

EL PASO  **COUNTY**
COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

El Paso County, CO



220200984

**ADMINISTRATIVELY APPROVED PERMIT ISSUED TO
TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC. AND MOUNTAIN
VIEW ELECTRIC ASSOCIATION, INC., (MVEA)
VOLLMER-VOLLMER TAP 115KV TRANSMISSION
LINE AND SUBSTATION
(AASI-19-006)
TO CONDUCT DESIGNATED ACTIVITIES OF STATE INTEREST
OR TO ENGAGE IN DEVELOPMENT IN A
DESIGNATED AREA OF STATE INTEREST IN
EL PASO COUNTY, COLORADO**

Pursuant to Guidelines and Regulations for Areas and Activities of State Interest of El Paso County (the "Regulations") heretofore adopted by the Board of County Commissioners, the Executive Director of the Planning and Community Development Department (the "Director"), acting pursuant to Section 2.202, and Section 5.201 of the Regulations, and on behalf of the Board of County Commissioners, has received an application from **Tri-State Generation and Transmission Association, Inc., and MVEA, Inc.**, (hereinafter "Applicants") for an Administratively Approved Permit to conduct the following matter(s) of state interest:

Site Selection and Construction of Major Facilities of a Public Utility and has approved that application.

This Administratively Approved Permit authorizes the Applicants to conduct the following activities/development:

Vollmer-Vollmer Tap 115kV transmission line and substation facility.

Within a lease area, to be purchased, and multiple easements on tracts of land described in Exhibit A (attached).

The construction of which is to be commenced within the following period: (5) years expiring July 17, 2025.

In accordance with the plans and/or specifications approved by the Director on July 17, 2020, as well as the guidelines for administration adopted by the County for:

Site Selection and Construction of Major Facilities of a Public Utility

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASOCO.COM

On the condition that the Applicants proceeds in conformity with all applicable federal and state statutes, regulations and permits as well as all applicable local land use controls including, but not limited to, applicable comprehensive or master plans, subdivision regulations, zoning and building codes.

And on the following additional conditions:

1. Prior to drilling, trenching or construction, approval of a site development plan by the El Paso County Planning and Community Development Department for the wastewater line, is required. The site development plan application shall meet the requirements of Chapter 6 of the El Paso County Land Development Code (2019) as determined by the Planning and Community Development Director.
2. The activity shall be conducted in accordance with the regulations of El Paso County and the accompanying documents/reports in the Planning and Community Development Department's files for the matter of state interest permit application (AASI-19-006).
3. No expansion and/or enlargement of the transmission line and substation shall be allowed without prior review by the Planning and Community Development Department, which may result in the requirement for additional permitting.
4. The hours of operation during construction of the facility shall be limited to seasonal daytime hours, except in non-typical circumstances unless otherwise approved by the Planning and Community Development Director. Non-typical circumstances may include extended time needed to expeditiously restore traffic flow and/or public access, extended time needed to ensure public health and safety, or extended time needed to maintain utility service.
5. Site lighting, including temporary lighting, will be limited to that shown on the site development plan(s). Detailed specifications shall be provided, including but not limited to manufacturer cut sheets and photometric plan(s). All light fixtures shall be directional and positioned so that the light sources are concealed and fully shielded from adjacent properties and roads.
6. Operations shall comply with the County Noise Ordinance. If complaints occur, the County may require that the Applicant conduct additional testing to determine noise levels associated with construction or vehicle traffic noise levels. The County may require changes to the hours of operation, or noise controls may need to be installed to achieve acceptable levels as defined in the County Noise Ordinance.
7. The applicant shall comply with all applicable local, State, and federal laws and regulations regarding the use, disposal, storage, and transportation of solid and/or hazardous materials on and off site.
8. The applicant shall comply with federal and state laws, regulations, ordinances, review and permit requirements of applicable agencies including, but not limited to: Colorado Parks and Wildlife, Colorado Department of Transportation, Colorado Department of Public Health and Environment, State Engineer's Office, United States Army Corps of Engineers (USACOE), Environmental Protection Agency, FEMA, and the United States Fish and Wildlife Service regarding the Endangered Species Act.

9. Construction Permits, Work in the Right-of-Way Permits, and Special Transport Permits shall be obtained where necessary for construction in or through County rights-of-way.
10. Access Permits shall be obtained for all temporary and permanent accesses to the project from County roads.
11. A subdivision exemption shall be approved by the Board of County Commissioners prior to construction of the substation if the parcel of land that proposes to site the substation is less than 35-acres.

In the event that the Applicant fails to take substantial steps to initiate the above development or activity within five (5) years from the date of this permit or, if such steps are taken, in the event the Applicant fails to complete the development or activity with reasonable diligence, this Administratively Approved Permit may be revoked by the Director.

Date: July 17, 2020

EL PASO COUNTY PERMIT AUTHORITY,
ACTING AS THE EXECUTIVE DIRECTOR
OF THE PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

A handwritten signature in black ink, appearing to read "Craig Dossey". The signature is written in a cursive, flowing style.

By: Craig Dossey, Executive Director

**EXHIBIT A
LEGAL DESCRIPTION**

5 Acre Substation Property:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SW 1/4, SE 1/4) OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. EL PASO COUNTY, COLORADO. THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) BEING MONUMENTED WITH A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", FROM WHICH THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) BEING MONUMENTED WITH A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", BEARS N89°14'14"E, A DISTANCE OF 2,722.56 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF SECTION 34;

THENCE N80°45'26"E, A DISTANCE OF 677.82 FEET TO THE POINT OF BEGINNING;

THENCE N00°13'01"W, A DISTANCE OF 545.00 FEET;

THENCE N89°14'26"E, A DISTANCE OF 400.00 FEET;

THENCE S00°13'01"E, A DISTANCE OF 545.00 FEET;

THENCE S89°14'26"W, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS A CALCULATED AREA OF 5.00 ACRES MORE OR LESS.

Temporary Access Easement:

A PARCEL OF LAND IN THE SOUTH HALF OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. EL PASO COUNTY, COLORADO. THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) BEING MONUMENTED WITH A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", FROM WHICH THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) BEING MONUMENTED WITH A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", BEARS N89°14'14"E, A DISTANCE OF 2,722.56 FEET.

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34;

THENCE S89°13'48"W, A DISTANCE OF 16.65 FEET;

THENCE N00°45'45"W, A DISTANCE OF 60.00 FEET;

THENCE N89°14'14"E, A DISTANCE OF 2739.21;

THENCE N89°14'26"E, A DISTANCE OF 670.39 FEET

THENCE N00°45'34"W, A DISTANCE OF 40.00;

THENCE N89°14'26"E, A DISTANCE OF 680.01;

THENCE S00°13'01"E, A DISTANCE OF 100.00;

THENCE S89°14'26"W, A DISTANCE OF 1349.45;

THENCE S89°14'14"W, A DISTANCE OF 2722.56 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS A CALCULATED AREA OF 6.256 ACRES MORE OR LESS.

Transmission Line Easement #1 (Morley-Bentley Investments, LLC)

A 100.00-FOOT STRIP OF LAND BEING A PORTION OF THAT PROPERTY DESCRIBED IN THE DEED RECORDED UNDER RECEPTION NO. 206045408 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, LOCATED IN THE WEST½ OF THE EAST½ OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH¼ CORNER AND A 3-1/4" ALUMINUM CAP STAMPED "LS 30829" AT THE SOUTHEAST CORNER, SAID LINE BEARING N89°14'31"E A DISTANCE OF 2722.92 FEET AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE. (NAD83(2011))

COMMENCING AT THE SOUTH¼ CORNER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE SOUTH LINE OF THE SOUTHEAST¼ OF SAID SECTION 34, N89°14'31"E A DISTANCE OF 670.35 FEET, TO THE POINT OF BEGINNING;

THENCE N00°45'29"W A DISTANCE OF 100.00 FEET;

THENCE ON A LINE BEING 100.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST¼ OF SAID SECTION 34, N89°14'31"E A DISTANCE OF 680.01 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHEAST¼ OF THE SOUTHEAST¼ OF SAID SECTION 34;

THENCE ON SAID WEST LINE, S00°12'55"E A DISTANCE OF 100.01 FEET, TO THE EAST 1116TH CORNER OF SAID SECTION 34, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 10376";

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, S89°14'31"W A DISTANCE OF 679.07 FEET TO, THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 67,955 SQUARE FEET OR 1.5600 ACRES. EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. NOTE: ALL DISTANCES SHOWN HEREON ARE MODIFIED (GROUND) DISTANCES REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE USING A COMBINED SCALE FACTOR OF 1.0003949072.

Transmission Line Easement #2 (Sam Thomas and Joann George)

THE SOUTH 100.00 FEET OF THE SOUTHEAST¼ OF THE SOUTHEAST¼ OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING A PORTION OF THAT PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 6618 AT PAGE 48 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, COUNTY OF EL PASO, STATE OF COLORADO.

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH¼ CORNER AND A 3-1/4" ALUMINUM CAP STAMPED "LS 30829" AT THE SOUTHEAST CORNER, SAID LINE BEARING N89°14'31 "EA DISTANCE OF 2722.92 FEET AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE. (NAD83(2011))

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, S89°14'31"W A DISTANCE OF 1373.51 FEET, TO THE EAST 1116TH CORNER OF SAID SECTION 34, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 10376";

THENCE ON THE WEST LINE OF THE SOUTHEAST¼ OF THE SOUTHEAST¼ OF SAID SECTION 34, N00°12'55"W A DISTANCE OF 100.01 FEET;

THENCE ON A LINE BEING 100.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, N89°14'31"E A DISTANCE OF 1374.27 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 34;

THENCE ON SAID EAST LINE, S00°13'16"W A DISTANCE OF 100.02 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 137,391 SQUARE FEET OR 3.1541 ACRES.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

NOTE: ALL DISTANCES SHOWN HEREON ARE MODIFIED (GROUND) DISTANCES REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE USING A COMBINED SCALE FACTOR OF 1.0003949072.

Transmission Line Easement #3 (PRI#4)

A PARCEL OF LAND BEING A PORTION OF THAT PROPERTY DESCRIBED UNDER RECEPTION NUMBER 217123054 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, COUNTY OF EL PASO, STATE OF COLORADO. LOCATED IN THE SOUTH HALF OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 12103" AT THE SOUTH 1/4 CORNER AND A 3-1/4" ALUMINUM CAP STAMPED "LS 30829" AT THE SOUTHWEST CORNER, SAID LINE BEARING S89°05'11"E A DISTANCE OF 2637.89 FEET AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE. (NAD83(2011))

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, S89°05'11 "WA DISTANCE OF 2637.89 FEET, TO THE SOUTHWEST CORNER OF SAID SECTION 35, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 30829";

THENCE ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35, N00°13'16"E A DISTANCE OF 100.02 FEET;

THENCE ON A LINE BEING 100 FEET NORTHERLY OF A PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, N89°05'11 "EA DISTANCE OF 2635.91 FEET;

THENCE ON A LINE BEING 100 FEET NORTHERLY OF A PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35, N89°05'17"E A DISTANCE OF 1926.96 FEET;

THENCE N67°48'16"E A DISTANCE OF 327.28 FEET;

THENCE N89°16'56"E A DISTANCE OF 293.84 FEET, TO A POINT ON THE WESTERLY LINE OF A 50 FOOT ELECTRIC EASEMENT DESCRIBED IN BOOK 2645 PAGE 656 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON THE WESTERLY LINE OF SAID 50 FOOT ELECTRIC EASEMENT, S00°20'20"E A DISTANCE OF 100.00 FEET;

THENCE S89°16'56"W A DISTANCE OF 274.22 FEET;

THENCE S67°48'16"W A DISTANCE OF 327.09 FEET, TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35;

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, S89°05'17"W A DISTANCE OF 1945.75 FEET, TO THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 518,433 SQUARE FEET OR 11.9016 ACRES.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

NOTE: ALL DISTANCES SHOWN HEREON ARE MODIFIED (GROUND) DISTANCES REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE USING A COMBINED SCALE FACTOR OF 1.0003949072.

Transmission Line Easement #4 (PRI#4)

A PARCEL OF LAND BEING A PORTION OF THAT PROPERTY DESCRIBED UNDER RECEPTION NUMBER 217123054 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, COUNTY OF EL PASO, STATE OF COLORADO. LOCATED IN THE SOUTH HALF OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 12103" AT THE SOUTH 1/4 CORNER AND A 3-1/4" ALUMINUM CAP STAMPED "LS 30829" AT THE SOUTHWEST CORNER, SAID LINE BEARING S89°05'11"E A DISTANCE OF 2637.89 FEET AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE. (NAD83(2011))

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, S89°05'17"W A DISTANCE OF 64.55 FEET, TO A POINT ON THE EASTERLY LINE OF THAT EASEMENT DESCRIBED IN BOOK 2645 PAGE 656 IN THE RECORDS IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON SAID EASTERLY EASEMENT LINE, N00°20'20"W A DISTANCE OF 429.44 FEET;
THENCE DEPARTING SAID EASEMENT LINE, N89°05'14"E A DISTANCE OF 64.97 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER SECTION 35;

THENCE ON SAID EAST LINE, S00°17'00"E A DISTANCE OF 429.44 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 27,809 SQUARE FEET OR 0.6384 ACRES. EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

NOTE: ALL DISTANCES SHOWN HEREON ARE MODIFIED (GROUND) DISTANCES REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE USING A COMBINED SCALE FACTOR OF 1.0003949072.

