

September 21, 2020

Ms. Kari Parsons  
El Paso County Planning and Community Development Department  
2880 International Circle  
Colorado Springs, CO 80910

RE: Letter of Intent – Major Amendment to the Wind and/or Solar Energy Generation Plan Overlay (WSE-O) District (WSEO-20-1)

Dear Ms. Parsons,

Front Range-Midway Solar Project, LLC (Applicant), a wholly owned subsidiary of Savion, LLC, is seeking a Major Amendment to the Wind/Solar Energy Generation Plan Overlay (WSE-O) District approved by El Paso County, Colorado Board of County Commissioners (BoCC) on April 24, 2018 (WSEO-17-001) to allow for modifications to the Front Range-Midway Solar Project (FRMW Project or Project). Per Section 4.3.5.E of the Land Development Code of El Paso County, Colorado (LDC), approval of a Major Amendment (to the WSE-O) includes any of the following and requires a recommendation from the Planning Commission and a final action by the BoCC:

- The addition of any uses or structures not authorized by the approved WSE-O plan
- Modification of any structure siting envelope(s) resulting in noncompliance with the dimensional standards established by the approved WSE-O plan
- Modification of the dimensional standards established by the approved WSE-O plan
- Modification of the material terms of the associated impact mitigation development agreement, as defined by such agreement

Since the WSEO-17-001 approval in 2018, the FRMW WSE-O amended plan area (WSEO-20-1) has been reduced from 1,170 acres to 939 acres. Recent advances to solar panel technology have resulted in increased panel efficiency (i.e. higher wattage [power] per panel). In addition, previous easements in the WSE-O Plan area have been released and no longer need to be avoided, allowing for a more efficient site layout within the smaller WSE-O Plan area. Given the advances in technology and the former easement area that no longer needs to be avoided; the FRMW Project design was optimized and the full 100.2 megawatt alternating capacity (MW AC) photovoltaic (PV) solar energy generation facility previously sited on 1,170 acres is now proposed to be located within 939 acres.

Project design updates include shifts in the solar panel array, details of an operation and maintenance (O&M) building, and details of an energy storage facility (battery storage). The updated design will require an increase to the maximum height of FRMW Project substation facilities from 35 feet to 70 feet to accommodate lightning arrestors/grounding pole structures and an increase to the maximum height of overhead transmission and collection line poles from 90 feet to 100 feet to accommodate minimum clearance requirements over existing transmission infrastructure.

The above changes were discussed with El Paso County Planning & Community Development (PCD) and at the agency's direction, the Applicant is requesting a Major Amendment to the WSE-O District for the FRMW Project (WSEO-20-1) to allow the following changes:

- WSE-O Plan area change from 1,170 acres to 939 acres
- Inclusion of O&M building details
- Inclusion of energy storage facility details
- Increase to the maximum height of Project substation facilities from 35 feet to 70 feet
- Increase to the maximum height of overhead transmission and collection line poles from 90 feet to 100 feet

## Introduction

The Applicant has completed the Type D Application Form (I-2C) for the Major Amendment for the FRMW Project (Attachment I: Type D Application Form). Many of the FRMW Project details remain the same as those included in WSEO-17-001, including the Applicant's intent to construct, operate, and maintain a 100.2-megawatt (MW) photovoltaic solar energy generation facility. However, the amended FRMW WSE-O Plan area (WSEO-20-1) has changed from 1,170 acres to 939 acres and no longer includes parcels 5720007001, 5720007002, 5720007003, 5720007004, and 5720000007. The Project design has been optimized, and updates include an O&M building and an energy storage facility located adjacent to the Project substation. In addition, design updates will require an increase to the maximum height of Project substation facilities from 35 feet to 70 feet; and an increase in maximum height of transmission line poles from 90 feet to 100.

As approved, the facilities included the proposed solar panel array, a project substation, and meteorological monitoring devices (METs). Project accessory uses included 34.5 kV collection lines (including an overhead 115 kV transmission line and underground or overhead collection power lines), maintenance facilities, and any other uses necessary to carry out the intent of the overlay zoning, including but not limited to direct current (DC) to AC inverters associated with the solar array, medium voltage transformers, circuit breakers and disconnect switches, and a communications system that would interconnect from the new project substation to one of the adjacent substations (Western Area Power Administration [WAPA] or Public Service Company of Colorado [PSCo]).

The amended FRMW Project includes additional details for an O&M building. This O&M building consists of two storage containers (similar to trucking containers) placed side by side for storing equipment. The containers include electricity and HVAC systems for O&M staff. This building may require potable water and sewer for which it would utilize a potable water tank or waterline tap which has already been procured from the Wigwam Mutual Water Company and a septic tank to serve O&M staff.

The amended FRMW Project also includes details for an energy storage facility that will be coupled to the solar facility through an AC electrical bus system. The energy storage will utilize battery technology to store the energy generated by the FRMW Project for later use. The system will be comprised of multiple, specially designed cabinets that will be arranged on the FRMW Project site to house the batteries, inverters, and transformers. These cabinets include a number of safety features including temperature control equipment installed on each cabinet. Additional safety features of these energy storage cabinets include one or more of the following (1) integrated fire protection system (2) UL 9540 certifications, or (3) National Fire Protection Association-qualified equipment. The energy storage facility will be located within the FRMW Project structure siting envelope for energy storage. The Applicant discussed the addition of energy storage to the FRMW Project with El Paso County PCD during an Early Assistance meeting on November 12, 2019. During that meeting and in subsequent electronic mail correspondence dated December 2, 2019, El Paso County PCD concurred that energy storage is considered an accessory to the WSEO-17-001 and that it does not require an amendment. In addition, the Applicant has discussed the addition of energy storage with Hanover Fire District and a Commitment Letter from the fire district has been provided. Although no amendment is required for the energy storage facility, the Applicant is providing additional details on these accessory components through this process.

The FRMW Project transmission line will remain entirely within the FRMW WSE-O Plan structure siting envelope with a new route that would extend a short distance from the proposed FRMW Project substation to an existing bay within either the adjacent WAPA substation or the PSCo substation; the length of the transmission line would be determined upon execution of a Power Purchase Agreement (PPA), which in turn would determine the interconnection substation location (WAPA or PSCo). As a result of advanced engineering that has occurred since the WSEO-17-001 approval, Applicant has determined that at least three of the transmission line poles will need to be a maximum of 100-feet tall (versus the 90 feet previously approved in WSEO-17-001) wood or steel poles with guyed supports and

anchors on turning structures to cross over the existing transmission line. The height of the power poles above ground level may vary based on ground conditions at each pole location.

The amended Dimensional and Density Standards for the FRMW Project are provided in Table I. The setback from exterior lot lines will remain at 25 feet per the approved WSEO-17-001. An application to vacate the interior lot lines was submitted, approved, and recorded with the county for all parcels owned by the Applicant. Leased parcels will have above-ground solar facilities set back along interior lines per the lease agreements with the landowners.

Per the approved WSEO-17-001, up to 50 sets of transformers and inverters would be located adjacent to panels and would be at a maximum height of 14 feet. Three to five meteorological stations would be located across the Project and would be a maximum height of 14 feet.

Since approval of WSEO-17-001, engineering details for the FRMW Project substation have changed. The FRMW Project substation will be located within the underlying RR-5 zone. The Project substation would now include approximately 60-foot tall dead-end structures where the terminus of the transmission line is supported with the surge arrester and post insulators. Poles with lightning mast and finial would be up to 70-feet tall, connecting the static wire to the dead-end structure. Therefore, the maximum height requirement for the FRMW Project substation infrastructure would need to be 70-feet (versus the 35-foot tall maximum identified in the approved WSEO-17-001).

The maximum heights for substation structures within a WSE-O district is as established in the WSE-O Plan pursuant to LDC Sec. 4.3.5(B)(2)(a) and the maximum height for certain other structures not listed is per the underlying zoning district unless otherwise established by the WSE-O Plan. The Applicant notes that the maximum height for structures in the underlying RR-5 and RR-2.5 zoning districts (other than those exempted) is 30 feet. This Major Amendment seeks approval for an increase in the maximum height of Project substation facilities from 35 feet to 70 feet to accommodate grounding pole structures; and an increase in the maximum height of overhead transmission and collection line poles from 90 feet to 100 feet to accommodate minimum clearance requirements over existing transmission infrastructure.

Maximum heights for the O&M facility and energy storage have been added to Table I, although these facilities will not exceed maximum heights for the underlying zoning districts. Of note, the FRMW Project is located adjacent to existing utility infrastructure, which already exceeds the maximum height restrictions for the underlying zoning districts.

Construction access would remain unchanged from the approved WSEO-17-001 with use of existing routes from Interstate-25 from southbound Exit 119, following existing public roadway Rancho Colorado Boulevard and El Hambre View (private road) and La Questa Drive (county right-of-way). Internal Project access roads would be constructed between solar arrays to allow maintenance technicians access to individual arrays during routine maintenance.

It is anticipated that FRMW Project construction will begin in the fourth quarter of 2021 and commercial operation will begin by the end of year 2022.

**Table 1. Amended Dimensional and Density Standards for the FRMW Project WSEO-20-1**

Underlying Zoning District	Minimum Setbacks for structures <sup>1</sup> (ft.) (Principal and Accessory Uses)	Maximum Height of Solar Panels (ft.)	Maximum Height of Transmission and Collection Line Poles (ft.)	Maximum Height of MET Stations (ft.)	Maximum Height of Inverter-Transformer Pairs (ft.)	Maximum Height of Project Substation Facilities (ft.) <sup>2,3</sup>	Maximum Height of Project O&M Building (ft.) <sup>2</sup>	Maximum Height of Energy Storage Facilities (ft.) <sup>2</sup>
	Perimeter of WSE-O Boundary							
RR-5	25	14	100	14	14	70	20	20
RR-2.5	25	14	100	14	14	70	20	20

<sup>1</sup> Setbacks are not applicable to fences or walls seven feet in height or less, retaining walls less than four feet in height, poles, lines, cables, transmission lines or other transmission or distribution facilities. All setbacks shall be measured from the WSE-O District boundary, except meteorological towers, which shall be setback as provided by the El Paso County LDC as of the date of application for this WSE-O District.

<sup>2</sup> FRMW Project substation, O&M building, and energy storage are currently sited in RR-5 parcels, however, due to design changes, may be relocated within the structure siting envelope.

<sup>3</sup> The primary substation facilities will be a maximum of 35 feet with the exception of the grounding pole structures with lightning protection which could be up to a maximum 70 feet.

In accordance with El Paso County requirements as 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, size, and zoning
- 3) Request and justification
- 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 acres 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 will it 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 Wind and/or Solar Energy Generation Overlay Plan Amendment for the FRMW Project has been prepared in accordance with the El Paso County Development Services Department (DSD) requirements (Attachment 2).

Since approval of WSEO-17-001, some of the adjacent land has changed ownership. The Applicant attempted to reach all new adjacent landowners to inquire if 1) they were aware of the FRMW Project, 2) if they had any issues with the FRMW Project and 3) to inform them of upcoming communications directly from the county and from the FRMW Project. To date the Applicant has had discussions with six of the thirteen new landowners, some of which were aware of the FRMW Project. None of these new landowners expressed any issues with the FRMW Project nor did they express opposition to the FRMW Project or this Major Amendment. The Applicant also left messages for four of these new owners. As of this submittal the Applicant has not heard back from these owners. Finally, the Applicant was unable to find active phone numbers to reach three of the new adjacent landowners. In order to ensure some form of communication, each adjacent landowner was sent a letter to update them on the status of the FRMW Project. The letters were mailed on August 14, 2020 and a copy of the letter with delivery receipts is included in Attachment 5.

The Applicant has been in discussion with Tami West of the Pioneer Village Roads Public Improvement District and Tim McNerney, Interim Superintendent of the Hanover School District to discuss the Amended FRMW Project. Both entities have expressed their continued support for the Project. Support letters are anticipated and will be provided to the county upon receipt. Chief Tatum provided an updated fire commitment letter which is included in the application.

## I. Project Owner/Applicant and Preparer/Consultant

Owner/Applicant Front Range-Midway Solar Project, LLC Courtney Timmons, Development Director 422 Admiral Boulevard Kansas City, Missouri 64106 Phone: 906.458.4350  Project Owner: Front Range-Midway Solar Project, LLC 9070 and 9310 Rancho Colorado Boulevard Fountain, CO 81008	Preparer/Consultant: CORE Consultants, Inc 1950 W Littleton Blvd, Suite 109 Littleton, CO 80120 Phone: 303.703.4444
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## 2. Site Location, Size, and Zoning

### Site Location

The amended WSEO-20-1 is located in Sections 17, 20, 21 and 22, Township 17 South, and Range 65 West in El Paso County, Colorado. The amended WSEO-20-1 is located west of Interstate-25 (I-25) approximately 20 miles south of downtown Colorado Springs on private and El Paso County-owned lands secured by the Applicant through direct ownership and/or lease agreements. The amended FRMW WSE-O-20-1 is bounded by county lands on the west, an existing gas plant and by dispersed residential development, by rangeland to the north, by a gravel pit to the east, and by the Midway Waste Management Landfill to the south (Attachment 2). Specifically, the amended FRMW WSE-O Plan consists of the parcels listed in Table 2.

**Table 2. Parcels located within the Amended FRMW WSEO-20-1 Plan Area**

Parcel ID	Zoning	Landowner
5717007004	RR-5	El Paso County
5717007005	RR-5	El Paso County
5717007006	RR-5	El Paso County
5717007019	RR-5	El Paso County
5717007047	RR-2.5	Powell Homes LLC
5717007052	RR-2.5	Front Range-Midway Solar Project LLC
5721001019	RR-2.5	Front Range-Midway Solar Project LLC
5722001002	RR-2.5	Midway Development Company, Inc.
5720000010	RR-5	U.S. Reclamation Service, U.S. Dept. of Interior, BOR
5720000003	RR-5	Public Service Co. of Colorado c/o Property and Local Taxes

### Size

The amended FRMW WSE-O Plan area has been reduced from 1,170 acres to 939 acres and the Project design optimized to accommodate the full 100.2 MW AC PV solar energy generation facility within the smaller 939 acres. Therefore, the amended WSEO-20-1 is more efficient and less overall impact than the previously approved WSEO-17-001.

The FRMW Project structure siting envelope includes any area where FRMW Project facilities can be sited. The design shown within the siting envelope is preliminary, therefore locations of facilities within the siting envelopes may shift without an amendment.

### Zoning

The FRMW WSE-O Plan area is zoned Residential Rural (RR)-2.5 and RR-5 (Attachments 1 and 2).

### **3. Request and Justification**

As was approved for WSEO-17-001, the purpose of the FRMW Project remains the same; to construct, operate, and maintain a 100.2-MW photovoltaic solar power generation facility to provide clean, cost effective, renewable energy to one or more public utility companies with connections to this area of the county. The need for the FRMW Project was established by multiple factors including local and state statutes including Colorado's Renewable Energy Standard (Section 40-2-124, C.R.S) which requires 30% of retail energy sales to be derived from renewable generation for investor owned utilities and 10% for large municipal utilities by the year 2020. Other statutes and policy directives that require or encourage the production of renewable energy include the Colorado Governor's Climate Action Plan, and local initiatives of Colorado rural cooperatives, municipal utilities, and generation and transmission associations.

#### *Conformance to the El Paso County Master Plan*

The activities associated with the FRMW Project are compatible with the current El Paso County Master Plan (Master Plan) which consists of the County Policy Plan (CPP), small area plans (SAPs), the Parks Master Plan, the Master Plan for Mineral Extraction, drainage basin planning studies and the major transportation corridors plan. The Master Plan guides land use in El Paso County. The Master Plan has been reviewed as part of this process and specific component plans under the Master Plan have been identified and reviewed further as they are impacted by the location and nature of the Project, including the CPP and the applicable SAP (South Central Comprehensive Plan). The original WSEO-17-001 LOI (Attachment 3) includes a summary of key elements of the CPP, and the South Central Comprehensive Plan (SCCP) with a detailed discussion of those elements of both plans that are relevant to the FRMW Project and describe how the FRMW Project would conform to those components.

#### *Conformance to the El Paso County Water Master Plan*

The activities associated with the FRMW Project are compatible with the current El Paso County Water Master Plan (El Paso County February 2019) which outlines the water planning, demand, and supply analysis for the county water supply. The FRMW Project requires water usage limited to dust control during construction and minimal water usage during operations. Water required during construction will be supplied by the Wigwam Mutual Water Company located in Region 7 of the El Paso County providers. A water commitment letter has been included with the application (Attachment 44). A water line within the Wigwam Water District traverses the FRMW Project; the Applicant procured a tap for use during construction and operations. It is anticipated that the solar panels will require washing twice a year, requiring approximately 22,000 gallons (0.07 acre-feet) per year with no annual increase. Water required for O&M staff for drinking and sanitary uses will be minimal during operations, procured and stored in tanks associated with the O&M facility. The minimal water usage required for the FRMW Project therefore meets the goals and policies identified in the Water Master Plan.

### **4. Existing and proposed facilities, structures, roads, etc.**

#### *Existing Uses*

At present, existing transmission lines, a natural gas-fueled electric generation unit, the WAPA and PSCo substations, and country roads are located within the extent of the WSEO-20-1 boundary (Attachment 2).

### *Proposed Uses*

The FRMW Project would generate 100.2 MW AC, the same as approved, and include facilities located within the structure siting envelope identified in Attachment 2. Project facilities include solar panels, a substation, and METs. The WSE-O Plan (Attachment 2) shows the location of these facilities as well as the accessory uses which include collection lines (including an overhead transmission line and underground or overhead collection power lines), an operations and maintenance building and energy storage facility, and any other uses necessary to carry out the intent of the overlay zoning, including but not limited to DC to AC inverters associated with the solar array, medium voltage transformers, circuit breakers and disconnect switches, and a communications system that would interconnect from the new Project substation to the WAPA or PSCo substations. The collection lines lead to the FRMW Project substation and the FRMW Project substation is connected to the existing substation with an overhead transmission line as shown in the WSE-O Plan (Attachment 2). Internal access roads would be constructed between solar arrays and contained within the FRMW WSE-O Plan area.

The energy storage facility would be coupled to the solar facility through an AC electrical bus system. The energy storage will utilize battery technology to store the energy for later use. The system will be comprised of multiple, specially designed, cabinets that will be arranged on the site to house the batteries, inverters, and transformers. The energy storage facility will be located within the siting envelope.

Up to six laydown areas will be placed within the siting envelope identified in the WSE-O Plan. These laydown areas will be used during construction to place equipment and supplies as needed starting from grading until the final solar panels and overhead lines are completed. Laydown areas are located in areas where project infrastructure will be placed. Laydown areas will be restored and reseeded at the completion of construction.

### **5. Deferral and waiver requests (if applicable) and justification**

This Amendment for the FRMW Project does not request any modifications to the deferral and waiver requests from the approved WSEO-17-001. The WSEO-17-001 approval included the approval of two waivers: a waiver for the development impact mitigation agreement required in Section 4.3.5.D.2 of the LDC, and a waiver for the PPA required in Section 4.3.5 Procedures Manual, P-AR-083-11, 1.5 General Submittal List of the LDC. Text from the BoCC staff report for the April 24, 2018 BoCC hearing is included in Attachment 4: Waivers. BoCC staff did not require impact mitigation with the WSEO-17-001 due to the minimal, if any, impacts anticipated with the Project. A PPA for the FRMW Project is currently being negotiated. BoCC staff had no objection to the waiver request to defer the submittal of the PPA to the submittal of the Site Development Plan application.

### **6. The purpose and need for the change in zone classification**

No underlying zoning change is needed. The FRMW Project purpose remains the same: to construct a solar energy project to generate 100.2 MW to satisfy multiple local, state, and federal statutes including Colorado's RES statute (Section 40-2-124, C.R.S.) which requires 30% of retail energy sales to be derived from renewable generation by 2020 and thereafter from investor owned utilities and 10% for large municipal utilities.

### **7. The total number of acres in the requested area**

The amended WSE-O Plan area has been reduced from 1,170 acres to 939 acres as a result of removing five parcels totaling 231 acres from the Project (5720007001, 5720007002, 5720007003, 5720007004, and 5720000007). As a result, the FRMW Project WSE-O Plan area and structure siting envelope have changed.

### **8. The total number of residential units and densities for each dwelling unit type**

No residential units are included in this Major Amendment for the FRMW Project.

## **9. The number of industrial or commercial sites proposed**

The Applicant is proposing one solar energy generation facility including the principal and accessory uses listed herein to be located within the amended FRMW WSE-O Plan area (WSEO-20-1; Attachment 2).

## **10. Approximate floor area ratio of industrial and/or commercial uses**

The Siting Envelope encompasses all usable land within the amended FRMW WSE-O Plan area (WSEO-20-1), approximately 905 acres, and excludes land within 25 feet of exterior property lines; non-jurisdictional water features, and two cultural areas (5EP7625 and 5EP7632). FRMW Project design optimization has resulted in a shift in the PV solar panel array location and an overall reduction in the solar panel area (approximately 546 acres reduced to 477 acres). However, the layout of the Project facilities is preliminary and may shift within the siting envelope shown on the WSE-O Plan without an amendment to the WSE-O.

Design updates include an O&M building and an energy storage facility near the Project substation. The proposed O&M building will include two construction storage containers retrofitted with electricity and HVAC units for O&M staff. The containers will be up to 40 feet long by 8 feet wide and 8 feet in height. The O&M building is the only portion of the FRMW Project that would be occupied.

The energy storage facility area is approximately 365 feet by 175 feet, with room for multiple energy storage containers. The number of containers will depend on the model chosen. Typical size for the proposed model is approximately 24 feet long by 5 feet wide and 10 feet in height.

## **11. The number of mobile home units and densities**

There are no mobile home units included in this WSEO-20-1 Major Amendment for the FRMW Project application.

## **12. Typical lot sizes: length and width**

A lot line vacation application was recorded with the county clerk on August 11, 2020, reducing the number of lots located within the WSEO-20-1 from 28 to 10 lots. However, as of the date of this submittal, the county has not assigned a new Parcel ID for the lots combined in the lot line vacation. No further changes to lot sizes are planned to the existing lots within the amended FRMW Project WSE-O Plan area associated with this application.

## **13. Type of proposed recreational facilities**

There are no proposed recreational facilities included in this FRMW Project WSEO-20-1 amendment application.

## **14. If phased construction is proposed, how will it be phased**

Construction is not phased, and construction of the FRMW Project would occur in one phase until complete.

## **15. Anticipated schedule of development**

The FRMW Project construction schedule would be determined upon execution of a PPA. It is anticipated that construction would begin sometime in the fourth quarter of 2021 with a commercial operation date in late 2022.

## **16. How water and sewer will be provided**

Water would be required for dust mitigation during construction, and for washing panels during operations twice per year. A water line within the Wigwam Water District traverses the FRMW WSE-O Plan area. Water for the FRMW Project will be obtained from a water tap that the Applicant procured from the district. No new sewer utility line extensions would be required to be established for FRMW

Project construction or operations. Portable sewer facilities would be utilized during construction. The O&M building would not require connecting to water or sewer utilities, as the building will not be heavily used, therefore a water tank will be sufficient for potable water use and a septic tank will be installed for wastewater.

### **17) Proposed uses, relationship between uses and densities**

The approved WSEO-17-001 allowed principal uses include solar panels, substations, and meteorological monitoring devices. FRMW Project accessory uses include collection lines (including an overhead transmission line and underground or overhead collection power lines), maintenance facilities, and any other uses necessary to carry out the intent of the overlay zoning, including but not limited to DC to AC inverters, medium voltage transformers, circuit breakers and disconnect switches, and a communications system that would interconnect from the new FRMW Project substation to the WAPA or PSCo substation.

The amended FRMW Project (WSEO-20-1) includes the addition of an energy storage facility to balance out the power supply needs during times when the solar panels are not generating power. The energy storage facility is an accessory use to fulfill the intent of the WSE-O district.

An amendment is requested to the Dimensional Standards in the approved WSEO-17-001 district to increase the maximum height of the transmission pole, substation pole, and account for the additional structures, including the O&M building and energy storage facility.

### **18. Areas of required landscaping**

Formal landscaping is not required for the FRMW Project. Noxious weeds will be treated prior to construction and reseeding of native vegetation would occur where feasible following construction. Revegetation methods will likely include broadcast seeding and/or drill seeding a mix of native grasses. It is anticipated that weed stubble will secure seed in the topsoil following noxious weed treatment and mowing of the site. The exact method of revegetation is dependent upon the time of year at which construction begins. As such, specific revegetation methods will be detailed during the Site Development Plan phase. Operations would require regular mowing to prevent shading of the solar panels.

### **19) Proposed access locations**

Access to the site would occur from Rancho Colorado Boulevard, El Hambre View, and La Questa Drive. Permanent access roads within the FRMW WSE-O Plan area would be constructed to provide emergency access pursuant to LDC Section 4.3.5(B)(3) and movement through the site for regularly scheduled maintenance. Maintenance vehicles would park at the FRMW Project O&M facility or FRMW Project substation, if required, during maintenance activities. Otherwise, maintenance vehicles would park on private FRMW Project access roads, within the fence-line, to reach specific areas of the site. The Applicant will not permanently close El Hambre View.

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

No areas within the FRMW WSE-O Plan area would be set aside as open space. Project facilities may shift within the siting envelope, therefore no areas are designated as open space, as non-developable areas have been omitted from the siting envelope.

Attachments referenced above are listed below in Table 3 by numbers 1 through 4. Additional attachments 5 through 46 are requested by El Paso County as listed in EDARP. Revision notes for each attachment identifies if it has been updated for the Major Amendment application since approval of WSEO-17-01.

**Table 3. Amended FRMW Project WSEO-20-1 Application Attachments**

<b>Revised Attachments</b>	<b>Revision Note</b>
1. WSE-O Application Form (Type D)	Updated for new contact information
2. WSE-O Plan Amendment (WSEO-20-1) for the Front Range-Midway Solar Project	WSE-O Plan area reduced: Plan updated for FRMW Project details
3. Letter of Intent from WSEO-17-001 Application, dated February 23, 2018	No changes made to original submittal
4. Waivers approved April 24, 2018	Request that original approval applies to WSEO-20-1
5. Adjacent Property Owner Notification	Sent notices to updated adjacent landowner list August 2020
6. Authority to Represent	No revisions provided.
7. Drainage Report	Provided an amendment letter for new preliminary site layout with new calculations
8. Soils and Geology Report	No revisions provided
9. Legal Description (MS Word version)	Revised for FRMW WSE-O Plan area
10. Lighting Plan	Revised for new site layout and O&M facility
11. Maintenance Plan (MS Word version)	Updated for energy storage and O&M facility
12. Mineral Rights Certification	Updated mineral owner list; no changes to owners
13. Noise Study	Prepared noise study (not previously requested)
14. Noxious Weed Management Plan	No revisions provided
<del>15. Phasing Plan</del>	This Attachment is not needed as there is only one phase of-construction
16. Title Commitment	Updated for new ownership and leases within the FRMW WSE-O Plan area
17. Revised Transportation Memorandum	Revised for increased construction traffic due to energy storage and O&M building
18. Visual Impact Analysis	Provided revised KOPs 6 and 7
19. Wetlands Analysis Report/Wildlife Report/Natural Landforms, Vegetation, Riparian Analysis ("Wetlands, Waterbodies, and TES Report")	No revisions provided
20. Wildland Fire and Hazard Mitigation Plan	Updated for energy storage and O&M facility
21. Hanover Fire District Commitment Letter	Updated letter provided addressing amended FRMW Project.
22. Site Map (Proposed Use)	Revised for amended FRMW Project
23. Easements	Revised for amended FRMW Project
24. Applicant Comment Response Letter	Responses provided for Submittal #1 comments
25. Tower/Structure Removal Agreement ("Decommissioning Plan")	Updated for energy storage and O&M facility
26. Lease Agreements	Updated for FRMW WSE-O Plan area parcels
27. Photo Simulations	Provided new Key Observation Points 6 and 7 for amended site plan
28. WSE-O Overlay Map	Revised for amended FRMW Project
29. Operations Plan	Updated for energy storage and O&M facility
30. Power Purchase Agreement	Waiver requested as PPA is in negotiations
31. Interconnect Agreement	No revision provided
32. Floodplain Development Permit	No permit required
33. Proof of Liability Insurance	Revised for new contact info
34. State Air Quality Permit	No revision provided

<b>Revised Attachments</b>	<b>Revision Note</b>
35. US Army Corps of Engineer's Permit	Provided letter identifying all water bodies are non-jurisdictional; No permit required
36. Electromagnetic Interference Report	Report prepared (not previously requested)
37. Clearance Letter - USFWS	No revision provided
38. Clearance Letter - CPW	No revision provided
39. Determination of No Hazard from FAA	No revision provided
40. Haul Route Plan	No revision provided
41. Road Condition Survey	No revision provided
42. Physical Constraints Map	Revised for FRMW Project
43. Site Plan with Easements	Updated for FRMW Project Amendment
44. Water Company Commitment Letter	No revision provided
45. Application Form and Affected Boundaries Map	Revised for new contact info and new parcel ownership
46. Letter of Support Provided in 2017	Provided previous letters written in 2017

We appreciate your review of these Project details and look forward to hearing from you.

Sincerely,

*Scott Zeimetz*

Scott Zeimetz  
Front Range-Midway Solar Project, LLC, authorized person

