

**ATTACHMENT H: LAND USE CONSISTENCY
REVIEW**

Land Use Consistency Review

Goldeneye Energy Storage Project

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Acronyms and Abbreviations

Ag-NRL	Agricultural – Natural Resource Lands
Applicant	Goldeneye Energy Storage, LLC
ASC	Application for Site Certification
BESS	battery energy storage system
BMP	best management practice
County	Skagit County, Washington
EDNA	environmental designations for noise abatement
EFSEC	Energy Facility Site Evaluation Council
HCA	habitat conservation area
HVAC	heating, ventilation, and air conditioning
I-5	U.S. Interstate Highway 5
kV	kilovolt
LID	low-impact development
Project	Goldeneye Energy Storage Project
PSE	Puget Sound Energy
RRv	Rural Reserve
SCA	Site Certification Agreement
SCC	Skagit County Code
SCCP	Skagit County Comprehensive Plan
SMP	Shoreline Master Program
SR	Washington State Route
UGA	Urban Growth Area
UL	Underwriters Laboratories

1.0 INTRODUCTION

Goldeneye Energy Storage, LLC (Applicant) proposes to construct and operate the Goldeneye Energy Storage Project (Project) in unincorporated Skagit County, Washington (County). The Project is a stand-alone 200-megawatt / 800-megawatt hour battery energy storage system (BESS), with related electrical grid interconnection and ancillary support infrastructure. The Project is located off Minkler Road just outside the eastern edge of the City of Sedro-Woolley, within the Skagit Valley, less than 1 mile north of the Skagit River (see Part 2 of the Application for Site Certification [ASC], Figures 1 and 2, for a context map and site plan). The Project site is zoned Agricultural – Natural Resource Lands (Ag-NRL) and Rural Reserve (RRv) under the Skagit County Code (SCC) (see Figure 3).

1.1 Project Purpose

The purpose of the Project is to provide a service to the regional electric grid by receiving energy (charging) from the Puget Sound Energy (PSE) electric transmission system, storing energy on site, and then later delivering energy (discharging) back to the point of interconnection. In other words, the Project allows for extra electrical energy produced by renewable sources (such as wind and solar) to be stored at peak generation times and utilized later when electrical demand is highest. In providing this service, the Project provides for electrical grid stability and supports Washington’s move towards 100 percent clean electricity supply as set forth in the Clean Energy Transformation Act. The Project would also provide Skagit County with additional tax revenue.

1.2 Project Overview

The Project will primarily consist of BESS units, which consist of batteries installed in purpose-built enclosures. These enclosures will contain battery cells grouped together in modules, which are placed in racks, with a battery management system for automated monitoring and managing of the batteries to ensure design performance. In addition to the BESS units and their associated equipment (e.g., inverters, transformers, underground collection cabling), the Project will include a substation, underground 230-kilovolt (kV) transmission line, and maintenance and parking areas. The Project components are further described in Part 2 of this ASC.

The Project will interconnect with the existing PSE Sedro-Woolley Substation, located approximately 625 feet southwest of the Project site, via the new underground 230-kV transmission line. Generally, the Project site will be accessed using U.S. Interstate Highway 5 (I-5), Washington State Route (SR) 20, and Minkler Road. Additionally, Hoehn Road can provide access to the existing PSE Sedro-Woolley Substation and the transmission line corridor, as needed. The Project will be secured with a 12- to 16-foot-tall pre-cast concrete panel wall and gates to provide access inside the site, from the three new access points to be constructed off Minkler Road. The Project substation will be enclosed by chain-link fence with three strands of barbed wire at the top to prevent unauthorized access to the high-voltage electrical equipment.

Additionally, the Applicant will upgrade an approximately 2,000 linear foot portion of Skagit Public Utility District’s (PUD) existing water line to provide additional water supply capacity and allow for installation of fire hydrants at the Project site. Work will occur within Minkler Road and on parcels

within the Project Area. The Applicant anticipates the water line replacement will require a full road closure with detours. Access to residential driveways will be continuously maintained and open, in compliance with the traffic control plans. The Applicant will work in coordination with County and Skagit PUD staff to ensure the improvements meet the applicable construction standards.

2.0 BACKGROUND

The Applicant has elected to seek Project approval from Washington State’s Energy Facility Site Evaluation Council (EFSEC) under the EFSEC Site Certification Agreement (SCA) process. Previously, the Applicant was evaluating Project approval under the County’s local land-use permitting process. As part of this process, the Applicant attended a Pre-Development Meeting with the County on May 26, 2022. In this meeting the County’s “utility development” definition was discussed. Under SCC 14.04.020, this use is split into three categories: Minor Utility Developments, Major Utility Developments, and Major Regional Utility Developments. The “major utility development” and “major regional utility development” definitions were contemplated for the Project in this Pre-Development meeting. Following this meeting the Applicant submitted a formal Administrative Interpretation to the County requesting the Project be classified as a major utility development. On February 1, 2023, Skagit County Planning and Development Services approved Administrative Interpretation request #PL22-0460 (see Appendix A). Therefore, the standards addressed herein are focused on the Project’s classification as a *major utility development*.

As mentioned above, the Project site is zoned Ag-NRL and RRv. Major utility developments are allowed in both the Ag-NRL and RRv zones as a hearing examiner special use, subject to the Level II review procedures, pursuant to SCC 14.16.400(4)(h) and 14.16.320(4)(p), respectively. However, since the Applicant is seeking Project approval from EFSEC, the ASC process takes the place of the County’s Level II review procedures. To support the land use analysis in Section 4.N of the ASC, this Land Use Consistency Review has been prepared (and is included as Attachment H of the ASC) to address applicable land use regulations from the Skagit County Comprehensive Plan (SCCP) and SCC. Since demonstrating compliance with applicable provisions often requires detailed information covered elsewhere in the ASC, the following review includes cross-references to other sections, reports, and supporting studies for further analysis and documentation. In Section 3 below, the Applicant demonstrates the Project’s consistency with the applicable elements, and associated goals and policies, of the SCCP (Skagit County 2016). In Section 4, the Applicant demonstrates that construction and operation of the Project would comply with applicable provisions of the SCC, including meeting or exceeding the decision criteria for special uses. Accordingly, the Project would be consistent with applicable local land use regulations.

3.0 SKAGIT COUNTY COMPREHENSIVE PLAN

This section demonstrates the Project’s consistency with the applicable goals and policies of the SCCP.

3.1 Chapter 3: Rural

This subsection demonstrates the Project's consistency with applicable goals and policies of the SCCP's Rural Element.

- Goal 3A-3* *Ensure that public facilities, services, roads and utilities are properly planned for and provided, consistent with rural character, needs, and lifestyles.*
- policy 3A-3.3* *Standards and plans for structures, roads and utility systems, and other public services and facilities shall be consistent with rural densities and uses. Such facilities and services shall be such designed, constructed, and provided to minimize the alteration of the landscape and the impacts to rural residents and community character, to preserve natural systems, to protect critical areas, to protect important land features such as ridgelines, to retain historic and cultural structures/landscapes, and scenic amenities.*

Response: As discussed below in Section 4.3 and shown on Figure 3, a portion of the Project is in the RRv zone, which has a Rural Lands designation in the SCCP. The only portion of the Project in the RRv zone is the upgraded Skagit PUD water line, which will be sited entirely below existing grade and will not involve installation of aboveground components. Goal 3A-3 and Policy 3A-3.3 appear to be primarily directed to the County; however, since this portion of the Project is entirely underground, it is not anticipated to result in significant alterations to the landscape and impacts to rural residents and community character. Discussion about natural systems, critical areas, and land features are included in Section 3.3 (below) and the inter-referenced section. For these reasons, the Project is consistent with Goal 3A-3 and Policy 3A-3.3.

3.2 Chapter 4: Natural Resource Lands

This sub-section demonstrates the Project's consistency with applicable goals and policies of the SCCP's Natural Resource Lands Element.

- Goal 4A-3* *Promote preservation of agricultural land for agricultural uses, minimize non-farming uses on agricultural lands; and develop incentive programs to promote farming.*
- policy 4A-3.1* *Long-Term Designation of Agricultural Lands: Designation of Agricultural Lands is intended to be long-term. De-designation is discouraged, but may be considered only when compelled by changes in public policy, errors in designation, new information on resource lands or critical areas, circumstances beyond the control of the landowner, or an overriding benefit to the agricultural industry. Evaluate de-designation requests with the same criteria under policy 4A-1.1 used for designation of Agricultural-Natural Resource Lands.*
- policy 4A-3.2* *Development Rights Program: Maintain and continue to fund the voluntary purchase of development rights through the Farmland Legacy Program to limit potential conversions or development in agricultural lands.*

policy 4A-3.3 Conservation Easements: Where legally subdivided land would promote incompatible residential development, encourage the voluntary donation of conservation easements or other development restrictions to Skagit County or to a qualified private nonprofit organization for the purpose of preserving the perpetual agricultural use of the land.

Response: As discussed below in Section 4.3 and shown on Figure 3, the majority of the Project is sited in the Ag-NRL zone. The main Project parcel (P40030, owned by John F Grinder and shown on Figure 2) is approximately 14 acres and zoned Ag-NRL. Approximately half of this parcel is currently developed with four existing structures and three overhead transmission lines, which leaves approximately 7 acres, a relatively small area for agricultural activities. This remaining area is also disconnected from larger agricultural production areas, as Minkler Road borders the northwestern portion of the parcel and the underlying landowner does not own any of the abutting parcels.

As discussed above in Section 1.1, the purpose of the Project is to provide a service to the regional electric grid by receiving energy (charging) from the PSE electric transmission system, storing energy on site, and then later delivering energy (discharging) back to the point of interconnection, the Sedro-Woolley Substation. Due to the nature of the Project, it must be sited near an existing substation.

Furthermore, this parcel is the only viable location for the Project within 1 mile of this point of interconnect. This is demonstrated in the alternatives analysis, included as Appendix B to this document. For the reasons detailed above, the Project site is not ideal for agricultural activities and is best utilized as proposed.

3.3 Chapter 5: Environment

This subsection demonstrates the Project's consistency with applicable goals and policies of the SCCP's Environment Element.

Goal 5A-5 Skagit County shall, protect and conserve critical areas in cooperation with federal, state, local, and tribal jurisdictions.

policy 5A-5.3 Development allowed in critical areas shall be conducted without risk to lives, and with minimum risk to property, infrastructure, and resources.

(a) Wetlands

(i) Development adjacent to wetlands should be sited such that wetland and buffer functions are protected and an adequate buffer around the wetland is left undisturbed.

(c) Frequently Flooded Areas

(iii) Development shall protect water quality and minimize run-off by limiting impervious surfaces, grading and filling, as well as maximizing vegetative cover and other best management practices.

(iv) Flood-proofing of substantial improvements and new structures in frequently flooded areas shall be required.

(vii) Compensatory storage and a "no net loss" land use approach to maintaining flood water storage capacity and conveyance shall be required in frequently flooded areas.

(d) Geologically Hazardous Areas

(v) Public or private utility service or extensions (sewer, water, natural gas, and electric) should be discouraged in geologically hazardous areas and carefully sited to avoid potential damage to the utility or properties.

(e) Fish and Wildlife Habitat Conservation Areas

(i) New development within or adjacent to HCAs should incorporate design elements that protect wildlife habitat values.

(ii) All development that may significantly adversely impact HCAs shall require a mitigation plan, prior to any permit approval. A threshold shall be established on a case by case basis by a qualified professional.

policy 5A-5.7 With the exception of activities that are exempt under the Critical Areas Ordinance (CAO), any proposed alteration that adversely affects a critical area or its standard buffers' functions shall comply with the substantive and procedural requirements of the CAO regardless of whether such alteration requires a County development permit or approval.

Response: The Project site contains critical areas designated by the County. In pre-application materials previously provided to the Applicant by the County and dated May 26, 2022, the following resources were identified within the Project site:

- Floodplain (considered a “frequently flooded area”);
- Type S water (Hansen Creek) (considered a “fish and wildlife habitat conservation area” and has a 200-foot riparian buffer width);
- Wetlands;
- Priority habitats/species; and
- Moderate to high liquefaction potential soils (considered a “geologically hazardous area”).

The goals and policies of the SCCP’s Environment Element, including Goal 5A-5 and Policies 5A-5.3 and 5A-5.7, are implemented in Chapter 14.24 of the SCC. Since the Applicant opted to pursue Project approval through the EFSEC process, the critical area categories of the County (and the applicable provisions of the Critical Areas Ordinance) are addressed in various parts of the ASC as detailed in the Table 1.

Table 1. Location of Critical Areas Discussion in the ASC

Critical Area	Part of ASC (where applicable SCC 14.24 provisions addressed)
Wetlands	3.C and 4.C
Frequently Flooded Areas	3.E, 3.G and 4.E, 4.G
Aquifer Recharge Areas	None identified, as demonstrated in the Critical Areas Report (included as Attachment J to this overall ASC)
Geologically Hazardous Areas	3.A
Fish and Wildlife Habitat Conservation Areas	3.H, 3.I and 4.H, 4.I

In Section 4.5 of this document and the referenced parts of the ASC, the Applicant discusses the Project's siting and design to avoid potential impacts to critical areas and mitigation strategies where impacts are unavoidable. For the reasons detailed above and in the referenced sections of both this document and parts of the overall ASC, the Project is consistent with Goal 5A-5 and Policy 5A-5.7.

3.4 Chapter 6: Shorelines Master Program

This chapter of the SCCP incorporates the Shoreline Master Program (SMP) by reference. In Section 4.6 of this document, the Applicant demonstrates that no development is proposed within designated shorelines and no use of shorelines of the state is required for construction of the Project. Therefore, the provisions of the SMP do not apply and a shoreline development permit is not anticipated to be required.

3.5 Chapter 9: Utilities

This subsection demonstrates the Project consistency with applicable goals and policies of the SCCP's Utilities Element.

- Goal 9A-3 Site facilities consistent with the policies of the Land Use Element.*
- policy 9A-3.1 Siting at Critical Areas – The county shall ensure that utility facilities are not sited in designated critical areas unless feasible alternatives are unavailable, in which case suitable mitigation in accordance with the critical areas regulations shall be required.*
- policy 9A-3.2 Siting of Major Facilities - Outdoor installations of transfer and distribution stations providing electrical power, communications, and natural gas, should, where practicable, be located in industrial or commercially zoned areas. Stations should be reasonably compatible with surrounding uses. Where system design or economics necessitate location of such installations in residential or rural areas, installations shall be suitably screened or enclosed so as to eliminate or substantially reduce the visual impact. This may be achieved through appropriate setbacks and screening, such as, buildings, natural topography, landscaping, and vegetation.*

Response: As referenced in Section 2 and demonstrated in the County's decision included as Appendix A, the Project is considered a major utility development. The Applicant demonstrates the Project's consistency with the applicable provisions of the SCC throughout this document. As

discussed above, the Project is located in the Ag-NRL zone and is expected to impact critical areas. However, this is the only viable location for the Project within 1 mile of the point of interconnection (POI), the existing Sedro-Woolley Substation. The Sedro-Woolley Substation was chosen as it is the only POI in this generation-constrained area of substantial growth that has an appropriate interconnection voltage, and it also has a low cost to upgrade and interconnect, resulting in a lower cost to the ratepayer. The alternatives analysis, included as Appendix B to this document, includes additional detail on, and rationale for, selection of the Project site. Additionally, by siting the Project in this location, it will be clustered with existing electrical utilities, including the Sedro-Woolley Substation and three existing overhead transmission lines. Three of the existing overhead transmission lines are sited within the parcel where the Project is proposed, and the Sedro-Woolley Substation is directly adjacent to the southwest. The Applicant has prepared mitigation measures to address unavoidable impacts, which are discussed in the following parts of the ASC: 3.A, 3.C, 3.E, 3.G, 3.H, 3.I, 4.A, 4.C, 4.E, 4.G, 4.H, and 4.I. Additionally, the Applicant has also prepared a conceptual planting plan (included as Attachment C to this ASC), which in part provides for installation of vegetation visual screening of the walled and fenced portions of the Project. As a result, the Project is not anticipated to result in significant visual impacts. A visual impact assessment (included as Attachment P) has also been prepared, which further analyzes visual impacts and demonstrates the Project's aesthetic compatibility.

For the reasons outlined above, the Project is consistent with Goal 9A-3 and Policies 9A-3.1 and 9A-3.2.

Goal 9A-4 Encourage underground utility distribution lines to reduce visual and safety impacts of overhead lines where economically feasible.

policy 9A-4.1 Planning - Utility providers shall be encouraged to plan for underground installation of utility lines, and private developers shall be required to underground utilities as directed during permit review.

Response: The Project includes a 230-kV transmission line, which is not technically a distribution line, but it connects the BESS to the Sedro-Woolley Substation. As discussed in Parts 1 and 2 of the ASC, this transmission line will be sited entirely underground. Therefore, the Project is consistent with Goal 9A-4 and Policy 9A-4.1.

Goal 9A-5 Encourage conservation of energy resources, including the reduction of energy consumption in county facilities.

policy 9A-5.2 Conservation Methods - Energy conservation should conserve energy resources, minimize air pollution, and delay the need for additional electrical power generating facilities. This may be achieved through methods including, but not limited to: education of the public; insulation and weatherization as specified by building codes; and use of energy-efficient systems.

Response: As discussed in Parts 1 and 2 of the ASC, this Project is a BESS, which is intended to store excess energy and release it back into the grid at times of greater demand. By its nature, the Project is energy efficient and reduces the need for additional power to be generated. Therefore, the Project is consistent with Goal 9A-5 and Policy 9A-5.2.

4.0 SKAGIT COUNTY CODE PROVISIONS

This section provides the Applicant's responses demonstrating Project compliance with the applicable provisions of the SCC. The provisions addressed below are based on the Applicant's review of the SCC as well as the aforementioned input provided by Skagit County. The provisions as they appear in the SCC are reproduced below in italics. The provisions are followed by the Applicant's response and statement of compliance.

4.1 SCC Chapter 12.48 – Rule and Regulations of the Skagit County Board of Health Governing Individual and Public Drinking Water Systems

12.48.020 *Applicability.*

(1) These regulations:

- (a) Shall apply to all public and individual water systems in Skagit County;*
- (b) Establish adequate and potable water supply requirements for existing and proposed development, including building permits and land divisions.*

(2) The following development proposals are not subject to review by the Health Officer under these regulations:

- (a) Repairs of existing buildings that will not increase the use of an existing water supply;*
- (b) Remodel or replacement of existing, nonresidential buildings when the new work will not increase the use of an existing water supply; and*
- (c) Remodel or replacement of existing residential buildings that do not:*
 - (i) Increase the number of bedrooms; or*
 - (ii) Add more than five hundred (500) square feet of gross floor area.*
- (d) Development determined by the Health Officer to not have a detrimental effect on public health or conflict with the intent of these regulations. (Ord. O20110012 Att. D: Ord. O2007004 (part): Ord. 14063 (part), 1991)*

Response: The Project does not involve construction of or modifications to individual or public drinking water systems. Therefore, the provisions of SCC Chapter 12.48 do not apply to the Project.

4.2 SCC Chapter 14.06 – Procedures

14.06.120 *Level II review procedures*

Response: As referenced above and demonstrated in the County's decision included in Appendix A, the Project is considered a major utility development. The Project Area is primarily zoned Ag-NRL, with a portion of the Skagit PUD water line upgrade located in the RRv zone. Major utility developments are allowed in both the Ag-NRL and RRv zones as a hearing examiner special use, subject to the Level II review procedures of this provision, pursuant to SCC 14.16.400(4)(h) and 14.16.320(4)(p), respectively. However, the Applicant is seeking Project approval through the EFSEC SCA process, which takes the place of the County's Level II review procedures. Compliance with the

applicable provisions of the SCC informs the EFSEC land use consistency process and is demonstrated throughout this land use consistency review document and ASC sections referenced herein.

4.3 SCC Chapter 14.16 – Zoning

This section demonstrates the Project’s compliance with the applicable provisions of SCC Chapter 14.16 Zoning, also known as the Skagit County Zoning Code.

14.16.320 Rural Reserve (RRv)

(4) Hearing Examiner Special Uses

(p) Major utility developments

Response: The only portion of the Project in the RRv zone is the upgraded water line, which will be sited entirely below existing grade and will not involve installation of aboveground components. As discussed above, the Project is considered a major utility development. Therefore, the standards addressed herein are focused on the Project’s classification as a major utility development. The Applicant demonstrates the Project’s compliance with the applicable provisions of SCC 14.16.320 directly below.

(5) Dimensional Standards.

(a) Setbacks, Primary Structure.

(i) Front: 35 feet, 25 feet on minor access and dead-end streets.

(ii) Side: 8 feet on an interior lot.

(iii) Rear: 25 feet.

(b) Setbacks, Accessory Structure.

(i) Front: 35 feet.

(ii) Side: 8 feet, a 3-foot setback is permitted for nonresidential structures when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line, 20 feet from the street right-of-way.

(iii) Rear: 25 feet, a 3-foot setback is permitted for nonresidential structures when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line.

(c) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).

(d) Maximum height: 30 feet or shall conform to the Skagit County Building Code.

(i) Height Exemptions. Flagpoles, ham radio antennas, church steeples and fire towers are exempt. The height of personal wireless services towers are regulated in SCC 14.16.720.

(ii) If adjacent to a BR-LI zone, the maximum height shall not exceed 40 feet, unless limited by SCC 14.16.210 (Airport Environs).

(e) Minimum lot size: 10 acres or 1/64th of a section, unless created through a CaRD.

(f) Minimum lot width: 150 feet.

(g) Maximum lot coverage: 35%.

Response: These setback, height, and lot coverage provisions of the RRv zone, provided under SCC 14.16.320(5), are intended for aboveground structures and development. As discussed above, the only portion of the Project in the RRv zone is the upgraded water line, which will be site entirely below existing grade and will not involve installation of aboveground components. Additionally, this segment of upgraded waterline is located entirely within the Minkler Road right-of-way. Therefore, the provisions of SCC 14.16.320(5) do not apply.

(6) Additional requirements related to this zone are found in SCC 14.16.600 through 14.16.900 and the rest of the Skagit County Code.

Response: The Project's compliance with the applicable provisions of SCC 14.16.600 through 14.16.900 is demonstrated below. Compliance with the rest of the SCC is demonstrated throughout this Land Use Consistency Review document and in the referenced Parts of the overall ASC. Therefore, the Project complies with this criterion.

14.16.400 Agricultural—Natural Resource Lands (Ag-NRL).

(4) Hearing Examiner Special Uses.

(h) Major utility developments where there is no other viable parcel or non-agricultural designated land to serve the affected area. Analysis of alternatives to the development of the utility in the natural resource land must be provided.

Response: All Project components, except for the water line upgrade area, are located within the Ag-NRL zone. As discussed above and demonstrated in Appendix A, the County approved the Applicant's Administrative Interpretation request to classify the Project as a major utility development. Additionally, the Applicant has prepared an alternatives analysis, included as Appendix B. The alternatives analysis demonstrates the parcel where the BESS components are sited is the only viable parcel for these Project components. Therefore, the standards addressed herein are focused on the Project's classification as a major utility development.

(5) Dimensional Standards.

(a) Setbacks.

(ii) Nonresidential.

(A) Front: 35 feet.

(B) Side: 15 feet.

(C) Rear: 35 feet.

Response: As discussed above, the Project is considered a major utility development which is a nonresidential use. On Figure C1-1 in Attachment B, the Applicant demonstrates that the Project has been sited to comply with the front, side, and rear yard setbacks detailed above. Structures, as defined under SCC 14.04, located above grade have been set back at least 35 feet from front property lines, 15 feet from side property lines, and 35 feet from rear property lines. Therefore, the Project complies with SCC 14.16.400(5)(a)(ii)(A)-(C).

(b) Maximum height: 40 feet.

(i) Height Exemptions. Flagpoles, ham radio antennas, church steeples, water towers, meteorological towers, and fire towers are exempt. The height of personal wireless services towers is regulated in SCC 14.16.720.

Response: All Project components will be under 40 feet in height. The tallest Project components will be a lightning mast, the top of which is anticipated to be 35 feet above ground level. Therefore, the Project complies with this provision.

(c) Minimum lot size: 1/16th of a section of land or 40 acres. Smaller lot sizes are permissible through CaRDs or as provided in SCC 14.16.860.

Response: No new parcels are proposed to be created as part of this Project. Therefore, the provisions of SCC 14.16.400(5)(c) do not apply.

(6) Siting Criteria. In addition to the dimensional standards described in Subsection (5) of this Section, new, non-agricultural structures shall be required to comply with the following provisions:

(a) Siting of all structures in the Agricultural—Natural Resource Lands district shall minimize potential impacts on agricultural activities.

(b) When no structures or no compatible structures exist on the subject property or adjacent properties, new structures shall be located in a corner of the property and all development including but not limited to structures, parking areas, driveways, septic systems and landscaping shall be contained within an area of no more than 1 acre. Unless substantial evidence is provided indicating the location is not feasible, wells shall also be located within the 1-acre area whenever possible. Wells located outside of the 1-acre area shall be sited to minimize potential impacts on agricultural activities.

Response: The subject property, on which aboveground Project components are proposed to be sited, currently contains three existing overhead transmission lines and four existing structures. The four existing structures will be demolished prior to Project construction. A portion of the area, outside Hansen Creek's 200-foot riparian buffer, will be used to site Project components and the remaining area, within Hansen Creek's 200-foot riparian buffer, will be restored as part of the Applicant's mitigation activities, as shown on Figure C1-2 in Attachment B. Therefore, this criterion does not apply.

(c) When compatible structures exist on the subject property or adjacent properties, siting of new structures shall comply with the following prioritized techniques:

(i) Locate new structure(s) within the existing, developed area of any compatible structure(s) in the same ownership, and utilize the existing access road.

(ii) When the provisions of Subsection (6)(c)(i) of this Section are not possible, locate new structure(s) within the existing, developed area of any compatible structure in the same ownership.

(iii) When the provisions of Subsection (6)(c)(i) or (6)(c)(ii) of this Section are not possible, site new structure(s) to achieve minimum distance from any existing compatible structure on either the subject property or an adjacent property. All development, including, but not limited to, structures, parking areas, driveways, septic systems, wells, and landscaping, shall be contained within an area of no more than 1 acre.

Response: The subject property and adjacent properties have existing electrical utilities, which are compatible structures, including three overhead transmission lines and the Sedro-Woolley Substation. These three existing overhead transmission lines are sited within the subject property parcel where the Project is proposed, and the Sedro-Woolley Substation is directly adjacent to the southwest. The owner of the subject property does not own any of the adjacent properties. Access to the Project site will be provided through three new driveways from the existing Minkler Road. The development proposed for the BESS is proposed partially underneath the existing transmission lines and in directly adjacent areas on the subject property consistent with SCC 14.16.400(6)(c)(i). The BESS structures will not have a significant impact on the ability of surrounding landowners to conduct agricultural activities on land zoned for agriculture. Therefore, the Project complies with SCC 14.16.400(6)(c)(1).

(7) Additional requirements related to this zone are found in SCC 14.16.600 through 14.16.900 and the rest of the Skagit County Code.

Response: The Applicant demonstrates compliance with the applicable code provisions of SCC 14.16.600 through 14.16.900 below.

14.16.800 Parking

(2) Minimum Spaces Required.

(a) The minimum number of off-street parking shall be determined in accordance with the following table:

<i>Use</i>	<i>Minimum # of Spaces Req'd</i>
<i>20. Other uses not specified above</i>	<i>As determined by Administrative Official based on anticipated parking demand</i>

Response: Up to two full-time, locally based personnel will be on staff during Project operations. Approved technicians will service the BESS units and associated equipment once per month. The

Applicant anticipates needing a maximum of two on-site spaces for these activities. As demonstrated on Figure 2, these two parking spaces can be accommodated within the fenced area. Therefore, the Project complies with the parking provisions of SCC 14.16.800.

14.16.830 Landscaping Requirements

(2) Applicability.

(a) An approved landscape plan is required for any change of use, new or replacement commercial, industrial or institutional building, special use, or subdivision application (as required by SCC Chapter 14.18).

Response: The Applicant has prepared a landscape plan that complies with the applicable landscaping requirements of SCC 14.16.830, which is included as Attachment C to this ASC.

(b) Plans for projects including 2,000 square feet or more of landscaping over the entire development area shall be prepared by a licensed landscape architect or Washington State certified nurseryman.

Response: The Project's landscaped area exceeds 2,000 square feet and the Applicant has included a conceptual planting plan prepared and certified by a licensed landscape architect, which is included as Attachment C to this ASC.

(c) Where a low-impact development stormwater facility is required by SCC Chapter 14.32, the applicant may use that facility to satisfy other landscaping requirements so long as the purpose and intent of required landscaping is satisfied and the landscaping does not disrupt the function of LID stormwater facilities.

Response: Low-impact development (LID) is a category of stormwater systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat. As discussed below in response to SCC Chapter 14.32, LID stormwater features are required. Descriptions of the LID and demonstration of compliance with the applicable SCC and State of Washington stormwater requirements are discussed in detail in Parts 3.E, 3.G, 4.E, and 4.G of this application.

(6) General Standards. The following general standards will be required in all districts where landscaping is required:

(a) Existing Vegetation. Preference is to retain as much of the existing mature vegetation (not including invasive non-native species) as possible within planting areas. Existing mature vegetation may be included in the required amount.

(b) Trees shall be varieties that will not conflict with underground or overhead utilities.

(c) No artificial lawn or shrubbery will be permitted in landscaped areas.

(d) Required landscaping or other vegetation within 30 feet of a driveway or street intersection shall not impair the sight vision between 30 inches and 8 feet from the ground. All trees shall have no branches or foliage below 8 feet above the street level.

(e) Erosion control measures and temporary run-off control may become part of a landscape plan.

(f) Maintenance for all landscaping and screening areas shall be provided by the owner of the landscaped property. Broken or dead trees or shrubs shall be replaced. All screening and landscaping areas shall be kept free of weeds and trash. Any property owner who fails to maintain landscaping areas will be considered to have committed an offense to this Code pursuant to Chapter 14.44 SCC (Enforcement/Penalties).

(g) Performance assurance bonding shall be in a cash deposit or other assurance acceptable to the County equal to 125% of the estimated installation costs if landscaping improvements have not been completed prior to application for occupancy. Such deposit shall be accompanied by a letter that shall stipulate the completion of the landscaping no later than 9 months from date of occupancy. If the conditions are not met, the County may use the deposit to perform the landscaping.

(h) Phased projects shall submit a landscape plan for the site as a whole before any issuance of a building permit is granted.

(i) Alternative landscape plans that differ from the requirements contained in this Section may be approved as a Level I variance per SCC Chapter 14.10. All plans shall demonstrate how they meet the intent as outlined in this Section or that a hardship exists because of lot topography, size, or location.

(j) Landscape materials shall be provided consistent with the County's list of acceptable landscape materials.

Response: The Applicant has prepared a conceptual planting plan that complies with the applicable landscaping requirements of SCC 14.16.830, which is included as Attachment C to this ASC. Existing vegetation has been maintained to the greatest extent feasible. Proposed trees near underground and overhead utilities are of varieties that will not create conflict. No artificial plants are included in the plan. Landscaping and vegetation within 30 feet of the three new driveways will not impair vision between 30 inches and 8 feet from the ground; no street intersections are near the landscaped areas of the Project. Prior to construction, the Applicant will prepare a separate erosion and sediment control plan as part of the National Pollutant Discharge Elimination System 1200-C application. Landscaping and screening areas will be maintained in accordance with the provisions of SCC 14.16.830(f) for the life of the Project. If deemed necessary by EFSEC, the Applicant will obtain a bond in accordance with SCC 14.16.830(g). The Project will not be constructed in phases. No alternative conceptual planting plan is anticipated to be required. Therefore, the Project complies with the applicable provisions of SCC 14.16.830.

14.16.840 Performance standards.

(1) Purpose. It is intended that all activities and land uses within Skagit County adhere to a common standard of environmental performance criteria.

Response: As demonstrated below, the Project complies with the applicable performance standards of SCC 14.16.840(2) through (5)(c).

(2) Vibration. Every use shall be so operated that the ground vibration inherently and/or recurrently generated from use and/or equipment other than vehicles is not perceptible without instruments at any point on or beyond any zone district boundary in which the use is located.

Response: Operation of the Project is not anticipated to generate ground vibration perceptible without instruments on or beyond the Ag-NRL zone district boundary, due to the small number of moving parts located in the battery storage equipment being utilized for this Project. The battery storage equipment will be located on large concrete foundations, which will isolate any small vibration levels generated by the equipment. Therefore, the Project complies with this criterion.

(3) Heat, Glare and Steam. Any activity producing steam, heat or glare shall be carried on in such a manner that the steam, heat or glare shall not create a nuisance beyond the boundary lines of the property within which the use is located. Building materials with high light reflective qualities shall not be used in construction of buildings where reflected sunlight would throw intense glare on adjacent areas. Artificial lighting shall use full cut-off fixtures so that direct light from high intensity lamps will not result in glare. Lighting shall be directed away from adjoining properties so that not more than 1-foot candles of illumination leaves the property boundaries.

Response: The operation of this clean energy system will not produce steam. The small amount of heat generated by the Project components will be vented to the atmosphere by the battery storage container's heating, ventilation, and air conditioning (HVAC) system and will have no adverse effects beyond the boundary lines. The Project components will consist of non-reflective materials and/or coated with non-reflective paint. All area lighting shall be designed to the dark sky requirements stated above. Therefore, the Project complies with this criterion.

(4) Electrical Disturbance. No activity shall emit electrical disturbance adversely affecting the operation of equipment or appliances at any point beyond the boundaries of the location site of the use creating such disturbance.

Response: Operation of the Project is not anticipated to emit electrical disturbance that adversely affect the operation of equipment or appliances beyond the parcels on which the Project is sited. This Project will store energy by smoothly charging and discharging the batteries. There are no large equipment motors or other large loads that would be operated intermittently resulting in power quality issues in adjacent areas. The energy storage system should improve the power quality in the adjacent area due to the ability of the batteries to regulate any frequency fluctuations in the local electrical grid. Therefore, the Project complies with this criterion.

(5) Noise. Unless additional regulations are adopted by Skagit County pertaining to noise emissions, the maximum permissible environmental noise levels to be emitted to adjacent properties are not to exceed levels of the environmental designations for noise abatement (EDNA) as established by the State of Washington, Department of Ecology as now exist in Chapter 173-60 WAC, or as hereafter amended; provided, that EDNA classifications will conform to certain zone designations established under this Title as follows:

(a) Class A EDNA: Residential Use Zones (RI, RVR, RRV, R, URR);

(b) Class B EDNA: Commercial Zones (RVC, RC, RFS, SRT, SSB, RB, BR-LI, AVR, URC-I), Public Use Zones OSRSI and URP-OS; and

(c) Class C EDNA: Industrial Zones (NRI, RMI, BR-HI), Forestry Zones (IF-NRL, SF-NRL, RRC-NRL), Agricultural Zone (Ag-NRL).

Response: Once the Project is constructed, the BESS units, inverters, and transformers are anticipated to generate noise; however, the Project has been sited and designed to reduce noise levels below the applicable environmental designations for noise abatement (EDNA) standards (see *Goldeneye Energy Storage Project – Operational and Construction Noise Analysis*, provided as Attachment O to the ASC). A 12- to 16-foot-tall solid concrete noise buffering wall will be constructed around the noise generating components. Therefore, the Project complies with the applicable portions of this provision.

14.16.850 General provisions.

(3) Prohibition on Extension of Sewer Service into Rural and Resource Areas.

(a) Extension of sewer service is prohibited into rural and resource designated areas, except in these limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban densities.

Response: The Applicant does not propose to extend sewer service as part of the Project. Therefore, the Project complies with this provision.

(6) Nonissuance of Building Permits Outside of a Fire District.

(a) Within any zoning district, building permits shall not be issued for residential and/or commercial structures that are not determined to be within an official designated boundary of a Skagit County Fire District.

Response: The Project is located within the coverage area of Skagit County Fire District #8 (County 2021). Therefore, the Project is eligible for building permits, which the Applicant will apply for and obtain prior to construction.

14.16.900 Special use permit requirements

(1) Special Uses.

(b) Process/Authority for Special Use Permit.

(ii) Hearing Examiner special uses shall be reviewed as a Level II permit, pursuant to Chapter 14.06 SCC.

(v) The burden of proof shall be on the applicant to provide evidence in support of the application. The criteria for approval or denial shall include the following:

(A) The proposed use will be compatible with existing and planned land use.

Response: The Project will be compatible with existing and planned land use. The Project location was selected because of its proximity to the existing PSE Sedro-Woolley Substation, as detailed in the alternatives analysis included as Appendix B. The Project is compatible with existing electrical utilities nearby (i.e., the existing PSE Sedro-Woolley Substation located directly adjacent to the southwest and the associated existing transmission lines which traverse the subject property). The Project has been sited adjacent to existing roads, which reduces the need for construction of new roads. The Project has been designed for aesthetic compatibility with the surrounding rural residential area. The Applicant has prepared a visual impact assessment (see Part 4.P of this ASC), which further analyzes visual impacts and demonstrates the Project's aesthetic compatibility. As discussed above and in Part 4.P, noise-mitigating walls will be constructed around the Project perimeter to ensure the Project operates in compliance with the applicable Washington Department of Ecology EDNA standards. Additionally, the Applicant has prepared a conceptual planting plan (included as Attachment C to this ASC), which in part provides for installation of vegetative visual screening of the walled and fenced portions of the Project. The Project will only be constructed and operated on the parcels detailed in ASC Part 1 and 2 (Project Description) and will not create a nuisance to adjacent landowners for the reasons detailed above. Therefore, the Project will not impact the ability of surrounding landowners to continue current uses or future uses of their properties. Thus, the Project complies with this criterion.

(B) The proposed use complies with the Skagit County Code.

Response: Compliance with the applicable provisions of the Skagit County Code is demonstrated throughout this land use consistency review document. Therefore, the Project complies with this criterion.

(C) The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.

Response: The Project will not create undue noise, odor, heat, vibration, air, and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840. As discussed above in response to SCC 14.16.840(5) and in Part 4.P of the ASC, noise-mitigating walls will be constructed around the Project perimeter to ensure the Project does not create undue noise impacts and operates in compliance with the applicable Washington Department of Ecology EDNA standards. Regarding odor, the project will store and discharge energy which would not create any new sources of odor during operation. As discussed above in response to SCC 14.16.840(2), the Project will not result in significant vibration due to the small number of moving parts located in the battery storage equipment being utilized for this Project. The battery storage equipment will be located on large concrete foundations, which will isolate any small vibration levels generated by the equipment.

Also, due to the clean energy nature of the Project, air and water pollutants will not be emitted. The Project has been designed to comply with the County's stormwater requirements, as discussed in detail in Parts 3.E and 4.E of the ASC. Lithium-ion batteries generate heat during charge transfer and chemical reactions during charging and discharging; however, the enclosed BESS containers will have a HVAC system for optimal performance and safety, which will ensure undue heat does not impact surrounding, existing, or potential dwelling units. Additionally, the Applicant will also use batteries that are Underwriters Laboratories (UL) certified and include built-in fail safes and multilayered fire protection features designed to prevent thermal runaway and the spread of fire. For the reasons listed above, the Project will not create undue noise, odor, heat vibration, air, and water pollution impacts on surrounding, existing, or potential dwelling units and therefore complies with SCC 14.16.900(C).

(D) The proposed use will not generate intrusions on privacy of surrounding uses.

Response: The proposed use will not generate intrusions on privacy of surrounding uses. The Project is generally surrounded by rural residential uses; however, the Project is sited adjacent to the existing PSE Sedro-Woolley Substation and existing transmission lines that traverse the Project site. The Project will be unoccupied and remotely operated with minimal visits to the site for operations and maintenance activities; the infrequent site visits will inherently reduce intrusions to surrounding rural residential uses. The Project's perimeter security fence and noise-mitigating wall will contain the Project to further prevent noise intrusions. Additionally, as discussed above in response to SCC 14.16.400(5)(a), the Project has been sited and designed to comply with the applicable setbacks. Therefore, the Project will not generate intrusions on privacy of surrounding uses and complies with this criterion.

(E) The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

Response: The proposed use will not cause potential adverse effects on the general public health, safety, and welfare. The Project will use lithium-ion battery technology, with an estimated 20-year lifespan, and superior safety and stability characteristics. Fences will be installed around the perimeter of the Project site for safety and security purposes.

The Applicant has prepared a draft fire protection plan to ensure fire safety on the Project site (see Attachment N). This plan will be finalized in consultation with applicable agencies prior to construction. The Applicant does not anticipate significant need for fire response services, as the Project has been designed and will be constructed in conformance with the nationally recognized National Fire Protection Association 855, Standard for the Installation of Stationary Energy Storage Systems, in addition to any applicable state and County fire protection requirements. The Applicant will use batteries that are UL certified and include built-in fail-safes and multilayered fire protection features designed to prevent thermal runaway and the spread of fire. A project fire protection plan and fire suppression plan will be prepared in coordination with Skagit County Fire District #8 and any other applicable fire authority. The Project has been designed to meet the Washington Fire Code 2018 standards for access road, turning radii, row spacing, access gates (with Knox access systems), and fire hydrants. The fire protection plan will contain specifications for first responder training, which will

be developed in coordination with the battery original equipment manufacturer, applicable fire authority, engineering team, and construction contractor.

Additionally, a hazard mitigation plan will be prepared prior to construction, in consultation with the applicable stakeholders. The hazard mitigation plan will include a complete list of all materials used on site and information regarding how the materials will be transported and in what form they will be used. This information will be recorded to maintain safety and prevent possible environmental contamination or worker exposure. Therefore, the Project will not cause potential adverse effects on the general public health, safety, and welfare and complies with this criterion.

(F) For special uses in [...] Agricultural—Natural Resource Lands [...] the impacts on long-term natural resource management and production will be minimized.

Response: Potential impacts from the Project on long-term natural resource management and production will be minimized. An analysis of potential impacts to water, plants, and animals is included in Parts 4.B, 4.H, and 4.I of this ASC. The Applicant has consulted with the U.S. Fish and Wildlife Service and the Washington Department of Fish and Wildlife to determine potential for sensitive species onsite, completed field surveys of the project area, and included assessments for identified species; the survey results and assessments are discussed in detail in the aforementioned Parts of the ASC (4.B, 4.H, and 4.I). The Project has been designed to avoid potential jurisdictional aquatic resources to the greatest extent feasible; however, some impacts will occur. Because impacts to jurisdictional aquatic resources are expected, the Applicant will obtain appropriate approvals through the Joint Aquatic Resources Permit Application process and implement mitigation measures. These topics are discussed in greater detail in Parts 3.C, 3.H, 3.I, 4.C, 4.H, and 4.I of the ASC. For the reasons detailed above, the Project complies with this criterion.

(G) The proposed use is not in conflict with the health and safety of the community.

Response: As discussed in this response, the Applicant will implement specific measures to ensure the Project is not in conflict with the health and safety of the community. Above, in response to SCC 14.16.900(1)(b)(v)(E), the Applicant demonstrates that the Project will not result in potential adverse effects on the general public health, safety, and welfare. SCC 14.16.900(1)(b)(v)(E) is substantively the same as SCC 14.16.900(1)(b)(v)(G), and therefore the same demonstration of compliance with the applicable provision applies. The Project will use lithium-ion battery technology, with an estimated 20-year lifespan, and superior safety and stability characteristics. Fences will be installed around the perimeter of the project site for safety and security purposes.

As previously described above in response to SCC 14.16.900(1)(b)(v)(E), the Project will be designed and constructed to be in conformance with applicable building and fire codes. In addition, the Applicant will develop a fire protection plan in coordination with Skagit County Fire District #8 (and any other applicable fire authority). This plan will contain specifications for first responder training, which will be developed in coordination with the battery original equipment manufacturer, applicable fire authority, engineering team, and construction contractor.

Additionally, a hazard mitigation plan will be prepared prior to construction, in consultation with the applicable stakeholders. The hazard mitigation plan will include a complete list of all materials used on site and information regarding how the materials will be transported and in what form they will be used. This information will be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During Project construction, material safety data sheets for all applicable materials present at the site will be made readily available to on-site personnel.

(H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

Response: The Project will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas. The Project will be remotely operated and will not require sewer services. In order to provide additional water supply capacity and allow for installation of fire hydrants at the Project site while also complying with the maximum velocity limitations of the local code, the Applicant needs to upgrade 2,000 linear feet of Skagit PUD's existing water line within Minkler Road to a pipe with a larger diameter. The Project will be part of the electrical system for the County and help manage the supply of electricity by storing excess power and delivering it to the grid at times of peak demand. As previously described above in response to SCC 14.16.900(1)(b)(v)(E), the Project will be designed and constructed to be in conformance with applicable building and fire codes. In addition, the Applicant has developed a draft fire protection plan in coordination with Skagit County Fire District #8 (and any other applicable fire authority); this draft plan is included as Attachment N to this ASC. This plan will contain specifications for first responder training, which will be developed in coordination with the battery original equipment manufacturer, applicable fire authority, engineering team, and construction contractor. The Project is not anticipated to create significant demand for police services as public access will be restricted through installation of security fencing and noise mitigating walls. For the reasons detailed above, the Project complies with this provision.

(I) The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

Response: The Project will maintain the character, landscape, and lifestyle of the rural area. Current land uses in the Project Area include pasture fields, with a small section of scrub/shrub habitat present near the southeastern tip. A portion of the Project Area also contains four existing structures, which the underlying landowner has agreed to demolish as part of Project construction. Land uses surrounding the Project Area include rural single-family residences, pastureland, and electrical infrastructure. The Project Area is bordered on the north by Minkler Road and is crossed in a roughly north-south direction by Hansen Creek, and three electrical transmission lines that connect to the Sedro-Woolley Substation. The Project will interconnect with the existing PSE Sedro-Woolley Substation, located approximately 0.4 mile southwest of the Project site, via a new underground 230-

kV transmission line. The Project is consistent with these existing electrical utilities already on the Project site and directly adjacent to the southwest.

Once operational, the Project will be low intensity in nature and only visited on a monthly basis by operations and maintenance staff, as needed. As mentioned above and in Part 3.P of the ASC, noise-mitigating walls will be constructed around the Project perimeter to ensure the Project operates in compliance with the applicable Washington Department of Ecology EDNA standards. The Project has been designed for aesthetic compatibility with the surrounding rural residential area. The Applicant has prepared a visual impact assessment, included in Part 4.P, which further analyzes visual impacts and demonstrates the Project's aesthetic compatibility. Additionally, a conceptual planting plan (included as Attachment C to this ASC) has also been prepared for the Project, which in part provides for installation of vegetation visual screening of the walled and fenced portions of the Project.

For the reasons detailed above, the Project is consistent the character, landscape, and lifestyle of the land uses surrounding the Project Area and, therefore, complies with this criterion.

4.4 SCC Chapter 14.22 – Land Disturbance

14.22.020 Applicability

(1) Generally, this Chapter applies to all land disturbing activity including but not limited to clearing, grading, excavation, fill, and forest practices subject to County jurisdiction.

Response: The Project will involve the following land-disturbing activities: clearing, grading, excavation, and fill. Additional details on the land-disturbing activities can be found in Parts 1 and 2 of the ASC. As discussed in Section 2, the Applicant has elected to seek Project approval through the EFSEC process, which takes the place of the County's Level II review process. However, the EFSEC process still requires a demonstration of consistency with the applicable SCC provisions. The Applicant demonstrates consistency with the applicable provisions of SCC 14.22 below.

14.22.040 Development Standards

(1) The Administrative Official has authority to review and to approve, conditionally approve, or deny a land disturbance application.

(a) The application must be denied if it fails to comply with the requirements of this Title or RCW Chapter 76.09.

(b) Conditions of approval may include:

(i) Inspection by the applicant's certified erosion and sediment control lead prior to land disturbing activities;

(ii) The establishment of financial securities in the form of performance and maintenance bonds or other surety instruments; and

(iii) Any other conditions as deemed necessary by the Administrative Official.

Response: The Applicant demonstrates the Project's compliance with the applicable provisions of SCC 14.22 herein. However, RCW Chapter 76.09 does not apply to the Project as it does not entail or

impact forest practices. The Applicant understands that conditions of approval may be imposed as part of the EFSEC process.

(2) Activities subject to this Chapter must comply with all applicable Federal, State, and local laws and regulations, including the following:

(a) SCC Chapter 14.24, Critical Areas.

Response: The Applicant demonstrates the Project's compliance with the applicable provisions of SCC 14.24, Critical Areas below in Section 4.5 and in the following Parts of the ASC: 3.A, 3.C, 3.E, 3.G, 3.H, 3.I, 4.A, 4.C, 4.E, 4.G, 4.H, and 4.I. Therefore, the Project complies with this criterion.

(b) SCC Chapter 14.26, Shorelines.

Response: The Applicant demonstrates that the provisions of SCC 14.26, Shorelines do not apply to the Project in Section 4.6, below. Therefore, the Project complies with this criterion.

(c) SCC Chapter 14.32, Stormwater Management.

Response: The Applicant demonstrates the Project's compliance with the applicable provisions of SCC 14.32, Stormwater Management below in Section 4.7 and in the following Parts of the ASC: 3.E, 3.F, 3.G, 4.E, 4.F, and 4.G. Therefore, the Project complies with this criterion.

(d) SCC Chapter 14.34, Flood Damage Prevention.

Response: The Applicant addresses the applicable provisions of SCC Chapter 14.34 below in Section 4.8. Prior to construction, the Applicant will demonstrate how the Project has been designed to comply with the applicable flood damage prevention criteria and will obtain a floodplain development permit from the County.

(e) SCC Chapter 14.36, Public Works Standards.

Response: The Applicant demonstrates the Project's compliance with the applicable provisions of SCC 14.36, Public Works Standards below in Section 4.9. Therefore, the Project complies with this criterion.

(f) SCC Chapter 15.04, International Codes.

Response: The Applicant has sited and designed the Project to comply with the applicable provisions of the Skagit County Building Code. The Project has also been sited and designed to comply with Underwriters Laboratory standards 1642, 1741, 1973, 9540, and 9540A; National Fire Protection Association standards 70, 855, 68, 69, 72; and the Institute of Electrical Engineers standards 1881, 142, 80, and C2. Therefore, the Project complies with this provision.

(g) SCC Chapter 16.12, State Environmental Policy Act.

Response: As discussed above, the Applicant has elected to seek Project approval through the EFSEC process, which takes the place of the County's Level II review process. EFSEC will be the "lead agency" for State Environmental Policy Act (SEPA) review. Substantive information for EFSEC's SEPA review is incorporated into this ASC, pursuant to EFSEC's siting standards, WAC Chapters 463.60 and 463.62. Therefore, the Project complies with the applicable provisions of SCC Chapter 16.12.

14.22.070 Archaeological and Historical Resources.

(1) *The purpose of this Section is to avoid the destruction of or damage to any site having historic or cultural values as identified by the appropriate agencies, including but not limited to affected Indian Tribes and the Washington State Department of Archaeology and Historic Preservation (DAHP).*

(2) *Archaeological sites are subject to the provisions of RCW Chapters 27.53 and 27.44.*

(3) *Consistent with RCW 27.53.060, if historical, cultural, or archaeological sites or artifacts of potential significance are discovered during land disturbing activities:*

(a) Work on the development site must stop immediately;

(b) The project proponent or responsible party must report the discovery to the County immediately;

(c) Skagit County shall notify DAHP, the affected tribes, and other appropriate agencies of the discovery; and

(d) The project proponent or responsible party must retain a professional archaeologist to conduct an immediate site assessment and determine the significance of the discovery.

(A) If a negative determination is received, i.e., the find is not significant, the work may resume after consultation with the State and the affected Tribes.

(B) If a positive determination is received, work on the site must remain stopped and the project proponent or responsible party may not resume development activities without authorization from DAHP.

(4) *Consistent with RCW 68.50.645, if human skeletal remains are discovered during land disturbing activities:*

(a) All activity must cease and the area of the find will be protected from further disturbance;

(b) The project proponent or responsible party must report the discovery to local law enforcement and the County Medical Examiner or Coroner immediately; and

(c) The County Medical Examiner or Coroner may assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or nonforensic; nonforensic remains must be reported to DAHP, who will then take jurisdiction of the remains.

Response: The Project has been sited and will be designed to avoid impacts to documented archaeological and historical resources. The Applicant's consultant, Dudek, conducted archaeological and historical resource surveys of the main Project site on February 21-22, 2023 and of the gen-tie line route on March 14-15, 2024. Access road alignments were surveyed on March 14 and on April 18-19, 2024. Based on these surveys, Dudek prepared a Cultural Resources Inventory (see Attachment E).

The inventory included a cultural resources literature review, archival research, an archaeological field survey (consisting of a pedestrian survey and 60 shovel probes), and a built environment survey of the 160-acre Area of Potential Interest, which includes the Project site along with adjacent parcels. Dudek identified one historic archaeological site, located within a potential access road route that is no longer being considered by the project. Since no direct project-related impacts are currently proposed at the site's location and the site will be avoided, no further work is recommended.

A total of 22 built environment resources were found within the Area of Potential Interest. Three built environment resources were identified within the API, and DAHP recently determined that they were not eligible for the National Register of Historic Places (NRHP). No further work was completed for these resources. Dudek identified 19 additional resources within the project API. Eighteen of the newly recorded resources were recommended as not eligible for the NRHP. The Bonneville Power Administration Transmission Line Monroe–Custer No. 2 (12655-BE-GE05) is recommended to be eligible for the NRHP. However, the addition of power infrastructure along the line's right-of-way will not adversely affect the transmission line because the adjacent areas are not character-defining features of the line. Dudek recommends that the proposed project will not adversely affect this eligible resource.

Part 4.U of this ASC provides additional detail on archaeological and historical resource conditions and potential impacts. The Applicant will prepare an Inadvertent Discovery Plan prior to the start of construction. The Project is not anticipated to impact documented archaeological and historical resources and is therefore consistent with the applicable provisions of SCC 14.22.070.

4.5 SCC Section 14.24 – Critical Areas Ordinance

As noted in the Critical Areas Report, included as Attachment J to this ASC, The Project site contains critical areas designated by Skagit County. In pre-application materials previously provided to the Applicant by the County and dated May 26, 2022, the following resources were identified within the Project site:

- Floodplain (considered a “frequently flooded area”);
- Type S water (Hansen Creek) (considered a “fish and wildlife habitat conservation area” and has a 200-foot riparian buffer width);
- Wetlands;
- Priority habitats/species; and
- Moderate to high liquefaction potential soils (considered a “geologically hazardous area”).

Table 1, as included above in Section 3.3, details the locations in this ASC where applicable Critical Areas provisions of SCC 14.24 are addressed. Siting the Project in the proposed location is expected to impact wetlands, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. However, this is the only viable location for the Project within 1 mile of the point of interconnect, the existing Sedro-Woolley Substation. This is demonstrated in the alternatives analysis, included as Appendix B to this document. Additionally, by siting the Project in this location, it will be clustered with existing electrical utilities, including the Sedro-Woolley Substation and three

existing overhead transmission lines. Three of the existing overhead transmission lines are sited within the parcel where the Project is proposed, and the Sedro-Woolley Substation is directly adjacent to the southwest.

The Applicant intends to work in coordination with applicable federal, state, local, and tribal jurisdictions, as part of the EFSEC process, to minimize impacts to critical areas and implement mitigation where impacts are unavoidable. Impacts to wetlands and proposed mitigation measures are discussed in detail in Parts 3.C and 4.C of the ASC. The Project has been sited and designed to avoid impacts to Hansen Creek and the associated 200-foot riparian buffer; the transmission line connecting the BESS units to the existing Sedro-Woolley Substation will be sited entirely underground. Impacts to frequently flooded areas will be minimized through implementation of construction stormwater best management practices (BMP) and operational stormwater BMPs, as discussed in Parts 3.E, 3.G, 4.E, and 4.G. As discussed below in Section 4.8, the Applicant is aware of the flood damage provisions of SCC Section 14.34. The Applicant has prepared a flood study, demonstrating how the Project has been designed to comply with the applicable flood damage criteria, included as Attachment K to the ASC. The Project has been designed to avoid damage from geologic hazards, as discussed in Part 4.A of this ASC. Additionally, the Project has been designed to the greatest extent feasible to incorporate design elements that protect habitat values. Additional details about these features, and the proposed mitigation measures for habitat conservation areas (HCA), are included in Parts 4.H and 4.I of this ASC.

4.6 SCC Section 14.26 – Shorelines

This section demonstrates Project compliance with SCC Section 14.26 Shorelines, which incorporates by reference the Skagit County SMP (County 1995).

Chapter 2 Applicability

2.04 Applicability to Development

1. All provisions of this Master Program shall apply to any development as defined in Chapter 3, Definitions. All development and use of the shorelines of the state shall be conducted in such a manner to comply with this Master Program and the policies of the Act as required by RCW 90.58.140(1), whether or not a shoreline permit is required for such development.

Response: The Project meets the definition of development, as defined in Chapter 3 of the SMP; however, no development is proposed within designated shorelines and no use of shorelines of the state are required for construction of the Project. Hansen Creek, which runs adjacent to the Project site, has been identified by the County as a stream in shoreline jurisdiction and a portion of the Project Area is within a Rural shoreline designation (County 2024). However, the Project has been sited and designed to avoid impacts to these designated shoreline areas. The Project has been sited outside of both Hansen Creek and the Rural shoreline designation areas (see Figure 4). The segment of upgraded water line within the Minkler Road right-of-way that appears to be within the Rural shoreline designation is within the road surface on a bridge, located above and outside of the shoreline designation. The transmission line connecting the BESS site to the existing Sedro-Woolley Substation will be sited underground using horizontal directional drilling technology. The entrance/exit points of

the HDD where ground disturbance will occur are located outside the designated shoreline areas, as demonstrated by Figure 4. Therefore, the provisions of the SMP do not apply and a shoreline development permit is not anticipated to be required.

4.7 SCC Section 14.32 – Stormwater Management

Stormwater management is discussed in detail in Parts 3.E, 3.G, 4.E, and 4.G of the ASC. Stormwater management infrastructure that will be developed within the Project Area will include a stormwater basin designed to capture runoff from sheet flow as well as through storm drains with inlets placed across the impervious surfaces within the Project Area. Detention within the stormwater management area will provide residence time to the captured runoff for the settling of suspended solids out of the retained water as well as provide increased areas of permeable surfaces to allow for infiltration of surface water into groundwater resources and a reduction in the quantity of stormwater discharge while promoting water quality. The grading of outfall from the basin will be tied into an existing drainage ditch to discharge treated stormwater runoff offsite. The Project is not expected to alter the normal movement of surface water in a manner that would cause the unnatural diversion of floodwater to otherwise flood-free areas. Stormwater management infrastructure and measures within the Project Area will be constructed in accordance with the most up-to-date edition of the Ecology SWMMWW and will comply with the requirements of SCC Chapter 14.32, as applicable, including the utilization of LID techniques. The application of LID techniques within the Project will seek to mitigate the impacts from stormwater to the site as a result of the creation of impervious surfaces by aiming to maintain the hydrologic functionality of the landscape as far as possible at pre-alteration conditions.

4.8 SCC Section 14.34 – Flood Damage Prevention

The Project is located within the 100-year floodplain, with a Federal Emergency Management Agency Zone A designation. Therefore, the Project is subject to the Flood Damage Prevention provisions of SCC Section 14.34 and a floodplain development permit is required. Attachment K provides the required flood study. A floodplain development permit application will be prepared prior to the start of construction.

4.9 SCC Section 14.36 – Public Works Standards

14.36.010 Roads.

The construction of all public and private roads in Skagit County shall comply with the most recent version of the Skagit County Public Works Standards adopted by Resolution of the Board of Skagit County Commissioners. Where required to satisfy a particular grant or funding source, the County may apply such other road construction standards as are required by that grant or funding source, including, but not limited to other State or Federal standards.

Response: The Applicant only intends to construct internal access roads within the Project Area; therefore, the County road standards referenced above are not anticipated to apply. The Applicant will coordinate with Skagit County Fire District #8 as needed to ensure the proposed road widths are sufficient for fire vehicles in the event of an emergency.

14.36.020 Stormwater.

The construction of all stormwater facilities must comply with the requirements of SCC Chapter 14.32, Stormwater Management, and the most recent version of the Skagit County Public Works Standards, adopted by resolution of the Board of Skagit County Commissioners. Where the two conflict, SCC Chapter 14.32 controls.

Response: The Applicant is proposing construction of a stormwater retention area. As referenced above in response to Section 3.7, detailed discussion on stormwater management is located in Parts 3.E, 3.G, 4.E, and 4.G of the ASC. These sections also demonstrate compliance with the applicable provisions of SCC Section 14.32.

14.36.030 Sanitary sewer.

The construction of all sanitary sewer facilities in the Bayview Ridge urban growth area, the Swinomish urban growth area and the Big Lake Rural Village shall comply with the adopted construction standards for the applicable public sewer provider. For areas outside of the Bayview Ridge UGA, the Swinomish UGA and the Big Lake Rural Village, the provisions of the On-Site Sewage Code, Chapter 12.05 SCC, shall apply.

Response: The Project is located outside the Bayview Ridge Urban Growth Area (UGA), Swinomish UGA, and the Big Lake Rural Village. However, no sanitary sewer facilities are proposed; therefore, the provisions of SCC 12.05 do not apply.

14.36.040 Water system.

The construction of all water system improvements shall comply with the adopted construction standards for urban or rural areas, whichever is applicable, in the most recent version of the Skagit County Coordinated Water System Plan adopted by Resolution of the Board of Skagit County Commissioners.

Response: The Applicant is proposing to upgrade a portion of Skagit PUD's existing water line to provide additional water supply capacity and allow for installation of fire hydrants at the Project site. Work will occur within Minkler Road and on parcels within the Project Area, as shown on Figure 2. The first 2 weeks of work will involve mobilization, surveying, temporary water supply set up, traffic control set up, and removal of existing asphalt for waterline trench limits. The next 4 weeks will involve replacement of approximately 2,100 linear feet of the existing water main, installation of connections to the water main, and backfill/compaction testing in preparation for asphalt. The final 3 weeks will involve water main testing, asphalt paving, and resumption of water service to affected residents.

The Applicant anticipates the water line replacement will take approximately 9 weeks in total and will require a full road closure with detours. Access to residential driveways will be continuously maintained and open, in compliance with the traffic control plans. The Applicant will work in coordination with Skagit County and PUD staff to ensure the improvements meet the applicable construction standards. Therefore, the Project complies with this criterion.

5.0 REFERENCES

County (Skagit County). 1995. Shoreline Master Program. Available online at:

<https://www.skagitcounty.net/Departments/PlanningAndPermit/shorelinesmain.htm>

(accessed February 2024).

County. 2016. Comprehensive Plan 2016-2036. Adopted by the Board of County Commissioners through Ordinance O20160004 on June 30, 2016. Available online at:

https://www.skagitcounty.net/Departments/PlanningAndPermit/comp_toc.htm.

County. 2021. Fire Districts of Skagit County, WA. Available online at:

<https://www.skagitcounty.net/GIS/Documents/Fire/fd.pdf?ver=2> (accessed March 2024).

County. 2024. Appendix 1: List of Lakes, Streams and Rivers in Shoreline Jurisdiction. Available online at:

<https://www.skagitcounty.net/PlanningAndPermit/Documents/SMP/Appendix%201%20List%20of%20Lakes%20Streams%20and%20Rivers%20in%20Shoreline%20Jurisdiction.pdf>



(accessed February 2024).

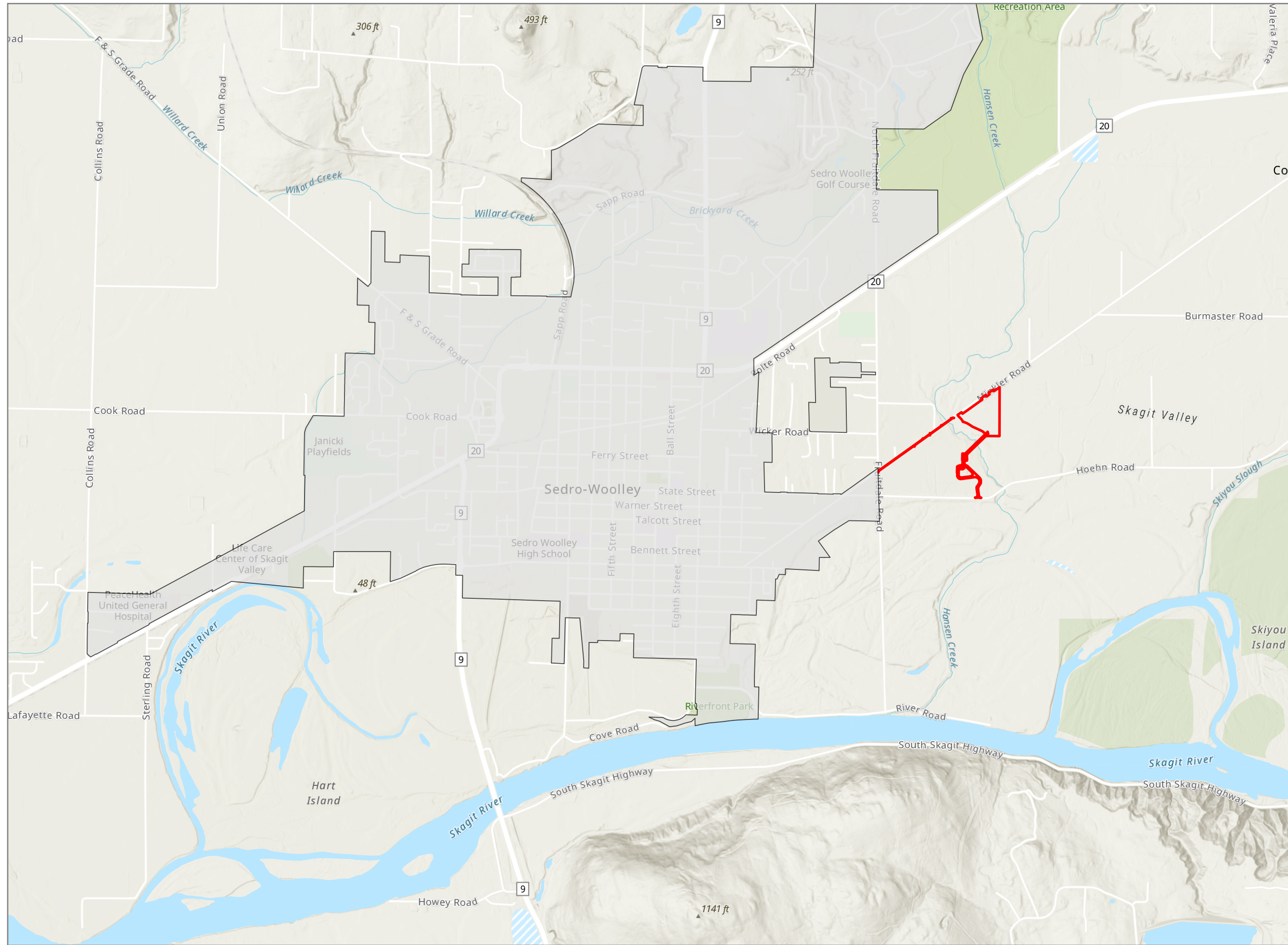
FIGURES

Goldeneye BESS Application for Site Certification

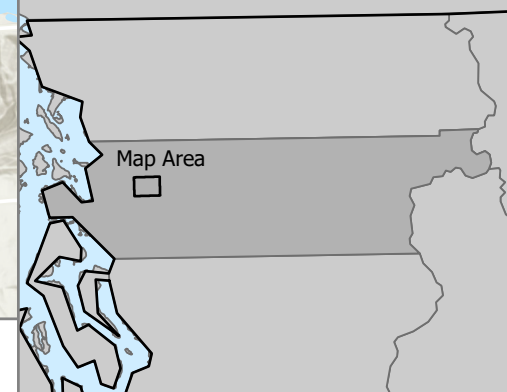
Figure 1 Site Location

SKAGIT COUNTY, WASHINGTON

-  Project Site
-  Sedro-Woolley City Limits

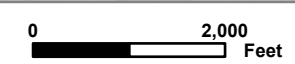


Data Source(s):
Power Engineers (Project Site); Skagit County (City Limit)
Base Map: ESRI (World Topography)



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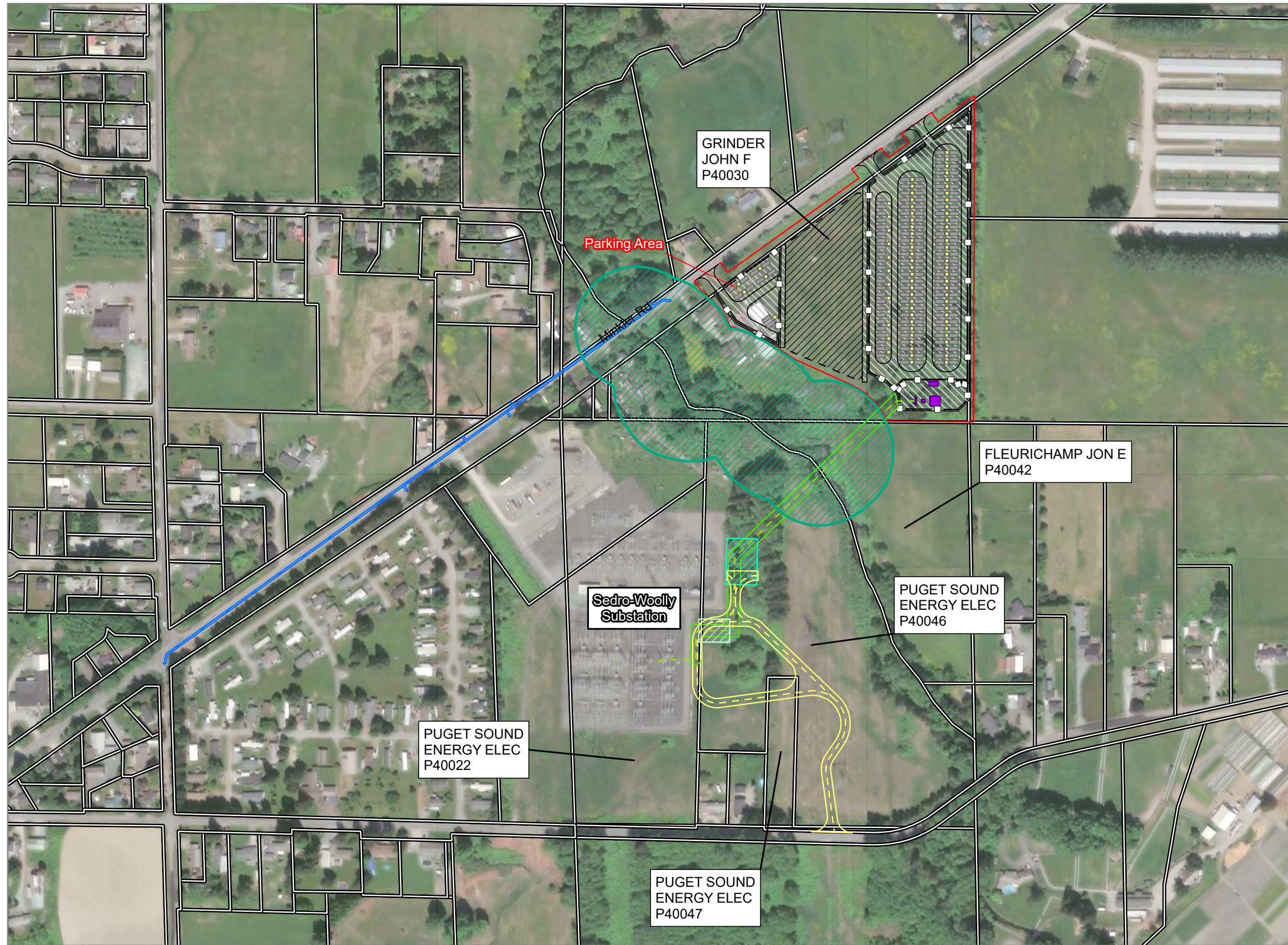


NOT FOR CONSTRUCTION

Goldeneye BESS Application for Site Certification

Figure 2
Site Plan

SKAGIT COUNTY, WASHINGTON

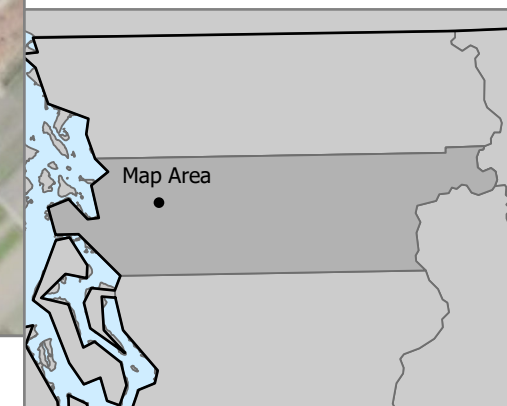


- Parcels
- Hansen Creek Riparian Area
- Limits of Disturbance
- Battery Energy Storage System (BESS)
- Transformer
- Stormwater Management Area
- BESS Facility Fence Line
- Road/Gravel Area
- Project Substation
- Access Road 30ft Easement
- Access Road Centerline
- Waterline Disturbance
- Transmission Line Easements
 - 40' Easement Temporary
 - Jack and Bore Site
 - Vault Easement Temporary
 - Transmission Line Centerline

Note:
Parcel data obtained from Skagit County GIS and do not precisely match survey data. Parcel boundaries shown on engineering drawings, included as Attachment B to the ASC, have been surveyed and are presumed to be more precise.

Data Source(s):
Skagit County (Parcels); Power Engineers (Hansen Creek Riparian Area, Limits of Disturbance, Battery Energy Storage System, Transformer, Stormwater Management Area, BESS Fence Line, Road/Gravel Area, Substation, Access Road Easement, Access Road, Waterline Disturbance, Transmission Line Easements, Transmission Line Centerline)

Base Map: ESRI (World Imagery)



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NOT FOR CONSTRUCTION

Goldeneye BESS Application for Site Certification

Figure 3
Zoning Map

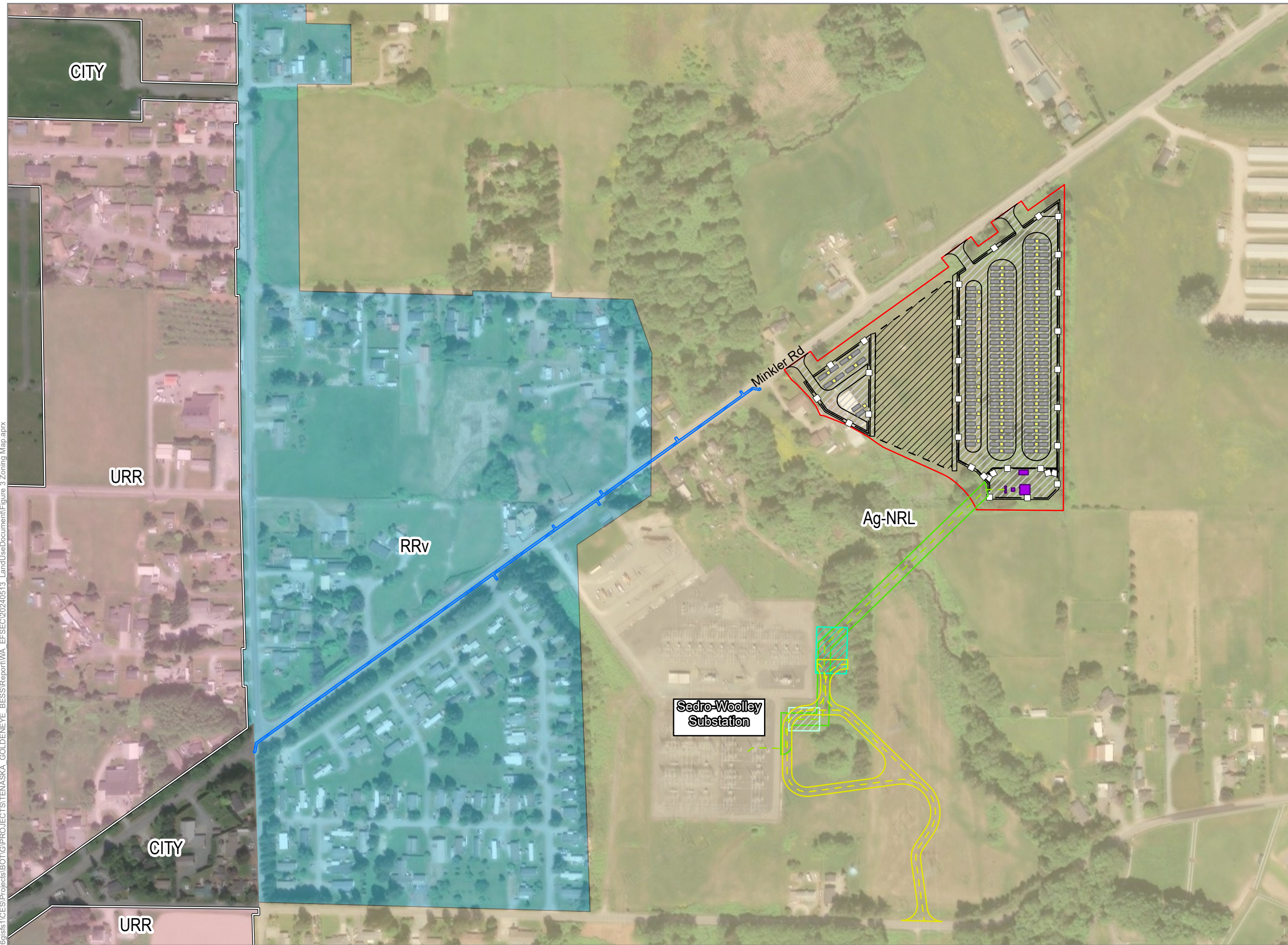
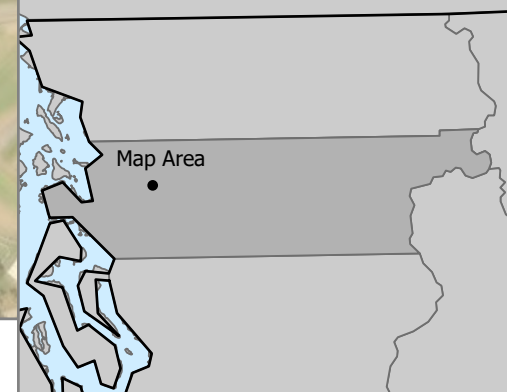
SKAGIT COUNTY, WASHINGTON

Skagit County Comprehensive
Plan

- Zoning
- Ag-NRL
 - CITY
 - RRv
 - URR
 - Urban Growth Area
 - Limits of Disturbance
 - Battery Energy Storage System (BESS)
 - Transformer
 - Stormwater Management Area
 - Fence
 - Road/Gravel Area
 - Project Substation
 - Access Road 30ft Easement
 - Access Road Centerline
 - Transmission Line Easements
 - 40' Easement Temporary
 - Jack and Bore Site
 - Vault Easement Temporary
 - Transmission Line Centerline
 - Waterline Disturbance

Data Source(s):
Skagit County(Zoning, Urban Growth Area); Power Engineers(Limits of Disturbance, Battery Energy Storage System, Transformer, Stormwater Management Area, Fence, Road/Gravel Area, Substation, Access Road Easement, Access Road, Transmission Line Easements, Transmission Line, Waterline Disturbance)

Base Map: ESRI(World Imagery)



I:\cass706\gis\1\CES\Projects\BOT\GIP\PROJECT\TENASKA_GOLDENEYE_BESS\Report\NWA_EFSEC\2024\0513_LandUseDocument\Figure 3 Zoning Map.aprx



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NOT FOR CONSTRUCTION

Goldeneye BESS Application for Site Certification

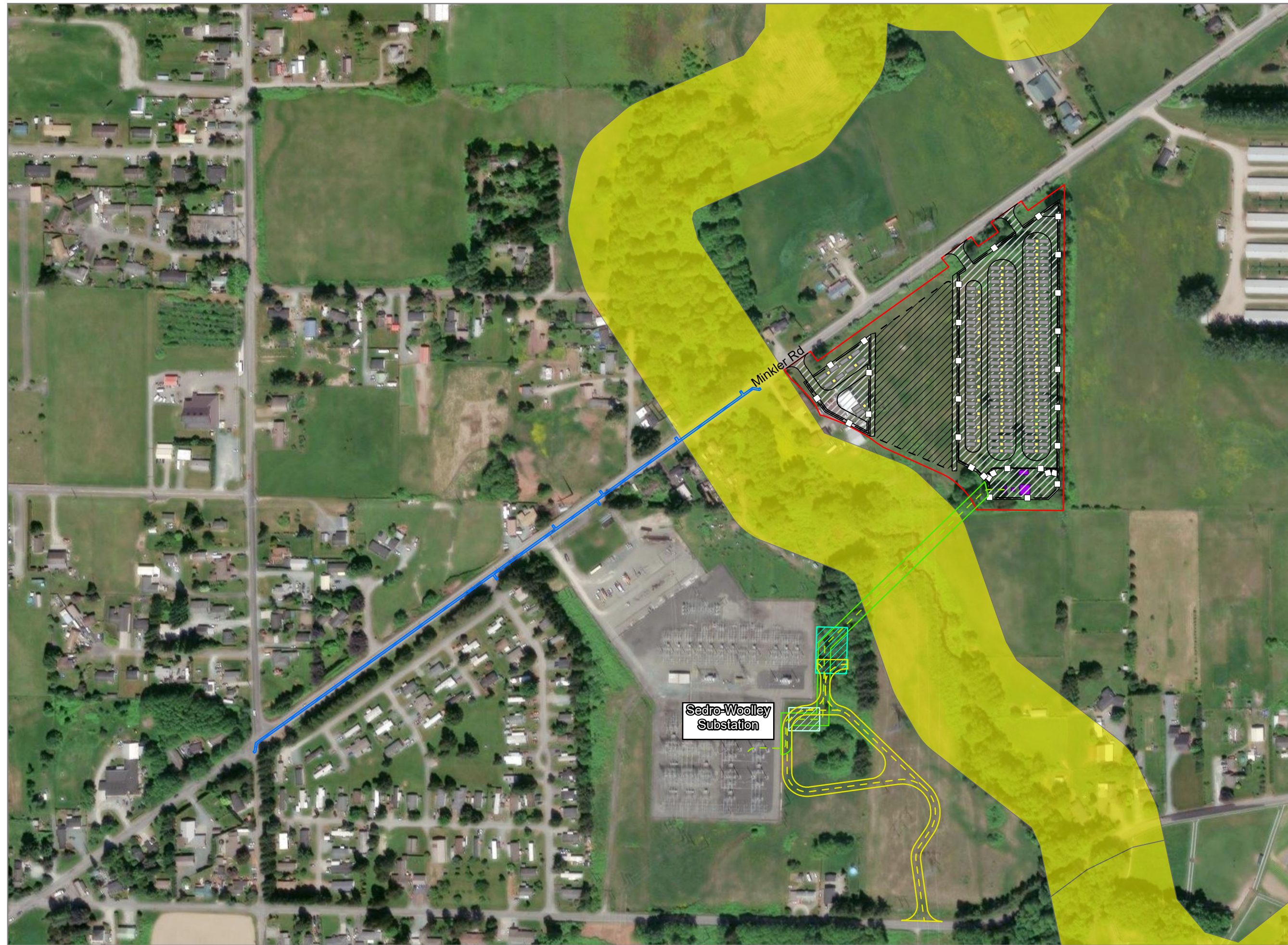
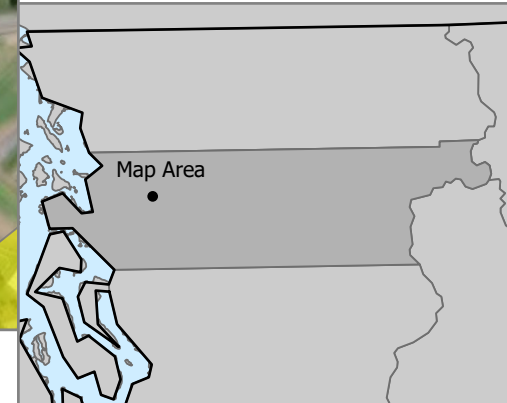
Figure 4
Shoreline Designation Map

SKAGIT COUNTY, WASHINGTON

- Draft Shoreline Master Plan
- Rural Conservancy
 - Limits of Disturbance
 - Battery Energy Storage System (BESS)
 - Transformer
 - Stormwater Management Area
 - Fence
 - Road/Gravel Area
 - Project Substation
 - Access Road 30ft Easement
 - Access Road Centerline
 - Transmission Line Easements
 - 40' Easement Temporary
 - Jack and Bore Site
 - Vault Easement Temporary
 - Transmission Line Centerline
 - Waterline Disturbance

Data Source(s):
Skagit County(Rural Conservancy); Power Engineers(Limits of Disturbance, Battery Energy Storage System, Transformer, Stormwater Management Area, Fence, Road/Gravel Area, Substation, Access Road Easement, Access Road, Transmission Line Easements, Transmission Line, Waterline Disturbance)

Base Map: ESRI(World Imagery)



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NAD 1983 StatePlane Washington North FIPS 4601 Feet



NOT FOR CONSTRUCTION

**APPENDIX A: NOTICE OF DECISION FOR
ADMINISTRATIVE INTERPRETATION REQUEST #PL22-
0460**

**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
NOTICE OF DECISION**

For

**Administrative Interpretation Request AOI 2023-01
File #PL22-0460**

Notice is hereby given that on February 1, 2023, Skagit County Planning and Development Services **APPROVED** the Administrative Interpretation request #PL22-0460 submitted by Goldfinch Energy Storage, LLC., to allow consideration of the proposed battery energy storage system (“BESS”) project as a major utility development. Goldfinch asked that the proposed project, which they call Goldeneye, be classified as a major utility development and not a major regional utility development. The property subject to the request is located within the Agricultural Natural Resource Lands (Ag-NRL) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016. Located at 25080 Minkler Road, Sedro-Woolley, within a portion of Section 20, Township 35N, Range 5E W.M., situated within Skagit County, Washington. (Assessor’s Parcel #P40030).

Applicant: Goldfinch Energy Storage, LLC., c/o Tommy Nelson, 14302 FNB Parkway, Omaha, NE 68154-5212. **Property Owner:** John and Stephanie Grinder, 25080 Minkler Road, Sedro-Woolley, WA 98284.

Pursuant to Skagit County Code 14.06.200, the Notice of Decision shall be forwarded to parties of record, the applicant and other applicable parties of interest.

The applicant or a party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of SCC 14.06.040(3)(d) and SCC 14.06.110(7). An appeal must submit the appeal form and appeal fees to Planning and Development Services within 14 calendar days of the date the Notice of Decision was issued.

Transmitted to the Skagit Valley Herald: February 7, 2023
Please publish: February 9, 2023
Appeals must be submitted by: February 15, 2023

Brandon Black
Current Planning Manager
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
(360) 416-1326

APPENDIX B: ALTERNATIVES ANALYSIS

MEMORANDUM

To: Skagit County Planning & Development Services
From: Dudek
Subject: Alternatives Analysis for the Goldeneye Energy Storage Project
Special Use Application File #PL23-023
Date: August 15, 2023
cc: Goldeneye Energy Storage, LLC
Attachment: Figures 1-3

Goldfinch Energy Storage, LLC is proposing the Goldeneye Energy Storage Project (Project), a utility scale battery energy storage system (BESS) located on approximately 14.14 acres of land east of the City of Sedro-Woolley in unincorporated Skagit County.

Per the Administrative Interpretation issued by Skagit County on February 1, 2023 classifying the Project as a Major Utility Development, and as the proposed project is located within an Agricultural-Natural Resource Lands (Ag-NRL) zone, the Project would be allowed via a Special Use Permit. However, as the Project is not agricultural in nature, per Skagit County Code 14.16.400(4)(h), an Alternatives Analysis is required to demonstrate that there is no other viable parcel of non-agricultural land available to serve as the Project site.

Project Description

The Project will consist of lithium-ion energy batteries installed in racks; inverters; switchgear; and other associated equipment to directly interconnect into the Puget Sound Energy (PSE) Sedro-Woolley Substation (point of interconnection) located directly southwest of the project site. The batteries will be installed in either containers or purpose-built enclosures, which will be designed for aesthetic compatibility with the surrounding area. The containers will have battery storage racks separated with relay and communications systems for automated monitoring and managing of the batteries to ensure design performance. Batteries operate with direct current (DC) electricity that must be converted to alternating current (AC) for compatibility with the existing electric grid. Power inverters to convert between AC and DC may be located outside the containers or purpose-built enclosures, along with transformers to step up the voltage.

The proposed facility will provide a service to the local electric grid by receiving energy (charging) from the PSE Sedro-Woolley Substation, storing energy on the site, and then later delivering energy (discharging) back to the point of interconnection when needed. Following construction, the proposed use will not emit pollutants, will not require sanitary facilities, and will not require water except for limited maintenance activities.

Purpose and Need

The Project will provide Skagit County and the State of Washington with a reliable, economically sound development to receive, store, and discharge electricity from the PSE electric grid, including renewable energy produced by existing solar and wind resources in the region. Construction of the project will specifically meet the following objectives:

- Establish a new energy storage facility to reliably capture and manage renewable energy in an economically feasible and commercially financeable manner.
- Provide economic benefit to the County, the region, and the state through construction jobs, property and sales taxes, and increased energy efficiency and grid reliability.
- Use proven and established energy storage technology that is efficient, requires low maintenance, and is recyclable.
- Assist Washington in meeting its goal of having an electricity supply free of greenhouse gas emissions by 2045, as required by Washington's Clean Energy Transformation Act (Senate Bill 5116), effective May 7, 2019.
- Provide the region with a battery energy storage facility with the ability to meet the challenges of integrating additional renewable energy sources into the grid and avoid rolling blackouts such as those recently experienced in the southwest United States by allowing renewable energy to be stored on site and provide approximately 200,000 homes with power when needed.

Alternatives Analysis

Siting and development of BESS projects require the review of several factors including: availability of land within proximity of an existing substation, the ability to connect to the existing substation (gen-tie), available access to and from the site, constructability of the land (relatively flat parcels with limited environmental restrictions), current land uses and zoning, as well as constraints related to local requirements.

For the effective deployment of BESS technology, the first and foremost constraint placed on the Project is vicinity to the point of interconnection (POI); in this case the Sedro-Woolley Substation. The Sedro-Woolley Substation was chosen as it is the only POI located in this generation-constrained area of substantial growth, that has an appropriate interconnection voltage, and also has a low cost to upgrade and interconnect, resulting in lower cost to the ratepayer.

Once the POI has been determined, the project site selection process can begin. The further away a project is located from the interconnecting substation, the larger the overall project footprint becomes, resulting in greater costs associated with infrastructure. In addition, electrical loss increases as the distance between the battery storage site and substation increases, resulting in reduced efficiency and higher rate prices. Therefore, for a BESS project to be economical and provide the lowest-cost power for ratepayers, it must be within a 1-mile radius (approximately, depending on individual situations) of the POI.

The second most important factor in determining a potential BESS site location is the size of the parcel. To begin reviewing potential sites that meet the size and location criteria, a GIS analysis identified those parcels within the

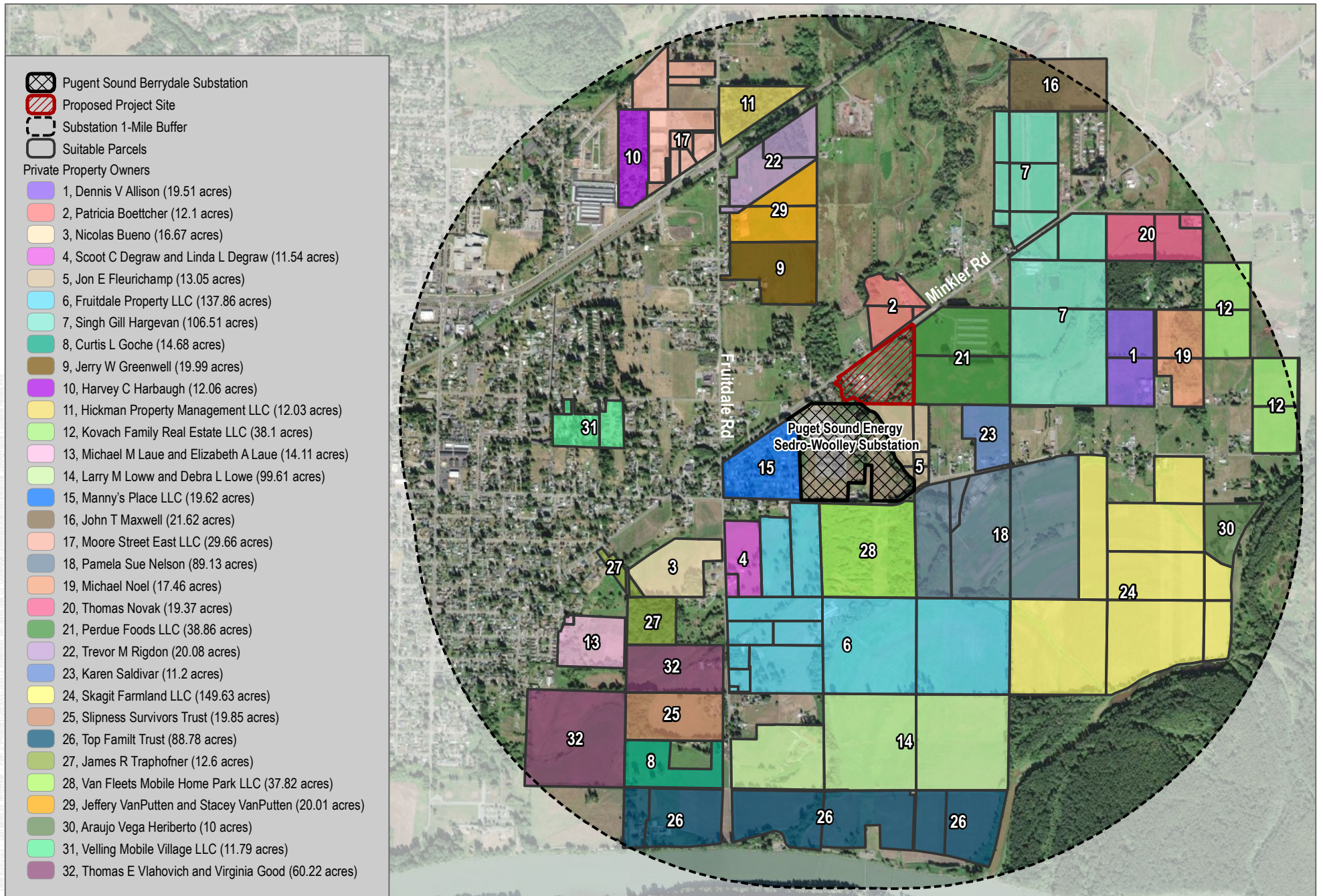
1-mile radius which totaled over 10 acres, either as a single parcel or combined parcels of contiguous ownership. This resulted in the identification of one-hundred parcels with thirty-two different private owners (not including the proposed project site) (Figure 1). The land use for these parcels includes Ag-NRL, Rural Reserve (RRv), Urban Reserve Residential (URR) and Incorporated Area (Figure 2). When the Ag-NRL land use is excluded from the analysis, seventeen parcels with six owners, comprising six potential sites over 10 acres remain as potential options for the Project (Figure 3). These six sites were then reviewed further to determine if the potential sites were already developed and the level / density of that development. Sites 10, 15 and 17 include high density residential while Site 31 supports manufacturing facilities. Sites 10, 15, 17 and 31 were excluded as potential alternatives due to the cost prohibitive nature associated with demolition of these facilities/homes, the impacts of displacing existing housing infrastructure, and any potential remediation needs required. In addition, there are no feasible routes for the required gen-tie alignment. The remaining two sites (3 and 11) are evaluated below.

Site 11 is a forested property with three residences. The site consists of one 12.03-acre parcel located approximately 0.78 miles from the Sedro-Woolley Substation (direct measurement). Existing transmissions lines cross the southwest corner of the project site, and the Northwest Pipeline is located within the northeast corner of the site. These easements restrict use of the site to less than 10 acres. Given the distance from the POI and the easement limitations, Site 11 is not a viable alternative.

Site 3 consists of one undeveloped parcel totaling 16.67 acres. The land use designation for the site is URR. The site is almost entirely within Zone A 100-year floodplain and is currently being used for agricultural purposes. The site is located approximately 0.28 miles from the substation (direct measurement), whereas the proposed Project site is directly adjacent to the Sedro Wooley Substation. In addition, based on potential transmission pathways and road locations, Site 3 would require an interconnection transmission line more than twice the length of the proposed Project site. Based on the zoning, size, location and undeveloped nature of the parcel, Site 3 could be viewed as a viable alternative to the proposed project. However, in addition to unknown design constraints and greater distance from the POI and associated longer interconnecting transmission line, the owners of this property were contacted during the initial due diligence for the project siting, and they expressed no interest in selling or leasing the property.

Conclusion

After evaluation of all available non-Ag-NRL zoned lands within 1 mile of the Sedro-Woolley Substation only one site, Site 3, presents a potentially viable alternative to the proposed Project site. However, as owners of this property expressed no willingness to sell or lease the property, there were no viable Project sites not located in the Ag-NRL zone.



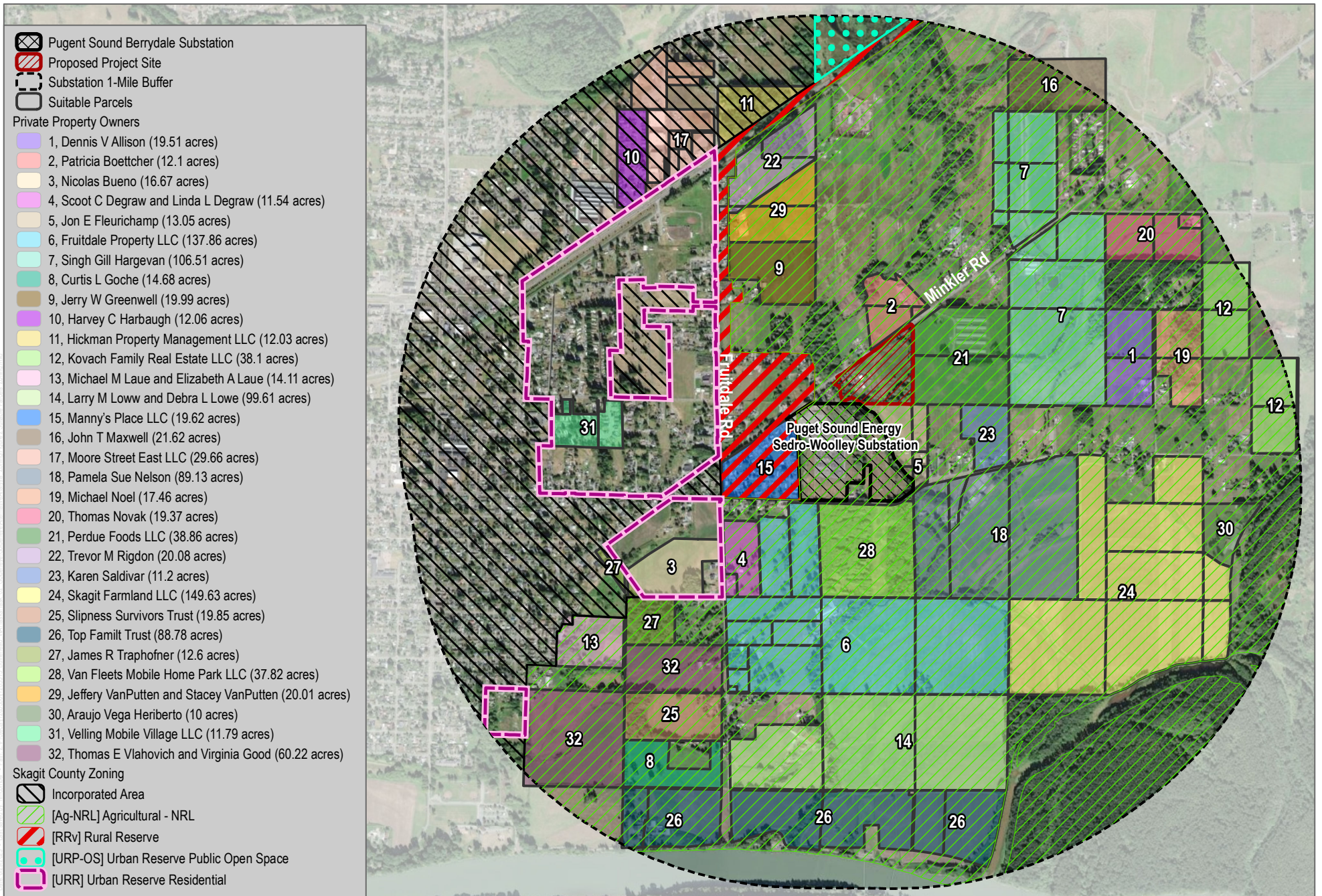
SOURCE: Maxar 2017; Skagit County 2021



FIGURE 1

Suitable Parcels

Alternative Site Analysis for the Goldeneye Energy Storage Project



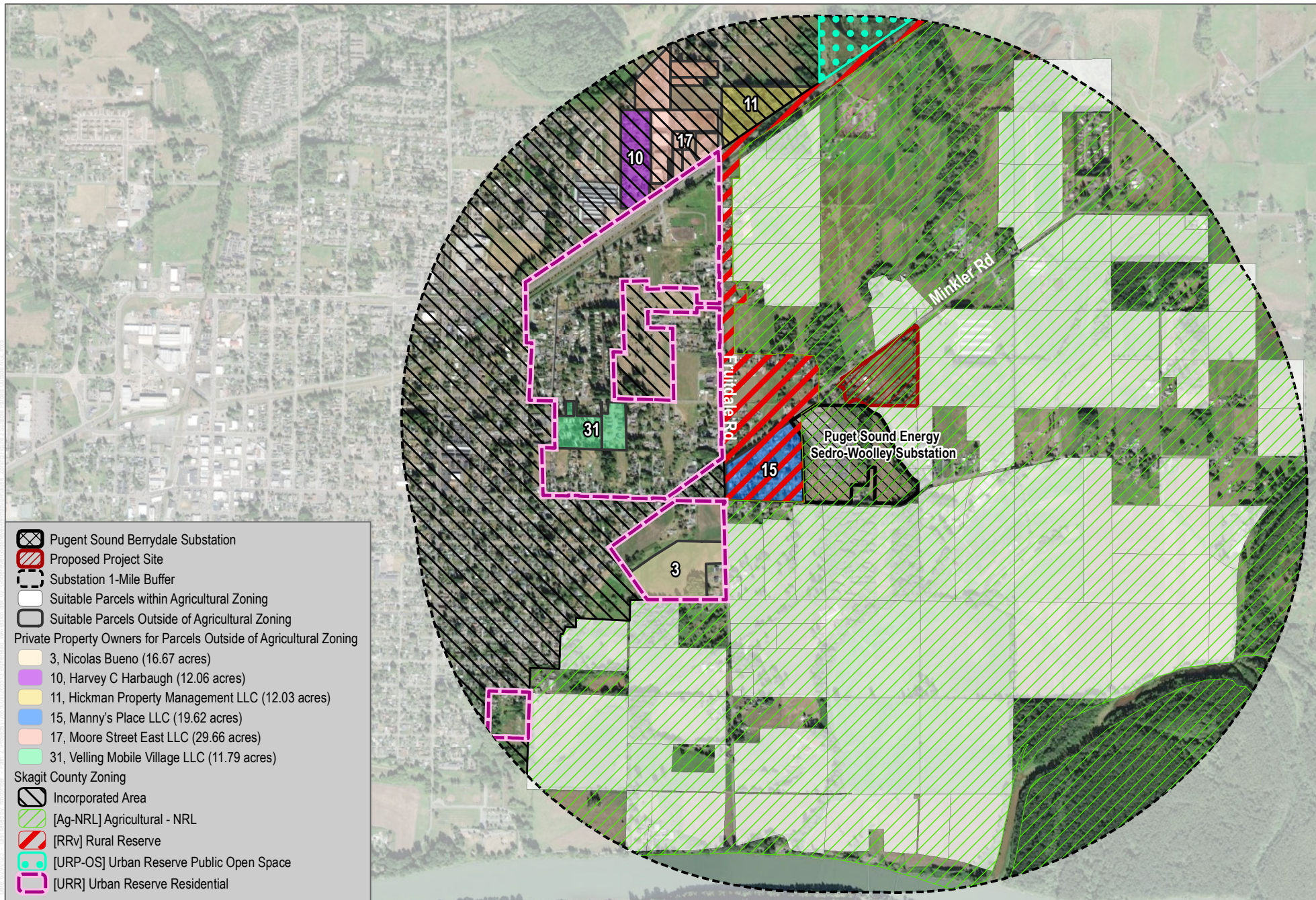
SOURCE: Maxar 2017; Skagit County 2021



FIGURE 2

Suitable Parcels - Zoning

Alternative Site Analysis for the Goldeneye Energy Storage Project



SOURCE: Maxar 2017; Skagit County 2021



FIGURE 3
 Suitable Parcels Outside of Agricultural Zoning Area
 Alternative Site Analysis for the Goldeneye Energy Storage Project