

**Debra L. Nicholson**

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Wednesday, April 10, 2013 7:50 AM  
**To:** KirkJohnson; Dale Pernula; Debra L. Nicholson  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
**Sent:** Tuesday, April 09, 2013 7:50 PM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

Name : Philip Nakano  
Address : 15925 Best Rd.  
City : Mt. Vernon  
State : WA  
Zip : 98273  
email : [phinak2000@yahoo.com](mailto:phinak2000@yahoo.com)  
Phone : 360 4204240

PermitProposal : Tethys Water Bottling Plant

Comments : As a Skagit Valley resident for nearly 40 years I implore you to deny any advance of this project. It threatens the very nature of what makes this area great. A plant 4 times the size of an ordinary facility with minimal if any guarantee for local employment of significance, places an infrastructural, ecological, and ethical burden on this beautiful valley for years to come. Is this really the legacy you wish to leave? Is it worth the money that a few people will make?

JUST SAY NO TO TETHYS, Thank you.

From Host Address: 184.76.112.247

Date and time received: 4/9/2013 7:46:08 PM

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## Debra L. Nicholson

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Friday, April 12, 2013 4:30 PM  
**To:** Dale Pernula; Debra L. Nicholson; KirkJohnson  
**Subject:** FW: PDS Comments

From dept email

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

**From:** website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]  
**Sent:** Friday, April 12, 2013 3:20 PM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

**Name :** Randy Neumann  
**Address :** 1011 Warner St.  
**City :** Sedro Woolley  
**State :** WA  
**Zip :** 98284  
**email :** scrantz@frontier.com  
**Phone :** 360-855-0170

**PermitProposal :** ANACORTES UGA EXPANSION PROPOSAL Comments : I'd have to say this is one of the more puzzling projects I've seen since Sedro Woolley tried to put a dump in the middle of the city. The county has ruled it is a non-project? Developing nondevelopable wetlands, building a rail yard with non-specified acreage, pulling millions of gallons of water daily from the Skagit and more 100 car trains stalling traffic isn't a project?? And doesn't require a full Comprehensive plan update??

Come on folks, this is huge project with potential for huge impact on the county. Please rethink.

Sincerely,  
Randy Neumann  
Sedro Woolley

From Host Address: 208.74.154.146

Date and time received: 4/12/2013 3:16:11 PM

April 12, 2013

Skagit County Board of Commissioners  
Sharon Dillon  
Ken Dahlstedt  
Ron Wesen



RE: PL 12-0258, Anacortes/Tethys UGA Application

Dear Commissioners:

While expressing generically my opposition to Anacortes' application for the extension of the U.G.A., I specifically want to focus on the perceived ignoring of the declared use to which the land is already committed: the Tethys project. Logically, to attempt to separate the addition from its use is absurd; they are inseparably connected: if a nuclear waste site were proposed.....

Finally, the presentations already recorded for the Board are starkly differentiated; on the one hand, the opposition to the request was researched, substantive, factual: on the other hand, one was exposed to cheapened boosterism, diseased nostalgia and disregard for demonstrated research.

As with all other cockamamie proposals for the future of Anacortes and Skagit County, Tethys' consequent illusions and ignorance have been clearly expressed by Sir Walter Raleigh in 1600:

"Soone breake, soone wither, soone forgotten:  
In follie ripe, in reason rotten."

Yours, etc., *John J. O'Connell*

John J. O'Connell  
1401 10<sup>th</sup> St.  
Anacortes, WA 98221  
360 299-4375

295



TO: SKAGIT COUNTY COMMISSIONERS

(Ken Dahlstedt, Sharon Dillon, Ron Wesen)

RE: PL 12-0258, Anacortes/Tethys UGA Expansion Application

FROM: Kay O'Connell, 1401 10<sup>th</sup> St., Anacortes, WA 98221 299-4375

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## TESTIMONY BEFORE COUNTY COMMISSIONERS - APRIL 2013

Good Evening, Commissioners. I appreciate this opportunity to address you with my concerns about the City of Anacortes' application for an expansion to its Urban Growth Area.

During a career spanning 33 years in this State, I served as both public school and community college teacher as well as librarian for the State in Olympia, Snohomish and Island counties and the City of Everett. My teaching posts were in Walla Walla and Skagit counties. I have lived in Anacortes since 1979.

As a public servant my priorities were to be responsive, accurate, objective, ethical, and caring. I assume you hold these priorities in your roles as commissioners as well. In your capacities perhaps you can help me identify the benefits to the community of Anacortes in the proposed UGA expansion.

I appreciate that you are taking public input on the UGA application per se, not the Tethys proposal but my concerns about the 11 acres plus are environmental degradation, the railroad right-of-way, and traffic. All of these figure generically in Anacortes' ultimate goal: making this Rural Reserve into a Light Manufacturing zone. Tethys stands as an extravagant type model and is in the text of the City's original application on July 31, 2012 proposing a water bottling plant.

Despite the mantra of J.O.B.S., I fail to see the city prospering at the hands of Tethys Inc. and I have studied Tethys' relationship with the city for the better than 2-1/2 years since Steve Winter came to town.

The 11 acres requested is only a portion of the land requirements laid out by Steve Winter, Tethys principal, in interviews.

A million square foot plant plus the rail yards needed to accommodate 100-car unit trains which Tethys projects using as storage to save square

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footage in the plant require much more than 11 acres. The site in question closely adjoins a pocket salmon estuary, a conservation project funded at \$700,000. The rail yards are proposed to be situated by the pocket estuary and any rail line using the right-of-way would be very close to it..

The size of the plant and its railroad requirements are out of scale for the geographic site and the communities of Anacortes and Shelter Bay. Tethys is likely working to attract a super- size buyer such as Nestle or Pepsico with an installation which can ship bottled beverages by rail up to 1,600 miles. Nestle's water quest has been ousted so far by public opposition in Enumclaw, Orting and Black Diamond.

According to the State Department of Transportation, the stretch of Highway 20 at Reservation Road daily averages 25-40,000 vehicles; the Reservation Road intersection will be congested with industrial vehicles. Meanwhile the rail crossing needed to take advantage of the rail right-of-way would be less than half a mile from the Highway 20 intersection, creating traffic back-ups for the 2,000 people dependent on Reservation Road from the south plus emergency vehicles and fire trucks from nearby fire station 13. And this problem is without considering the car dealership and the industrial park on Molly Lane, both sources of constant vehicular traffic at that intersection.

To sum up: since the original application was written specifically to accommodate what would be the largest bottling plant in the U.S., I think it's indefensible to deny citizen input in a land use decision directly affecting thousands of county residents. Please do not docket the Anacortes application as written for a UGA expansion of 11 plus acres.

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328 N. 3<sup>rd</sup>  
La Conner, WA 98257  
April 4, 2013



Board of County Commissioners  
1800 Continental Pl.  
Mount Vernon, WA 98273

Dear Commissioners:

Regarding the UGA expansion for Anacortes, PL-12-0258, set for public hearing at 6:00 p.m. Tuesday, April 9, may I submit the following?

The E. D. Hovee letter, which is the City of Anacortes' answer, dated January 23, 2013, page 36, has a number of flaws:

It lists P19920 as one of the properties to be re-designated in order to stay within the 588 acres of industrial zoned land allotted to Anacortes. That is part of the Samish tracts, and was removed from consideration.

It should have listed P19929. The acreage is wrong; it shows 10.8 acres when it should be 7.92 acres, less state highway. There is no evidence that the owner of this property was advised of the proposed change in zoning.

Parcel P19931 is owned by Dom-Le Properties, LLC, and the Assessor shows it as .65 acre. E. D. Hovee shows it at 4.68 acres. The County map is in error. The deed shows this parcel as a separate piece of land conveyed with P19934. This has been verified by Dave Thomas of the Skagit County Assessors Office. There is no evidence that the owner was notified of the proposed change in zoning. The Assessor's sheet indicates that the land use is SFR.

According to the March 25, 2013, memorandum from the Skagit County Planning and Development Services to the Board of County Commissioners, page 4, P19931 and P19929 are shown as re-designated properties. Anacortes does not meet the 11.15 acre criteria, (.65 acre plus 7.92 acres equals 8.57 acres). As noted in item 4 of the table on page 4, "The proposal does not contain legal or procedural flaws that would prevent its implementation". That is not true.

In addition, the failure to notify the owners is a serious flaw. The failure of the Planning and Development division to check E. D. Hovee's work against the County records indicates sloppiness, and raises doubt about the impartiality of that organization.

It is recommended that the petition be denied or remanded to the Planning Commission.

Sincerely,

A handwritten signature in cursive script that reads "Dan O'Donnell".

Dan O'Donnell

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COPY



328 N. 3<sup>rd</sup>  
La Conner, WA 98257  
April 8, 2013

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

Honorable Commissioners:

Further to my letter of April 4, concerning the Anacortes UGA expansion, I have learned that the Skagit County Planning Department contacted the Department of Transportation about the rezone of their property, P19929. I assume that the same was done for P19931.

The attached letter indicates that P19929 is 5.95 acres. This contrasts with E. D. Hovee's estimate of 10.8 acres, and the County's estimate of 7.92 acres. Mr. Dave Thomas of the Skagit County Assessor's office has confirmed that "Since the DOT acquired the property in 2007, their estimate should be the most recent and reliable". The state highway may account for the reduced acreage.

P19931 is shown to be .65 acre, as shown on the attached map. The maximum land available for re-designation, according to the March 25, 2013, memorandum from the Skagit County Planning and Development division, would be 6.60 acres (.65 + 5.95). That is 4.55 acres shy of the 11.15 needed. Note that the March 25 memo did not include P20007 (.98 acre) nor P19930 (.69 acre), which had been referenced by E. D. Hovee.

The gap between P20007 and P19931 has no "P" number assigned. It is water only, and is owned by the State of Washington. This was the source of the problem, as the County map indicated the P19931 extended all the way to P20007.

The petition must be denied for failure to meet article 1.6 of the County Wide Planning Policies.

Sincerely,

  
Dan O'Donnell



4-9-2013



Submitted by: Dan O'Donnell



200401140039  
Skagit County Auditor

1/14/2004 Page 1 of 3 9:00AM

**RETURN ADDRESS:**  
Kevin J. Collette, Esq.  
Ryan, Swanson & Cleveland, PLLC  
1201 Third Avenue, Suite 3400  
Seattle, WA 98101-3034

### QUIT CLAIM DEED

GRANTOR:	SCARSELLA, GERARD L.
GRANTEE:	DOM-LE PROPERTIES, LLC
ABBREVIATED LEGAL DESCRIPTION:	Ptn. Gov., Lot 3, 5-34-2 (See Page 3 for full legal description)
ASSESSOR'S TAX PARCEL NO.:	P19934 (340205-0-005-0008); P19931 (340205-0-002-0001)

THE GRANTOR, GERARD L. SCARSELLA, a married man as his separate property, for and in consideration of the conveyance to a limited liability company in exchange for membership interest and no monetary consideration, conveys and quit claims to DOM-LE PROPERTIES, LLC, a Washington limited liability company, the following described real estate, situated in the County of Skagit, State of Washington, together with all after-acquired title of the Grantor therein:

See Exhibit A attached hereto and incorporated herein by this reference.

Dated this 18 day of December, 2003.

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

#105  
JAN 13 2004

Amount Paid \$  
Skagit County Treasurer  
By: [Signature] Deputy

[Signature]  
Gerard L. Scarsella

300

WASHINGTON  
STATE OF ~~COLORADO~~ )  
 ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that GERARD L. SCARSELLA is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed this 18 day of December, 2003.



[Signature]  
(Signature of Notary)  
Kevin J. Collette  
(Print or stamp name of Notary)  
NOTARY PUBLIC in and for the State  
of Colorado  
My Appointment Expires: 2-16-2005



307

**EXHIBIT A**

**LEGAL DESCRIPTION**

That portion of Government Lot 3 in Section 5, Township 34 North, Range 2 East W.M., lying North & East of road and East of a line parallel with and 95 feet West of the East line of said Lot 3, Except State Highway.

ALSO, that portion of the following described tract lying North & East of road and North of old right of way of Anacortes Electric Railroad line.

The North 9.41 acres, more or less, of that portion of Government Lot 2 of Section 5, Township 34 North, Range 2 East, W.M., lying Northerly of the county road as said road existed in 1918.

Except from the above described tracts the portion conveyed to the State of Washington by deed dated September 25, 1956, recorded October 19, 1956, under Auditor's File No. 543089.

Situate in the County of Skagit, State of Washington.

Subject to those easements, restrictions and reservations of record, if any.

Together with: All real estate and/or mineral leases, if any.





Submitted by: Dan O'Donnell



200401140039  
Skagit County Auditor

1/14/2004 Page 1 of 3 9:00AM

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Real Estate Excise Tax  
PAID #1105  
JAN 13 2004  
Amount Paid \$  
Skagit County Treasurer  
By: *[Signature]* Deputy


*[Signature]*  
Gerard L. Scarsella

303

WASHINGTON  
STATE OF ~~COLORADO~~ )  
 ) ss.  
COUNTY OF KING )

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(Print or stamp name of Notary)  
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of Colorado  
My Appointment Expires: 2-18-2005



200401140039  
Skagit County Auditor

304

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1/14/2004 Page 1 of 3 9:00AM

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*[Signature: Gerard L. Scarsella]*

Gerard L. Scarsella

306

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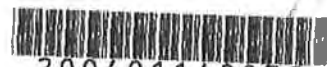
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200401140039  
Skagit County Auditor

308



Submitted by: Dan O'Donnell



200401140039  
Skagit County Auditor

1/14/2004 Page 1 of 3 9:00AM

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Ryan, Swanson & Cleveland, PLLC  
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Real Estate Excise Tax  
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Amount Paid \$  
Skagit County Treasurer  
By: Deputy

Gerard L. Scarsella  
Gerard L. Scarsella

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STATE OF ~~COLORADO~~ )  
 ) ss.  
COUNTY OF KING )

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[Signature]  
(Signature of Notary)  
Kevin J. Colletta  
(Print or stamp name of Notary)  
NOTARY PUBLIC in and for the State  
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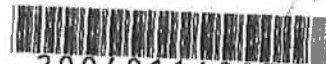
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**Debra L. Nicholson**

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**Sent:** Wednesday, April 10, 2013 8:45 AM  
**To:** Debra L. Nicholson  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
**Sent:** Tuesday, April 09, 2013 12:00 PM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

Name : Kristi O'Donnell  
Address : PO Box 261  
City : Greenbank  
State : WA  
Zip : 98253  
email : [kristio@whidbey.net](mailto:kristio@whidbey.net)  
Phone : 360-969-3275

PermitProposal : ANACORTES UGA ANNEXATION Comments : I am concerned about the long term contract to supply the water for this industry plus the potential pollution from the plastic industry that this will entail. It is vital that government leaders are visionary when it comes to drinking water sources. If this was contracted to ship away, what is guaranteeing the supply of water for the people and habitat that are currently supported by the water there?

From the EPA:  
Source Water Protection

The drinking water we receive from our local drinking water utilities or individual wells comes from ground water, streams, rivers, springs or lakes in a watershed. Although most water requires some treatment before use, protecting this source water is an important part of providing safe drinking water to the public.

Protecting drinking water sources usually requires the combined efforts of many partners such as public water systems, communities, resource managers and the public.

From Host Address: 50.106.20.156

Date and time received: 4/9/2013 11:56:56 AM

3/2

April 9, 2013

To: Skagit County Commissioners  
(Ken Dahlstedt, Sharon Dillon, Ron Wesen)  
1800 Continental Place  
Mount Vernon WA 98273

Re: Anacortes / Tethys UGA Expansion Application

Dear Commissioners:

Please give the Non-Project Specific Anacortes UGA Expansion Petition a 2014 Full Comprehensive Plan update.

Public input needs to be included in this project of land acquisition and effects on salmon and the Turners Bay estuary.

The health of the community needs inclusion in the immense effect this change in zoning will bring.

Truly yours,

Dwan Thompson Oliver

Dwan Thompson Oliver  
13449 Driver Rd  
Anacortes WA 98221  
360 293 6119



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Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

Evin D. Opp  
1111 8th St. Apt. A  
Anacortes, WA  
98221

314

## Debra L. Nicholson

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Tuesday, April 16, 2013 10:02 AM  
**To:** Dale Pernula; Debra L. Nicholson; KirkJohnson; GaryChristensen  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
**Sent:** Monday, April 15, 2013 11:45 AM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

Name : curt Oppel  
Address : 2803 B ave  
City : Anacortes  
State : WA  
Zip : 98221  
email : [curt@curtoppel.com](mailto:curt@curtoppel.com)  
Phone : 360 202 0121

PermitProposal : anacortes UGA expansion Comments : I spoke at last weeks meeting.

My main point. Is that it is important to add the 11 acres to the UGA as the current RR land is an obsticale to locating any large viable sustainable manufacturing facuility. The zoning intent is there but sufficent land. Is not.

From Host Address: 74.82.64.160

Date and time received: 4/15/2013 11:41:06 AM





Skagit County Board of Commissioners  
1800 Continental Place, No. 100  
Mount Vernon, WA 98273

Subj: Anacortes UGA annexation in relation to Tethys Beverage  
Bottling Operation

*Send:  
Pernula  
Nicholson*

Dear Sirs:

Scarcely a day goes by without there being some local water issue brought to light. Everyone wants a part of one of our most valued resources.

This resource, specifically the water of the Skagit river, is not infinite in its capacity to continue to supply those of the Skagit River Valley, let alone the enormous quantity that would be lost daily to a bottling plant.

Water shortage is becoming increasingly a global problem and demands our caution and attention is conserving what we have.

Giving up our most valued local resource for a bottling plant is extremely short-sighted and careless.

The plant would be forever . . . our river water is not.

I urge you to use caution and look to the future in considering this proposal.

John Orrelle

A handwritten signature in black ink, appearing to read "John Orrelle".

312 Willapa Place  
LaConner, WA 98257  
Telephone: 360-466-5953  
Email: johnorrelle@wavecable.com

*316*

April 12, 2013



To: Skagit County Board of Commissioners  
1800 Continental Place  
Mount Vernon, Washington 98273

Re: City of Anacortes UGA Expansion Proposal

To designate the City of Anacortes UGA Expansion application as non-project specific is a major mistake on the part of the Skagit County Planning Department and therefore Skagit County. The Expansion is specifically for the Tethy's bottling plant and the County will have a hard time in court or in front of the Growth Management Hearings Board defending this administrative decision. If nothing else, the County needs to go back and unwind this decision before further consideration of the UGA Expansion proceeds.

In the larger picture of the project and the County, the Tethy's plant should not be placed on Fidalgo Island. The City of Anacortes wishes to maximize its tax revenue base in addition to the sale of its water resources. Moving this much water and then freight (in bottles) is a major logistical effort. Placing the plant on Fidalgo Island, a limited area land mass with access of one rail line across an inadequate rail bridge demonstrates planning trumped by greed. The plant should be located near the Skagit River and the closest rail line if it gets built.

Thank you the opportunity to comment.

A handwritten signature in black ink, appearing to read "Stephen Orsini".

Stephen Orsini  
4971 Guemes Island Road  
Anacortes, WA 98221

3/17

**Debra L. Nicholson**

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Thursday, April 11, 2013 2:13 PM  
**To:** Dale Pernula; KirkJohnson; Debra L. Nicholson  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
**Sent:** Thursday, April 11, 2013 1:05 PM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

Name : Robin H. Pestarino  
Address : 801 E Ave  
City : Anacortes  
State : WA  
Zip : 98221  
email : [rpestarino46@hotmail.com](mailto:rpestarino46@hotmail.com)  
Phone : 360.588.8177

PermitProposal : Anacortes UGA Expansion Request Comments : There is a blank space in the UGA and this puts into question the future economic development of the surrounding land. This surrounding land was annexed in 1999 and was planned for industrial build-out. There is more than adequate capacity for all required public services to support industrial use. There is not enough industrial land with access to rail and highway in Anacortes, the annexation of this acreage would provide a closure of the "hole" and complete the UGA. This request meets all established criteria to qualify for docketing. This is a long and complicated process and I urge you to allow the process to move forward. Thank you.

From Host Address: 24.19.173.228

Date and time received: 4/11/2013 1:03:08 PM



cc: Hamman

Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

Grace Pollard  
3819 Terrace Dr  
Anacortes WA  
98221

319



cc: Commissioners

Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

*Bradley Fort*

B. FORTER  
1407 19th ST  
ANACORTES, WA  
98221

390

**Debra L. Nicholson**

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Monday, April 15, 2013 8:38 AM  
**To:** Debra L. Nicholson; Dale Pernula; KirkJohnson  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
**Sent:** Friday, April 12, 2013 5:25 PM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

**Name :** Caitlin Price  
**Address :** PO Box 633  
**City :** La Conner  
**State :** WA  
**Zip :** 98273  
**email :** [caitlinmp@gmail.com](mailto:caitlinmp@gmail.com)  
**Phone :** 206-920-3732

**PermitProposal :** Anacortes UGA Expansion Proposal Comments : The Anacortes UGA Expansion Application is NON-PROJECT SPECIFIC. This is inaccurate.

If the County deems that the current Anacortes UGA Expansion petition is a non-project process and not about Tethys, the UGA expansion application is fatally flawed because the city's application to the county is about a very specific development proposal.

The Anacortes UGA Expansion Petition must not be docketed until the 2014 Full Comprehensive Plan Update.

From Host Address: 207.180.115.3

Date and time received: 4/12/2013 5:24:39 PM

321

## Debra L. Nicholson

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Monday, April 15, 2013 8:33 AM  
**To:** Debra L. Nicholson; Dale Pernula; KirkJohnson  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]  
**Sent:** Saturday, April 13, 2013 7:05 PM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

**Name :** John Prosser  
**Address :** P.O. Box 545  
**City :** Anacortes  
**State :** WA  
**Zip :** 98221  
**email :** jprosser@windermere.com  
**Phone :** 3602023891

**PermitProposal :** Expansion of UGA for City of Anacortes  
**Comments :** I would support the expansion of the Urban Growth Area to include the 11.2 acres that is currently surrounded by Urban Growth Area in the Thompson Road area of Anacortes. As a Commercial Real Estate Broker in Anacortes my opinion is that we are lacking in land that is zoned Light Manufacturing. The fact that the City of Anacortes is rezoning approximately 16.5 acres from industrial to public needs to be replaced. Please support the request to add the 11.2 acres to the UGA.

From Host Address: 67.168.67.59

Date and time received: 4/13/2013 7:03:18 PM

**Debra L. Nicholson**

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**From:** KirkJohnson  
**Sent:** Tuesday, April 09, 2013 11:28 AM  
**To:** Larsen, Ryan (RyanL@cityofanacortes.org)  
**Subject:** FW: Water bottling

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**From:** Commissioners  
**Sent:** Tuesday, April 09, 2013 11:19 AM  
**To:** Dale Pernula; KirkJohnson; GaryChristensen  
**Subject:** FW: Water bottling

From the Commissioners email.

*Amber Kllogjeri (x. 5567)*  
Skagit County Commissioners Office  
[akllogjeri@co.skagit.wa.us](mailto:akllogjeri@co.skagit.wa.us)

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**From:** graham read [[mailto:grahamread\\_422@msn.com](mailto:grahamread_422@msn.com)]  
**Sent:** Tuesday, April 09, 2013 11:10 AM  
**To:** Commissioners  
**Subject:** RE: Water bottling

Sirs

In regards to the Tethys bottling Co I would like to bring your attention to the fact that water bottling is a fully automated industry. Therefore very few jobs will be coming to our community.

<http://www.waterbottlers.com/WLA-3000>

Regards

Graham Read

*"Things turn out best for the people who make the best of the way things turn out." -- John Wooden*

32 m



## Debra L. Nicholson

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Monday, April 15, 2013 8:32 AM  
**To:** Dale Pernula; Debra L. Nicholson; KirkJohnson  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]  
**Sent:** Sunday, April 14, 2013 9:05 AM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

**Name :** George Reeves  
**Address :** 11134 O Ave.  
**City :** Anacortes  
**State :** Washington  
**Zip :** 98221-1982  
**email :** rwuebbels@yahoo.com  
**Phone :** 3602933417  
**PermitProposal :** Tethys Anacortes UGA (PL12-0258) Comments :

### CONCERNS

I have many concerns about the proposed amendment to the Skagit County Comprehensive Plan, but one of our primary issues is:

? Skagit County has erroneously classified the Anacortes UGA Expansion proposal as a "non-project" application, which means Skagit County will evade its responsibility to consider the immediate and long-term impacts of the huge Tethys bottling facility!

? A non-project process will deprive Skagit County residents of the right to participate in a massive development with countywide adverse impacts, which will affect Skagit County residents for generations to come!

Sincerely, George Reeves

From Host Address: 50.123.111.237

Date and time received: 4/14/2013 9:04:54 AM

324



cc: Hammers

Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

NICK RENNIS

4/11/13

THE BUSINESS  
1402 COMMERCIAL  
ANACORTES WA 98221

325

## Debra L. Nicholson

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Thursday, April 11, 2013 9:19 AM  
**To:** Dale Pernula; KirkJohnson; Debra L. Nicholson  
**Subject:** FW: PDS Comments

From Dept Email

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

From: [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
Sent: Thursday, April 11, 2013 12:20 AM  
To: Planning & Development Services  
Subject: PDS Comments

Name : Daniel Reyes  
Address : 910 4th Street, Apt. #14  
City : Anacortes  
State : WA  
Zip : 98221  
email : [dreyestucson@aol.com](mailto:dreyestucson@aol.com)  
Phone : 360 202 5287

PermitProposal : ANACORTES UGA ANNEXATION PETITION Comments : Dear Skagit County Commissioners,

I do not want the Anacortes UGA Petition to be granted! I am very concerned that the additional UGA land the City of Anacortes is asking for would attract more polluting industries to that vicinity. One of the many reasons to be worried is that the UGA proposed ground is very close if not directly on a wet lands. This wet land, is home to a Great Blue Heron habitat. In fact the heron and their rookery are now just recovering after the closing of a concrete plant. After Concrete Nor' West closed its batch plant, the March Point heronry has grown to over 500 active nests. It is now the largest heronry in Washington State.

Besides the heron colony there are many other critters including ourselves that will be affected by any new industry. The traffic that new urban growth will accumulate will be beyond a capacity I see as safe. Also, many of us here in the Skagit Valley and here on Fidalgo Island are also worried about the continuing depletion of the salmon runs here and in the surrounding Puget Sound. New industry in that locale will create a whole new world of complications for the salmon's future and for the people who count on salmon's wellbeing. One of these complications is the oil, gasoline, solvents, and diesel pollutants that the parking lots and train and truck trailer staging areas will accumulate. Later when it rains these pollutants will run-off into the wet lands of the Great Blue Heron and the waters of the Puget Sound where the salmon struggle to live. People throughout the Puget Sound are learning that storm water and the pollutants carried into the Sound are causing the depletion of salmon. Experts will tell you, that storm-water is a leading contributor of pollution to our waterways, and that it has harmed virtually all urban creeks, streams and rivers in Washington State. The interdependent nature of the environment where the Urban Growth Area is proposed—is too fragile. Again, I do not want the Anacortes UGA petition to be granted!  
With this, I thank you for your kind consideration.

Yours Truly,

Daniel Reyes  
Anacortes, WA,USA

From Host Address: 98.237.155.1

326

Date and time received: 4/11/2013 12:17:19 AM

327

**Debra L. Nicholson**

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**From:** Richardson, Cynthia <cynthiar@cityofanacortes.org>  
**Sent:** Saturday, April 13, 2013 8:00 PM  
**To:** Commissioners  
**Subject:** CPA-PL12-0258 Anacortes UGA Boundary Modification Petition

Commissioners:

I am writing to urge you to place the Anacortes UGA Boundary Modification Petition on the County's docket.

There were many questions raised and allegations made at the public hearing on April 11, 2013. By including this petition on the docket you can enable the public process to move forward, allowing the public and the applicant to clarify issues, and confirm or correct information which was called into question. You can direct County staff to provide further information and clarification to assist you in making a final decision.

If you do not docket this petition, those questions will not be answered, and any misinformation stated by either the public or the applicant will go uncorrected. Only by docketing the petition will you and the public have an opportunity to hear and judge all of the pertinent facts.

Once this petition is on the docket, there is one issue which stands out and must be definitively answered before the process can move forward:

Several speakers stated that County regulations require a UGA boundary amendment to be project-specific, yet Dale Pernula's 10/10/12 letter to Ryan Larsen specifically stated that "Skagit County's review of the petition will be conducted ... as a non-project, legislative action ...".

Which is it? Project-specific or non-project?

If it is determined that this should indeed be a project-specific application, you can add it to the docket with the stipulation that additional project-specific information shall be provided. If treating it as a non-project proposal is determined to be the legally correct way to handle it, then project-specific information will not be needed, and it can go on the docket as submitted.

Many of the other questions can be dealt with as the process moves forward.

Thank you for your thoughtful consideration of all public comments.

Cynthia Richardson  
Anacortes City Council

328

## Debra L. Nicholson

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Tuesday, April 16, 2013 10:48 AM  
**To:** Debra L. Nicholson; Dale Pernula; GaryChristensen; KirkJohnson  
**Subject:** FW: PDS Comments

From Dept Email

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

**From:** [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
**Sent:** Monday, April 15, 2013 10:45 AM  
**To:** Planning & Development Services  
**Subject:** PDS Comments

Name : Roger Robinson  
Address : 3660 Rosario Crest Lane  
City : Anacortes  
State : WA  
Zip : 98221  
email : [rogerarobinson@comcast.net](mailto:rogerarobinson@comcast.net)  
Phone : 360-293-0025  
PermitProposal : PL12-0258

Comments : I do not agree with the proposal from The City of Anacortes to increase its Urban Growth Area (UGA) for any reason. Please Do not docket the proposal. I agree with Evergreen Island's finding - as explained to the commissioners at the last public meeting.

One of my primary issues is that Skagit County has erroneously classified the Anacortes UGA Expansion proposal as a ?non-project? application, which means Skagit County will evade its responsibility to consider the immediate and long-term impacts of the huge Tethys bottling facility.

This massive development will have countywide adverse impacts, which will affect Skagit County residents for generations to come.

Please do not let this boondoggle move forward.

Thank you,  
Roger Robinson  
Rosario Beach

From Host Address: 24.22.12.23

Date and time received: 4/15/2013 10:40:48 AM



cc: Hammers

Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. ~~Jobs created by a bottling plant are not long-term jobs in a world that is~~ turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

Laura Rogers

1220 11th St  
Anacortes, VA 98221

330



Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

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Respectfully,

*Lacee Root*

Lacee Root  
PO box 1803  
Anacortes, WA  
98221

331



# TIM ROSENHAN

10479 Wallen Road, Bow WA 98232 ■ Tel: (360) 766-5099 ■ Cell: (425) 330-9992 ■ E-mail: tim@innovakayak.com

April 10, 2013

Skagit County Commissioners  
1800 Continental Place  
Mount Vernon WA 98273

Re: Anacortes UGA Expansion

Dear Commissioners:

I attended last night's hearing on the Anacortes UGA expansion. I support this expansion as both a needed technical resolution of a "doughnut hole" in that city's industrial UGA, and as a future site for the proposed Tethys bottling plant.

Months ago the County Planning Department chose to treat the UGA expansion exclusively on the merits of the Anacortes's rationale for closing the UGA doughnut hole, and not to consider the expansion as ~~project specific to Tethys. I consider this to be the proper legal procedure, but since you allowed project~~ specific testimony last night I offer my support for Tethys below.

The County has been operating for decades under Countywide Planning Policies that have favored residential construction over industrial growth. We have as a result become a bedroom community for workers, 47% of which commute to industries outside of Skagit County, industries that provide tax base for other counties. We in turn have to pick up the cost for these workers of schools, transportation, infrastructure, the judicial system, the health department, and so on through the park system. That's the job of local government, but because we lack industrial tax base we don't have a sustainable economic model to do so.

One measure of our local fiscal strain is in the continuing contentions debate on how to fund the needed jail expansion. The cities and the County are both strapped for cash. We face the lack of funding capacity regularly for our school systems and our fire districts. And we will shortly be confronting some truly Jovian costs for regional flood protection. These are not projects for an expanded future population; these are projects required for population we have already added and development we have allowed to occur without a complete plan to pay for the full community cost of them.

Parks and Recreation Director, Brian Adams, unintentionally gave a personal and poignant expression last night of the cost of our economic imbalance. He bravely characterized how the Parks Department is soldiering on with a gutted budget, trying to keep parks open with no money. We are down to one ranger, who also has to double as a painter and roof-repair artist. This is not a good trajectory.

Adding endemic industry will provide needed tax base and reduce our dependence on commuting. Envision Skagit 2060 and the Port of Skagit have both called for an additional 1,600 acres of industrially-zoned land. We have about a net 1,000 acres of vacant industrial land scattered through the whole county, and the largest parcel of this is about 30 acres - not enough to site a significant industry.

We are fortunate indeed to have a proposal the size of Tethys come our way. It promises the largest local economic boost we have seen for the last 50 years. Contrary to the anti-Tethys hysteria, the bottling facility will use less than 1/10<sup>th</sup> of 1% of Skagit River water during the lowest flow, and this measure will be drawn downriver after others have taken their legal river share. The plant itself will essentially be a large warehouse located outside of the flood plain, outside of ag lands and right next door to a major refinery, hardly a pristine piece of rural real estate.

So if this clean plant is not acceptable here, what exactly is? How do you propose to raise the funds to pay for government services and capital projects without industrial tax base?

Best regards,



Tim Rosenhan



332



cc: Hammons

Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

Russell Salmon  
P.O. Box 422  
Anacortes, WA  
98221

333

## Debra L. Nicholson

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Tuesday, April 16, 2013 10:00 AM  
**To:** Dale Pernula; KirkJohnson; GaryChristensen; Debra L. Nicholson  
**Subject:** FW: PDS Comments

From Dept Email

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

From: [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
Sent: Monday, April 15, 2013 3:05 PM  
To: Planning & Development Services  
Subject: PDS Comments

Name : Janet Saunders  
Address : PO Box 614  
City : La Conner  
State : Washington  
Zip : 98257

email : [jim@fidalgo.net](mailto:jim@fidalgo.net)  
Phone : 3604662066

PermitProposal : CPA-PL-12-0258

Comments : RE: CPA-PL-12-0258 ? CITY OF ANACORTES PETITION TO MODIFY UGA BOUNDARY Dear Skagit County Commissioners:

The major reason I urge you to vote NO on the petition to modify the UGA Boundary is the danger inherent in building a light industrial plant ? of any sort ? on the area that abuts the Turner?s Bay Estuary which was restored just last year in order to protect salmon habitat.

Whatever industry is ultimately located on this proposed UGA will bring with it the attendant industrial intrusions such as construction debris, toxic production leakage, air polluting fumes, noise pollution as well as diesel and other vehicle exhaust contaminants as increased use is made of the rails and roadway adjacent to the site. All these, needless to say, will have a serious cumulative detrimental impact on the salmon habitat of the estuary.

I attended the Commissioners? public hearing on April 9, 2013. As a resident of Fidalgo Island, I respectfully request that the Skagit County Board of Commissioners reject CPA-PL12-0258 for docketing. In addition to my comment above, I support the statements for rejection presented by the individuals who spoke against docketing the petition at the hearing.

Thank you very much for your consideration of this in making your decision.

Sincerely,

Janet Saunders  
17891 Cobahud Rd., P.O. Box 614  
La Conner WA 98257

From Host Address: 66.218.203.46

Date and time received: 4/15/2013 3:04:13 PM

**Debra L. Nicholson**

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**From:** LoriAnderson on behalf of Planning & Development Services  
**Sent:** Thursday, April 11, 2013 9:31 AM  
**To:** Dale Pernula; KirkJohnson; Debra L. Nicholson  
**Subject:** FW: PDS Comments

From Dept Email

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

From: [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]  
Sent: Thursday, April 11, 2013 9:30 AM  
To: Planning & Development Services  
Subject: PDS Comments

Name : Barry Schaeffer  
Address : 3601 West 8th St.  
City : Anacortes  
State : WA  
Zip : 98221  
email : [barry.schaeffer@fluke.com](mailto:barry.schaeffer@fluke.com)  
Phone : 360-299-3394

PermitProposal : Anacortes UGA Expansion Comments : There are a number of serious problems with this proposal. County staff has erred when they designated that the UGA expansion is non-project-specific. This application is specifically about the Tethys expansion. Tethys paid the application fees for the UGA expansion application, and for the E.D. Hovee response to the County. This designation deprives County residents the right to participate in a huge development with huge County-wide impacts.

A detailed development proposal is required for a rezone application. The proposal is incomplete, because the huge Tethys rial yard acreage is not accounted for. No complete site plan was ever presented to the county.

From Host Address: 129.196.228.91

Date and time received: 4/11/2013 9:27:15 AM



April 11, 2013

To: Skagit County Board of County Commissioners  
(Ken Dalhstedt, Sharon Dillon, Ron Wesen)  
1800 Continental Place, #100  
Mount Vernon, WA 98273

**RE: PL12-0258, Anacortes/Tethys UGA Expansion Application Complicity Rail Yard**

Dear Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as "non project-specific" when it so clearly is a "project specific" endeavor. It appears that this is a tactic being used by the interested parties in order to circumvent the need for further public input which is a clever but undemocratic way to proceed, especially for a project that will impact our community on such a large scale. Whether or not I support this specific project is irrelevant to my feelings that this seems quite disingenuous. Given the facts that Tethys paid the application fees for the UGA Expansion Application, the City of Anacortes billed Tethys Enterprises for the consultant's costs to prepare the City's Response (the E.D. Hovec memo) to the County, and Anacortes Staff Reports to the Anacortes City Council mention Tethys as the justification for the UGA Expansion for four different City Council meetings, makes it hard to deny that this is definitely project specific and the public should be included throughout the process.

As a local business owner, home owner, and a father of two boys, I am very supportive of sustainable business growth and creating a sound economic future for both Anacortes and Skagit County. Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. What they fail to address adequately is that these jobs will come at the loss of other jobs elsewhere. Mr. Winters admitted this reality to an audience at a recent Rotary Club meeting, and acknowledged that the plant would almost certainly put other plants in the region out of business (presumably including the facilities in Burlington). Looking at the bigger picture, this is not job-creation but rather job-relocation. In other words, Tethys is not actually part of a sustainable economic future if there is no significant net gain in job growth. Unraveling the threads of economic viability in other communities will not make Skagit county stronger in the long term.

Additionally, despite what the promoters of the Tethys project may think, jobs created by a bottling plant are not long-term jobs in a society that is turning away from single-use disposable plastics. There are already communities in the United States who have banned the sale of this sort of product, and even our local high school students (future voters and tax payers, if we manage our county well and they choose to stay) are taking measures to decrease single-use bottles by installing hydration stations in the school. I fear that, like so many other places here in Anacortes, this land will eventually become another dead commercial wasteland that the public will be burdened with cleaning up after the profits dry up and the company moves on. However unlikely it may be that the current BOCC will still be in public service at the time does not mean that this likelihood should be ignored in order to bolster the appearance of short-term gains.

We need to protect our Rural Reserves for the future citizens of Anacortes and Skagit County; allowing unchecked urban growth for the sake of short term profits is not the way forward for our community. It will set a bad precedent that will discourage the GMA goal for long term planning, encourages spot zoning, and may have a statewide impact

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

Erik Schorr  
1705 Quail Drive  
Anacortes, WA 98221

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April 11th, 2013

To: Skagit County Commissioners  
(Ken Dahlstedt, Sharon Dillon, Ron Wesen)  
1800 Continental Place  
Mount Vernon, WA 98273

Re: **PL12-0258, Anacortes/Tethys UGA Expansion Application  
Complicity Rail Yard**

Dear Commissioners representing the best interest of the people and land of Skagit County,

I am writing this letter as concerned citizen of Anacortes for the proposed water bottle plant in Anacortes.

I understand Mayor Maxwell and the city's interest in generating tax revenue from this venture, which would be beneficial for the city, but at what cost? If Mayor Dean Maxwell had proposed this deal to the citizens of Anacortes earlier than public hearings could have been held to hear the voice and concerns of the citizens. Clearly, this is a project-specific plan being proposed, and as such should be re-classified in order to get the input of every citizen who will be impacted by the largest water bottle plant in America being built right here in the Skagit Valley. The application for expansion is currently being classified as non-project specific. Based on the fact that Tethys paid the application fee. In addition I was in attendance at a Rotary Club meeting on October 31st, 2012, where I listened to Steve Winter's proposal for the creation of the biggest water bottle plant in the United States, I would say the intentions are clear and extremely project-specific.

At the luncheon I attended back on October 31st, someone in the audience asked Mr. Winters if he thought that the building of the largest water bottle plant in the USA here in the Skagit Valley would have the power to put smaller water bottle plants along the west coast out of business. His answer was, "yes" So the potential for new jobs comes along with the price of job loss in the same industry in different areas. By my calculations this is a net gain of zero.

The reasons I am against this idea of a water bottle plant being built in the Skagit Valley are numerous.

1. The loss of habitat and disturbance of the Turner Bay Great Blue Heron Rookery and the current restoration and salmon recovery projects happening now.
2. The manufacturing of water bottles right here in the Skagit Valley and the toxic emissions created from this massive production of plastic.
3. The increased traffic and congestion on Hwy 20 from trucks and rail.
4. The sale of our beautiful Skagit River water, in a time when water is a precious resource and considered by the global economy as Blue Gold.
5. The manufacturing of single use water bottles in a time when other cities in America are proactively banning the sale of single use water bottles.
6. The production of Sugary drinks at a time when Diabetes and Obesity are at an all time high in America.
7. The loss of jobs in other, already existing water bottle manufacturing and distributing plants.
8. Removing land already designated as Rural Reserve to UGA expansion.
9. The amount of garbage and "recycling" generated by the massive production of single-use water bottles.

If my opinion has value, then please reconsider Tethys UGA Expansion Application and designate it in the proper category of project-specific.

Thank you for your time,  
Megan Schorr  
Anacortes Kayak Tours  
1705 Qual Dr  
Anacortes, WA 98221

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**Debra L. Nicholson**

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**Subject:** FW: PDS Comments

From Dept Email

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

From: [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [mailto:[website@co.skagit.wa.us](mailto:website@co.skagit.wa.us)]

Sent: Saturday, April 13, 2013 11:40 AM

To: Planning & Development Services

Subject: PDS Comments

Name : Charles M. Schultz

Address : 2302 20th Place

City : Anacortes

State : wa

Zip : 98221

email : [tbc Schultz@comcast.net](mailto:tbc Schultz@comcast.net)

Phone : 360-293-3098

PermitProposal : Anacortes Land Expansion Comments : Anacortes should not be allowed to acquire additional land for industrial use. The proposed Fidalgo Bay land for public use is too close to Highway 20, has no safe parking and public access areas, and is an ell grass sensitive area. Rail and traffic congestion is a concern, as highway 20 is already full with vehicles commuting to and from the refineries, the navy station, and Anacortes. Please do not allow Anacortes to expand its industrial land area. Thank you.

From Host Address: 24.19.240.165

Date and time received: 4/13/2013 11:35:08 AM

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April 4, 2013



To Skagit Country Commissioners

From Robert A. Separovich  
1702 8<sup>th</sup>. Street  
Anacortes, Wa 98221

Subject: Proposed Anacortes Expansion of Urban Growth Area

Dear Commissioners,

I am asking to be exempted from the proposed UGA by Anacortes, my property in question is parcel P19696. I never asked to be included in this proposal and it is my opinion that Tethys through their attorney and the City of Anacortes through Mayor Maxwell are perpetuating a scheme in order to obtain my property. I never authorized Tethys nor Mayor Maxwell to represent me nor my property to the county in a UGA application. I have already been threatened with the condemnation of my property by Anacortes city council member Bill Turner, this, when I informed him that I would not sell my property to Tethys. By including my property in the proposed UGA, you would be putting my property in jeopardy of condemnation by the City of Anacortes for Tethys benefit.

I was able to obtain a resolution from the Anacortes City council to exempt my property from the UGA, a copy of which was sent to Gary Christensen, of the Skagity County Planning and Development Services. However, even though this resolution was received by Skagit County, I see where my parcel P19696 still appears on your agenda to be included in the UGA. In talking to Mr. Kirk Johnson of Skagit county government, he informs me that my parcel was included by mistake and in speaking with other county officials. I wa informed that a letter was sent to your offices by the county planning department, that I be exempted from the UGA. At this time I am asking that you follow that recommendation.

Please see the attached copy of the Anacortes City council resolution and e-mail correspondence between myself and city councilmen Ryan Walters and Tethys attorney Phil Bastian.

I have secured the services of Tom Mosser as my land use attorney and I am at this time shopping for an attorney to bring action against the City of Anacortes and Tethys, for misrepresenting their position to the county as it applies to my property, by filing an application on my behalf to be included in said proposed UGA.

Thank you with this matter.

Sincerely,

A handwritten signature in black ink that reads "Robert A. Separovich".

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**Bob Separovich**

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**From:** "Walters, Ryan" <ryanw@cityofanacortes.org>  
**To:** "Bob Separovich" <budbear7@frontier.com>  
**Sent:** Tuesday, September 25, 2012 12:39 PM  
**Subject:** RE: Separovich parcel p19696  
Bob,

Brian Geer's motion last night was to approve the UGA application, not to approve the prepared resolution that would have included a request to remove your property. Since the resolution was not approved, and no one made any other mention of your request, the City Council's action was to forward the application without removing your property.

You may want to renew your request to the city and county to exclude your property.

Ryan Walters  
Anacortes City Councilmember, Ward 1

follow my blog at [www.ryanwalters.org](http://www.ryanwalters.org)  
mobile 360-610-7770

When you email me for the first time, please be sure to reply to the automated anti-spam message to ensure I get your message.

P Please consider the environment before printing this email.

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**From:** Bob Separovich [budbear7@frontier.com]  
**Sent:** Friday, September 07, 2012 10:28 AM  
**To:** Walters, Ryan  
**Subject:** Fw: Separovich parcel p19696

----- Original Message -----  
**From:** Bob Separovich <mailto:budbear7@frontier.com>  
**To:** Phil Bastian <mailto:pnbastian@everettlaw.com>  
**Sent:** Friday, September 07, 2012 10:04 AM  
**Subject:** Separovich parcel p19696

Phil.....let me state right up front that I am not happy nor appreciate the situation you and the city of Anacortes have put me in. By your actions through the city of Anacortes and it's application to Skagit County to increase the cities UGA you have now put my property in jeopardy of being annexed into the Anacortes city limits. In going over the cities application to the county,I find either by omission or innuendo or some type of scheme you have through the city filed a false application to the county to expand the UGA so your bottling plant can be sited in Anacortes city limits. At no time, did I tell you I would sell you parcel P19696, in fact I turned down your offer and told you not to contact me again. So much to my amazement, I read in the local paper, that on your behalf the mayor of Anacortes filed with the county to include my property in the proposed UGA. In looking over your proposed UGA expansion vicinity map...my property is shown with railroad tracks into your plant depicted, also in your application my property is listed by parcel number to be included in the proposed UGA . Let me state clearly that at no time did, I authorize you nor the mayor to act on my behalf to be included in the proposed UGA. In your application to the county there is no ownership certification or representatives certification included that authorizes you to act on my behalf.

9/25/2012

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ANACORTES PLANNING COMMUNITY & ECONOMIC DEVELOPMENT DEPT.  
INCLUDING BUILDING DEPARTMENT  
P.O. BOX 547 ANACORTES, WA 98221-0547  
RYAN C. LARSEN, DIRECTOR

September 26, 2012

Gary R. Christensen, AICP  
Skagit County Planning & Development Services  
1800 Continental Place  
Mount Vernon, WA 98273

Subject: City of Anacortes UGA Expansion Request

Dear Mr. Christensen:

This letter is to inform the County that the Anacortes City Council took action on Monday, September 24, 2012, to approve the continued processing of the proposed Urban Growth Area (UGA) expansion located south of Stevenson Road and west of Reservation Road. Their action is reflected in the draft minutes from this meeting. Once Council approves the minutes on October 1, 2012 for the September 24 meeting, staff will forward the approved minutes to you.

City staff is providing the County with copies of the minutes from the August 13 and 20, 2012 and September 4 and 24, 2012 Council meeting. Also, the City is asking the County Commissioners to remove Parcel 19696 owned by Robert Separovich from the proposed UGA expansion request. We are also providing the County with a letter from Mr. Separovich's attorney, C. Thomas Moser, requesting the removal as well.

If you have any questions, please feel free to give me a call.

Sincerely,

CITY OF ANACORTES

  
Ryan C. Larsen, Director  
Planning, Community & Economic Development

Attachments: Minutes from City Council meeting – August 13 and 20, 2012 and  
September 4 and 24, 2012  
Letter from C. Thomas Moser dated September 17, 2012

cc: Robert Separovich

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