



Skagit County Clean Energy Siting and Permitting

Frequently Asked Questions (FAQs)

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Project Overview

What is the scope of this project?

Skagit County is reviewing its local permitting process for clean energy technologies by completing a programmatic Environmental Impact Statement (EIS) to evaluate suitable areas and mitigation measures for different potential energy uses including solar energy, battery energy storage, small nuclear facilities, and renewable fuel facilities. The review may result in updates to county code impacting the siting and requirements of clean energy projects.

What is the goal of the Clean Energy Siting and Permitting (CESP) project?

The goal of this project is to adopt clean energy regulations in the form of code updates in unincorporated Skagit County by May 2027. Clean energy regulations are needed due to the unprecedented growth in energy demand across Washington State and the requirements of the Washington State Clean Energy Transformation Act, which mandates electric utilities to transition to an electricity supply free of greenhouse gas emissions by 2045. Skagit County is now receiving more inquiries about energy projects and currently does not have clean energy development regulations.

Skagit County has identified the following goals for clean energy:

- Retain local control over clean energy permitting where possible,
- Establish clear and consistent standards for project proponents and the public, and
- Ensure that future clean energy development considers community values, environmental impacts, and mitigation strategies informed by public and Tribal input.

If this project is not completed, will clean energy projects not be able to permitted?

No, there are two permitting pathways currently available to developers of clean energy projects.

1. Applying as a major or minor utility development under [Skagit County Code 14.18.870](#), or
2. Applying through state permitting process provided by [Washington State Energy Facility Site Evaluation Council \(EFSEC\)](#).

Currently, both of these processes do not establish clear construction standards, performance standards, or mitigation of potential impacts to adjacent properties. Skagit County is leading this effort to help outline clear code and a streamlined permitting process with proper review of potential impacts to county resources.

Will this project make it easier to allow energy uses on Agricultural Resource Lands?

No. Under the [Growth Management Act \(GMA\)](#), Skagit County may not permit non-agricultural uses on designated Agricultural Resource Lands which convert more than one acre of agricultural land to non-agricultural uses. Therefore, this project will not include options to site energy uses within these areas.

However, developers who go through the state permitting process provided by [Washington State Energy Facility Site Evaluation Council \(EFSEC\)](#) may be approved on Agricultural Resource Lands as EFSEC is not currently subject to the same limitations under the law as the County. This project will assist the county in better understanding the impacts of energy projects on its agricultural lands.

<https://efsec.wa.gov/siting-process>

What type/s of energy facilities are being studied?

At this early stage, Skagit County is considering studying the following energy types and related uses in the programmatic EIS:

- Solar energy,
- Battery energy storage,
- Small nuclear facilities, and
- Renewable fuel facilities

Doesn't the County already permit these energy types?

The Skagit County Code currently permits energy facilities as utility developments under [SCC 14.18.870](#). The code states that major or minor utility developments are allowed under a special use permit in all county zones, except that energy generation and storage projects are not allowed in the Agricultural–Natural Resource Lands zone. The code does not provide additional conditions or limitations to energy uses by type, location, or outline performance standards to mitigate potential impacts. It is the intent of this project to develop code to help facilitate these energy uses and respect the County's existing land uses.

Does this project authorize or permit any specific energy projects in Skagit County?

No. This project does not authorize or permit specific energy developments. Instead, it is a proactive measure to strengthen local permitting and provide clarity in development processes - including locations, applications, and mitigation measures for these uses - if the County is approached by parties interested in developing these energy uses.

If Skagit County does not provide a permitting pathway for energy projects, is there a possibility that they still may be built?

Yes. If Skagit County does not provide a permitting pathway for varying energy projects, they may still be permitted by the [Washington State Energy Facility Site Evaluation Council \(EFSEC\)](#) permitting process.

Therefore, if Skagit County does not create proactive codes which identify appropriate locations for possible future projects and identify mitigation to address possible project impacts, a project may still be permitted and built. This project is focused on providing permit pathways that not only provide predictability to applicants, but also keep permitting decisions local, so the community has a stronger voice.

How else would this project help the community?

If a future applicant decides to permit an energy project through the [Energy Facility Site Evaluation Council \(EFSEC\)](#) permitting process in the future instead of permitting through Skagit County, the County will be in a better position to require proper siting and proper project mitigation as a result of updated energy code.

Will the result of this project be new code and development standards which will automatically allow uses in certain areas?

The result of this project may include the development of new and modified codes. These codes will more thoroughly outline where uses may be sited if code requirements are met, the standards, studies, and other information which must be provided as part of an application, and the types of mitigation which should be evaluated within an application.

Each application submitted under new codes will then be individually evaluated for compliance with Skagit County Code and under the State Environmental Policy Act (SEPA). Future applications will also include opportunities for public noticing, commenting, and appeals.

The County is completing a Programmatic Environmental Impact Statement (EIS) as part of this project. What does that mean?

A Programmatic Environmental Impact Statement (PEIS) under the State Environmental Policy Act (SEPA) evaluates the environmental effects of broad, planning-level proposals, rather than site-specific projects. It is used when decisions involve multiple projects, long-term implementation, or large geographic areas. The Programmatic EIS provides enough detail to compare planning alternatives, assess cumulative effects, and develop broad mitigation strategies.

Site-specific projects will then be separately evaluated under SEPA and County Code. Separate opportunities for public involvement are also provided at the project level.

Engaging the Community

I like/dislike the idea of certain energy facilities being built in Skagit County, how can I share my input?

There will be opportunities throughout the project to provide input on concerns related to the specific energy uses being studied. We welcome your feedback and input.

Helpful feedback for the project team include:

- Your concerns related to potential impacts from energy projects in Skagit County;
- Locations of interest or concern for siting energy projects within Skagit County;
- Mitigation methods to reduce potential impacts;

Potential project benefits associated with energy projects. <https://efsec.wa.gov/siting-process> Providing input into where energy uses may be most appropriate and what mitigation and minimization measures may help reduce impacts in the County will be very helpful in creating a clear code, which will assist the County in reviewing future energy project applications.

What is the Clean Energy Advisory Group and what role will they have in this project?

The purpose of the Clean Energy Advisory Group is to provide policy guidance to Planning and Development Services staff in drafting a recommended clean energy code. Code amendments will include siting criteria and create a more efficient permitting process for clean-energy projects. The effort will assess impacts, mitigation, identify suitable areas for development, and result in predictable permitting for the community and clean energy developers alike.

The Clean Energy Advisory Group will be facilitated. The advisory group will make all recommendations using a modified consensus model.

The Clean Energy Advisory Group will consist of twelve members and will include the following representation:

- Three seats are open to any Skagit County resident. An ideal candidate will have background, experience, and/or interest in the following areas: climate change; energy production and conservation; public health; farming; fisheries; forestry; ecosystem conservation; economic development; and/or land use planning.
- Three seats are open for three different non-profit groups representing the following interests: environment, vulnerable communities, and land use.
- Three seats are reserved for the following: Climate Impact Advisory Committee, Agricultural Advisory Board, and Forest Advisory Board.
- One seat will be reserved for a representative from the Economic Development Alliance of Skagit County.
- One seat will be reserved for a representative from Puget Sound Energy.
- One seat will be reserved for a representative from the Port of Skagit.

Interested applicants for the six open seats referenced above can apply to participate on the Clean Energy Advisory Group by submitting an application through the [portal on our website](#). Interested applicants are required to upload a

Skagit CESP Frequently Asked Questions for more information go to <https://www.skagitcounty.net/CESP>

Letter of Interest to the portal that includes the applicants background, why the applicant is interested in serving on the group, and a statement confirming that the applicant is able to commit to the meeting schedule.

Applications are due by Wednesday, May 27th, at 4:30 p.m.

For more information on the Clean Energy Advisory Group, please visit the project website:

<https://www.skagitcounty.net/CESP>

How can I participate more in the EIS and project process?

As the project progresses, key opportunities to share your voice include:

May 14, 2026 – June 16, 2026 – Sending in a written or online comment during the “scoping comment period” or/and attending the project open houses to shape the focus and potential impacts analyzed for the study,

Fall 2026 – Submit online or written comments or/and attend the project open houses to engage with the draft study when it is released, and

Summer 2027 - When draft development regulations are released.

As part of this study, there will be outreach to tribes, agencies, stakeholders, and impacted communities from Spring to Fall 2026 to discuss site selection, potential impacts, and mitigation measures for potential impacts. There will be six open houses throughout this project, three during the first comment period and three after the draft EIS is released during the second comment period. Open house locations include Anacortes, Concrete, and Mt. Vernon or Burlington. County staff strategically picked locations to allow for countywide engagement and engagement in all Board of County Commissioners districts to reach constituents.

How can I stay updated about this project?

Skagit County will use the project website to provide information on project related events, documents, project schedule, and ongoing project updates for the duration of the project. Collaboration with the County, local jurisdictions, community groups, and more, social media will be used as a means for disseminating information and events.

The project website can be found by clicking the link below:

<https://www.skagitcounty.net/CESP>

Energy Use and Permitting

How are clean energy projects permitted in Skagit County?

There are two clean energy permitting pathways in the State of Washington:

Local government-led process,

Washington State [Energy Facility Site Evaluation Council \(EFSEC\) process.](#)

Developers can choose the specific permitting process for their project, each has tradeoffs and considerations associated with it. The Department of Ecology provides a comparison of the permitting pathways here: [Focus on: Pathway options for environmental review and permitting clean energy projects](#)

Providing local permitting options which are streamlined, efficient, and mitigate project impacts should result in more projects being submitted to the County vs. the EFSEC process.

The Washington State Energy Facility Site Evaluation Council (EFSEC) process is done with the EFSEC Council making a final recommendation to the governor for approval. This process can bypass local County regulations.

In all circumstances, EFSEC retains jurisdictional authority over nuclear fission energy facilities and long utility-driven electric transmission line planning and siting). You can learn more about EFSEC here: <https://efsec.wa.gov/>.

What types of clean energy uses are currently permitted in Skagit County?

Skagit County currently has code in place to review the following clean energy uses:

Minor/Major utility developments: facilities and services that generate, transport, process, or store water, sewage, solid waste, electrical energy, communications and pipelines for fuel, oil, natural gas, and petroleum products. ([SCC 14.18.870](#));

Clean energy generation and energy storage is not specifically addressed in current code and may be treated as a major or minor utility development using county processes under [SCC 14.18](#).

Certain energy uses, including nuclear fission, must apply for certification under the Washington State Energy Facility Site Evaluation Council (EFSEC) process which are listed on the webpage below:

<https://efsec.wa.gov/siting-process/who-we-regulate>

What does solar energy include?

Small-scale solar facilities can include distributed solar facilities, behind the meter solar facilities, and rooftop solar systems. These facilities absorb energy from the sun. Photovoltaic (PV) solar systems consist of absorbing solar panels, while older technologies include concentrating or reflecting solar energy. Small-scale solar facilities differ from large scale PV systems by both the scale of the energy generated and where the energy generated may go. All solar facilities typically include solar modules (including PV modules), panel racking systems, underground collection system lines, inverters, transformers, and an interconnection line. To learn more about solar energy, visit the following resources:

[How Does Solar Work? | Department of Energy](#)

[Solar Integration: Distributed Energy Resources and Microgrids Basics | Department of Energy](#)

[Solar Photovoltaic Technology Basics | Department of Energy](#)

<https://www.energy.gov/cmei/systems/wind-energy-basics><https://www.energy.gov/energysaver/microhydropower-systems>

What is a battery energy storage facility?

Some energy facilities, such as solar and wind, cannot generate electricity constantly. Additionally, electrical grids do not always need energy at the same time the renewable or intermittent energy is generated. Battery energy storage facilities can include battery energy storage systems (BESS) and battery storage block systems. Battery storage facilities are a technology which can store energy for later use. These facilities can be implemented on a large scale for utility purposes or on a smaller scale for residential and commercial use.

To learn more about battery energy storage facilities, visit the following resources:

[Solar Integration: Solar Energy and Storage Basics | Department of Energy](#)

[Battery Energy Storage Systems Are Here: Is Your Community Ready? | Feature | PNNL](#)

What is a small nuclear facility?

Small nuclear facilities can include Small Modular Reactor (SMR) facilities and other advanced nuclear reactors. Nuclear facilities that produce energy through nuclear fission must go through EFSEC permitting, regardless of facility size. Skagit County can create a permitting process for nuclear facilities that produce energy through nuclear fusion. SMR facilities are smaller than conventional nuclear power facilities and are modular, meaning they can be factory assembled and transported for installation. Microreactors have even smaller footprints than SMRs and can serve as a backup power supply in emergency situations or replace power generators that are often fueled by diesel, for example, in rural communities or remote businesses.

To learn more about small nuclear energy facilities, visit the following resources:

[Advanced Small Modular Reactors \(SMRs\) | Department of Energy](#)

[What are Small Modular Reactors | International Atomic Energy Agency](#)

[Siting of small modular reactors \(SMRs\) | EFSEC](#)

What are renewable fuels?

Renewable fuels are defined as fuel produced using renewable resources and includes renewable hydrogen¹. Renewable fuels also include fuels that use resources from sources such as renewable natural gas, renewable hydrogen, biodiesel fuel that is not derived from crops raised on land cleared from old growth or first growth forests, or biomass energy.

To learn more about renewable fuels, visit the following resources:

[Hydrogen and Renewable Fuels – Washington State Department of Commerce](#)

[Alternative Fuels Data Center: Renewable Natural Gas Production](#)

[Alternative Fuels Data Center: Biodiesel Fuel Basics](#)

¹ RCW 43.330.560

What is renewable natural gas?

Renewable natural gas means a gas consisting largely of methane and other hydrocarbons derived from the decomposition of organic material in landfills, wastewater treatment facilities, and anaerobic digesters².

For more information on renewable natural gas, visit the following resource:

[Alternative Fuels Data Center: Renewable Natural Gas Production](#)

What is renewable hydrogen?

Renewable hydrogen means hydrogen produced using renewable resources both as the source for the hydrogen and the source for the energy input into the production process³.

To learn more about renewable hydrogen, visit the following resource:

[Hydrogen and Renewable Fuels – Washington State Department of Commerce](#)

What is biomass energy?

Biomass energy facilities generate energy by converting organic materials—known as biomass—into usable forms of energy, including electricity, heat, and transportation fuels. Biomass used in these facilities can consist of agricultural residues, forest materials, purpose grown energy crops, algae, and organic wastes. Bioenergy facilities may use a range of conversion technologies, such as combustion, gasification, or biological processes, to produce energy. Depending on the technology and scale, these facilities can support on-site energy needs, provide heat or electricity to nearby users, or deliver energy to the regional grid.

In Washington State, biomass energy does not include:

- Wood pieces that have been treated with chemical preservatives;

- Wood from old growth forests; or

- Municipal solid waste.

To learn more about bioenergy, visit the following resources:

[Bioenergy Basics | Department of Energy](#)

Will this study include planning for transmission lines which may be necessary to facilitate new energy uses?

Certain transmission lines, such as interconnect tie-in lines that have a specific purpose of connecting an energy storage or generation source to the grid, are included in this study as part of associated infrastructure. Electronic transmission lines that are designed to move power over between load centers and are part of the regional (multi-county and multi-

² RCW 19.405.020(32)

³ RCW 19.405.020(31)

utility) grid network are not part of this study. Regional planning of these bulk transmission lines occurs through state-level processes.

Will this study include planning for pipelines which may be necessary to facilitate new renewable fuel energy uses?

No. This project will evaluate where different types of clean energy projects may be appropriately sited, as well as assess their potential impacts and identify appropriate mitigation measures. Skagit County already has code in place for pipelines for fuel, oil, natural gas, and petroleum products under [SCC 14.18.870](#).