

**Front Range-Midway Solar Project, LLC**

422 Admiral Boulevard  
Kansas City, Missouri 64106  
savionenergy.com

June 18, 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

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). 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 Project design has been optimized resulting in changes to the Project boundary, layout and infrastructure. These changes were discussed with El Paso County Planning & Community Development Department (EPCPCDD) and at the agency's direction, the Applicant is requesting a Major Amendment for the following:

- FRMW Project boundary modification
- FRMW Project structure siting envelope modification
- FRMW Project dimensional standards modification
- FRMW Project additional infrastructure (operation & maintenance building and energy storage system)

The Major Amendment is being requested to address details for the FRMW Project only and separates the FRMW Project from other parcels within the WSEO-17-001 district.

This Letter of Intent (LOI) supports requested WSEO-17-001 Major Amendment for the FRMW Project.

### **Introduction**

The Applicant has completed the Type D Application Form (I-2C) for the WSEO-17-001 Major Amendment for the FRMW Project (Attachment I: Type D Application Form). Per WSEO-17-001, many of the FRMW Project details remain the same, including the Applicant's intent to construct, operate, and maintain a 100.2-megawatt (MW) photovoltaic solar energy generation facility. However, the FRMW Project no longer includes parcels 5720007001, 5720007002, 5720007003, 5720007004, and 5720000007. As a result, the FRMW Project boundary and structure siting envelopes have changed and will require modification. In addition, the FRMW Project design has changed and will require dimensional standard

modification and include additional infrastructure. The Major Amendment is being requested for the FRMW Project only, which includes 939 acres within the approved WSEO-17-001 of 1,170 acres. FRMW Project parcels that are owned or leased by the Applicant are identified in Attachment 2 (Wind/Solar Energy Overlay Plan (WSEO-17-001) for the Front Range-Midway Solar Project).

The facilities in the approved WSEO-17-001 included proposed solar panels, a project substation, and meteorological monitoring devices (METs). Project accessory uses included collection lines (including an overhead transmission line and underground 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 project substation to one of the adjacent substations (Western Area Power Administration [WAPA] or Public Service Company of Colorado [PSCo]).

The FRMW Project now includes details for the 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 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. Temperature control equipment will be 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 EPCPCDD during an Early Assistance meeting on November 12, 2019. During that meeting and in subsequent electronic mail correspondence dated December 2, 2019, EPCPCDD 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 is forthcoming and will be provided under a separate cover. Although no amendment is required for the energy storage facility, the Applicant is providing additional details on these accessory components to the county through this process.

This Major Amendment to WSEO-17-001 also includes additional details on a maintenance facility noted in the approved WSEO-17-001, an Operations & Maintenance (O&M) facility to be included in the FRMW Project. This O&M facility may require water and sewer services for which it would utilize a water tank or waterline tap and septic tank to serve O&M staff.

The FRMW Project transmission line will remain entirely within the FRMW WSE-O Plan structure siting envelopes and WSEO-17-001 district boundary, 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 some of the transmission line poles will need to be a maximum of 100-feet tall (10 feet taller than previously approved in WSEO-17-001) wood or steel poles with guyed supports and anchors on turning structures. The height of the power poles above ground level may vary based on ground conditions at each pole location.

The proposed Dimensional and Density Standards for WSEO-17-001 Major Amendment 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 interior lot lines was submitted to 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 60-foot tall dead-end structures where the terminus of the transmission line is supported with the surge arrester and post insulators. One pole with lighting mast and finial would be 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 of revised maximum heights to accommodate Project facilities, specifically an additional 10 feet for transmission lines and an additional 35 feet to accommodate a pole within the substation structure siting envelope connecting the transmission line to the substation. (see Table I below). 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 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.

**Table 1. Proposed Dimensional and Density Standards for WSEO-17-001 for the FRMW Project**

| 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 Line Poles (ft.) | Maximum Height of MET Stations (ft.) | Maximum Height of Inverter-Transformer Pairs (ft.) | Maximum Height of Project Substation Facilities (ft.) | 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 7 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 for the Site Development Plan, but still within Structure Siting Envelopes for the solar array.

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.

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 Plan Overlay District (WSEO-17-001) Major Amendment for the FRMW Project plan has been prepared in accordance with the El Paso County Development Services Department (DSD) requirements (Attachment 2).

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

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

## 2. Site Location, Size, and Zoning

### Site Location

The WSEO-17-001 is located in Sections 17, 20, 21 and 22, Township 17 South, and Range 65 West in El Paso County, Colorado. The WSEO-17-001 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 Plan is bounded on the west by county lands, an existing gas plant and by disperse 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 proposed WSEO-17-001 and amended FRMW WSE-O Plan consists of the parcels listed in Table 2.

**Table 2. Parcels located within the WSEO-17-001 District and FRMW WSE-O Plan**

| Parcel ID  | Zoning | Landowner   | Area <sup>1</sup> |
|------------|--------|---|-------------------|
| 5717007004 | RR-5   | El Paso County  | FRMW WSE-O Plan   |
| 5717007005 | RR-5   | El Paso County  | FRMW WSE-O Plan   |
| 5717007006 | RR-5   | El Paso County  | FRMW WSE-O Plan   |
| 5717007019 | RR-5   | El Paso County  | FRMW WSE-O Plan   |
| 5717007047 | RR-2.5 | Powell Homes LLC  | FRMW WSE-O Plan   |
| 5717007052 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5717008023 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5717008024 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001002 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001003 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001004 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001005 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001006 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001007 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001008 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001009 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001010 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001011 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001012 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001013 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001014 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001015 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5721001017 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5722001001 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5722001002 | RR-2.5 | Midway Development Company, Inc.                            | FRMW WSE-O Plan   |
| 5722001003 | RR-2.5 | Front Range-Midway Solar Project LLC                        | FRMW WSE-O Plan   |
| 5720000010 | RR-5   | U.S. Reclamation Service, U.S. Dept. of Interior, BOR       | FRMW WSE-O Plan   |
| 5720000003 | RR-5   | Public Service Co. of Colorado c/o Property and Local Taxes | FRMW WSE-O Plan   |

<sup>1</sup> Additional parcels (5720000007, 5720007001, 5720007002, 5720007003, and 5720007004) are not included in the FRMW WSE-O Plan but are included in the WSEO-17-001 district. FRMW WSE-O Plan is located within WSEO-17-001 district.

### Size

The approved WSEO-17-001 is approximately 1,170 acres. The amended FRMW WSE-O Plan area would be located on approximately 939 acres within WSEO-17-001 district. The FRMW Project structure siting envelopes include any area where FRMW Project facilities can be sited.

### *Zoning*

The majority of the FRMW WSE-O Plan area is zoned RR-2.5 (Residential Rural; Attachments 1 and 2). Parcels are generally a minimum of 2.5 acres in size within this zoning designation. Land to the northwest of the WAPA and PSCo substation is zoned RR-5 (Residential Rural); RR-5 zoned parcels generally must be a minimum of five-acres in size.

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

The purpose of the FRMW Project is 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.

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

#### *Existing Uses*

At present, existing distribution lines, a natural gas-fueled electric generation unit, the WAPA and PSCo substations, and country roads are located within the extent of the WSEO-17-001 boundary (Attachment 2).

#### *Proposed Uses*

The FRMW Project located within the WSEO-17-001 would include facilities located within the structure siting envelopes identified in Attachment 2. Project facilities include solar panels, a project substation, and METs. Accessory uses would include collection lines (including an overhead transmission line and underground collection power lines), an operations and maintenance facility, 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 Project substation to the WAPA or PSCo substations. Internal access roads would be constructed between solar arrays and contained within the FRMW WSE-O Plan area.

An 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.

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

This WSEO-17-001 Major Amendment for the FRMW Project application has no changes 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 zoning change is needed as the FRMW Project is located within WSEO-17-001. The FRMW Project purpose remains the same: to construct a solar energy project 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 WSEO-17-001 is approximately 1,170 acres; and the FRMW Project located within the WSEO-17-001 is approximately 939 acres. The FRMW Project no longer includes the following parcels: 5720007001, 5720007002, 5720007003, 5720007004, and 5720000007. As a result, the FRMW Project WSE-O Plan boundary and structure siting envelopes have changed and will require modification.

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

No residential units are included in this WSEO-17-001 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 approved WSEO-17-001 district (Attachment 2).

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

The structure siting envelope for the O&M facility includes a graveled parking area and room for two containers which contain electricity and HVAC systems for O&M staff. The size of containers will vary with the model chosen, with a typical preliminary model of approximately 20-feet by 8 feet. The structure siting envelope is approximately 140-feet by 54 feet. This is the only facility that would be occupied. The graveled structure siting envelope for the un-occupied energy storage facility is approximately 350-feet by 145 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 28-feet by 5 feet.

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

There are no mobile home units included in this WSEO-17-001 Major Amendment for the FRMW Project application.

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

There are no new proposed lots being created in this WSEO-17-001 Major Amendment for the FRMW Project application. Any future lots would be subject to underlying zoning standards.

**13. Type of proposed recreational facilities**



There are no proposed recreational facilities included in this WSEO-17-001 Major Amendment for the FRMW Project 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 FRWM 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**

No new water or sewer utility line extensions would be required to be established for FRMW Project construction or operations. 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. 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 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 WSEO-17-001 Major Amendment for the FRMW Project 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.

**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.

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. WSEO-17-001 Major Amendment for the FRMW Project Application Attachments**

| Revised Attachments   | Revision Note  |
|---|--|
| 1. WSE-O Application Form (Type D)  | Updated for new contact information  |
| 2. Wind/Solar Energy Generation Overlay (WSEO-17-001) for the Front Range-Midway Solar Project  | WSE-O boundary unchanged: 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 from WSEO-17-001 approval letter dated April 24, 2018  | No changes made to original approval   |
| 5. Adjacent Property Owner Notification   | Updated adjacent landowner list; will resend notices when hearing is scheduled   |
| 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; will resend notices when hearing is scheduled  |
| 13. Noise Study   | Prepared noise study (not previously requested).   |
| 14. Noxious Weed Management Plan  | No revisions provided.   |
| 15. Phasing Plan  | Provided (not previously requested)  |
| 16. Title Commitment  | Updated for new ownership and leases within the FRMW WSE-O Plan area   |
| 17. Traffic Impact Study  | Revised for increased construction traffic due to energy storage and O&M building  |
| 18. Visual Impact Analysis  | No revisions provided  |
| 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   | WSEO-17-001 commitment letter attached. Updates to the FRMW Project have been coordinated with Hanover Fire District and a new commitment letter is forthcoming. |
| 22. Site Map (Proposed Use)   | Revised for FRMW Project   |
| 23. Easements   | New ALTA survey completed  |
| 24. Applicant Comment Response Letter   | Previous responses provided.   |

Front Range-Midway Solar Project, LLC  
WSE-O Major Amendment  
June 18, 2020

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| 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  | No revisions provided.                                |
| 28. WSE-O Overlay Map  | Revised for 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                                  |
| 35. US Army Corps of Engineer's Permit                         | 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                                   | No revision provided                                  |
| 43. Site Plan with Easements                                   | Updated for FRMW Project                              |
| 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 previous letters                             |

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

Sincerely,



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