electricity transmission grid. Alternatives under consideration for the project include routing the line around the northern or southern boundaries of the Yakima Training Center Military Reservation, to the north and east of Grandview. Pacific Power~~PacifiCorp ~~estimates that the line will be constructed in mid to late 2016.~~

The utility will provide power services as market conditions demand. As a private utility, ~~Pacific~~

~~Power~~PacifiCorp is not bound by the level of service and concurrency requirements under the GMA.

Telecommunications

The City of Grandview is served by Century Link Communications. There are various facilities located throughout the county and the City. Many of the telecommunication facilities, including aerial and underground, are co-located with those of the electrical power provider.

Century Link Communications will provide power services as market conditions demand. As a private utility, Century Link Communications is not bound by the level of service and concurrency requirements under the GMA.

Cellular Telephone

Various federally licensed cellular telephone communications companies serve Yakima County. These companies are regulated by FCC and the WUTC. The FCC regulates cellular telephones because radio signals are used for communications.

High-speed Internet

High-speed internet is provided to Grandview customers by a number of companies, including Charter Communications, Century Link, and Yakima Satellite Internet. In March 2010, Yakima County received a $824,000 grant to extend its broadband transmission backbone between connections. The grant provided improved broadband service to the Grandview public library.

Cable/Satellite Television

Dish Network and Direct TV both currently provide cable and satellite television in Grandview. These networks have no expansion plans in the area at this time.

~~TCI Cablevision of Yakima Valley, Inc. has franchise agreements with both the City of Grandview and Yakima County, and serves all of Grandview. Transmission services from a "head end," which is where a satellite dish sits and the signal originates. Grandview residents receive their transmission services via a connection with the Yakima head end.~~

~~Cable follows the electrical and telephone lines. Only easements are needed, and are not usually a problem. The break-even point for economic feasibility for providing service is 30 potential customers per linear mile of cable. Anyone within 200 feet of the cable can hook up; otherwise, there is an additional charge to the customer.~~

~~TCI Cablevision has no major expansion plans at this time.~~

~~In addition, Northwest Cable Network offers satellite cable, which originates from a transmitting antenna in the Union Gap area, on Rattlesnake Ridge. Service is available to customers within a 50-mile line-of-sight radius, which includes the City of Grandview and its UGA. Northwest Cable is available in rural areas as well as areas that are hard-line cabled for television. Wireless cable is regulated by the FCC, and does not~~

~~come under local regulation since it does not use public rights-of-way.~~

~~At this time, the only alternative to TCI or Northwest Cable would be a satellite dish, which requires a costly installation. As technology improves, other choices will become available.~~

III. GOALS AND POLICIES

GOAL 1: ***To ensure that energy, gas, communication facilities, and communication services are provided in a cost-effective and efficient manner.***

Policy 1.1: Adopt procedures that encourage private utility providers to comply with the Land Use Element of this Comprehensive Plan when planning future facilities.

Policy 1.2: Discuss and exchange population forecasts, development plans, and technical data with the private utilities identified in this Utilities Element.

Policy 1.3 Promote whenever feasible the co-location of new public and private utility distribution facilities in shared trenches and physical locations, and coordinate construction timing to minimize construction-related disruptions and reduce the cost of utility delivery.

Policy 1.4: For telecommunications, including telephone, cellular telephone and cable television, allow the development/maintenance of facilities necessary to provide services as needed to accommodate population growth and advancements in technology, provided they are compatible with surrounding land uses.

Policy 1.5: New development shall be allowed only when and where utilities are adequate, and only when and where such development can be adequately served by essential public utilities, or provided by the developer, without significantly degrading level of service elsewhere.

Policy 1.6: Promote the joint use of transportation rights-of-way and utility corridors wherever possible.

Policy 1.7: To facilitate coordination of public and private trenching activities, notify affected utilities of construction, as well as maintenance and upgrades to existing roads, in a timely and effective manner.

Policy 1.8: Consider utility permits concurrent with proposals requesting service. Where possible, approve utility permits when the project to be served is approved.

Policy 1.9: Coordinate with adjacent jurisdictions to ensure consistency with each jurisdiction's utilities element and regional utility plans, and develop a coordinated process for siting regional utility facilities in a timely manner.

GOAL 2: ***Minimize impacts associated with the siting, development, and operation of utility services and facilities on adjacent properties and the natural environment.***

Policy 2.1: Site utility facilities away from critical areas, or site them in a manner that is compatible with critical areas.

Policy 2.2: Electric power substations and similar facilities should be sited, designed and buffered as

needed to fit in with their surroundings. When sited within or adjacent to residential areas, special attention should be given to minimizing noise, light and glare impacts.

Policy 2.3: Cooperatively work with other agencies, surrounding municipalities and Yakima County during the siting and development of facilities of regional significance.

Policy 2.4: Minimize visual impacts when authorizing the siting of new telecommunication facilities by requiring low visibility technology, including:

- Reduced heights;
- Low mass/slender profile poles;
- Use of existing towers and buildings;
- Co-locating multiple users on a single site/facility; and,
- Requiring removal of abandoned telecommunication sites when new replacement site approvals are authorized.

GOAL 3: ***Develop an efficient utility system that supports the community vision (both public and private).***

Policy 3.1: Develop adequate rights-of-way and infrastructure improvements for future development through the planning process, including, but not limited to, public and private utilities.

Policy 3.2: Development within the unincorporated portion of the UGA should be encouraged to occur only on a limited scale to prevent the inefficient use and distribution of public facilities and services.

Policy 3.3: Utility extensions should be designed to provide service to the maximum area possible with the least length of extension.

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