

Comments Received for Post Adoption Hearing Regarding Interim Ordinance Declaring an Emergency and Adopting a  
Moratorium on the Acceptance of Permit Applications for Major Utility Development Projects Involving Electrical Energy  
Generation or Storage on Skagit County Agricultural (Ag-NRL) Lands  
Comment Period October 3, 2024, to October 23, 2024

Count	Last Name	First Name	Organization/Address	Type of Comment	Method Received	Date
1	Staples Hughes	Mikala	18065 Skagit City Road Mount Vernon, WA 98273	Support	Email	10/08/2024
2	Knoll	Robert	PSE		Email	10/09/2024
3	Doran	Molly	Skagit Land Trust	Support	Email	10/21/2024
4	Warner	Bob	Sedro Woolley	Support	Email	10/22/2024
5	Staples Hughes	Mikala	18065 Skagit City Road Mount Vernon, WA 98273	Support	Email	10/22/2024
6	Linn	Robert	27028 Hoehn Road Sedro Woolley, WA 98284		Email	10/22/2024
7	Bynum	Ellen	Friends of Skagit County	Support	Email	10/22/2024
8	Hersey	Janet	3153 Niz Point Rd, Anacortes, WA 98221	Support	Email	10/23/2024
9	Hershaw	Megan	Sedro-Woolley	Support	Email	10/23/2024

10	Nelson	Zindra	Sedro Woolley	Support	Email	10/23/2024
11	Novak	Ingrid		Support	Email	10/23/2024
12	Hinton	Leland	Mount Vernon	Support	Email	10/23/2024
13	Haugness	Judi	Sedro Woolley	Support	Email	10/23/2024
14	Rickard	Todd	18316 Best Rd Mount Vernon 98273	Support	Email	10/23/2024
15	Mower	Wendi	27185 Hoehn Rd. Sedro Woolley, WA 98284	Support	Email	10/23/2024
16	Rowe	Kara	Western Washington Agricultural Association	Support	Email	10/23/2024
17	Bjorklund	Cindy		Support	Email	10/23/2024

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**From:** PDS comments  
**Sent:** Tuesday, October 8, 2024 7:40 AM  
**To:** Tara Satushek  
**Subject:** FW: Post Adoption Hearing Regarding Interim Ordinance Declaring an Emergency and Adopting a Moratorium on the Acceptance of Permit Applications for Major Utility Development Projects Involving Electrical Energy Generation or Storage on Skagit County Agric

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**From:** Mikala Staples Hughes <mikalastaples@gmail.com>  
**Sent:** Monday, October 7, 2024 2:00 PM  
**To:** PDS comments <pdscomments@co.skagit.wa.us>  
**Subject:** Post Adoption Hearing Regarding Interim Ordinance Declaring an Emergency and Adopting a Moratorium on the Acceptance of Permit Applications for Major Utility Development Projects Involving Electrical Energy Generation or Storage on Skagit County Agricu...

Dear Commissioners:

Thank you for the opportunity to comment on the Interim Ordinance which declared an Emergency and Adopted a Moratorium on Permit Application Acceptance for Major Utility Development Projects on Ag-NRL lands.

Our county's farmlands hold tremendous agricultural value—representing some of the most fertile soils in the world. These soils sustain the diversity and quality of the crops we are known for, including berries, tulips, and potatoes. The valley's rich agricultural landscape, combined with its natural beauty, is integral to our community and local economy.

While the county has taken measures to protect these lands, the current protections have, unfortunately, made the land more attractive to outside interests, many of which have little to no interest in farming. I was very pleased to see the passing of the interim ordinance, which strengthens protections and ensures compliance with the state's Growth Management Act. I **fully support** the continuance of this ordinance while the county works toward establishing a permanent solution to safeguard our agricultural lands from unsuitable development proposals in the future.

Thank you for your thoughtful consideration and for continuing to protect these valuable lands for their intended agricultural purpose.

Kind Regards,

Mikala Staples Hughes  
18065 Skagit City Road  
Mount Vernon, WA 98273  
(360) 770-7268

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**From:** Jack Moore  
**Sent:** Wednesday, October 9, 2024 3:07 PM  
**To:** PDS comments; Robby Eckroth; Tara Satushek  
**Subject:** FW: Proposed County Code Amendment - Electricity Generation and Storage  
**Attachments:** Skagit County - PSE Ag-NRL Zoning Public Comment 10-04-24.pdf

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**From:** Knoll, Robert <Robert.Knoll@pse.com>  
**Sent:** Wednesday, October 9, 2024 3:01 PM  
**To:** Lisa Janicki <ljanicki@co.skagit.wa.us>; Ron Wesen <ronw@co.skagit.wa.us>; Peter Browning <pbrowning@co.skagit.wa.us>  
**Cc:** Jack Moore <jrmoore@co.skagit.wa.us>; Hagin, Emily <Emily.Hagin@pse.com>  
**Subject:** Proposed County Code Amendment - Electricity Generation and Storage

Commissioners –

Please see the attached letter regarding code amendment language passed by the Planning Commission last night. As you consider this code, PSE requests time to allow for thoughtful deliberation and discussion on potential impacts to PSE projects, ability to meet the energy needs of the County and our Clean Energy transition. We look forward to working with the county on the proposed amendment.

Best regards,  
-R

**Robert Knoll**  
*Local Government Affairs*  
Puget Sound Energy  
Text/Call: 425-418-0987

Learn about our commitment to clean energy at [pse.com/TOGETHER](https://pse.com/TOGETHER)





October 4, 2024

Skagit County Planning Commission  
Skagit County Planning & Development Services  
1800 Continental Place  
Mount Vernon, WA 98273

RE: SCC 14.16.400(4)(h) Amendment and Moratorium to Major Electrical Utility Developments on Ag-NRL Zoning

Dear Members of the Planning Commission:

On behalf of Puget Sound Energy (PSE), I would like to request this letter be submitted during the Skagit County Planning Commission's public hearing on October 8, 2024, and on October 21, 2024, at the County Commission's public hearing. We offer these comments for consideration on any proposed amendments to the Skagit County Code 14.16.400(4)(h) regarding Major Electrical Utility Developments and for the proposed interim moratorium on energy generation and storage facilities in zoned agricultural land.

The Planning Commission on September 10<sup>th</sup> discussed proposed amendments to SCC 14.16.400(4)(h) that would exclude energy generation and storage facilities as a permitted use in Ag-NRL zoning. Shortly thereafter, the County imposed an interim moratorium halting the acceptance of permits for electrical energy generation and storage facilities in Ag-NRL zoning. PSE is asking the County to take adequate time to address policy concerns around this community issue. Moratoriums are typically followed by more in depth policy conversations around code that include all impacted parties.

PSE understands that the County has both a strong interest in preserving agricultural lands and in appropriately siting energy generation and storage facilities to support local growth, resiliency, and clean energy goals. Allowing major energy generation and storage in Ag-NRL zones creates opportunities for beneficial generation and storage siting. For example, solar co-located with agricultural use, often referred to as agrivoltaics, is an industry best-practice around the country and an emerging opportunity in Washington State.<sup>1</sup> Solar facilities can be built to carry out dual-use activities including crop production, animal grazing, and pollinator habitat. This can provide farmers with opportunities to put marginal lands to productive use and to diversify their revenue stream, which in some cases, allows them to keep farming. Agricultural landowners should not be prohibited from accessing additional revenue streams and providing much-needed local clean energy.

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<sup>1</sup> [https://www.energy.wsu.edu/documents/630-Dual-Use\\_Solar\\_Opportunities-WSUEEP23-05.pdf](https://www.energy.wsu.edu/documents/630-Dual-Use_Solar_Opportunities-WSUEEP23-05.pdf)

Similar to other electric utilities, PSE has seen an increase in demand for electricity, particularly in the transportation and building sectors. Skagit County is no different with critical and growing energy needs to meet local industrial, economic development, and population growth targets. Skagit County's most recent growth projections and allocations report set a county population growth target of 29,580 new residents between 2022 and 2045 and an employment growth target of 20,526 new jobs between 2022 and 2045. Correspondingly, we expect demand for energy to continue increasing over the planning horizon.

To accommodate future energy needs, local grids may require new utility infrastructure like battery energy storage systems (BESS) to maintain reliability and accommodate local growth and clean energy. BESS can offer significant advantages by deferring or even eliminating the need for costly infrastructure upgrades such as new transmission lines or substations. This minimizes the environmental and community impact associated with large-scale construction and leads to cost savings for customers. The integration of BESS in the local grid can create a more flexible, responsive, and future-proof grid, enabling new growth while delaying the need for large-scale infrastructure expansions.

PSE has an obligation to identify potential impacts that local plans and development regulations may have on our ability to maintain, operate and plan for the area's electric energy system. We encourage the County to avoid enacting measures that may create barriers or have unintended consequences to ongoing climate change and clean energy initiatives. PSE strives to meet our customers' needs by maintaining a safe and reliable grid, offering clean and affordable energy, and by deploying distributed energy resources.

As the County works through the proposed amendments, PSE requests consideration of the following questions:

- What clarity can the County provide around Minor, Major, and Regional Electric Utility Development definitions?
- What impact would disallowing electric generation and storage in Ag-NRL zones have on the County's climate, resiliency, and growth goals, particularly as it relates to the upcoming comprehensive plan update?
- What impact would disallowing electric generation and storage in Ag-NRL have on PSE's routine maintenance and future capacity projects?

We look forward to working with the County on the proposed amendment. If you have any questions, please do not hesitate to contact me at (360) 319-6424 or at [emily.hagin@pse.com](mailto:emily.hagin@pse.com). Thank you.

Respectfully,



Emily Hagin  
Senior Municipal Liaison Manager  
Puget Sound Energy

Cc: Skagit County Planning Director; Skagit County Commission; Skagit County Administrator

**From:** Molly Doran <mollyd@skagitlandtrust.org>  
**Sent:** Monday, October 21, 2024 2:33 PM  
**To:** Commissioners  
**Subject:** Comment onn10/21/24 public hearing from Skagit Land Trust

October 21, 2024

Regarding: Proposal to amend SCC 14.16.400(4)(h)

Dear Commissioners,

We are writing to comment on your two recent proposals concerning energy generation and storage on agricultural land. Our comment applies to the interim moratorium “on the acceptance of permits for electrical energy generation or storage facilities on Skagit farmland” and to your proposal to amend SCC 14.16.400(4)(h) to exclude electrical generation and/or storage facilities from the major utility developments permitted with a hearing examiner special use permit on land zoned Ag-NRL . .

Both proposals came following the proposed siting of the Goldeneye Battery Energy Storage System (BESS) just east of Sedro-Woolley. We would first like to **express our strong support** for your decision to ask the Washington State Energy Facility Site Evaluation Council (EFSEC) to recommend against approval of the proposed Goldeneye BESS installation on Ag-NRL zoned land. **We agree with you that a lithium-ion battery energy storage system should not be sited near salmon-bearing streams or rivers or on land zoned for agriculture.** We have written the EFSEC and Governor Inslee stating our support for your opposition to the proposed Goldeneye BESS at this site.

**We also fully support your interim moratorium** on accepting permits for such energy generation and storage installations on Skagit County farmland and your proposal to amend SCC 14.16.400(4)(h) to prohibit installing electrical generation and/or storage facilities on Ag-NRL zoned lands.

However, as a non-profit organization that has protected more than 10,000 acres in Skagit County, including over 48 miles of shoreline, for the benefit of our community and as a legacy for future generations, **Skagit Land Trust also asks you to recognize that as our county shifts to renewable energy sources, we need a green energy strategy addressing a panoply of safety, natural resource, and environmental considerations.**

The Goldeneye BESS application in effect indicates that Skagit County should study all types of renewable energy facilities and **evaluate carefully where they could best be sited**. The county **needs to consider not just what our valley looks like now, but what it will look like in 80 or 100 years** as climate change alters our landscape with increased flooding, storm surges, wildfires, drought, and other climate intensified consequences.

**Energy generation and storage facilities do not belong on agricultural land, and they do not belong on floodplains, close to homes, or near sensitive fish and wildlife habitat.**

**We ask the County to map and write code and regulations indicating where these facilities do not belong, as well as mapping and writing code and regulations for where they can be sited with the least conflict.** The proposed BESS next to the Sierra Pacific Industries’ plant on McFarland Road in an area zoned industrial and out of the floodplain is a good example of a least conflict site.

**Expanding your moratorium to include not just agricultural land but all lands in Skagit County until the County has a well-considered energy plan, follows the logic you cited for the current interim moratorium.**

**As developers of energy projects learn you are prohibiting such installations on agricultural land, you may find yourselves inundated by applications for energy projects on lands not zoned Ag-NRL.** The County should be proactive, mapping and developing policy and code now so that the County, not the developers, drives the direction of Skagit development. **The County should clearly state, “Here are the places we will entertain allowing your facility to be built”, rather than just responding to developers’ proposals.**

Let’s plan for a green energy future now.

Thank you for considering our comments.

Molly Doran  
Executive Director  
Skagit Land Trust  
1020 S 3<sup>rd</sup> Street  
Mount Vernon WA  
98232

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**From:** PDS comments  
**Sent:** Tuesday, October 22, 2024 8:37 AM  
**To:** Tara Satushek; Jack Moore; Allen Rozema  
**Subject:** FW: Goldeneye BESS Moratorium

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**From:** Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Sent:** Tuesday, October 22, 2024 7:47 AM  
**To:** PDS comments <[pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us)>  
**Subject:** FW: Goldeneye BESS Moratorium

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**From:** Bob Warner <[bobwarner1955@gmail.com](mailto:bobwarner1955@gmail.com)>  
**Sent:** Monday, October 21, 2024 8:33 PM  
**To:** Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Subject:** Goldeneye BESS Moratorium

Dear Commissioners,

Thank you for opposing the battery storage facility at the Hansen Creek site in Sedro-Woolley.

Tenaska's attempt to bamboozle Skagit County is reason enough to deny this project. To go over local jurisdiction to the EFSEC is criminal.

The Moratorium should be extended indefinitely. Like minded counties should file suit against EFSEC, and Governor Inslee. Under no circumstances should this project be allowed.

These lithium ion battery farms are incompatible with our Watershed, Salmon, farmland irrigation, drinking water and the air we breathe.

Why would we jeopardize these essential natural resources to store energy to sell at a higher peak price?

The "green energy" carbon free crusade rings hollow when it unilaterally circumvents local jurisdiction and objection. This is exercising Eminent Domain to confiscate property without compensation.

For PSE to solicit fly by night LLC's to try to pull the wool over our eyes is disingenuous.... Then to try to sell you that they are the good guy?

Just say No to these environmental ticking disasters. We are Happier and Healthier in pursuing life and liberty without them.

Sincerely,

Bob Warner

Sedro-Woolley



**From:** PDS comments  
**Sent:** Tuesday, October 22, 2024 1:12 PM  
**To:** Tara Satushek; Allen Rozema; Jack Moore  
**Subject:** FW: Interim Ordinance RE moratorium on major utilities on Ag-NRL Lands O20240007

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**From:** Mikala Staples Hughes <mikalastaples@gmail.com>  
**Sent:** Tuesday, October 22, 2024 12:27 PM  
**To:** PDS comments <pdscomments@co.skagit.wa.us>; Commissioners <commissioners@co.skagit.wa.us>; Ron Wesen <ronw@co.skagit.wa.us>; Peter Browning <pbrowning@co.skagit.wa.us>; Lisa Janicki <ljanicki@co.skagit.wa.us>  
**Subject:** Interim Ordinance RE moratorium on major utilities on Ag-NRL Lands O20240007

Dear Commissioners,

I am writing to express my strong support for the interim ordinance imposing a moratorium on energy storage projects on Skagit farmland. This ordinance is essential to safeguarding one of our county's most valuable and vulnerable resources: our farmland. As an Executive in the Agricultural Industry, employed by a fourth-generation farm and food processor, and as the wife of a fourth-generation farmer on Fir Island, I am deeply committed to preserving the land that sustains both our community and our livelihoods.

I commend the Board, County Staff, and Prosecuting Attorney's Office, for their decisive actions to safeguard our community's vital asset and core of our county's identity: farmland. It's truly inspiring to witness our community come together to preserve our agricultural heritage. **I urge the Board to maintain and extend the moratorium if needed, until final code amendments are fully in effect.**

Farmland is a finite resource; once converted to non-agricultural uses, it cannot be reclaimed. Skagit County has long been committed to preserving farmland, maintaining the last significant agricultural economy in the Puget Sound. This interim ordinance provides the necessary pause to thoroughly assess the long-term risks of energy storage projects before any permanent code amendments are made. Without such protections, the development of industrial projects on natural resource lands threatens local food production, disrupts delicate ecosystems, and fundamentally contradicts the environmental goals these projects claim to uphold.

Additionally, it is critical to recognize the valuable role farmland plays in carbon sequestration. Through sustainable farming practices, agriculture not only provides food but also acts as a significant carbon sink, helping to mitigate climate change. Converting these lands to industrial uses, such as battery storage, removes this essential environmental benefit and replaces it with infrastructure that has its own carbon footprint. Protecting our farmland ensures that we continue to support practices that contribute positively to the environment rather than diminishing its capacity to absorb carbon.

The pressure our agricultural lands are facing from incompatible interests is why it is crucial to uphold the Growth Management Act's (GMA) requirements in all planning and land use decisions. Allowing any incompatible use sets a dangerous precedent, creating a slippery slope for future development. I expect the Supreme Court's decision in *King County v. Friends of Sammamish Valley* will strengthen the county's ability to effectively implement and enforce GMA protections, ensuring the continued viability of Skagit agriculture.

Again, I thank the Board for your leadership and commitment to preserving Skagit's farmland, and I urge you to continue prioritizing agriculture over development or incompatible uses in the future.

Sincerely,

Mikala Staples Hughes  
(360) 770-7268  
18065 Skagit City Road  
Mount Vernon, WA 98273



## Suggestions for Inclusion in Changes to Ag Use Regulations

Robert (Bob) B. Linn

### Introduction

Well, here I am trying to contribute to an issue I see as important to the future of Skagit Valley. I think my 50+ year background in accounting, economics, adjunct university professor for five institutions, plus a vast array of experiences from involvement in social issues and a professional background in business and government involving billions of dollars, gives me some insights.

The issue at hand is the proposed changes to the land use code regarding the use of agricultural land and the potential applicability to rezoning away from those uses.

This contribution is divided into three sections: 1.) relevant concepts; 2.) applying the concepts; and, 3.) possible solution(s) and closing.

### Relevant concepts

1. The history of land-use planning and impacts thereon is the first concept.

Being old enough to experience it, land-use planning, and regulations (LUPR) came into existence in the 1960's and continued to increase in importance. Prior to LUPR, there was no recognition about what was done next door to each neighbor's land.

Society wanted something better. Society wanted a system which recognized the interdependence of each of us. LUPR was the answer. It forced the recognition of many of the infinite inter-dependencies and created a relatively reliable structure.

LUPR was not free. Over the years, society invested heavily (hundreds of millions of dollars and/or multiples thereof) in time and resources to create that system. The result; it established what could be done with a particular piece of land. It created stability.

Now, consider if someone wants to disrupt what took decades and untold amounts of money to create. Should they be able to whimsically cause change to society and ignore LUPR expenses. No! There should be a charge commensurate with the changes requested and that charge should be imposed as part of a rezoning request.

2. The second concept involves the full-costing of a proposed project.

Anyone who has been in business understands the desire to acquire assets and to operate business operations as cheaply as possible. Businesses will engage in efforts to ignore costs and/or pass them to others.

The full-cost (FC) model needs to be described. The Full Cost Requirement is not only payments out-of-pocket. There are other costs. The examples which I will use for this purpose; risk and end-of-life costs. Risk costs are those which can result from something negative happening. Insurances we carry on our cars and homes are examples. End-of-life costs are those costs incurred when an activity comes to an end. Consider what happens to a public, garbage dump. There are the costs of administering the dump while waste is received. After being filled with garbage, there are the costs of managing and overseeing that site for possibly a century.

Extra ordinary risk costs and end-of-life are costs which can be created by large, potentially environmentally damaging projects must be recognized. (For more information, American history includes many examples when society had to pay for previously unrecognized risks of a particular project. Also, our history includes many examples of society having to “clean-up” abandoned projects.)

### **Applying the concepts**

Now it is time to see how the above concepts can apply to land-use regulations. I will use the pending BESS project because it is currently an issue facing Skagit County; however, the application could fit all rezone activities. Since this project has unusually large implications, it provides good insights. Please accept that this is just an example. Smaller and less-environmentally-impacting projects would accordingly have lesser impacts.

So, how could a fee for impacting social planning be described. Society has invested heavily in agricultural zoning; protecting ground for growing crops, restrictions for fish habitat, protecting clean water, and generally making an environment which is minimally polluted and not covered in manmade structures and asphalt. This proposed project affects all of those. Accordingly, a commensurate fee for rezoning would apply. Not having the time or resources to investigate the above-described costs incurred since the 1960s to create this system, I will make a rough estimate that there would be a proportional effect of \$17.5 million. Accordingly, for such a change as Tenaska is requesting to this existing system, a fee of that amount would be charged. (This money would be redistributed to those entities which spent resources creating, reinforcing, and are currently supporting LUPR.)

What about fully costing this project. There are two costs which I believe are being ignored, risk costs and the “end-of-life” costs. Both could be substantial.

First, let us look at risk cost. This project has much potential to negatively affect Skagitonians. Considering risk to fish, water, Sedro-Woolley citizens, the Anacortes water supply, the cost could be huge. For a catastrophic fire and/or melt-down and/or explosion, Sedro-Woolley might become uninhabitable – at least for a while – and the Skagit River could become polluted and affect drinking water as well as the fish. Add those costs and I believe it would be very easy to reach \$600 million or more.

Then there are end-of-life costs. We do not know the cost of discontinuing this type of project which will eventually end. Is it \$100 million? Regardless of the amount, the costs will be incurred until necessity requires otherwise.

As an addition, a very important aspect of this project, the developer of BESS, Tenaska is a relatively small company. Why are they doing this project and not Puget Sound Energy (PSE)? Think about it. If something goes wrong, Tenaska can go bankrupt and leave society with consequences. Additionally, at the end-of-life, will Tenaska be around to pay the costs?

### **Possible solutions and Closing**

This author sees three possible ways to address the above unrecognized costs: 1.) insurance; 2.) bonding, with a bonding company and/or cash; and 3.) having a larger entity accept responsibility. Let us look at each.

The insurance alternative would probably appeal to Tenaska, since it could be the cheapest route. To society, the insurance alternative has problems. Who will have the authority to evaluate the insurance company? What laws will be applicable for a possible difficult, interstate legalities? There are potential fights over coverage. What is the insurance company's ability to pay? Will the insurance company be in existence five years from now? How will the new coverage be provided if the insurance company dissolves? Et cetera.

The bond has potential, but .... Would it be a cash bond or with a bonding company? Requiring a cash bond would require Tenaska to set aside a substantial sum for possibly decades. Using a bonding company has all the pitfalls of using insurance.

The third solution; require PSE to accept responsibility for any-and-all risk costs and end-of-life costs, including legal costs incurred to force payment. PSE would probably claim the project is part of the energy grid and they are just one of many users. If so, then have those other entities also be responsible. If those other companies are in other states, then we have the problem of interstate legalities. Maybe have PSE and all Washington companies take responsibility and if they want out-of-state companies to share the responsibility, let PSE and other Washington companies create that commitment between them.

If no individual solution is available, a combination might work. For example, have Tenaska provide \$100 million in insurance; \$100 million in a cash bond and have PSE et al be contractually committed for all unfunded/unpaid costs.

In closing, I want to thank the Skagit County Commissioners for the opportunity to provide my humble input. Regardless of how it may be received, at least it allows me to have a guilt-free conscience. I did the best I could to contribute for this important issue.

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**From:** PDS comments  
**Sent:** Tuesday, October 22, 2024 1:13 PM  
**To:** Tara Satushek; Allen Rozema; Jack Moore  
**Subject:** FW: Friends of Skagit County comments in support of moratorium on siting electrical facilities on Ag-NRL  
**Attachments:** FOOSC to BOCC Moratorium major utilities on Ag NRL 102124.pdf; BOCC R7920 A Resolution in Reponse to a Statement of Policy by WA St Energy Facility Site Evaluation Council 00005f73.pdf; BOCC R8144 Advisory Ballot Nuclear Power Generation 00006263.pdf

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**From:** Ellen Bynum <skye@cnw.com>  
**Sent:** Tuesday, October 22, 2024 11:24 AM  
**To:** PDS comments <pdscomments@co.skagit.wa.us>  
**Subject:** Friends of Skagit County comments in support of moratorium on siting electrical facilities on Ag-NRL

Attached please find our comments partially entered in testimony yesterday at the Public Hearing.

Also attached are the two historical Resolutions regarding siting nuclear power plants in the late 1970s.

Thanks,  
Ellen

Ellen Bynum, Executive Director  
Friends of Skagit County  
PO Box 2632 (mailing)  
Mount Vernon, WA 98273-2632  
360-419-0988; [friends@fidalgo.net](mailto:friends@fidalgo.net)  
[www.friendsofskagitcounty.org](http://www.friendsofskagitcounty.org)  
“A valley needs FRIENDS”  
Since 1994 - Common Goals - Common Ground - Common Good  
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A RESOLUTION IN RESPONSE TO A  
PROPOSED STATEMENT OF POLICY BY  
THE WASHINGTON STATE ENERGY  
FACILITY SITE EVALUATION COUNCIL

WHEREAS, on November 20, 1973, Puget Sound Power and Light Company petitioned Skagit County for an amendment to the Skagit County Interim Zoning Map, changing zoning classifications to permit construction of a nuclear power project and other uses; and

WHEREAS, a final Environmental Impact Statement dated February 19, 1974, for the rezone was prepared and distributed to the appropriate agencies, including the Board of County Commissioners for Skagit County, and made available to the general public, and was reviewed and considered by each member of the Board and the Skagit County Planning Commission; and

WHEREAS, numerous public hearings have been held by the Skagit County Planning Commission and the Board of Commissioners prior to adopting the requested zoning amendments, to give the citizens of Skagit County opportunity to discuss the proposed nuclear power project; and

WHEREAS, the Board of Commissioners adopted Resolution #6279 on March 26, 1974, and entered into a Rezone Contract with Puget Sound Power and Light Company which set forth specific requirements for regulation of the construction of this nuclear power project; and

WHEREAS, Puget Sound Power and Light Company on March 28, 1974 filed with the Thermal Power Plant Site Evaluation Council, now named the Energy Facility Site Evaluation Council, an application for certification of the proposed site located in Skagit County, Washington, for the thermal power plant known as Skagit Nuclear Power Project Units 1 and 2; and

WHEREAS, the Washington State Energy Facility Site Evaluation Council entered into a Site Certification Agreement with Puget Sound Power and Light Company on January 5, 1977 which authorized construction of said nuclear power plant in Skagit County; and

WHEREAS, Article 2, (A).6 of said Certification Agreement acknowledges the Rezone Contract between Skagit County and Puget Sound Power and Light Company, and recognizes that the provisions of that Rezone Contract will benefit the interests of the people of the State of Washington, including specifically

those residents within Skagit County; and

WHEREAS, provisions of the Certification Agreement provide for review and approval of specific plans by Skagit County which include the following:

Article VI, D. Facilities Review.

"Puget shall submit to the County for approval all plans for the design of all buildings and structures associated with the Project, excepting those designated as Nuclear Power Plant Safety Related Structures, as well as the design of all approach roads, landscaping, fencing and parking areas associated with such buildings. The County shall review these plans and approve designs in accordance with the building code requirements in effect at the time of submittal."

Article VI, E. Fire Protection Plans.

"Puget shall submit to the County for approval all fire protection plans to be in force during construction and operation of the Project. The County shall review the fire protection plans and coordinate with the appropriate agencies prior to approval and adoption of such plans."

Article VI, F. Solid Waste Disposal Plans.

"Puget shall submit to the County for approval all construction and operation solid waste disposal plans for the Project. The County shall review the solid waste disposal plans and coordinate with the appropriate agencies prior to the adoption of such plans."

Article VI, G. Non-Nuclear Effects Insurance.

"Puget shall provide to the County evidence of adequate insurance, consistent with industry practices, against legal liability for injury to persons or damage to property of any kind whatsoever occurring on or off the site and resulting from non-nuclear hazards."

WHEREAS, EFSEC proposes to adopt a "Statement of Policy" which provides that all matters referred to in the Site Certification Agreement be directed exclusively to the Council and shall only be provided to Skagit County as deemed "appropriate in the judgment of the Council"; and

WHEREAS, the citizens of Skagit County have a unique, vested interest in the construction of this project which requires full knowledge of all matters related to the Certification Agreement so that the same may be reviewed by local officials as set forth above;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Skagit County, Washington does hereby make the following resolutions:

- 1) The Board does not accept the concept of preemption by EFSEC over authority of local government to enforce the County Comprehensive Plan and Zoning Ordinances. The Board does not accept preemption of the March 26, 1974 Rezone Contract with Puget Sound Power and Light Company, and believes State law fully authorizes county government to establish such contracts on behalf of its citizens. Moreover, the Board cannot accept, as final authority, AGO 1977 No. 1 issued subsequent to the Rezone Contract between the County and Puget Sound Power and Light Company.
- 2) That the Washington State Energy Facility Site Evaluation Council continued to recognize Skagit County's role as set forth in the Site Certification Agreement in the review, monitoring and regulation process of the Skagit Nuclear Power Project for protection the health, safety, and welfare of the citizens of Skagit County where this project is located.
- 3) The Board hereby demands that Washington State Energy Facility Site Evaluation Council not adopt any statement of policy which is contrary to the January 5, 1977 Site Certification Agreement, or which does not

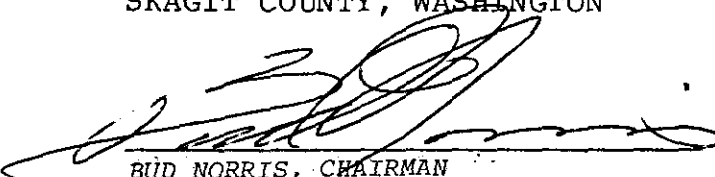
include local government of Skagit County  
as co-equal partner in the review,  
monitoring and regulation process during  
construction of this project.

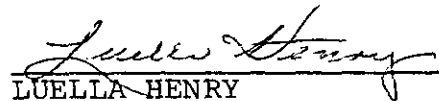
ADOPTED this 16 day of April, 1979.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

Attested by:




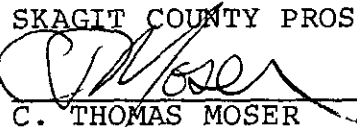
  
BUD NORRIS, CHAIRMAN

  
LUELLA HENRY  
Skagit County Auditor and  
Ex-Officio Clerk of the Board  
of County Commissioners

  
HOWARD MILLER, COMMISSIONER

Reviewed by:

  
JERRY MANSFIELD, Commissioner

SKAGIT COUNTY PROSECUTING ATTORNEY  
  
C. THOMAS MOSER  
Chief Civil Deputy

Vol 50 Pg 216



RESOLUTION NO. 81144  
Advisory Ballot Proposition  
Nuclear Power Generation

WHEREAS, There has been public interest expressed to the Skagit County Board of Commissioners concerning an Advisory Ballot on the Nuclear Power Generation Facility proposed in Skagit County by Puget Sound Power & Light, and

WHEREAS, this proposed project is now pending before the Nuclear Regulatory Commission and has not received any form of approval at this date from that agency; and

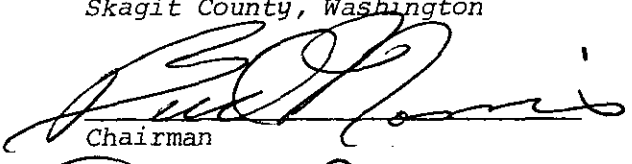
WHEREAS, the citizens of Skagit County have never been allowed to express public opinion concerning this proposal in an election or ballot form, and

WHEREAS, this Board may again be required to make decisions on this proposal on behalf of the citizens of Skagit County and now believes that public interest will be best served by authorizing an advisory ballot on the Puget Sound Power & Light proposal.

NOW THEREFORE, BE IT RESOLVED BY THE Board of County Commissioners of Skagit County, State of Washington, that the attached Advisory Ballot be placed on the November 1979 ballot for consideration by the voters of Skagit County.

IN TESTIMONY WHEREOF We hereunto set our hands and affix the official seal of our office, this 1<sup>st</sup> day of October, 1979.

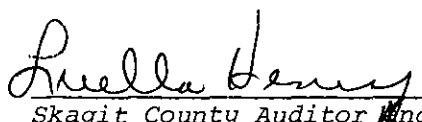
BOARD OF COUNTY COMMISSIONERS  
Skagit County, Washington

  
Chairman

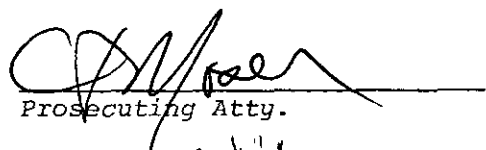
  
Commissioner

Commissioner

ATTEST:

  
Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners

Approved as to form:

  
Prosecuting Atty.



PROPOSITION NO. 4  
Nuclear Power Generation Advisory Ballot

*Do you favor the construction and operation of the two Nuclear Power  
Generation Plants on Bacus Hill in Skagit County, as proposed by Puget  
Sound Power & Light Company.*

YES \_\_\_\_\_

NO \_\_\_\_\_

October 21, 2024

Skagit County Board of County Commissioners  
1800 Continental Place  
Mount Vernon, WA 98273

Dear Commissioners:

Thank you for the opportunity to comment in support of the moratorium prohibiting major electrical utility facilities on farmland zoned Agriculture - Natural Resource Lands.

The 1990 State Growth Management Act required counties to identify and protect all natural resource lands before designating other lands for development. The designation is based on the type of soil present on the parcel, not where it is located, how attractive it is for non-farm commercial uses, the value if converted and developed or whether it has ever been farmed.

Skagit County has complied with the GMA. Given the recent WA State Supreme Court opinion in *Futurewise, et. al v. King County*, which Friends of Skagit County supported, permitting development of the Goldeneye battery storage facility (a commercial venture unrelated to farming) on Ag-NRL is not allowed. This proposed moratorium is not only appropriate, but also prevents additional parcels of farmland from being converted illegally.

Starting in 1990, Skagit County developed its comprehensive plan, policies and codes with the participation of Skagit citizens. Skagit County's Farmland Legacy Program (FLP) initiated the purchase of development rights from Ag-NRL parcels to further protect farming and the soils. A citizen survey at the time showed that almost all citizens of Skagit County want to protect farmland.

Protecting land for farming is essential to counter the increasing threats to food production from climate disruption. In addition to food sold directly into the market, Skagit farms play a key role in world agriculture by growing and supplying seeds for food production in other parts of North America and the world. Skagit County will continue to maintain and enforce resource lands zoning, purchase development rights from farms, maintain and improve dikes and drainage to counter sea level rise and work to secure permanent water for farming in the Skagit delta. Skagit's periodic comprehensive plan, policies and code update includes WA state law updates related to climate change.

Conversion of Ag-NRL to uses other than farming and soil-related accessory uses is prohibited by the GMA, Skagit's Comprehensive Plan, policies and codes. This includes ANY activity not farm or soil related and unlike Yakima County where the EFSEC has a proposed BESS project, these policies are written into Skagit County codes. The Conservation Reserve Enhancement Program (CREP) on Skagit farms includes language that allows the restoration to farmland for future farming if needed.

When state agencies convert farmland to other uses they are threatening food security as well as the County's ability to fight climate change. Actions to widen roads, create fish and wildlife habitat, promote wetland mitigation banks or off-site mitigation programs all destroy farmland. State agency failure to manage wildlife has caused millions of dollars of unreimbursed elk damages to farms.

The Board of County Commissioners is correct to pass this moratorium as well as any other emergency actions needed to protect and conserve Skagit farmland for the future.

Ellen Bynum, Executive Director  
Friends of Skagit County  
PO Box 2632 (mailing)  
Mount Vernon, WA 98273-2632  
360-419-0988; [friends@fidalgo.net](mailto:friends@fidalgo.net)  
[www.friendsofskagitcounty.org](http://www.friendsofskagitcounty.org)



**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 7:44 AM  
**To:** Tara Satushek  
**Subject:** FW: Ag-NRL Moratorium Comment

-----Original Message-----

From: Janet Hersey <jan.hersey@comcast.net>  
Sent: Tuesday, October 22, 2024 6:29 PM  
To: PDS comments <pdscomments@co.skagit.wa.us>  
Subject: Ag-NRL Moratorium Comment

I fully support not only the moratorium on an electrical storage facility on ag land, but would like to see it made permanent and prohibit as well all non soil-protecting activities.

Beyond the fact that preserving ag land is the law are multiple reasons having to do with supporting a crucial human need—food. But also supporting jobs and local farm-associated businesses. And a further reason of overarching importance—pollinators. Our insect population is in a frightening downward population spiral. Anything we can do to stem this and promote biodiversity is, today, a necessity. Any business on ag land must, first, protect the life in the soil and the plant and wildlife populations it supports.

Janet Hersey  
3153 Niz Point Rd, Anacortes, WA 99221  
jan.hersey@comcast.net

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**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 7:44 AM  
**To:** Tara Satushek  
**Subject:** FW: Battery storage

-----Original Message-----

From: Megan Hershaw <megalizwazzu@hotmail.com>  
Sent: Wednesday, October 23, 2024 7:04 AM  
To: PDS comments <pdscomments@co.skagit.wa.us>  
Subject: Battery storage

Spam

This quick email is to voice my concern about the proposed battery storage on Minkler Rd. in Sedro-Woolley. The proximity to housing, farmland, creeks, schools, wildlife and the town of Sedro-Woolley all raise red flags. I do not see the benefit to our community only a benefit to a large company taking advantage of cheap land and abundant energy production to be sold at a high rate to other areas of the country.

Please work within your power to squash this proposal.

Thank you,

Megan Hershaw  
Resident of Sedro-Woolley since 1979

Get Outlook for Android <<https://aka.ms/AAb9ysg>>

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**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 8:53 AM  
**To:** Tara Satushek  
**Subject:** FW: Battery Energy Storage System Facility Community Concern  
**Attachments:** Skagit County Commissioners Oppose Goldeneye BESS Project.pdf; Wagoner.jpg; Radius of BESS SW.jpg

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**From:** Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Sent:** Wednesday, October 23, 2024 8:13 AM  
**To:** PDS comments <[pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us)>  
**Subject:** FW: Battery Energy Storage System Facility Community Concern

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**From:** Zindra Nelson <[zindra@yahoo.com](mailto:zindra@yahoo.com)>  
**Sent:** Tuesday, October 22, 2024 9:54 PM  
**To:** Planning & Development Services <[planning@co.skagit.wa.us](mailto:planning@co.skagit.wa.us)>; Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Cc:** Rod Nelson <[bluevaser1@gmail.com](mailto:bluevaser1@gmail.com)>  
**Subject:** Battery Energy Storage System Facility Community Concern

Commissioners, To Whom it May Concern:

I strongly oppose any BESS sites in Skagit County, and strongly support a long term moritorium against them for our citizens and our farmland.

On 9/4/24, I went to the Sedro Woolley City Council Meeting and spoke against it, along with many other community members. As someone who attends Inspire Church in Sedro Woolley on Township, as well as being someone who runs/participates in 2 homeschool programs that meet there, I believe BESS, Project Goldeneye, is a serious concern to our community.

At the City Council meeting, the City Council brought in four members from the Tenaska Company to do a presentation. While they were able to walk us all through a powerpoint, when asked direct questions, they could answer one questions directly. (Link to video below.)

Before a different public meeting in August, they issued letters to those who live within a one mile radius of the PSE Sedro substation - saying that they need to be able to evacuate within 3 minutes of a fire at the plant at any moment. Inspire Church is close to that substation and the planned build site.

As someone who attends Inspire where there are hundreds of attenders, and as someone who feels responsible for the 325 people that are registered and in attendance at Friday School weekly, I am concerned about evacuation as well as shelter in place orders. There is no way that we could evacuate 325 people from the 2 buildings with 3-5 minutes. Which means we would need to shelter in place.

I stated when I spoke at the meeting, that we (as Friday School, First Class Skagit County Homeschool Coop) are not trained for that type of emergency, we don't have the type of supplies needed, and we don't have the means to prepare for this type of emergency especially since we do not receive public school funding. I have no idea where Inspire Church would stand on that type of preparedness. At the meeting, when we asked the representatives from Tenaska directly about evacuation plans, they said have no plan in place. They plan on supplying that information once the need in the process requires it, which is not good enough.

As far as shelter in place goes, I've read some on what that entails. But exposure is what caught me off guard. If exposed to the gas from one of these fires, you are to dispose of your clothing. You are to cut your shirt off, do not take it off over your head. According to the CDC's website, if exposed to the gas, if it gets in your eyes, you could go blind. If it gets on your skin - severe burns/blisters within 24 hours. If you breathe it in, you could drown from your lungs filling with water. If exposed you are to seek immediate medical treatment. Exposure can be fatal.

The following were at the SW City Council meeting, and went on the record as opposing the project:

The Sedro Woolley City Council

The Upper Skagit Tribe

The people of Skagit County (about 400 public present from what we could tell)

The Port of Skagit

All three Skagit County Commissioners were in attendance, 2 spoke. Attached is the press release.

I personally spoke with everyone on the City Council after the meeting. No one wants it in Sedro Woolley. The Council feels like the state will try to push it through regardless. The community of Skagit County is planning on fighting it.

Below are links with further information on the topic. News Coverage. The link to the video Council meeting (you could listen to the companies presentation). Articles on Lithium Battery fires. Information/overview of the goldeneye project. CDC information on health if exposed.

Skagit Valley Herald's Coverage on the City Council Meeting:

[https://www.goskagit.com/news/business/city-council-joins-in-opposing-battery-storage-facility/article\\_8bff2e88-6b93-11ef-a907-8fe27aa1603e.html](https://www.goskagit.com/news/business/city-council-joins-in-opposing-battery-storage-facility/article_8bff2e88-6b93-11ef-a907-8fe27aa1603e.html)

Replay of the SW City Council meeting on 9/4/24 where there was a presentation as well as public comment:

<https://sedrowoolleywa.portal.civicclerk.com/event/184/media>

Here is information on the project:

<https://www.efsec.wa.gov/energy-facilities/goldeneye-bess>

<https://www.efsec.wa.gov/energy-facilities/goldeneye-bess/goldeneye-bess-application>

The overview advertising website for the project:

<https://goldeneyeenergystorage.com/>

The facebook group Stewards of Skagit County #STOPBESS with 2000 Skagit County members:

<https://www.facebook.com/groups/1054570489577476>

News - Battery Storage Fire (BESS) Fire Coverage:

<https://www.youtube.com/watch?v=iTeDqvk8iX4>

[https://www.theepochtimes.com/us/renewable-energy-battery-facility-catches-fire-in-san-diego-county-5719497?c=share\\_pos3&pid=iOS\\_app\\_share](https://www.theepochtimes.com/us/renewable-energy-battery-facility-catches-fire-in-san-diego-county-5719497?c=share_pos3&pid=iOS_app_share)

<https://www.nbcsandiego.com/news/local/lithium-ion-battery-fire-in-escondido-prompts-large-response/3615328/>

<https://www.sandiegouniontribune.com/2024/06/20/fire-in-otay-mesa-puts-battery-storage-projects-under-scrutiny/>

News - Article talks about BESS in WA/Oregon - specifically Sedro:

<https://washingtonstatestandard.com/2024/09/05/battery-farms-the-energy-industrys-new-darling-line-up-to-enter-pacific-nw/>

News - Here is King 5 News coverage:

<https://www.king5.com/video/news/local/opposition-mounts-against-proposed-lithium-ion-energy-storage-facility-in-skagit-county/281-35b667cb-aa4d-4fee-889e-29093501e323>

News - Fox 13 Seattle News Coverage

<https://www.fox13seattle.com/news/sedro-woolley-lithium-battery-facility>

CDC information on the effects on people from lithium battery fires:

<https://emergency.cdc.gov/agent/hydrofluoricacid/basics/facts.asp>



Attached, the Commissioners press release, a letter from three state representatives, and a map of mile radius map from around the proposed facility.

Again, I strongly oppose BESS sites in Skagit County, and support a long term moratorium.

Thanks,  
Zindra Nelson



## Washington State Legislature

August 23, 2024

Energy Facility Site Evaluation Council  
621 Woodland Square Loop SE  
Lacey, WA 98503

We are writing in opposition to the Goldeneye BESS proposal to be sited on agricultural land adjacent to Hansen Creek in Skagit County. As legislators representing the area we must thoughtfully weigh benefits versus risk and the will of our constituents living nearby.

Our first knowledge of the project came just prior to an Informational Meeting conducted in tandem with a Land Use Hearing held in Sedro-Woolley on August 13, 2024. Official notices of these meetings were provided to a very limited number of people so most people learned about it through social media. There is a sense in the community that this was done purposely to limit opposition.

Questions concerning the business model to recoup the \$250 M investment were vague at best; "it's complicated", "it depends" are not satisfying, confidence building answers and not what legislators expect from company representatives. Goldeneye creates no energy, it only consumes and stores energy, presumably for sales to the general market probably at premium prices due to its "renewable status." We are not opposed to profits but if we are to sacrifice our precious guarded agricultural lands it should be for new energy producing sources, not just a clever way to monetize existing power.

The proposed site is not only agricultural land it is directly adjacent to a salmon bearing stream, Hansen Creek, that has a history of flooding. The proposal actually requires tunneling under the creek to connect with PSE's transmission site. Hansen Creek also flows directly into the Skagit River, the importance of which cannot be overstated. It is hard to imagine a less appropriate location given the nature of lithium-ion batteries and their well-known issues with thermal runaway and combustion particularly when water is introduced to the chemical reaction. A cocktail of toxic gasses (hydrogen fluoride among them) is emitted during combustion which could endanger both local residents and any firefighters attempting to extinguish such a conflagration.

This technology does have potential; we are not opposed to its use but, siting criteria should include avoiding populated areas, fish producing bodies of water, vulnerable drinking water sources (to include groundwater), critical wildlife habitat, and agricultural

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Legislative Building • Olympia, WA 98504-0482

areas. While this will preclude many financially tempting locations, we believe the public's safety should take priority. We ask that the Goldeneye BESS facility be sited in a safer, more appropriate location.

Kind regards,

Keith Wagoner  
Senator

Carolyn Eslick  
Representative

Sam Low  
Representative

Cc: EFSEC Council Members  
Governor Jay Inslee  
Skagit County Commissioners



August 28, 2024

## Skagit County Commissioners Oppose Goldeneye BESS Project

The Board of Skagit County Commissioners has issued the following statement regarding the Goldeneye battery energy storage system project (BESS) east of Sedro-Woolley.

“After careful consideration of the application materials provided by Goldfinch Energy Storage and comments from the community, we must oppose the Goldeneye BESS project, proposed at a location in unincorporated Skagit County just east of Sedro-Woolley. The energy storage system threatens decades of collaborative local-tribal work and many millions of public dollars spent to restore Hansen Creek, home to four species of Pacific salmon, steelhead trout, and other wildlife. The Goldeneye BESS proposal would also convert Skagit farmland for industrial development, undermining our community’s long-term protection of Skagit Valley’s farmland and farming economy. Goldfinch Energy Storage has failed to adequately explore alternative sites for this project, instead proposing a location in a sensitive natural resource area for both agriculture and salmon, including Endangered Species Act-listed chinook. We strongly encourage the Washington State Energy Facility Site Evaluation Council to reject this proposal. It is contrary to Skagit County’s Comprehensive Plan, adopted County code, and our community’s intergenerational commitment to protect the Skagit’s floodplain for farming and fisheries.”

The Board of Skagit County Commissioners will continue to advocate on our community’s behalf as the Washington State Energy Facility Site Evaluation Council (EFSEC) and the Governor consider the Goldeneye BESS project.

In addition, the Board of County Commissioners will be evaluating whether major utility developments should be sited on Skagit farmland in general. Currently, [Skagit County Code](#) requires major utility developments on farmland (properties zoned Ag-NRL) obtain a Hearing Examiner Special Use Permit, which involves an open record hearing after significant public notice. The Hearing Examiner Special Use Permit also requires the applicant conduct a vigorous alternative site analysis to ensure no project site other than Skagit farmland would be suitable.

### Background on the Goldfinch Energy Storage Proposal

Goldfinch Energy Storage has [applied](#) to the Washington State Energy Facility Site Evaluation Council (EFSEC) to develop a battery energy storage system (BESS) project in unincorporated Skagit County just east of Sedro-Woolley on Minkler Road. The project involves land on both sides of Hansen Creek, as well as a plan to tunnel under the creek.

The Goldeneye BESS project would consist of energy storage buildings containing racks of lithium-ion batteries and other electrical and communication equipment. The project site parcels are zoned Agriculture-Natural Resource Lands (Ag-NRL) and Rural Reserve (RRv).

The [EFSEC process](#) supersedes Skagit County’s authority to evaluate projects based on the County’s land use, environmental, and development regulations. EFSEC will make a

recommendation to the Governor. The Governor makes the final decision.

In early 2023, Goldfinch Energy Storage requested Skagit County Planning & Development Services issue an administrative official interpretation (AOI), determining whether the proposed Goldeneye BESS project would be defined as a “major utility development” or “major regional utility development.” [AOI 2023-01](#) was issued on February 1, 2023, and declared the proposed project to be a “major utility development” because it was determined the project lacked regionality as the energy stored would ostensibly only be used to supplement power grid needs within Skagit County, the project is of relatively small scale, and the project would not have large impacts compared to other major regional utility developments. Since then, Goldfinch Energy Storage has used AOI 2023-01 to argue the proposed Goldeneye project is allegedly consistent with Skagit County land use regulation.

In considering the AOI, Skagit County Planning & Development Services staff did not evaluate whether the proposed project was consistent with Skagit County land use regulation. The Board of County Commissioners does not believe the proposed Goldeneye project is consistent with Skagit County’s land use code, plans and regulations and AOI 2023-01 does not constitute Skagit County’s consent or approval of the Goldeneye project.

To find more information on the application by Goldfinch Energy Storage to EFSEC, or to sign up for project updates, please visit the [EFSEC website](#).

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**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 8:53 AM  
**To:** Tara Satushek  
**Subject:** FW: Lithium storage moratorium

---

**From:** Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Sent:** Wednesday, October 23, 2024 8:12 AM  
**To:** PDS comments <[pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us)>  
**Subject:** FW: Lithium storage moratorium

---

**From:** Sigrid Novak <[sigridnovak7@gmail.com](mailto:sigridnovak7@gmail.com)>  
**Sent:** Tuesday, October 22, 2024 4:40 PM  
**To:** Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Subject:** Lithium storage moratorium


Please put the moratorium for the Lithium storage facilities in place immediately! This is being rushed through with no regard to the potential damage to our local environment, wild life, property values and health.

No one has a right to impact our property value and health to the extent that a disaster event would bring. Protect our AG land and citizens!

Sigrid Novak



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 360-739-2692



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IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.



**Tara Satushek**

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**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 8:53 AM  
**To:** Tara Satushek  
**Subject:** FW: Possible Spam: Goldeneye battery storage

-----Original Message-----

From: hintonmn@gmail.com <hintonmn@gmail.com>  
 Sent: Wednesday, October 23, 2024 8:24 AM  
 To: PDS comments <pdscomments@co.skagit.wa.us>  
 Subject: Possible Spam: Goldeneye battery storage

We do not want this battery storage in the Skagit valley. First of all It's not green energy, the batteries are highly flammable and lithium is very toxic. If it caught on fire couldn't put it out because the toxins would spread over Farmland and near by homes people would have to evaluate. This happened recently in Escondido California where people had to leave their homes. Find somewhere else to put this not here in the beautiful Skagit valley which feeds millions of people with its farmland.

Leland Hinton  
 Mount Vernon, WA

---

**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 9:35 AM  
**To:** Tara Satushek  
**Subject:** FW: Moratorium Ag Land

-----Original Message-----

From: Jack Moore <jrmoore@co.skagit.wa.us>  
Sent: Wednesday, October 23, 2024 9:23 AM  
To: PDS comments <pdscomments@co.skagit.wa.us>  
Subject: FW: Moratorium Ag Land

-----Original Message-----

From: Planning & Development Services <planning@co.skagit.wa.us>  
Sent: Wednesday, October 23, 2024 7:45 AM  
To: Jack Moore <jrmoore@co.skagit.wa.us>; Allen Rozema <arozema@co.skagit.wa.us>  
Subject: FW: Moratorium Ag Land

From PDS Inbox

-----Original Message-----

From: Judi Haugness <thedevinhouse@gmail.com>  
Sent: Tuesday, October 22, 2024 6:26 PM  
To: Planning & Development Services <planning@co.skagit.wa.us>  
Subject: Fwd: Moratorium Ag Land

Sent from my iPhone

>  
> Good morning,  
>  
> I am aware of the Planning Dept. is working on a Moratorium to protect our Ag Land against Major Utilities.  
> I live in Sedro Woolley, where Golden Eye is proposing a BESS facility not only on Ag Land , but within a 1.25 from the core of our downtown area. Please write the code strong enough to keep them off Ag Land, away from Creeks and waterways, away from populated communities , away from schools, hospitals. They should only be allowed on Heavy Industrial zoning away from the above mentioned.  
> I am for this moratorium. My only wish would be it to be retroactive to effect Golden Eye and protect our precious Ag Land and our community.  
>  
>  
> Sincerely ,  
>  
> Judi Haugness



> 360-224-4925

> Sent from my iPhone

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**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 9:35 AM  
**To:** Tara Satushek  
**Subject:** FW: Moratorium on Energy Storage - Skagit County

-----Original Message-----

From: Jack Moore <jrmoore@co.skagit.wa.us>  
Sent: Wednesday, October 23, 2024 9:24 AM  
To: PDS comments <pdscomments@co.skagit.wa.us>  
Subject: FW: Moratorium on Energy Storage - Skagit County

-----Original Message-----

From: Planning & Development Services <planning@co.skagit.wa.us>  
Sent: Wednesday, October 23, 2024 7:44 AM  
To: Jack Moore <jrmoore@co.skagit.wa.us>; Allen Rozema <arozema@co.skagit.wa.us>  
Subject: FW: Moratorium on Energy Storage - Skagit County

From PDS Inbox

-----Original Message-----

From: Todd Rickard <toddarickard@gmail.com>  
Sent: Tuesday, October 22, 2024 9:25 PM  
To: Planning & Development Services <planning@co.skagit.wa.us>  
Cc: Efletcher-frazer@skagitpublishing.com  
Subject: Moratorium on Energy Storage - Skagit County

To whom it may concern.

As a resident and tax payer in Skagit County, and more specifically, living in the farm area between Mount Vernon and LaConner - I am vehemently opposed to the idea of any solar or energy storage facilities as are being proposed on any Skagit farmland or anywhere near critical areas such as our waterways, potential slide or questionable geologically at risk areas.

Please register my opposition to the idea and if there is anything I can do to help assist in ensuring this will not occur, do let me know.

Best regards,

Todd Rickard  
18316 Best Rd  
Mount Vernon 98273  
+1.206.730.9016

Sent from my iPhone

**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 3:52 PM  
**To:** Tara Satushek  
**Subject:** FW: BESS

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**From:** the cook <wendythecook@gmail.com>  
**Sent:** Wednesday, October 23, 2024 1:44 PM  
**To:** PDS comments <pdscomments@co.skagit.wa.us>  
**Subject:** BESS

Suddenly we heard by rumor that land had been purchased for a BESS to be put on farmland by Hansen Creek 2.5 miles from our farm. Investigating the track record of lithium battery storage facilities, we were horrified at the amount of fires these facilities have had in the past in the US & around the world. Washington State purports to be going green & a leader in environmental protection. Instead we see out of state carpetbaggers moving into our state with a sketchy, "alternative electricity scheme," that has an abysmal track record of safety. They intend, without the citizens consent (appalling with no vote), to plant a BESS adjacent to Hansen Creek ( the indigenous people in the area have worked hard to restore salmon habitat there) and farm land. We do not consent to the possibility of chemical fires destroying our environment. Obviously, the small Sedro Woolley fire department would be unable to contain an unwanted chemical fire ( it takes an amazing amount of water to cool things down, etc). The mind boggles at the facts that the company is inexperienced & will be controlling the operation remotely. Is the so called "green agenda" merely a cover for greed in Washington State? Selling electricity to others, like California does not benefit Sedro Woolley citizens. Nor does the risk & higher taxes.

## Tara Satushek

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**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 3:52 PM  
**To:** Tara Satushek  
**Subject:** FW: Automated Reply: Your comment was received!

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**From:** the cook <wendythecook@gmail.com>  
**Sent:** Wednesday, October 23, 2024 1:47 PM  
**To:** PDS comments <pdscomments@co.skagit.wa.us>  
**Subject:** Re: Automated Reply: Your comment was received!

Wendy Mower & Brad Anderson  
27185 Hoehn Rd.  
Sedro Woolley, wa 98284

On Wed, Oct 23, 2024, 1:43 PM PDS comments <[pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us)> wrote:

Thank you for submitting a comment to Skagit County Planning & Development Services. This message is an automated confirmation that we have received your email. Please do not reply to this email.

If you did not include the name of the project you are commenting on in your subject line, or if you did not include your name and complete mailing address, please resubmit your comment with that information included.

For more information about commenting on Skagit County planning and permitting projects, please visit [www.skagitcounty.net/pdscomments](http://www.skagitcounty.net/pdscomments) <<http://www.skagitcounty.net/pdscomments>>.

**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 3:53 PM  
**To:** Tara Satushek  
**Subject:** FW: WWAA - Interim Ordinance RE moratorium on major utilities on Ag-NRL Lands O20240007

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**From:** Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Sent:** Wednesday, October 23, 2024 3:13 PM  
**To:** PDS comments <[pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us)>  
**Subject:** FW: WWAA - Interim Ordinance RE moratorium on major utilities on Ag-NRL Lands O20240007

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**From:** Kara Rowe <[kara@westag.org](mailto:kara@westag.org)>  
**Sent:** Wednesday, October 23, 2024 2:35 PM  
**To:** Ron Wesen <[ronw@co.skagit.wa.us](mailto:ronw@co.skagit.wa.us)>; Peter Browning <[pbrowning@co.skagit.wa.us](mailto:pbrowning@co.skagit.wa.us)>; Lisa Janicki <[ljanicki@co.skagit.wa.us](mailto:ljanicki@co.skagit.wa.us)>; Commissioners <[commissioners@co.skagit.wa.us](mailto:commissioners@co.skagit.wa.us)>  
**Cc:** Jenn Smith <[jenn.sbfarms@gmail.com](mailto:jenn.sbfarms@gmail.com)>; Owen Peth <[owenpeth@outlook.com](mailto:owenpeth@outlook.com)>  
**Subject:** WWAA - Interim Ordinance RE moratorium on major utilities on Ag-NRL Lands O20240007

Commissioners,

Thank you for your continued protection of agriculture in Skagit County. As you know, our organization has represented farms of all sizes and practices throughout western Washington for more than 80 years. The world is dependent on the food we produce commercially in Skagit County. Our soils and farmland are unlike any other state and region in the U.S., and we must treat it as such. We cannot produce more farmland and the Washington State Growth Management Act (GMA) requires Skagit County to identify and conserve farmland zoned Agricultural - Natural Resource Lands (Ag-NRL) solely for food and fiber production in perpetuity. Skagit County Comprehensive Plan, countywide policies and codes all uphold and enforce the requirements of the GMA. Conversion of Ag-NRL to any other uses, other than soil-dependent activities as accessory uses, is illegal.

Because of this, we oppose any proposed battery storage facilities within the Ag-NRL and we strongly support the interim ordinance imposing a moratorium on energy storage projects on Skagit farmland. This ordinance is essential to protecting one of our county's most valuable and vulnerable resources: our farmland. We believe that there are multiple areas within the urban areas of Mount Vernon that would support this facility, including vacant buildings and parking lots.

We greatly appreciate the time and effort taken by yourselves, County Staff, and Prosecuting Attorney's Office, for their actions to protect our precious farmland. We urge you to maintain and extend the moratorium if needed, until final code amendments are fully in effect.

Again, thank you for your commitment to preserving Skagit's farmland, and we urge you to continue prioritizing agriculture over development or incompatible uses in the future.

Respectfully,  
Kara

**Kara Rowe**  
Policy Director  
Western Washington Agricultural Association



**From:** PDS comments  
**Sent:** Wednesday, October 23, 2024 3:53 PM  
**To:** Tara Satushek  
**Subject:** FW: Proposed Lithium Battery storage

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**From:** Cindy Bjorklund <cindy.bjorklund@gmail.com>  
**Sent:** Wednesday, October 23, 2024 3:29 PM  
**To:** PDS comments <pdscomments@co.skagit.wa.us>  
**Subject:** Proposed Lithium Battery storage

I am a land owner near Minkler lake and drive the Minkler road each day I go into Sedro woolley... Usually at least 5 days a week period I understand that the lithium battery storage could be very dangerous for the local environment, farmers and the people who live in this region. I do not believe that it is beneficial in any way to have these batteries stored on the edge of Sedro Woolley. Please reject this proposal. PROTECT OUR HOMEOWNERS AND FARMERS IN THIS REGION.