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July 30, 2026

Mark Rowe
Acting Director, Permitting
DLS Permitting Division
919 SW Grady Way, Suite 300
Renton, WA 98057

**Re: Cascadia Ridge Resiliency Energy Storage Project: Permit Applications
GRDE26-0036 (Clearing and Grading) and FLOD26-0137 (Floodplain Development)**

Dear Acting Director Rowe:

I write on behalf of the City of Snoqualmie regarding the above-referenced project, which is Jupiter Power LLC's (Applicant's) proposed 130-megawatt battery energy storage system ("BESS") and associated 115-kilovolt generation transmission (gen-tie) line, and the related project permit applications. The purpose of this letter is to bring to your attention significant errors and omissions in the project documents, which affect the City's status and the notice to which it is entitled during King County's State Environmental Policy Act ("SEPA") review.

The City has reviewed the public permit submissions on the Applicant's website. The Applicant's SEPA Checklist describes the project as consisting of two elements: (i) the main Project site where the BESS will be developed and (ii) an ancillary gen-tie line that will connect the main Project site to the PSE substation located within the City of Snoqualmie. A portion of the second of these two elements – the ancillary gen-tie line --

is proposed to be constructed within the corporate limits of the City of Snoqualmie. According to the Checklist and associated Critical Areas Report, construction of that second project component appears to involve clearing for and installation of the gen-tie line within buffers of City-regulated wetlands located on a parcel within the City. Such clearing would require City of Snoqualmie permits, which the Checklist does not disclose, and for which the Applicant has not applied.

The City submits this letter to: (1) formally assert its status as an “agency with jurisdiction” under WAC 197-11-714(3); (2) provide documentary support for that assertion; (3) identify certain SEPA checklist deficiencies that must be corrected before any threshold determination; and (4) request that King County share co-lead agency duties with the City of Snoqualmie pursuant to WAC 197-11-944.

I. The Applicant's Critical Areas Report Indicates That Project Construction Will Occur Within the City of Snoqualmie

The Applicant's Critical Areas Report (Dudek, April, 2026) identifies by tax parcel number the properties included within the Project parcel. These are set forth on the Report's cover page, according to two different categories:

KING COUNTY PARCELS: 3624079101, 3624079103,
3624079039, 3624079100, 3624079093, AND 3624079030

CITY OF SNOQUALMIE PARCEL: 3624079091

Dudek, Critical Areas Report, at cover (Apr. 2026).¹ The report's introductory text confirms that the project “is located within unincorporated King County **and** the City of

¹ Available at <https://www.dropbox.com/scl/fo/qa124rfc06yh8ti79py0e/AMGFDadiz35QWPQZzfeeMwg/01%20-%20SEPA%20Checklist%20Final/06.%20Critical%20Areas%20Report.pdf?rlkey=10oj153e13nfkin50uujnz8j3&e=1&dl=0> (last accessed June 12, 2026).

Snoqualmie, within the Urban Growth Area and zoned as Urban Reserve.” *Id.* at 1 (emphasis added). Parcel 3624079091 (“Parcel 9091”) is a PSE-owned parcel through which the project’s gen-tie line must pass to connect to the PSE Mount Si 115-kilovolt Substation, which is located on that same parcel. Critical Areas Report at 1. Parcel 9091 is within the City of Snoqualmie’s corporate limits. The Critical Areas Report confirms the existence of two wetlands on Parcel 9091 (Wetlands 3 and 4) that are “jurisdictional to the state of Washington under the review of City of Snoqualmie.” *Id.* at 14. The Report acknowledges that “[a]n impact to the buffer of Wetlands 3 and 4 is proposed for the construction of the gen-tie.” *Id.* at 15.

The Applicant’s title survey also confirms the recorded status of several documents which have City regulatory effect. The title survey, submitted as part of the application, identifies eight distinct City-related features recorded on parcel 3624079091:

70' EASEMENT CITY OF SNOQUALMIE
REC 20120607001193
DISPERSION TRENCH B
NCS-2A8EWA05-NRG: ITEM 33

50' EASEMENT CITY OF SNOQUALMIE
REC 20120607001193-FLOW PATH B
NCS-2A8EWA05-NRG: ITEM 33

SUBSTATION PROTECTION AREA CITY OF
SNOQUALMIE
REC 20110429001446 - H3 & I
NCS-2A8EWA03-NRG-ITEM NO 29 & NCS-2A8EWA05-
NRG-ITEM NO 31

WETLAND BUFFER ZONE CITY OF SNOQUALMIE
REC 20110429001446 – D
NCS-2A8EWA03-NRG-ITEM NO 29 & NCS-2A8EWA05-
NRG-ITEM NO 31

STREAM BUFFER ZONE CITY OF SNOQUALMIE
REC 20110429001446 – D
NCS-2A8EWA03-NRG-ITEM NO 29 & NCS-2A8EWA05-
NRG-ITEM NO 31

NATIVE GROWTH PROTECTION AREA CITY OF
SNOQUALMIE
REC 20110429001446 - F & H4
NCS-2A8EWA03-NRG-ITEM NO 29 & NCS-2A8EWA05-
NRG-ITEM NO 31

PERIMETER BUFFER ZONE CITY OF SNOQUALMIE
REC 20110429001446 - C
NCS-2A8EWA03-NRG-ITEM NO 29 & NCS-2A8EWA05-
NRG-ITEM NO 31

POTENTIAL FUTURE CLEARING AREA CITY OF
SNOQUALMIE
REC 20110429001446 - H5
NCS-2A8EWA03-NRG-ITEM NO 29 & NCS-2A8EWA05-
NRG-ITEM NO 31

ALTA/NSPS Land Title Survey, Sheet 04 of 04 (Nov. 19, 2025).²

II. The Project Proposes Construction Within the Buffers of City-Regulated
Category II Wetlands on the City Parcel

The Critical Areas Report identifies two Category II depressional, scrub-shrub wetlands in the gen-tie corridor that are fully or partially subject to City of Snoqualmie regulatory authority.

Wetland 4 (WET-4) is located entirely on Parcel 9091 within the City. Dudek rated WET-4 Category II with a habitat score of 8. The Critical Areas Report confirms that WET-4 is “jurisdictional to the state of Washington under the review of City of Snoqualmie” and that the required buffer is 225 feet under Snoqualmie Municipal Code

² Available at
<https://www.dropbox.com/scl/fo/qa124rfc06yh8ti79py0e/ADHpETeBvmCOALBQBFIWklw/01%20-%20SEPA%20Checklist%20Final/16c.%20ALTA%20Survey.pdf?rlkey=10oj153e13nfkin50uuinz8j3&e=1&dl=0> (last accessed June 12, 2026).

19.12.170(H). Critical Areas Report at 14; Dudek, Wetland Delineation Report (Appendix F to Critical Areas Report), at 5–6. WET-4 is not within unincorporated King County and therefore is not subject to King County critical areas jurisdiction under Ch. 21A.24 KCC.

Wetland 3 (WET-3) is a Category II depressional wetland that straddles Parcel 3624079030 (King County) and Parcel 9091 (City of Snoqualmie), with a habitat score of 8 and a 225-foot buffer under SMC 19.12.170(H). Critical Areas Report at 14; Wetland Delineation Report at 5. The portion of Wetland 3 located on Parcel 9091

The Critical Areas Report acknowledges that the proposed gen-tie corridor involves clearing and grading that will disturb 1.21 acres of the combined buffers of WET-3 and WET-4—the largest identified critical area buffer impact in the application record—requiring mitigation under KCC 21A.24. Critical Areas Report at 17. Mitigation for buffer impacts to WET-4, and to the portion of WET-3’s buffer located on Parcel 9091, is likewise required under applicable provisions of the City’s critical areas ordinance, codified at SMC 19.12.060 and SMC 19.12.170(H), unless review is excepted pursuant to a public agency utility exception. Both the Critical Areas Report and the Wetland Delineation Report apply those City standards to the gen-tie corridor parcels and expressly invoke them as the applicable regulatory framework. Critical Areas Report at 1; Wetland Delineation Report at 9. Further, clearing and grading for the gen-tie corridor itself requires a clear and grade permit under SMC 15.20.030 unless authorized by a Public Agency Utility Exception granted by the Snoqualmie Hearing Examiner under SMC 19.12.040(B). Even then, minimization and mitigation of impacts is nevertheless required, per SMC 19.12.070(C) and .170.

Because City of Snoqualmie permits and approvals are required for clearing and grading impacts to wetland buffers on Parcel 9091 within the City, the City is an “agency with jurisdiction” as defined in WAC 197-11-714(3).

III. King County Cannot Authorize Work Within City of Snoqualmie Jurisdiction

Although it should go without saying, King County’s clearing, grading, and floodplain development permit authority is limited to unincorporated King County. KCC Title 9. Under RCW 35A.63.100, the City of Snoqualmie holds independent land use and critical areas regulatory authority over all development within its corporate limits. Parcel 9091 is within City limits, and with respect to WET-4 specifically, only the City has regulatory jurisdiction over it, as reflected in the Applicant’s Critical Areas Report at 14. While we know that King County staff are aware of this, the County’s permit and environmental review should clearly indicate to the Applicant and the public that King County permit review may not authorize disturbance to WET-4’s 225-foot City of Snoqualmie wetland buffer.

IV. The Applicant's SEPA Checklist Is Materially Inaccurate as to the Project's Jurisdictional Geography and Required Governmental Approvals

WAC 197-11-960 requires the SEPA Environmental Checklist to accurately describe the proposal, including its location and the governmental approvals it requires. WAC 197-11-330 requires that any threshold determination rest on information sufficient to evaluate the full scope of the proposal’s environmental impacts. The Applicant’s Checklist does not meet these standards.

The Checklist describes the proposal inconsistently, and incompletely. In answer to Question 7 (“Do you have any plans for additions, expansion or further activity in connection with, or related to the proposal?”), the Checklist states:

the Project is to construct a battery energy storage facility (BESS) and related generation transmission line (gen-tie). The proposal consists of two elements: (i) the main Project site where the BESS will be developed and (ii) an ancillary gen-tie line that will connect the main Project site to the PSE substation through a PSE-owned utility easement corridor.

Although the Checklist’s answer to Question 7 adds that “Both elements are addressed in this checklist and supporting materials,” the Checklist is not fully forthcoming about the gen-tie element of the project. In answer to Question 10 (“list any government approvals or permits that will be needed for your proposal, if known”), the Checklist identifies only King County permits and a Washington Department of Ecology stormwater NPDES construction general permit as in response, and incorrectly states only that “[t]he Project site is located within unincorporated King County, . . .” The Checklist’s statements in this respect are contradicted by the Dudek Critical Areas Report, submitted in the same application package, which specifically notes the clearing and gen-tie installation on Parcel 9091 within the City, depicts it on a map, and acknowledges that “the project site is located within unincorporated King County *and the City of Snoqualmie.*” (Italics added) The SEPA Checklist omits the specific information contained in the Dudek Report. Instead, in Answer to Question 11, the Checklist acknowledges that “The Project includes construction of a generation transmission (gen-tie) line to connect the BESS to the existing Puget Sound Energy (PSE)–owned Mount Si 115-kilovolt (kV) Substation located south of the Project site on PSE-owned parcels which are separate from the 45.5-acre Project site,” but *without*

acknowledging that the PSE-owned parcel (9091) is located in the City, not King County. SEPA Checklist at 4 (Apr. 27, 2026).³ Similarly, in answers to Questions 11 and 12 (Project Description and Location), the Checklist's project description states the site is "located within unincorporated King County, south and east of the City of Snoqualmie." SEPA Checklist at 4, 6 (Apr. 27, 2026). But in subsequent portions of it answer to Question 11, the Checklist states: the Project would include an ancillary gen-tie to connect the main Project site to the PSE substation through a PSE-owned easement corridor. This gen-tie line would be a 115kV *overhead or underground transmission line* connecting the Project substation *on the BESS site to the Mt. Si substation across the PSE-owned Parcel 3624079030. The PSE Mt. Si substation is Parcel 3624079091.* The route for the gen-tie line will be determined in coordination with PSE." (Italics added). The Checklist also states that "The PSE substation is located on land owned by PSE, *which is separate from the 45.5-acre Project site,*" but then contradicts itself by stating – consistent with the Dudek Report -- "[a]ncillary to the Project *is also a 115kV gen-tie transmission lines connecting the Project to the Mt Si substation across Parcel Number 3624079030 and onto the substation Parcel Number 3624079091, both owned by PSE.*" *Id.* (Italics added).

A threshold determination made on the basis of a project description that misrepresents the project's jurisdictional geography, omits the City-parcel component, and fails to identify City of Snoqualmie critical areas review as a required governmental approval is not supported by an adequate evidentiary record under WAC 197-11-330.

³ Available at <https://www.dropbox.com/scl/fo/qa124rfc06yh8ti79py0e/AGHNeIkDFsrrLrSc3CpcqTc/01%20-%20SEPA%20Checklist%20Final/01.%20SEPA%20Checklist%20with%20CAR.pdf?rlkey=10oj153e13nfkin50uuinz8j3&e=1&dl=0> (last accessed June 12, 2026).

King County should require the Applicant to correct the SEPA Checklist to match the information in the Dudek Critical Areas Report, to: fully and correctly describe the Project as including construction of the ancillary gen-tie line; fully and correctly describe the Project site to include all parcels on which construction of the gen-tie line will occur and which the gen-tie line will traverse; and fully and correctly describe the full suite of permits required for the Project – including permits required for clearing / grading necessitated by construction of the gen-tie line. It may be that the Applicant wishes to reserve the option to construct the gen-tie line via a subsurface route, and that it believes different or fewer permits would be needed for underground vs. overhead construction. It may be that the Applicant has delegated this choice to PSE; the Critical Areas Report state that “[t]he gen-tie transmission line[’s] final route [will] be determined by PSE.” Dudek Report at 1. Either way, the Applicant should make its election now and clarify the applications, Checklist and related submittals to reflect complete and consistent information. If the Applicant wishes to preserve both options, the Checklist must nevertheless be revised to clearly and correctly describe the Project, Project site and required permits, as required by WAC 197-11-330.

V. Requests

Given the foregoing, the City of Snoqualmie respectfully requests that your office:

1. Acknowledge in writing that the City of Snoqualmie is an “agency with jurisdiction” as defined in WAC 197-11-714(3) for purposes of SEPA review of GRDE26-0036 and FLOD26-0137, include the City in any notice issued to agencies with jurisdiction under WAC 197-11-502 and refrain from acting on the

permit applications for the time periods required by WAC 197-11-340 and otherwise under Ch. 197-11 WAC.

2. Agree to share lead agency status with the City of Snoqualmie, pursuant to WAC 197-11-944, with King County to remain the nominal lead agency. We invite your further discussion concerning the parameters of lead agency sharing.

3. Require, as a condition of any complete-application determination or resubmittal acceptance, that the Applicant file an amended SEPA

Environmental Checklist that:

- a. accurately describes the clearing and grading proposed for the gen-tie line;
- b. accurately describes the BESS project location as including all property on which any construction or work is proposed, including clearing / grading for the gen-tie line on Parcel 3624079091 within the City of Snoqualmie;
- c. identifies in Question 10 all City of Snoqualmie permits required for work on Parcel No. 3624079091, including clearing and grading permit and critical areas review and approval under Ch. 19.12 SMC; and

4. Clearly indicate in any King County clearing, grading, or floodplain development permit issued for any portion of the Project Site located within King County that the permit does not authorize any project activity on City of Snoqualmie Parcel 3624079091, and that such work is not authorized unless and

until any critical areas review and approval has been issued by the City of Snoqualmie under SMC 15.20 and 19.12 for disturbance to the buffers of WET-3 and WET-4.

5. Refrain from making any SEPA threshold determination under WAC 197-11-330 on the basis of the current checklist record, which the City has formally identified as materially inaccurate as to the jurisdictional geography of the project and the governmental approvals it requires. Any threshold determination issued before the checklist is corrected to reflect City-side impacts and required City of Snoqualmie approvals would not rest on an adequate evidentiary record and would be subject to challenge.

VI. Notice to Applicant and PSE

Copies of this letter are being transmitted to Cascadia Ridge Resiliency LLC, Jupiter Power LLC, and Puget Sound Energy, Inc., so that they are aware that proposed construction activity on parcel 3624079091 requires City of Snoqualmie critical areas and land use permits before any such work commences, and that authorization under a King County permit does not extend to work within City of Snoqualmie corporate limits on PSE's parcel.

Sincerely,



James Mayhew
Mayor
City of Snoqualmie

CC: Cascadia Ridge Resiliency LLC, Jupiter Power LLC, and Puget Sound Energy, Inc.