



P.O. Box 1517
Bellingham, WA 98227

June 15th, 2009

Bellingham City Council
210 Lottie Street
Bellingham, WA 98225

Dear members of the Bellingham City Council,

SUBJECT: Public Works Department's denial of Governors Point Development Company's request

Futurewise Whatcom is the local chapter of statewide land-use advocacy organization, Futurewise, whose mission is to promote healthy communities and cities while protecting farmland, forests and shorelines today and for future generations.

FWW supports the Public Works Department's denial of Governors Point Development Company's request that the city enter into a water resale contract to provide water to GPDC's proposed 141-lot subdivision on a portion of Governors Point. The request runs counter to city, county and state policies discouraging extension of urban level services beyond urban areas, and would facilitate inappropriate residential development outside of existing UGAs.

Utility extensions in rural areas should not have attributes of urban-level services, particularly when it promotes increased development in environmentally sensitive areas. State and local legislation and rules are relevant here:

1) Locally, the City of Bellingham Comprehensive Plan's Public Facilities Chapter CFP-6 (p. 98) provides that "Bellingham shall not extend urban levels of water service to serve urban uses outside Urban Growth Areas." The project to be served by this request is not in the City's current UGA and would result in urban levels of service. It is really this policy that most directly applies here, but there other policies that offer the same guidance.

2) In 2006, the COB passed an ordinance to make City water policy comply with the GMA, stating: "to the extent that Ord. 8728 (of 1979) creates any water and / or sewer services zones outside the City's UGA, all such zones are hereby repealed." As for existing City water service outside of the UGA, "The City Council does not intend for the continuation of these existing services to be modified, expanded or extended."

3) The Whatcom County Comprehensive Plan also states (Appendix B.2): "The county shall discourage urban level development outside the UGA."

4) The Whatcom County Coordinated Water Service Plan Update (Feb 2000), Sec 5, states: "outside of UGAs, cities and other public and private utilities may extend water only at rural levels of service...if rural levels of service are extended, availability of pipeline capacity shall not be used to justify development counter to county-wide land development patterns."

Protecting Rural Land ● Promoting Compact, Livable Cities ● Preventing Sprawl
Steering Committee: Allison Aurand, Todd Donovan, Lynnea Flarry, Michael Lilliquist,
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5) The state GMA, RCW 36.70A.110(4), also states: “In general it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances show to be necessary to protect basic public health and safety and the environment.” This request will subsidize sprawl, not protect public health or the environment.

If the city grants this extension it would establish a new urban density well beyond the city’s UGA, further increase pressure for intensification of residential development in and around Governors Point, and contribute to rural sprawl.

We support the Public Works Department’s denial of GPDC’s request, as it is indeed legal and consistent with the policies of the City of Bellingham and Whatcom County Comprehensive Plans and the goals of the GMA, and we urge you to do the same.

Sincerely,

Cathy Lehman
Futurewise Whatcom Chapter Director

Todd Donovan
Futurewise Whatcom Vice President