



Kari Parsons, Project Manager/Planner III
El Paso County, Planning & Community Development
2880 International Circle
Colorado Springs, CO. 80910

Submitted electronically via EDARP: www.epcdevplanreview.com

September 2, 2021

RE: Letter of Intent- Wind/Solar Energy Overlay (WSE-O) Application for Pike Solar LLC

Dear Ms. Parsons and El Paso County Planning and Development Department,

This Letter of Intent (LOI) is being submitted as part of the Wind/Solar Energy Generation Overlay (“WSE-O”) Application for Pike Solar Photovoltaic and BESS (“Project”) (**Appendix A- WSE-O Application Form**). The Applicant and Project Owner is Pike Solar LLC (“Applicant”), a wholly owned subsidiary of juwi, Inc. (juwi).

I. Introduction to the Pike Solar Photovoltaic and BESS Project

The Applicant is pleased to present this application for WSE-O zoning to construct, operate and decommission the Pike Solar Photovoltaic and BESS Project, a solar facility capable of generating up to 175 alternative current (AC) megawatts (MW) of photovoltaic (PV) solar energy. The proposed Project consists of ground-mounted solar arrays and associated infrastructure and it will also include a Battery Energy Storage System (BESS) capable of producing up to 75 MW of energy for four hours. JSI Construction Group LLC was selected as the authorized agent for permitting and building the Project.

The Project is located on 1,350 acres southwest of the town of Fountain in El Paso County, Colorado. The site is three miles southeast of the intersection of Link Road and Squirrel Creek Road. The Applicant has secured leases for two parcels owned by Colorado Springs Utility. These parcels (56000-00-123 and 56000-00-140) fall within Township 16S, R64W, Sections 7,18, 19, 30, 31 and Township 16S, R65W, Sections 11, 12, 13, 14, 23, 24, 25, 26, 36 and comprise the site for the solar array, substation and BESS.

The Pike Solar Project was selected under Colorado Springs Utilities’ RFP-GM-141545 Renewable Energy Solicitation (RFP) for new renewable energy generation resources to serve Utilities’ customers. The Project will support Colorado Springs Utilities Sustainable Energy Plan which will help reach the energy vision of an 80% carbon reduction and retire all coal generation by 2030. The Martin Drake Power Plant will be retired no later than 2023 and which will align timely with the COD date for the Project. Additionally, this also aligns with and supports the Colorado Renewable Energy Standards (RES; C.R.S § 40-2-124) and the latest literature published from Governor Polis titled “Greenhouse Gas Pollution Reduction Roadmap” that was issued in January 2021.

The Applicant has completed pre-development activities for the Project, including site studies, energy agreements and design modeling to meet Project schedule and milestones. All studies, correspondence and associated plans can be found below in the appendices and referenced throughout this letter.

Colorado Springs Utilities, as the identified purchaser of the Project’s power, entered into a Power Purchase Agreement (PPA) with Pike Solar LLC on September 14, 2020 (**Appendix E- Power Purchase Agreement**). This agreement outlines the terms and conditions in which CSU agrees to purchase the electricity generated from this Project for a minimum of seventeen years and options to extend thereafter. Both Parties are working to negotiate a Large Generator Interconnection Agreement that will be executed in the coming months.

Current zoning for the undeveloped properties includes Residential Rural-5 (RR-5), Agricultural- 5 (A-5) and Agricultural-35 (A-35) (**Appendix P- Zoning Map**). The surrounding land is primarily used for livestock grazing with dispersed residential development. The WSE-O zone for the Pike Solar Project consists of all parcels containing the solar array, collection line, substation, BESS and temporary laydown yards.

The proposed Project WSE-O Dimensional and Density Standards are provided in Table 1 below as required by Section 4.3.5 of the El Paso Land Development Code (“LDC”).

Overlay District	Underlying Zoning District	Minimum Setbacks for structures*(ft.) (Principal and Accessory Uses	Maximum Height of Solar Panels (ft.)	Maximum Height of Transmission Line Poles (ft.)	Maximum Height of MET Stations (ft.)	Maximum Height of Inverter-Transformer Pairs (ft.)	Maximum Height of Substation Facilities (ft.)
		Perimeter					
Pike Solar, WSE-O	A-5	25	15	100	20	20	75
	A-35	25	15	100	20	20	75
	RR-5	25	15	100	20	20	75
Underlying Zoning	A-5	25	30	30	30	30	30

II. Proposed Wind and Solar Energy Overlay

Pike Solar LLC and Colorado Springs Utilities are requesting approval of the WSE-O Application for the Pike Solar Project. The purpose of the proposed WSE-O is to allow construction, operation, maintenance, and decommissioning of a utility-scale solar energy facility and BESS; specifically, the Pike Solar Project.

The solar PV system will be composed of photovoltaic modules that convert the sun’s radiant energy into electricity. The modules will be mounted on horizontal single-axis tracking racks that rotate from east to west to track the sun over the course of each day. The modules will be electrically connected in series strings to achieve a system DC design voltage of 1500V DC. Cables from the module strings will be buried in trenches and combined with DC combiner boxes located strategically throughout the field. The DC combiners will connect multiple arrays in parallel, from which point the electricity will be conducted via cables to the

inverters, which convert the DC power generated by the modules to grid-synchronized AC power. Step-up transformer(s) will raise the inverter AC output voltage to 34.5kV, and the Solar Project output will pass through an AC collection system to the Pike Solar substation and ultimately to the Point of Interconnection (POI) at the Williams Creek Substation via a 230kV overhead transmission line.

The Utilities will also be requesting an expansion to their substation in order to accommodate for the power generated from this project. Williams Creek is an existing 230kV ring bus substation that will be expanded into a breaker and a half in bays 2, 3, and 4 with the installation of six circuit breakers. This expansion will accommodate a loop in of the existing 230kV NX-CL transmission line and a renewable customer tap. The substation plot does not require expansion and updates to drainage, grading, ground grid, cable trench, fencing, yard rock, conduit, cabling, steel, bus, instrumentation, protection and control, and substation equipment will only be installed or modified as required for the installation of the new equipment. No work for other future expansion will be considered.

In accordance with County requirements for LOIs as established within the WSE-O Application Form (page 3) and described in the *LDC Site Specific Development Plan*, this LOI includes the following information:

1. Owner/applicant and consultant, including addresses and telephone numbers.
2. Site location, sizing, and zoning.
3. Request and justification (**see pages 6 through 16**)
4. Existing and proposed facilities, structures, roads, etc.
5. Deferral and waiver requests (if applicable) and justification.
6. The purpose and need for the change in zone classification.
7. The total number of access in the requested area.
8. The total number of residential units and densities for each dwelling unit type.
9. The number of industrial or commercial sites proposed.
10. Approximate floor area ratio of industrial and/or commercial uses.
11. The number of mobile home units and densities.
12. Typical lot sizes: length and width.
13. Type of proposed recreational facilities.
14. If phased construction is proposed, how it will be phased.
15. Anticipated schedule of development.
16. How water and sewer will be provided.
17. Proposed uses, relationship between uses and densities.
18. Areas of required landscaping.
19. Proposed access locations.
20. Approximate acres and percent of land to be set aside as open space, not to include parking, drive, and access roads.

Additionally, a WSE-O Plan has been prepared in accordance with the County Planning & Community Development Department (PCD) requirements (**Appendix D- WSE-O Overlay Plan**).



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Appendices:

A – WSE-O Application Form

B – Certification of Notice to Mineral Estate Owners

C- Vicinity Map

D – WSE-O Map Plan

E- Power Purchase Agreement

F- Biological Resources Report

G- Phase I Environmental Site Assessment

H- Non-Wetland Water Features and Wetlands Report

I- USFWS Correspondence

J- CPW Correspondence

K- USACE Correspondence

L- FAA Correspondence

M- OAHP Correspondence

N- Hanover Correspondence

O- PPRBD Correspondence

P- Zoning Map

Q- Air Quality Management Plan

R- Grading and Erosion Control (GEC) Plan

S- Drainage Report

T- Geotechnical Engineering Report

U- Elevation Plans

V- Fire Prevention and Protection Plan

W- Emergency Response Plan

X- Integrated Noxious Weed Management Plan

Y- Decommissioning Plan

Z- Water Service Letter

AA- Class I Cultural Resources Report

AB- Electromagnetic Interference Report

AC- Visual Simulation

AD- Lighting Plan

AE- Community Meeting Advertisements

AF- Parks and Trails Proposal

AG- Colorado Springs Utilities Service Territories Map

AH- Operations and Maintenance Plan

AI- Haul Route Map

AJ – Traffic Memo

AK– Road Conditions Survey Work Plan

AL– Utility Request for Proposal

AM– Proposed Fountain Easement Route & Correspondence

AN– Geologic Hazards Study

1) Project Owner/Applicant and consultant, including addresses and telephone numbers.

	Name	Address	City	State	Zip	Telephone
Project Owner/Applicant	Pike Solar, LLC	1710 29th Street, Suite 1068	Boulder	CO	80301	303.440.7430
	Colorado Springs Utilities	2855 Mesa Road	Colorado Springs	CO	80904	719.668.3862
Point of Contact	Sophie Kiepe, Project Planner	1710 29th Street, Suite 1068	Boulder	CO	80301	720.245.2922
Consultants	Pinyon Environmental, Inc.	3222 South Vance Street, Suite 200	Lakewood	CO	80227	303.980.5200
	Core Consultants, Inc. David Bacci	1950 W Littleton Blvd. Suite 109	Littleton	CO	80120	303.730.5974
	Terracon Tyler Compton	4172 Center Park Drive	Colorado Springs	CO	80916	719.597.2116
	Stantec Fadi Jadoun	3133 West Frye Road Suite 300	Chandler	AZ	85226	480.687.6128
	EMDEX, LLC Chris Hooper	1356 Beaver Creek Drive	Patterson	CA	95363	408.866.7266

2) Site Location, Size, and Zoning.

Site Location

The proposed Project will be in all or portions of Township 16S, R64W, Sections 7,18, 19, 30, 31 and Township 16S, R65W, Sections 11, 12, 13, 14, 23, 24, 25, 26, 36 in El Paso County, Colorado. The Project is located approximately 3 miles southeast of the intersection of Link Road and Squirrel Creek Road in the city of Fountain. The Fountain Landfill is adjacent to the northwest boundary of this Project. The Palmer Solar LLC photovoltaic facility is located west of the Project. Other surrounding lands are predominantly grazing lands with dispersed residential areas.

Size

The proposed WSE-O siting envelope totals approximately 1,350 acres and will include the solar array, collection line corridor, substation, BESS and temporary laydown yards. The solar array will consist of a single-axis tracking solar PV panels, DC to AC inverters, switches and underground collection lines. The underground plowed medium voltage AC feeders, or collection lines, will transport energy from the inverters to converge at the transformer in the substation located on parcel 56000-00-123. The above-ground high-voltage AC feeders, spanning approximately one mile, will transport the energy to the Williams Creek

Substation. Additionally, there will be a BESS co-located with the on-site substation on parcel 56000-00-123 for a capacity of up to 50MW and 4 hours of energy storage.

Zoning

The proposed WSE-O zone would consist of the below parcels and ownership (**Appendix P**):

Parcel ID	Current Zoning	Landowner
56000-00-123	A-35	Colorado Springs Utilities
	RR-5	Colorado Springs Utilities
56000-00-140	A-5	Colorado Springs Utilities
	A-35	Colorado Springs Utilities
	RR-5	Colorado Springs Utilities

3) Request and Justification

Request

The Applicant requests approval of a WSE-O zoning amendment for the Pike Solar Project, a solar facility capable of generating up to 175 alternative current (AC) megawatts (MW) of photovoltaic (PV) solar energy. The proposed Project consists of ground-mounted solar arrays and associated infrastructure and it will also include a Battery Energy Storage System (BESS) capable of producing up to 75 MW of energy for four hours. The Applicant has worked to develop a plan that complies with local regulatory requirements as well as state and federal requirements. The Project will provide a clean alternative for electricity needs of the community.

The need for this Project is based upon the Utility plans, state and federal renewable initiatives and local renewable goals. Utilities’ developed a Sustainable Energy Plan through their Energy Vision. Within this plan, the Utilities will achieve an 80% carbon reduction and retire all coal generation by 2030, including the Martin Drake Power Plant. The State of Colorado has also published additional literature encouraging increased renewable facilities and enlisting a need for growth to utilities such as CSU. On January 14, 2021, Governor Polis released the “Greenhouse Gas Pollution Reduction Roadmap.” In 2019, Gov. Polis partnered with the Colorado General Assembly to pass 14 pieces of climate legislation, including the Climate Action Plan to Reduce Pollution (House Bill-1261), which established science-based targets of reducing statewide greenhouse gas (GHG) pollution 26% by 2025, 50% by 2030, and 90% by 2050 from 2005 levels. Governor Polis directed state agencies to develop a roadmap to achieving these goals with a whole-of-state effort, focusing particularly on the nearer term 2025 and 2030 targets. Support for increasing renewable energy is illustrated in community interest and local programs developed by groups, such as the Pike Peak Area of Council Governments. This local council authored a document titled, “Looking to Our Future- Pikes Peak Region 2030,” which described goals toward increasing renewable energy.

Justification

4.3.5.(G)(1) Review Criteria for Approval of WSE-O Application.

- **The application is in general conformance with the El Paso County Master Plan, including applicable Small Area Plans or there has been a substantial change in character of the neighborhood since the land was last zoned.**

The application is in general conformance with the *Your El Paso Master Plan* (referred to herein as “Master Plan”) and other adopted countywide Plans. Specifically:

Master Plan Implementation: Guidance for Evaluating Land Use Applications and Master Plan Objective HC2-1: development should be prioritized to efficiently utilize and extend existing infrastructure...

The Project is sited adjacent to, and designed to utilize, existing infrastructure to which it can connect, consistent with Master Plan Objective HC2-1 and its Guidance for Evaluating Land Use Applications. The Project site, designed in a safe and efficient manner, will be located on Utilities-owned property next to the Williams Creek Substation and other existing solar facilities. The Project design will reduce overall impacts and create efficiencies in the design by limiting the overhead transmission line to a short distance of approximately 1,300’ from the Project substation to the Williams Creek Substation. In order to construct the Project, temporary power will be required and negotiated with MVEA from an existing power line nearest to the Project substation location in order to limit construction impacts. Additionally, as noted in the Master Plan on Alternative Energy, “energy generation should be considered and appropriately sited in the county as opportunities arise”. The Pike Solar Project will bring an additional 175 megawatts (MW) of solar energy onto the Colorado Springs Utilities (CSU) electrical grid. The Pike Solar Project is poised to satisfy CSU Utilities customers’ increasing demand for energy, paired with the state’s renewable energy generation goals.

Master Plan Objective HC2-6: carefully analyze each development proposal for their location compatibility with the natural environment, and cohesion with the existing character.

The Project plans have been intentionally designed to reduce/mitigate the environmental impact to the wetlands, wildlife, and cultural resources of the Project area and surrounding lands. The Applicant will make environmental quality a priority by reducing impacts to most of the water features by specifically engineering/designing crossings through wetlands. The Project design will specifically avoid cultural locations and the wildlife plans will minimize impacts to wildlife and associated habitats. The Project requested and received a Jurisdictional Determination from the US Army Corp. of Engineers and it was determined that there are no Waters of the US within the boundaries of the Project.

The attached **Appendix P- Zoning Map** shows the current zoning throughout the Project area, which currently has three different zone types including Rural Residential- 5 (RR-5), Agricultural-5 (A-5), and Agricultural-35 (A-35). Much of this zoned land is owned by the State of Colorado, Unincorporated El Paso County, and the City of Fountain Sanitation Department. The Project site is also bounded by a small portion zoned as Industrial- 3 (I-3). The Project site is not intended to interfere with existing neighborhoods and is intentionally designed further away from residential homes in effort to minimize impacts on the community’s residential areas.

The Project site was selected for its proximity to the point of interconnection at Utilities' Williams Creek Substation and because the land is owned by the City of Colorado Springs on behalf of its enterprise Colorado Springs Utilities. Also, the Project has few direct neighbors other than the Palmer Solar Project and an extensive network of transmission facilities and lines.

Parks, Trails and Open Space Master Plan (2013)

Pursuant to the 2013 El Paso County Parks, Trails and Open Space Master Plan, a proposed regional trail, the Kane Ranch Regional Trail, intersects the Project area, as well as the Kane Ranch Open Space proposed just north of the Project site. The Project sites have been presented to the County for review and coordination in effort to mutually benefit the community by providing the Project's clean renewable energy, while not interfering with the County's potential parks and trails plans – which have no proposed development schedule. Additionally, email correspondence between the El Paso County Parks Department has been included (**see Appendix AF**) evidencing the mutual goals of accommodating future potential trail systems by possibly modifying trail design. The Project site will be located outside of any proposed development plans of the City of Fountain Parks Department and the City of Colorado Springs Parks Department.

Water Master Plan (2019)

The Applicant is cognizant of the County's Plan and community feedback and, in alignment with same, will work to minimize impacts of water usage to the Project. Overall, the proposed Project will be a low water-use development, with water only being used for dust mitigation, soil compaction, and necessary revegetation efforts. During construction, personnel will use portable sanitary units and carry in drinking water. The Project will not have an adverse effect on water and sewer demands. Sanitary and other wastewater will not be released into the Waters of the U.S.

During the project construction phase, an estimated 4,475,000 gallons of water will be required for the Applicant's dust mitigation efforts. The Applicant is working with the Utilities to negotiate water usage terms with the goal of utilizing onsite water from the Williams Creek Pump Station (see Appendix Z- Water Service Letter). The Project, once operational, will have negligible impacts on water quantity or quality. Although the Applicant hopes to rely upon natural rainwater to clean the solar panels, occasionally pumped water may be required.

2040 Major Transportation Corridor Plan (2016)

It is a top priority of the Applicant to develop a mutually agreed upon transportation plan by working with the County, City of Fountain, CDOT, Fire Department, and interested parties in the community. The Applicant would like to follow the El Paso County 2040 Major Transportation Corridor Plan as well as the City of Fountain Traffic Routes. In following these guidelines and working with the interested parties, the Applicant has also agreed to conduct road condition surveys pre- and post-construction activities and to pay its proportional share for Pike Solar construction travel impacts to the two haul routes to keep the roads used by the Applicant well-maintained. Details surrounding these studies can be found in **Appendix AK- Road Conditions Survey Work Plan** which describes an approach and outlines methodologies to evaluation conditions of the paved roadways for the proposed construction travel routes as well as efficiently count representative samples of vehicles and vehicle classes along the two travel routes to

understand local heavy traffic and project traffic. Finally, this work plan provides a means to assess the degradation of the routes over the course of construction and the proportion of degradation that is attributable to the construction of Pike Solar.

The Applicant has been working with the County, Colorado Department of Transportation (“CDOT”), and the City of Fountain on creating cohesive Traffic and Haul routes. The proposed construction travel plan was presented in the Early Assistance Meeting on October 21, 2020. Following this meeting, the Applicant has worked with the County, City of Fountain, CDOT, and the Hanover Fire Protection District in several follow-up discussions about traffic plans. **Appendix AI- Haul Route Map** identify the two main routes for the planned construction traffic. The first, being called the Green Route, designed for daily personnel traffic, is designed for traffic to travel from I-25 through the City of Fountain designated truck routes to Squirrel Creek Road, and entering the project site from the North near the landfill. The second route, being called the Orange Route, designed for hauling the majority of the project equipment including modules and racking, is designed for traffic to travel from I-25 to Old Pueblo Road, east on Birdsall Road, and entering the project site from the West of the project onto a temporary road access route. Additionally, a temporary road is proposed for the Orange Route to connect the project from Birdsall Road. Details regarding the roads and haul plans and estimated traffic are outlined within **Appendix AJ- Traffic Memo** attached.

- **The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;**
The Project and WSE-O request comply with all applicable statutory provisions including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116.
- **The site is suitable for the intended use(s), including the ability to meet the general development standards of the LDC, except as otherwise amended by the specific overlay zoning district;**
The site is suitable for the proposed solar energy generation use. The Project’s adjacency to the pre-existing Williams Creek Substation infrastructure makes it the ideal location from a use compatibility perspective, while also promoting efficient use of resources by allowing for interconnection without requiring any new transmission line systems. The Project is ideally sited within an area that is largely undeveloped to date, developmentally challenged from a water-rights perspective, and outside of the fast-developing (sub)urban areas. Further, the existence of energy generation and electrical infrastructures surrounding the Project make it an ideal location for the proposed use.

Additionally, the Project will meet the general development standards of the LDC except as amended by the approved standards of the proposed WSE-O overlay district.

- **The application is consistent with the specific development standards in the LDC pertaining to wind and/or solar energy generation facilities;**
The application is consistent with the specific development standards in the LDC pertaining to wind and/or solar energy generation facilities. The Project will follow County-designated Land Development Regulations and conditions of approval. The Applicant has worked to follow requirements needed for the 1041 application and corresponding WSE-O application to the County for approvals. The Applicant attended an Early Assistance Meeting on October 21, 2020, as well as multiple follow up meetings, to discuss the Project’s proposed haul and travel routes, material delivery, and personnel. In further effort to properly set up agreeable construction transportation plans, the Applicant will be delivering a Traffic Memo and Road

Conditions Survey Work Plan to the County, the City of Fountain, and the Colorado Department of Transportation (CDOT).

A website for the Project has been established at <http://juwicolorado.com/pikesolar/>. Additionally, the Applicant placed an ad in the El Paso County and Fountain Newspaper that ran on 5 different dates in an effort to advertise the project, promote the Project website, and allow the community to prepare questions for the Applicant at a community meeting (**see Appendix AE- Community Meeting Advertisement**). The community meeting was held on January 13, 2021 at 6 p.m. in a virtual meeting. The meeting was held for 40 minutes and there was no community attendance, therefore no direct opposition presented in the meeting.

The Applicant has worked to properly and concurrently apply through the 1041 and WSE-O processes. The Applicant will also prepare accordingly for a comment period and the follow-up hearing for the application. Upon completion of these items, but prior to construction, the Applicant anticipates applying for the Site Development Plan and building permits.

Once the 1041 hearing date and associated details are established, the Applicant plans to notice the mineral owners in accordance with State law. The list of these owners was established in accordance with the guidelines stipulated in section 2.303 part 3 of this Application and can be found in **Appendix B- Certification of Notice to Mineral Estate Owners**.

- **The application meets the air, water, light, odor or noise standards established by County, State, or federal regulations;**

The Project meets all applicable air, water, light, odor, and noise standards. Specifically:

Air

The Project will not result in adverse impacts to air quality. During the construction and operation phase of the Project, mitigation efforts will exist to reduce dust emissions. Pursuant to the El Paso County LDC 6.3.1, the Applicant has included **Appendix Q- Air Quality Management Plan** that describes efforts to adopt Best Management Practices, minimizing fugitive dust during the construction phase of the Project. Some of these efforts will include applying water on haul roads and equipment and excavation faces, restricting vehicle speeds to eleven miles per hour, and suspending activities during high-wind events. Additionally, sediment control practices such as targeted grading will exist to help minimize fugitive dust (see also **Appendix R- Grading and Erosion Control (GEC) Plan**). The Applicant submitted an Air Pollutant Emissions Notice (APEN) in May 2021 to the Colorado Department of Public Health and Environment (CDPHE). The APEN construction permit was deemed administratively complete and approved. Please refer to the APEN approval notice included in the WSE-O submittal package.

Water

Several steps will be taken to protect water quality on the Project site. The Non-Wetlands Features and Wetlands Report dated October 2, 2020 (**see Appendix H**) identifies possible wetland locations where the USACE may exercise Jurisdiction. This was Report was submitted to the USACE (**see Appendix K**) The final response was that no jurisdictional wetlands or waters were found. No further action is required. The road crossings will be designed as “no-rise” specifically to preserve the wetland and floodplain features without contributing any pollutants into the waters.

Because the Project will be designed specifically to reduce/avoid impacts to hydrologic flow to groundwater, wetland areas, and flood hazard locations, the Applicant has conducted studies, rendered reports, and developed plans and identified methods for appropriate drainage and flood protection.

The Grading and Erosion Control Plan (**Appendix R**) and Drainage Report (**Appendix S**) identify the Applicant's anticipated drainage and erosion control measures to protect water quality. Several additional reports including a Stormwater Management Plan and an Erosion and Stormwater Quality Control Permit are in progress, which will be provided in the Site Development Plan submission to further promote innovative water protection techniques. Core Consulting has been supplying these reports in compliance with the County regulations and manuals.

Additionally, the Applicant submitted a letter to the Pike's Peak Building Department regarding the designed crossings that will intersect the 100-year floodplain. They responded by confirming that our Project will fall under the Code RBC313.19.2 of Nonresidential Construction (**Appendix O– PPRBD Correspondence**). The Project will not be considered a critical facility, and the planned crossings will only require permits – which will be submitted following this application.

The other drainage-related plans supplied for this Project include the Grading and Erosion Plan (**see Appendix P**) and the Drainage Report (**see Appendix S**), which will comply with the El Paso County Drainage Criteria Manual.

Additional plans and permits will be submitted following this application, including the Stormwater Management Plan (SWMP), which will follow the Best Management Practices (BMP) guidelines.

Light

To further ensure the safety to the community **Appendix AB- Electromagnetic Interference Report** (EMF) was rendered, which illustrates that the Project will not adversely affect the community through radiation, emission levels, and electromagnetic interference with radio transmissions.

To illustrate the potential impacts of the Project design, the Applicant has included the **Appendix AC- Visual Simulation**, generated by Core Consulting, which shows a simulation of the design from various location. Results from this report indicate that there will not be significant issues related to the surrounding views for neighboring communities and the project will not inhibit views of the mountains.

Additionally, an **Appendix AD- Lighting Plan** was also included in this application, which details when lighting will be used, both during the construction phase and operational phase, and the lighting's potential impacts on neighboring properties. Lighting will be scarcely needed during the construction phase as the Project will be constructed during natural daylight hours. Once the Project is operational, lighting will be limited to motion lighting and limited to O&M facility lighting as well as interior located equipment.

Noise

The Project, once operational will produce negligible amounts of noise. Because there will be no permanent on-site employees, no traffic or personnel noise will be anticipated.

During the construction phase of the Project, several procedures will exist to control noise. The working hours for the site will be 7 a.m. to 7 p.m., Monday through Saturday – possibly, but rarely on Sundays. The Project will be located over a mile and half from residences. The traffic and haul routes have been designed around approved local haul routes and, in an effort, to minimize impact to the local community and to meet noise thresholds. The Applicant will abide by applicable noise guidelines in the LDC 6.2.7 and will not exceed the maximum allowable 80 dBA for the anticipated construction activities. On-site employees will be instructed to abide by the Ordinance Concerning Noise Level 02-1 and the guidance stipulated in the El Paso County LDC.

Odor

No adverse odors will result from the proposed Project.

Hazardous Materials

The Applicant has included the Phase I Environmental Site Assessment report dated October 21, 2020 pertaining to the Project area (**see Appendix G**). The report findings indicate no presence of hazardous substances or petroleum products defined as Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), nor Historical Recognized Environmental Conditions (HREC) were found on the Project area.

The lithium contained in the BESS installed on the property will be considered a hazardous material. Several plans will exist ensuring that regulations are followed, and appropriate measures are taken to minimize impacts from the installation, operation, and decommissioning of said BESS. The BESS will be housed in a containerized unit, surrounded by security fencing, and the unit will undergo UL9540A testing. The plan for handling the battery will be agreed upon with the Hanover Fire Protection District. Should there be any emergency associated with the Project, a guide on handling the battery is outlined in the **Appendix W-Emergency Response Plan**.

A Spill Prevention, Control, and Countermeasure (SPCC) Plan will be prepared for construction. The SPCC Plan will contain information regarding training, equipment inspection and maintenance, and refueling of construction vehicles with an emphasis on spill prevention. This plan will be implemented, and a hard copy will be located on-site during construction. The Applicant's finalized SPCC Plan will be supplied with the Site Development Plan application following this application.

Personnel will follow the project guidelines in the Operations and Maintenance Plan (**Appendix AH**). This plan will include landscape inspections to limit fire hazards, hazardous materials training for personnel, and BESS and other systems monitoring.

There will also be a Decommissioning Plan (**Appendix Y**), which will detail the proper disposal methods of components at the termination of Project operations.

- **The proposed use(s) will not be detrimental to the health, safety, or welfare of the inhabitants of the area and the County; and**

The Project will not be detrimental to the health, safety, or welfare of the inhabitants of the area and the County. Specifically:

Welfare

The purpose of this Project is to support the community of El Paso County in developing a renewable energy source that will interconnect on Utilities' grid. This Project will provide a more sustainable and efficient energy source to help accommodate the ever-growing community. The Project will also benefit local business in Fountain and Colorado Springs, including the food service industry, lodging, fuel stations, equipment rentals, and hardware/tool supply vendors. Additionally, the Project will provide increased tax revenue. Perhaps the Project's most impactful and obvious long-term benefit to the growing community will be providing clean energy capable of powering 58,200 homes.

Safety

One of the Project's many safety and efficiency features will be fencing built around the Project's components and module sections. This fencing will also provide added safety to the community should the El Paso County Parks department decide to develop trail systems around the project site.

Environmental

The Applicant will approach its initial construction and subsequent operations in an effort to mitigate any negative environmental effects. With a primary goal of the Project design being to minimize environmental impacts and disruption to the existing environment, the Applicant has conducted several environmental studies which have determined the impacts and mitigation efforts as to wetlands, biological resources, wildlife, and cultural artifacts within the Project area.

Wildlife & Vegetation

Efforts have been made in the Project design to identify and consider the presence of wildlife, vegetation, noxious weeds, and wetlands within the Project area. The Applicant has coordinated with various Federal, State, and Local entities to ensure that guidelines are met and adverse environmental impacts are minimized.

Wildlife

Several efforts have been made to protect wildlife within the Project area. A Biological Resources Report (**Appendix F**) was rendered on October 19, 2020 by Pinyon Environmental, Inc. The property has been predominately used as grazing lands and is located in a rural area. The report findings indicate that there are no critical habitats for any federally listed species that are categorized as threatened or endangered. Additionally, the Applicant notified the USFWS of the report's findings (**Appendix I- USFWS Correspondence**), and in a response dated December 7, 2020, they have indicated no concerns associated with the project design and report's findings.

The Biological Resources Report does identify the following state-listed species categorized as 'threatened' and/or 'species of concern' along with corresponding recommended actions:

- State-Listed Threatened Species:
 - Burrowing Owl- Conduct Prairie Dog removal when the Burrowing Owls are absent between October 31 and March 15.
- State-Listed Species of Concern:

- Bald Eagle- No nests were located within a half-mile of the project site, however, should they be found prior to construction, a quarter-mile buffer would need to be implemented to avoid encroachment on the habitat.
- Ferruginous Hawk- None were observed within the project area, however, should they be found prior to construction, a half-mile radius would be required around an active nest
- Mountain Plover- None were observed within the project area, however, should the Applicant decide to minimize potential for Mountain Plover, vegetation-clearing and ground disturbance should be planned between August 31 and April 1.
- Black-Tailed Prairie Dog- Prairie Dog removal will be required for the Project Site and require coordination with CPW.
- Swift Fox- Efforts to mow the shortgrass prairie vegetation and fill burrows within a quarter mile of the proposed ground disturbance should occur between June 15 and March 15.
- Northern Leopard Frog- None were located at the Project site and no action is required.

To confirm compliance, the Applicant supplied these report findings and recommended actions to CPW. The Applicant will adopt measures in the construction, operation, and maintenance of the Project that adheres to the above-mentioned recommended actions. CPW submitted a letter of concurrence (**Appendix J**) in recommendations for surveys and methods of handling wildlife and associated habitats.

Vegetation

The Project area is a rural undeveloped location consisting of shortgrass prairie habitat and rangeland areas. Site studies have not documented any sensitive or listed plant species in the analysis. The current vegetation on the site is dominated by species such as common sunflower, field bindweed, kochia, lambsquarters, western wheatgrass, blue grama, buffalo grass, cholla, fourwing saltbush, leafy false goldenweed, and prickly pear cactus. These vegetation species are identified in the Non-Wetland Water Features and Wetlands Report (attached as **Appendix H**). Construction will temporarily impact this vegetation, but re-vegetation efforts are planned following project development. Disturbances will be limited to the planned development area with the remaining leased property left in its original condition. The Project will be designed around a reservoir expansion area that will remain untouched along with a potential trail available for future development. Vegetation maintenance efforts will be addressed by following the Integrated Noxious Weed Management Plan (**Appendix X**) guidance and through mowing. The Decommissioning Plan (**Appendix Y**) details how the lands surrounding the project will be restored through re-seeding and reclamation efforts.

Noxious Weeds

An Integrated Noxious Weed Management Plan was developed (**Appendix X**) and rendered on December 14, 2020. This report, which has been cross-referenced with the El Paso County Noxious Weed Management Plan, lists the following findings of Noxious Weed types and associated management goals:

- List A species:
 - No species listed within the report
- List B:
 - Hoary Cress- Pursuant to the CDA and the El Paso County Noxious Weed Management Plan, this is a priority for elimination and such actions are recommended.

- Canada thistle- The CDA and the El Paso County Noxious Weed Management goal for this species is suppression.
- Salt Cedar- The CDA and the El Paso County Noxious Weed Management goal for this species is suppression.
- List C:
 - Field Bindweed- Management and mitigation efforts for List C species is not required by law and management is not recommended.

Best Management Practices have then been identified to manage said Noxious Weed species. Mechanical and Chemical methods shall treat List B species. The Applicant will implement the following treatment recommendations:

- Hoary Cress elimination techniques include mowing repeatedly throughout the spring and summer in combination with herbicides during the early spring and summer.
- Canada Thistle has a suppression recommendation that requires mowing every 10-21 days, coupled with during the spring to bloom stage and in the fall immediately following mowing.
- Salt Cedar suppression requires cutting down trees and applying herbicides to the stump and roots systems.

Wetlands

As part of the Applicant's pre-development actions, Pinyon Environmental, Inc. rendered The Non-Wetland Water Features and Wetlands Report dated October 2, 2020, which identifies wetlands and potential wetlands throughout the Project area (**Appendix H**). The Applicant provided this report to the USACE in a letter dated October 2, 2020. The final response was that no jurisdictional wetlands or waters were found, and this correspondence is included. No further action is required.

Historical Resources

A Class I Cultural Resource Report desktop review was conducted, and a report rendered on October 2, 2020 (**see Appendix AA**), identifying the cultural and historic resources within the Project Area. The report identified three resource locations where additional studies would be required prior to any construction activities. Two of the locations (5EP.4830 and 5EP.4832) are identified as Archeological Resource Types that "Need More Data." The third location (5EP.4849) is an Archeological Resource Type that is categorized as "Officially Eligible." The current Project design does not intersect or interfere with these identified locations, and the Applicant will abide by the recommended actions by fencing and avoiding these locations, preventing interference.

As an additional precaution, the Applicant supplied the Office of Archeology and Historic Preservation (OAHP) with the reports, letters, and available information and the Applicant's proposed response plans. In the correspondence attached, the Applicant requested for the OAHP to review the Class I Cultural Resources Report. On December 28, 2020, the Applicant received a letter from the OAHP, which verified that (i) the resources in the report do not pertain to the per view of their review, (ii) Section 106 of the National Historic Preservation Act and the Colorado State Register Act (Colorado Revised Statute (CSR)

24-80.1) does not apply, and (iii) the Project design will not interfere in any potential cultural resources on the property.

- **The proposed use(s) will not cause undue burden on existing infrastructure.**

The Project will not cause undue burden on existing infrastructure. Rather, the Project will enhance and strengthen existing electrical infrastructure while also focusing the use in an area already developed with critical electrical infrastructure. Additionally, the Project's proximity to the existing Williams Creek Substation infrastructure will allow for the project to interconnect without requiring new transmission line systems. Last, the Project will not unreasonably burden existing infrastructure such as roads; the Applicant intends to enter into a Development Impact Mitigation Agreement with the County during the WSE-O process which addresses the impact on roads resulting from development of the Project. Please refer to the Development Impact Mitigation Agreement included in the WSE-O submittal package.

Overall, the proposed Project will be a low water-use development. During construction, personnel will use portable sanitary units and carry in drinking water. The Project will not have an adverse effect on water and sewer demands.

4) Existing and proposed facilities, structures, roads, etc.

Existing Facilities: The Project is located adjacent to multiple high voltage electrical transmission lines, the Williams Creek Substation, and Palmer Solar. The Project will interconnect at CSU's Williams Creek Substation. This was intentionally designed to avoid visual impacts derived from lengthy transmission line runs. Currently there are no other existing facilities on the proposed site.

Proposed Facility: The Pike Solar Project will be a solar PV system that will be composed of photovoltaic modules that convert the sun's radiant energy into electricity. The modules will be mounted on horizontal single-axis tracking racks that rotate from east to west to track the sun over the course of each day. The modules will be electrically connected in series strings to achieve a system DC design voltage of 1500V DC. Cables from the module strings will be buried in trenches and combined with DC combiner boxes located strategically throughout the field. The DC combiners will connect multiple arrays in parallel, from which point the electricity will be conducted via cables to the inverters, which convert the DC power generated by the modules to grid-synchronized AC power. Step-up transformer(s) will raise the inverter AC output voltage to 34.5kV, and the Solar Project output will pass through an AC collection system to the Pike Solar substation and ultimately to the Point of Interconnection (POI) at the Williams Creek Substation via a 1,400' 230kV overhead transmission line. This Project will also have potential for up to a 75 MW battery energy storage system ("BESS"). This will be located near the project substation.

Williams Creek is an existing 230kV ring bus substation that will be transitioned into a breaker and a half in bays 2, 3, and 4 with the installation of seven circuit breakers. This reconfiguration will accommodate a renewable energy provider connection and a loop in of the existing 230kV Nixon-Clairemont transmission line, including one new transmission tower within the existing alignment and easement. The substation plot does not require expansion and updates to drainage, grading, ground grid, cable trench, fencing, yard rock, conduit, cabling, steel, bus, instrumentation, protection and control, and substation equipment will only be

installed or modified as required for the installation of the new equipment. The Williams Creek Substation is designed primarily as an interconnection or switching substation, not a load serving substation, and design capacity is not technically an issue at switching substations. The main design consideration at switching substations is the number of interconnection positions for generation connections and/or transmission line connections necessary for reliable power delivery. No work for other future expansion will be considered. This upgrade will help service a new Juwi solar farm in the surrounding area.

5) Deferral and waiver requests (if applicable) and justification

The Applicant requests the following deferrals:

- *Encroachment/Crossing Agreements:*
 - o Justification: To meet the Project schedule, the Applicant requests that El Paso County review the application in advance of the Encroachment/Crossing Agreements. The Applicant expects the Agreements to be finalized within the review period of the Site Development Plan submittal. However, Applicant requests that the County accept proof of Encroachment and Crossing Agreements at any time throughout the Project permitting process, including the Site Plan Review.

6) The purpose and need for the change in zone classification

Purpose: The purpose of the WSE-O is to allow for the primary and accessory uses listed in the application. The Project's intent is to provide safe, healthy, and economical solar photovoltaic facility and BESS to connect to the Utilities' grid. The Project's design will be mindful of the health and safety of the community.

Need: The need for this Project is based upon the Utility plans, state and federal renewable initiatives and local renewable goals. Utilities' developed a Sustainable Energy Plan through their Energy Vision. Within this plan, the Utilities will achieve an 80% carbon reduction and retire all coal generation by 2030, including the Martin Drake Power Plant. The State of Colorado has also published additional literature encouraging increased renewable facilities and enlisting a need for growth to utilities such as CSU. On January 14, 2021, Governor Polis released the "Greenhouse Gas Pollution Reduction Roadmap." In 2019, Gov. Polis partnered with the Colorado General Assembly to pass 14 pieces of climate legislation, including the Climate Action Plan to Reduce Pollution (House Bill-1261), which established science-based targets of reducing statewide greenhouse gas (GHG) pollution 26% by 2025, 50% by 2030, and 90% by 2050 from 2005 levels. Governor Polis directed state agencies to develop a roadmap to achieving these goals with a whole-of-state effort, focusing particularly on the nearer term 2025 and 2030 targets. Support for increasing renewable energy is illustrated in community interest and local programs developed by groups, such as the Pike Peak Area of Council Governments. This local council authored a document titled, "Looking to Our Future- Pikes Peak Region 2030," which described goals toward increasing renewable energy.

7) The total number of acres in the requested area

The total area of the proposed WSE-O is approximately 1,350 acres.

8) The total number of residential units and densities for each dwelling unit type

There are no residential units or dwellings included in the WSE-O application.

9) The number of industrial or commercial sites proposed

One solar energy generation facility and battery energy storage system is proposed for the WSE-O.

10) Approximate floor area ratio of industrial or commercial uses

Buildings that are industrial or commercial in nature are not proposed as part of this WSE-O application.

11) The number of mobile home units and densities

There are no permanent mobile home units included in this WSE-O application.

12) Typical lot sizes: length and width

There are no new proposed lots included in this WSE-O application. Any future lots will be subject to underlying zoning standards.

13) Type of proposed recreational facilities

There are no proposed recreational facilities included in this WSE-O application.

14) If phased construction is proposed, how will it be phased

Construction will occur in one phase until complete.

15) Anticipated schedule of development

Milestone	Start	Finish
1. Major Permit Approvals (WSE-O, 1041)	Q1 2021	Q4 2021
2. Secondary Approvals (Site Plan Review, PPRBD permit)	Q4 2021	Q1 2022
3. Pre-construction (surveys, engineering)	Q3 2020	Q4 2021
4. Site Improvements, Substation and Project Construction	Q1 2022	Q4 2023
4.1 Civil Construction (site grading; roads)	Q1 2022	Q4 2022
4.2 Post Rack Module Install	Q2 2022	Q3 2023
4.3 Electrical Install	Q2 2022	Q3 2023
4.4 Construction of Interconnection Facilities	Q2 2023	Q4 2023
5. Initial Energization	Q4 2023	
6. Plant Commercial Operation	Q4 2023	
7. Seeding and close out Stormwater Permit	Q4 2022	Q4 2023
8. Estimated life of the Project/1041 Timeframe	2023	2058
9. Final Decommissioning Plan submittal	Q4 2058	
10. Begin Active Revegetation and Site Restoration	Q2 2059	

16) How water and sewer will be provided

During the project construction phase, an estimated 4,475,000 gallons of water will be required for the Applicant’s dust mitigation efforts. The Applicant is working with the Utilities to negotiate water usage terms with the goal of utilizing onsite water from the Williams Creek Pump Station (see **Appendix Z- Water Service**

Letter). Water will only be required during the construction phase to mitigate dust and maintain air quality. After the Project becomes operational, water needs are not anticipated.

17) Proposed uses, relationship between uses and densities

Proposed Use: The Applicant proposes to use the land for a 175 MW AC Photovoltaic Solar Energy Generation Facility which will also host a Battery Energy Storage System (BESS) up to 50 MW. The solar PV system will be composed of photovoltaic modules that convert the sun's radiant energy into electricity. The modules will be mounted on horizontal single-axis tracking racks that rotate from east to west to track the sun over the course of each day. The modules will be electrically connected in series strings to achieve a system DC design voltage of 1500V DC. Cables from the module strings will be buried in trenches and combined with DC combiner boxes located strategically throughout the field. The DC combiners will connect multiple arrays in parallel, from which point the electricity will be conducted via cables to the inverters, which convert the DC power generated by the modules to grid-synchronized AC power. Step-up transformer(s) will raise the inverter AC output voltage to 34.5kV, and the Solar Project output will pass through an AC collection system to the Pike Solar substation and ultimately to the Point of Interconnection (POI) at the Williams Creek Substation via a 230kV overhead transmission line.

Relationship between Uses and Densities: The land required to develop the 175 MW project is about 1,350 acres. This will include the modules, roads, substations, power stations, fencing, BESS system, laydown yards and proper grading and erosion control areas.

18) Areas of required landscaping

Required landscaping will be limited to vegetation management: reseeding, mowing, and control of noxious weeds. Given the rural and agrarian nature of the adjacent properties, seedbanks in the area will assist in passive revegetation. The Integrated Noxious Weed Management Plan (**see Appendix X**) will be used to help prevent non-native vegetation from growing on the Project site.

19) Proposed access locations

The two access points are depicted on **Appendix AI- Haul Route Map**. This map identifies the two main routes for the planned construction traffic. The first, being called the Green Route, designed for daily personnel traffic, is designed for traffic to travel from I-25 through the City of Fountain designated truck routes to Squirrel Creek Road, and entering the project site from the North near the landfill. The second route, being called the Orange Route, designed for hauling the majority of the project equipment including modules and racking, is designed for traffic to travel from I-25 to Old Pueblo Road, east on Birdsall Road, and entering the project site from the West of the project onto a temporary road access route. Additionally, a temporary road is proposed for the Orange Route to connect the project from Birdsall Road. Details regarding the roads and haul plans and estimated traffic are outlined within **Appendix AJ- Traffic Memo** attached.

In following further county guidelines and working with the interested parties, the Applicant has also agreed to conduct road condition surveys pre and post-construction activities and to pay its proportional share for Pike Solar construction travel impacts to the two haul routes to keep the roads used by the Applicant well-maintained. Details surrounding these studies can be found in **Appendix AK- Road Conditions Survey Work**

Plan which describes an approach and outlines methodologies to evaluation conditions of the paved roadways for the proposed construction travel routes as well as efficiently count representative samples of vehicles and vehicle classes along the two travel routes to understand local heavy traffic and project traffic. Finally, this work plan provides a means to assess the degradation of the routes over the course of construction and the proportion of degradation that is attributable to the construction of Pike Solar.

20) Approximate acres and percent of land to be set aside as open space, not to include parking, drive, and access roads

The Utilities has earmarked a Reservoir Expansion Area on the Project site that will remain open should the Utilities make plans in the future for this land. In addition, the Applicant worked with the El Paso County Parks and Trails Department to discuss potential future trail design within the site. The trail would connect to the Kane Ranch Open Space identified by the Parks and Trails Department. This potential trail been thoughtfully integrated into the Project design in effort to help the land remain rural and to benefit the public (**Appendix AF- Parks and Trails Proposal**). A Visual Simulation (**Appendix AC**), which shows renderings of the Project area from various angles to ensure no visual impairments are affecting the land for the local community.

Thank you for your full consideration of this application. The Applicant is eager to begin formal review with the Planning and Community Development Department and El Paso County.

Sincerely,



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