

January 24, 2018

Ms. Kari Parsons
Project Manager
El Paso County Planning and Community Development Department
2880 International Circle
Colorado Springs, CO 80903

RE: Comment Response for Front Range-Midway Solar Project, LLC Application for a Wind/Solar Energy Generation Overlay (WSEO), Submittal #1,

Dear Ms. Parsons,

Front Range-Midway Solar Project, LLC (Project Company) is pleased to submit the revised sections of the Front Range-Midway Solar Project (Project) application for a Wind/Solar Energy Generation Overlay (WSEO), submittal #1. The revisions to this application address the review comments provided by the El Paso County (EPC) Planning & Community Development on November 27, 2017. All comments provided in the letter and the Project's response or a reference to Project's response within the WSEO application are listed below.

EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

A neighborhood meeting is suggested. If the applicant has conducted one provide date, location, time, and number of attendees.

Response: The Project Company previously held a community meeting on September 13, 2017 at the Prairie Heights Elementary School. At least 26 members of the community were in attendance. An additional community meeting will be held at the same location on January 31, 2018 at 5:30 p.m.

Planning

Mineral Certification

1. Provide the certified mailing receipt proving notification of the mineral holder(s).
The certified mailing receipts proving notification of the mineral holders are provided in Attachment S.

Letter of Intent -Consistency with El Paso County Master Plan (Policy Plan) & South Central Comprehensive Plan

1. Future regional County trails are appropriate to discuss at this time with Parks, Jason Meyer at EPC Parks.

Response: The EPC comment is noted. The Project will coordinate with Jason Meyer at EPC Parks.

2. The South Central Comprehensive Plan does not have sub areas but rather identifies "planning districts" within its boundary. Please update discussion to identify the planning district and the district's relative goals and policies.

Response: The Project is located within the SCCP District 8: The West Area. The WSEO Letter of Intent (LOI) has been updated to include a discussion of how the Project is consistent with the relative goals and policies as applied to the unique characteristics of the West Area. Please see WSEO Section CPP 1.0 Small Area Plans and CPP 15.0 Land Development Regulations.

3. Clearly separate the discussion relative to the Policy Plan versus the South Central Comprehensive Plan. They are two (2) separate plans.

Response: The discussion in the WSEO LOI has updated to clearly identify the CPP and SCCP as component plans of the EPC Master Plan.

4. Transportation paragraph on page 12 may need to be modified pending haul route survey of condition of roads. How are you accessing the northern and northwestern properties? Public roads are a viable access point. Are the remaining solar arrays accessed from El Hambre only?

Response: The haul route survey was completed on December 13, 2017 and has been uploaded to the EDARP. Based on the identified poor existing road conditions, and minimal impact expected to roads, the discussion in the WSEO LOI Transportation paragraph has been updated to indicate the Project has requested a waiver of a Development Impact Mitigation Agreement and associated fees and condition of approval concerning roads. A discussion of site access via Rancho Colorado Boulevard, El Hambre View, La Questa Drive, and project access roads was added. Haul Route Map (Attachment F) was also updated to specify turn-around locations.

5. Note: A general location of facilities may be necessary at the WSEO level to verify solar arrays and related apparatuses are not within an area to be drainage capture. These should be identified on the WSEO plan. It is appropriate to state that you will re-vegetate the area disturbed in this section of the LOI.

Response: The discussions in the WSEO LOI Section CPP 2.5 Wetlands, CPP 3.0 Water Resources, and CPP 11.0 Drainage and Flood Protection were updated to address this comment. In addition, a Front Range-Midway Physical Constraints Map (Attachment T; Optional Document) has been created to demonstrate that Project infrastructure would avoid areas of drainage capture, including the significant drainage areas on the north central portion of the site that is a headwater to a tributary of Fountain Creek.

6. Visual Quality and land use Compatibility do not identify buffers, setbacks, fencing adjacent to residential homes or lots. This should be discussed.

Response: The discussion in WSEO LOI Sections CPP 6.0 Land Use, Policy 6.1.8, and CPP 9.0 was updated to address this comment.

7. Add a physical description of the solar arrays, meteorological towers, underground distribution lines, etc... (max height) which aids in compatibility and reduction in visual impacts. A buffer or setbacks from residential homes is appropriate to be discussed here. Add battery storage. Page 19 (no. 17)

Response: The discussion in the WSEO LOI Section SCCP 6.0 Special Facilities/Utilities, Policy 6.12 was updated to describe physical description of facilities and setbacks between solar arrays and residential areas. The discussion in SCCP 6.0, Policy 6.13 was updated to address how applicant will work with residents on any potential visual concerns. The Project does not include battery storage and for that reason, the applicant has not included battery storage as a proposed use in this WSEO application.

Letter of Intent- General

8. Identify proposed facilities for each phase. Identify acreage and approximate construction schedule for each phase.

Response: There are no proposed phases. Construction would occur in a single phase. Construction is expected to begin in 2018, after a Power Purchase Agreement is in place and all necessary permits and approvals have been obtained. Project construction will take approximately nine months to complete.

9. Edit the dimensional, use, design standards in the LOI. They do not correspond to the real uses proposed. They correspond to residential development. Identify each component and specify standards please. Approval of a 40' tall maximum solar panel may be difficult.

Response: The WSEO LOI Table I, which originally included the dimensions standards for the underlying zoning district only, was updated to include the proposed dimension standards for the Project WSEO District. Maximum proposed heights for solar arrays, MET stations, Transmission line poles, and inverter-transformer pairs are provided.

10. Discuss, the anticipated phases.

Response: There are no proposed phases. Construction would occur in a single phase.

11. What is "gen-tie?" Please spell that out most readers may not know what that is.

Response: The gen-tie line is the project transmission line. The WSEO LOI was updated to state transmission line instead of gen-tie line.

12. Please provide a brief state what the special uses are approved for.

Response: Discussion updated to remove the term "special use" since the project, and all ancillary facilities, would be approved under a WSEO, and NOT a special use permit.

13. Incorporate a statement regarding how you will re-vegetate after construction. The letter of intent should be revised to include a cross reference to the Noxious Weed Management Plan.

Response: The WSEO LOI was updated to include a discussion of revegetation methods in Section SCCP 1.0 Natural Systems, (18) Areas of required landscaping, and CPP 2.4 Noxious Weed Control and Revegetation, which refers to the Noxious Weed Management Plan (Attachment G).

14. Are there no parking spaces for maintenance vehicles?

Response: Parking spaces for maintenance vehicles have been addressed in an update to WSEO LOI Section (19) Proposed access locations. Maintenance vehicles would park at the project substation, if required, during maintenance activities. Otherwise, maintenance vehicles would park on private Project access roads to reach specific areas of the site.

15. The letter of intent should be revised to include a cross reference to the Emergency Response Plan.

Response: The WSEO LOI includes a cross reference to the ERP under CPP Policy 6.1.10. Do we need additional references? If so, please indicate where such cross-references are needed.

16. PLACE HOLDER PENDING HAUL ROUTE SURVEY Request a waiver for a Development Impact Mitigation Agreement (Development Agreement) in the LOI, as there are minimum required public improvements to be completed. Impacts to County roadways are expected to be minimal with construction and operation of facility.

Response: A haul route survey was conducted on December 13, 2017 and submitted as an Optional Document on EPC Electronic Development Application Review Program (EDARP). The road conditions were generally poor and road impacts are expected to be minimal. As a result, a request for waiver of the requirement for the Development Impact Mitigation Agreement has been submitted. The WSEO LOI was updated to include a discussion of the waiver and the survey. In addition, the WSEO LOI was updated to include a discussion of site access via Rancho Colorado Boulevard, El Hembra View, La Questa Drive, and Project access roads.

17. Add the waiver request for the power purchase agreement.

Response: The waiver request for the power purchase agreement was submitted as an Optional Document on EDARP, and added to WSEO LOI (5) Deferrals and waiver requests (if applicable) and justification.

Decommissioning Plan

I. Please note that staff will propose the following conditions of approval:

- a. "At least six (6) months prior to the initiation of decommissioning activities, Developer shall prepare a Project Decommissioning and Site Restoration Plan ("PDSRP") prepared in sufficient detail to identify, evaluate, and resolve all major deconstruction, environmental, hauling, and public health and safety issues reasonably anticipated by the Developer on the date thereof and submit the same to the County for review and approval. The PDSRP shall describe the process that will be used to evaluate the options and select the measures that will be taken to restore, reclaim, or preserve the Project site and to otherwise ensure the protection of the public against risks or dangers resulting from the Project decommissioning. The PDSRP shall address provision for funding or bonding arrangements to meet the Project site restoration or

management costs and it shall include an estimate of market value of the equipment and salvage value of all other equipment and materials that do not have value at resale.”

Response: The EPC comment is noted. The Project will comply with EPC decommissioning requirements.

- b. “Developer shall provide notice to the Development Services Department of the date of initial delivery of power to the existing utility distribution system within 30 days of such date.”

*Response: The ECP comment is noted; however, the Project is requesting the following change in bold to the condition: “Developer shall provide notice to the Development Services Department of the date of initial delivery of power to the existing **transmission** system within 30 days of such date.”*

- c. “Developer, its successors or assigns, as the case may be, shall provide financial assurances sufficient for Decommissioning costs in the form of a performance bond, guaranty or letter of credit, or cash to ensure the availability of fund for such costs to El Paso County no later than the beginning of year twenty (20) following the date of initial delivery of power. An updated engineering estimate of the amount of the decommissioning costs shall be provided by the Developer to the County at least sixty (60) days and no sooner than ninety days prior to providing financial assurances to the County. If decommissioning should occur prior to year 25, an updated engineering estimate of the amount of the decommissioning costs shall be provided by the Developer to the County at least 60 days and no sooner than 90 days prior to the start of decommissioning activities.”

*Response: The ECP comment is noted; however, the Project is requesting the following change in bold to the condition: “Developer, its successors or assigns, as the case may be, shall provide financial assurances sufficient for Decommissioning costs, **less the salvage value**, in the form of a performance bond, guaranty or letter of credit, or cash to ensure the availability of fund for such costs to El Paso County no later than the beginning of year twenty (20) following the date of initial delivery of power. An updated engineering estimate of the amount of the decommissioning costs shall be provided by the Developer to the County at least sixty (60) days and no sooner than ninety days prior to providing financial assurances to the County. If decommissioning should occur prior to year 25, an updated engineering estimate of the amount of the decommissioning costs shall be provided by the Developer to the County at least 60 days and no sooner than 90 days prior to the start of decommissioning activities.”*

Natural Landforms Report / Environmental Assessment Report

- I. The US Department of Energy has provided a letter stating additional action is not required as the interconnect and solar project should not result in significant action to the environment or quality of the human environment. A FONSI (a Finding of No Significant Impact has been determined.

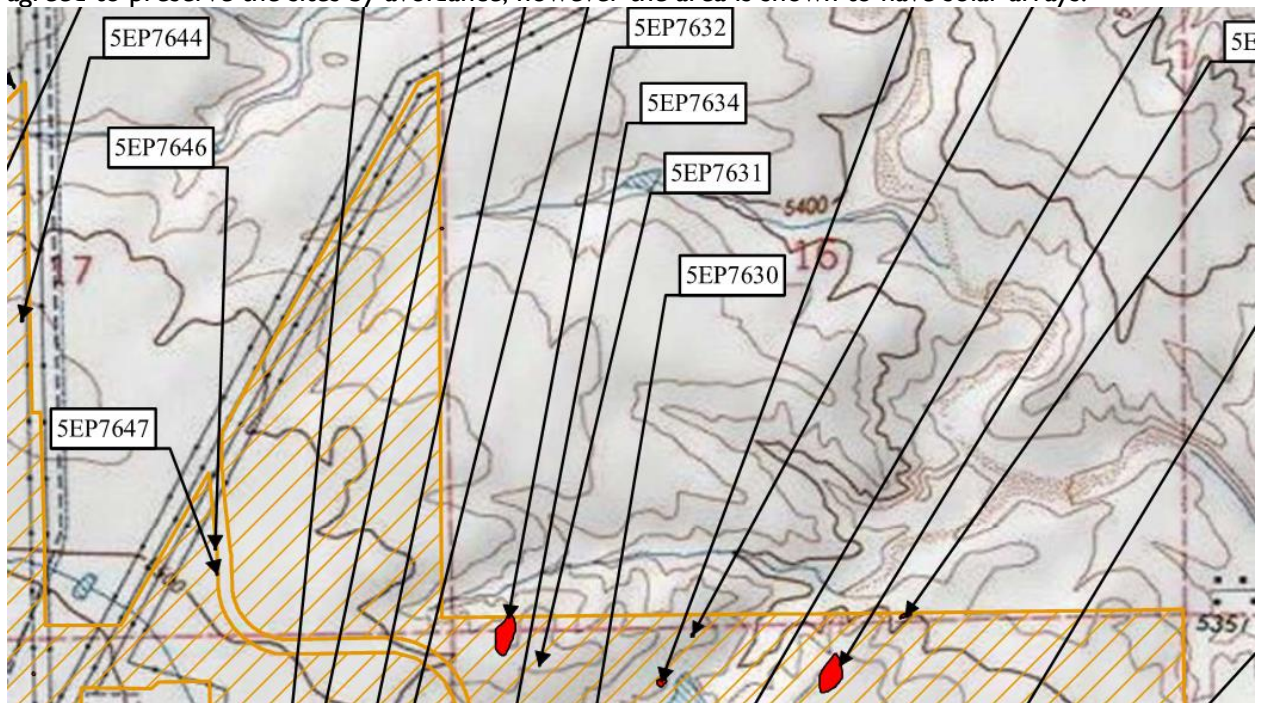
Response: The EPC comment is noted.

2. At the time of the Site Development Plan the wetlands shall be clearly labeled and measures of avoidance clarified.

Response: The EPC comment is noted. In addition, has prepared a Physical Constraints Map (Attachment T; Optional Document) that depicts water features to be avoided..

Cultural Resources Report

1. Two class III cultural sites (prehistoric) were identified within the project boundary area. [lithic reduction locale, surface assemblage is fragmented- moderate potential for buried cultural materials] The State Historic Preservation Officer (SHPO) and [Front Range-]Midway Solar have agreed to preserve the sites by avoidance; however the area is shown to have solar arrays.



Identified sites to be avoided



Applicant is showing solar arrays on site

2. The sites (5EP7625 and 5EP7632) identified in the September 2016 final environmental assessment are located at the northern portion of the property east of La Questa as depicted above. A letter from the SHPO has been provided. If avoidance cannot be adhered to further excavation would be necessary, please provide further documentation.

Response: Preliminary design has been updated to avoid the potential archeological sites identified in the Class III Cultural Resources Inventory and recommended for avoidance. Please see updated Site Plan (Attachment M), which depicts avoidance of archeological sites. All other Attachments show avoidance of these sites, including the WSEO Plan.

Traffic Report

1. Haul route survey required. An agreement may be necessary to restore the roads to the current condition or better based on the trip generation. Further comments to be provided after review of survey. This may impact the LOI language that summarizes no impacts to roads. Significant (500-600) trips per day-construction traffic is shown.

Response: A Haul Route Survey was conducted on December 13, 2017. The survey and updated traffic report were submitted on EDARP. Due to the poor condition of roads noted and minimal impact expected, the Project is requesting a waiver of the requirement of a Development Impact Mitigation Agreement and condition of approval concerning roads. In addition, the WSEO LOI CCP 9.0 has been updated to include a discussion of site access via Rancho Colorado Boulevard, El Hembra View, La Questa Drive, and project access roads.

The Geotechnical Report

1. The geotechnical report prepared by Terracon should include a map identifying drainage ways, constraints and hazards to be avoided. A defined drainage channel runs through the site. Identify that the channel is not be impacted or if it, provide a reference to the drainage report.

Response: The applicant has prepared a Physical Constraints Map (Attachment T; Optional Documents) depicting drainage ways, constraints, and hazards to be avoided. This map depicts avoidance of the defined drainage in the north central and southern portion of the project, as well as stock pond.

Potential archaeological sites to be avoided are also depicted and shown as avoided on the Physical Constraints Map.

Wildlife Impact

1. The wildlife impact assessment was provided directly to the US Department of Interior for review and comment by both the applicant (2014). The agency provided a standard recommendation for underground transmission lines whenever possible to prevent electrocution of raptures. The standard recommendation for construction activity outside of typical breeding season for migratory birds was made. The agency also recommended that prairie dog surveys are conducted prior to construction to avoid active colonies.

Response: The EPC comment is noted and WSEO LOI Section CPP 2.3 Wildlife and Vegetation Impacts has been updated to include a discussion of the additional correspondence between the Project and CPW to coordinate on the agency's requests and recommendations.

2. A habitat assessment is required at the Site Development Plan stage prior to construction.

Response: The EPC comment is noted. A habitat assessment has been completed for the Project site and was included as part of the initial WSEO LOI submittal at Attachment D. Additional pre-construction wildlife habitat surveys will be conducted and provided at the Site Development Plan stage.

Lighting Plan

1. Please provide a drawing identifying the location of the permanent lighting and verify that 0.1 or less lumens will be projected at property lines. This is to verify that light rays will not impact adjacent properties.

Response: The Project lighting memo has been updated to include a statement that 0.1 lumens or less would be projected at property lines. In addition, a preliminary lighting plan has been prepared depicting the proposed location of Project lights. The lighting plan is included in the lighting memo, which will be submitted on EDARP. The WSEO LOI Section CPP 12.0 Other Services and Utilities has been updated.

Visual Analysis

1. A solar glare hazard analysis was completed. The months of April through September indicated a low potential for temporary after-image glare for less than an hour interval in the morning (6-7) and evening (1700-1800). Overall the study concluded "NO-Glare."

Response: The EPC comment is noted.

2. The visual impacts to adjacent properties are anticipated to be minimal based on the photo simulations provided except on the northwest and northern portions of the property. Please reach out to those neighbors (observation point 4). The lots on Moab and Van Whey Court are sandwiched by panels. An opaque fence may be appropriate to mitigate the impacts. Please contact the developer. Staff suggests applicant confirm there is no request for opaque fencing to

mitigate the visual impacts to the residential homes immediately across from the panels along Boca Raton Road. This is to prevent concerns at the hearing.

Response: The Project Company voluntarily held a community meeting at the Prairie Heights Elementary School on September 13, 2017. At least 26 members of the community were in attendance. Visual impacts were not identified as a concern during that meeting; however, the Project Company will hold an additional community meeting at the same location on January 31, 2018 at 5:30 p.m. to address potential landowner concerns. The EPC Planning and Community Development Department will be invited to the meeting and is encouraged to attend. To date, no request has been made to the applicant by adjacent neighbors or the adjacent residential project developer for opaque fencing to be installed at the Project site. The Project will coordinate with landowners to mitigate reasonable concerns identified.

3. The existing substations, transmission lines are fixtures on the horizon and the additional meteorological towers do not appear obvious.

Response: The EPC comment is noted.

Title Commitments

1. A map or key should identify which commitment is referencing which property with the second submittal of the WSEO. Easements should be depicted on a map to ensure no structures are placed over.

Response: A site plan depicting current easements was created and will be submitted on EDARP as an Optional Document.

2. Do you have letters or emails from the easement holders identifying construction of solar arrays and associated uses as supported use? Multiple roads, transmission lines, William T. Ward, phone, FV conduit, and private access easements are identified in the commitments.

Response: The Applicant requests that easement crossing agreements be provided to EPC prior to the ground disturbance of each crossing. The waiver and deferral request is described in (5) of the WSEO LOI. This will be noted in the Site Development Plan. Since easement crossing agreements can require extensive and lengthy coordination with the easement holder, this condition will ensure that the necessary agreements are in place prior to each easement crossing without delaying the overall construction for the Project. A site plan depicting the location of current easements on the Project is included with this submittal as an Optional Document.

3. The commitments are not all within the last 30 days of submittal. At time of Site Development Plan submittal, update commitments should be provided.

Response: Updated title commitments will be obtained and submitted within 30 days of the scheduled BoCC hearing for WSEO rezoning by the Project, as directed by EPC.

Haul Route Map, Site Map and WSEO Plan

See red lines

Engineering Division

Planning and Community Development (PCD) Engineering reviews plans and reports to ensure general conformance with El Paso County standards and criteria. The project engineer is responsible for compliance with all applicable criteria, including other governmental regulations. Notwithstanding anything depicted in the plan in words or graphic representation, all design and construction related to roads, storm drainage, and erosion control shall conform to the standards and requirements of the most recent version of the relevant adopted El Paso County standards, including the Land Development Code (LDC), the Engineering Criteria Manual (ECM), the Drainage Criteria Manual (DCM), and the Drainage Criteria Manual Volume 2 (DCM2). Any deviations from regulations and standards must be requested in writing and approved by the ECM Administrator. Any modifications necessary to meet overlooked criteria after-the-fact will be the developer's responsibility to rectify.

The following are Engineering Division comments regarding the submitted documents for the subject application. A written response to all comments is required for review of the re-submittal. Additional comments may be generated on items added or altered after the original comments.

General comments:

PLEASE NOTE: Comments in the Drainage report may affect the geotechnical report and vice versa. Comments from the traffic report and the haul road summary may also affect other documents.

- I. Lighting Plan: a photometric plan is required.

Response: A preliminary lighting plan has been prepared and will be submitted on EDARP as a part of the lighting memo.

2. Drainage Report: Preliminary comments for the submitted drainage report include, but not limited to the following (a detailed review will be conducted when the following items are addressed):

- a. Please change all references to City of Colorado Springs to El Paso County.

Response: The preliminary drainage report prepared for the Project has been revised as requested.

- b. Section III.E states no WQ, while section IV.C states that there will be WQ. You are providing FSD, please clean up text.

Response: The Preliminary Drainage Report prepared for the Project has been revised to reflect the need for Water Quality. The Project is requesting that an "access right" be granted to the County in lieu of an access easement and is detailed in WSEO LOI (5). We understand that the county requires access to those detention ponds, but since the site is energized there is a safety concern that prohibits granting unlimited access. The proposed "access right" would grant the County access to the site through a process

beginning with contacting a designated site operator. The site operator would meet the County personnel on site and provide an escort to the detention pond of concern. During a stormwater emergency event, the County could access pond facilities within the fence through coordination with an emergency responder.

- c. All proposed ponds will need all components, for both construction and paperwork, to include but not limited to proof that the information has been sent to the state for a NJ impoundment, SDI worksheets, maintenance agreements, O&M manuals, etc.

Response: The EPC comment is noted. All pond design information and calculations will be provided with the final construction documents.

- d. Please describe, as outlined in the DCM v. 2, the 4 step process as it relates to WQ. E. Address drainage fees and state if or if no public infrastructure is anticipated.

Response: The four-step process has been referenced in the preliminary drainage report and will be described in more detail in the final drainage report.

- e. The plan should include the roads and their name, any named drainage ways, your site/property vs. 'others' property (please clearly call out the extent of your site's parcels), label all adjacent properties with the owner or platted name, provide a naming convention for all ponds.

Response: Applicable road names and aforementioned features have been labeled on the Project Haul Route Map found in Attachment D. No existing named drainage ways are located on-site.

- f. In general additional information should be provided for the ponds. Please discuss that they are EDB's how many, who is to own and maintain, etc.

Response: Additional information has been added to the preliminary drainage report. Additional detailed design information will be provided in the final drainage report.

- 3. The Final Geotechnical Study submitted concurrent with the Site Development Plan will need to address the roads and pond embankments per DCM vol 2 Design Procedure and Criteria for an EDB in chapter 4. Provide and discuss geotechnical and dam analyses as appropriate for the proposed detention ponds. For non- jurisdictional (class III / IV dam) pond embankment criteria see DCM Sections 6.6, 11.2.2, 11.3.3, Attachment A (Chapter 11) and ECM Appendix C. Provide appropriate information and state approvals/proof of submittal as applicable. The main items of concern are materials specifications (on-site or import), foundation key-in and compaction requirements, cutoff walls and collars. If high groundwater or poor soils conditions exist, address those specifically. See planning comments above.

Response: These items will be addressed at the Site Development Plan phase.

4. At the Site Development Plan stage the following will be required: Grading and erosion control plan, financial assurance estimate form, ESQCP.

Response: The EPC comment is noted. Compliance is forthcoming.

5. Traffic Impact Study:
 - a) What is the anticipated routine site-generated traffic and which roads will be primarily utilized?

Response: The routine site-generated traffic is outlined in the Transportation Memo, Haul Route Plan, and Traffic Data Collection (Attachment F).

- b) Show proposed access points from the public/private road network to the site access roads.

Response: The Haul Route Plan (Attachment F) has been updated to show proposed access points from the public/private network to the site access roads.

- c) Correct the road names on any maps that may be incorrect (Boca Raton Heights / El Hembra View).

Response: Road names have been corrected in the Transportation Memo, Haul Route Plan, and Traffic Data Collection (Attachment F).

- d) Are any improvements to El Hembra View, Boca Raton Heights, or Rancho Colorado Blvd proposed?

Response: No improvements to aforementioned roads are proposed.

- e) If La Questa Drive will not be utilized north of the site access point, add such statement to the relative reports and haul route plan.

Response: The Haul Route Map has been updated to indicate that La Questa Drive will not be utilized north of the Project site.

6. Haul Route Map: Please provide more detail on the haul routes all the way to each portion of the site. Identify where the haul route is on a public road, private road, or your property (with or without easements). Please provide a pre-condition road assessment for all roads as they are today. Please label all road names on the plan, and identify extents of the property and property owners of all properties affected. Note, a post construction assessment will also be required at the end of the project.

Response: The Haul Route Map has been updated with additional information including, but not limited to: property lines and ownership information. A Site Plan with Easements has been uploaded to EDARP as an Optional Document.

FOUNTAIN

The City of Fountain will be providing this this referral to our Planning Commission for comments at the December meeting. Comments will be provided after that.

Response: The City of Fountain comment is noted. City of Fountain comments are addressed on page 18 of this letter.

EL PASO COUNTY COMMUNITY SERVICES DEPARTMENT ENVIRONMENTAL

The El Paso County Environmental Division has completed its review of the above reference project. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

We have reviewed the submittal and have no further comments at this time.

The applicant is hereby on notice that the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service have regulatory jurisdiction over wetland and threatened and endangered species issues, respectively. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable county, state, and federal laws and regulations, including, but not limited to, the Clean Water Act, Endangered Species Act, Migratory Bird Treaty Act, Colorado Noxious Weed Act and El Paso County Weed Management Plan.

We appreciate the opportunity to comment on this project. If you have any questions or concerns, please contact me at (719) 520-7879.

Response: The EPC Environmental Division comment is noted. The applicant will comply with all applicable county, state and federal laws and regulations.

COLORADO DEPARTMENT OF TRANSPORTATION –PUEBLO OFFICE

I am in receipt of a referral request for comment on the subject plan referral. The Department understands that the Project encompasses approximately 1,170 acres in El Paso County (EPC), Colorado. The Project is located west of Interstate-25 approximately 20 miles south of downtown Colorado Springs. The Project is bounded on the west by county lands and by disperse residential development to the northwest and southwest, by rangeland to the north, by a gravel pit to the east, and by the Midway Waste Management Landfill to the south. CDOT recognizes that the project includes

various structures to be delivered through a haul route off of Interstate 25 at exit 119. Our comments are as follows:

- a. The Region 2 Traffic Unit has reviewed the May 2, 2017 Traffic Memorandum Draft from LSC Transportation Consultants, Inc. and notes the only traffic impacts to State Highway 25 will be minimal during the initial haul route for site construction.
- b. The Region 2 Hydraulics Unit has reviewed the June 30, 2017 Final Drainage Report from Core Consultants, Inc. and finds the report acceptable.
- c. On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Mr. Todd Ausbun at (719) 696-1403 for any questions regarding advertising devices.
- d. Any utility work within the state highway right-of-way will require a utility permit from CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Ausbun.

Please contact me in Pueblo at (719) 562-5537 with any questions.

Andrew Lewis
Asst. Access Manager

Response: CDOT –Pueblo Office comments have been reviewed and noted. All applicable permits and approvals will be obtained prior to commencing construction.

911 AUTHORITY –EL PASO/TELLER COUNTY

No action for 911 -No new street names requested Justin Annan

Response: 911 Authority – El Paso/Teller County comments have been reviewed and noted.

MOUNTAIN VIEW ELECTRIC ASSOCIATION

Mountain View Electric Association, Inc. (MVEA) has these comments about the following:

Project Name: Front Range-Midway Solar Energy Facility Project Number: WSEO-17-001

Description: Approval is being requested for a 100.2 MW photovoltaic solar energy generation facility in El Paso County. This project is located across several parcels totaling approximately 1170 acres in Section 17, 20, 21 and 22,

Township 17 south, Range 65 West.

This area is within MVEA certificated service area. MVEA will serve this area with start-up power and any additional power as needed. The necessary lines will be constructed according to our extension policy. Connection requirements may include provisions for necessary line extensions and or other system improvements along with easements, and payment of all fees under MVEA line extension policy. Information concerning these requirements can be obtained by contacting the Engineering Department of MVEA.

MVEA has existing facilities near and within these parcels of land. If there is any removal or relocation of facilities it will be at the expense of the applicant and a review of easements will be required in order to serve.

If additional information is required, please contact our office at (719) 495-2283.

Sincerely,

Cathy Hansen-Lee
Engineering Administrative Assistant

Response: MVEA comments have been reviewed and noted.

HANOVER FIRE PROTECTION DISTRICT

We would like them to address the road impacts for not only the Residents but for the Emergency Responders so that we have access to this community regardless if they are County or Private Road? We would like to see how they are going to address the limit access issues when the community main access becomes impassible and will no doubt interfere with this construction of this project. There is no mention of Private Roads that may be temporary or permanently closed or what impact that it will have on the access for the Residents or emergency responders. There is no mention to what Private Roads they are going to be using for their Haul Routes. Would like to make sure that the materials that they will be using to improve the Haul Routes will not hinder emergency responders (IE) law enforcement due to the type of vehicles they use. What long term maintenance of the Haul / Private Roads are they going to do if any so they have access to conduct their routine maintenance program. We would like to make sure that the Private Roads are left at least in the standard that they are in now or better. We would like to have at least 2 fire hydrants in the area that we have access to year around.

Response: The Project has responded to the requests of Hanover Fire District and has received a letter from the district that it is satisfied with the response. This correspondence will be submitted on EDARP under Optional Documents and Attachment M.

EL PASO COUNTY PARKS

The Planning Division of the Community Services Department has reviewed the WSEO application for the Front Range-Midway Solar Project and has the following comments of behalf of El Paso County Parks.

The El Paso County Parks Master Plan (2013) shows the proposed Fountain Creek West Regional Trail located immediately west and adjacent the subject property, following the Boca Raton Heights right-of-way. The property is not located within any Candidate Open Space Areas, although the Fountain/Jimmy Camp Creeks Candidate Open /space, as well as the Widefield/Fountain Candidate Open Space, are located approximately 0.25 mile east of the easternmost portion of the property.

In 2016, El Paso County Parks staff reviewed a similar WSEO application, located approximately 1 mile north of this current application. Through the review process and discussions with that applicant, it was determined that trail access was not feasible across the applicant's property, due primarily to security concerns and federal regulations restricting public access into power generation facilities. El Paso County Parks staff understands the basis for the federal regulations, and respects the applicant's need for security.

El Paso County Parks requests dedication of trail easements or other mitigation as allowed by the Land Development Code and applicable procedures if the El Paso County Parks Master Plan (an element of the County's statutory Master Plan) identifies a trail, route, open space, or park facility with the project area. Normally, El Paso County Parks would request dedication of a trail easement to facilitate construction of the regional trail, however, the width of the right-of-way along Boca Raton Heights is very substantial, varying from 150 to 300 feet. Consequently, staff recommends that the trail be located within the road right-of-way, to the west of the project site, provided the El Paso County Department of Transportation concurs. We would appreciate the forwarding of our recommendation to the assigned engineer for this concurrence. An easement would be needed if there is an issue with the trail being located with the right-of-way in the location, which would in turn require reconfiguration of the site plan.

These comments are being provided administratively, as this application does not require Park Advisory Board consideration.

Please let me know if you have any questions or concerns.

Ross A. Williams Park Planner Planning Division
Community Services Department
rosswilliams@elpasoco.com

Response: El Paso County Parks comments have been reviewed and noted.

EL PASO COUNTY CONSERVATION DISTRICT

Comments from EPCCD board and DC Good noxious weed plan. Will detention pond outlets be monitored for stability?

Response: No. The outlet protection will be designed in accordance with County regulations to prevent erosion at the outlet structure.

EL PASO COUNTY HEALTH DEPARTMENT

Please accept the following comments from El Paso County Public Health regarding the 1,170 acre solar energy facility project referenced above:

- El Paso County Public Health understands that the facility will not require wastewater services after the construction of the facility has been completed. Portable sanitary facilities are for temporary use only and must be removed when construction is completed.

- El Paso County Public Health also understands water service for the project will be supplied by Wigwam Mutual Water District and will be used for cleaning of the solar panels two times per year once the facility is in operation. Water will be used for dust control during construction of the facility as required for permit compliance.

- Earthmoving activities greater than 25 acres require a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division. Please contact the Air Pollution Control Division at for permit information <https://www.colorado.gov/pacific/cdphe/air-permits-contacts>

Mike McCarthy, R.E.H.S.

El Paso County Public Health Environmental Health Division 719.575.8602

mikemccarthy@elpasoco.com Nov. 15, 2017

Response: EPC Health Department comments have been reviewed and noted. Permits will be obtained as required prior to construction.

PIKES PEAK REGIONAL BUILDING DEPARTMENT

Regarding a request for approval of a development plan for the Front Range-Midway Solar Energy Facility, Enumerations has the following comments: 1. Even though this project encompasses multiple parcels of land, it will be built in a single phase, so we would prefer to assign a single address to this project to use when submitting plans for review/permit. Due to the scale of this project, it is recommended that the developer request a pre-submittal consultation with the Pikes Peak Regional Building Department so that any issues regarding this plan can be addressed beforehand. Enumerations

can assign an address at that time. Submit the pre-submittal consultation request form (available on our website www.pprbd.org) to Jay Eenhuis (jay@pprbd.org).

Response: Pikes Peak Regional Building Department comments have been reviewed and noted. Applicant will coordinate with the Pikes Peak Regional Building Department on the pre-construction consultation request.

CITY OF FOUNTAIN

- El Paso County referred the following application to the City of Fountain for review and comment:

A Request by Front Range-Midway Solar Project, LLC for a Solar Energy Generation Plan Overlay to Develop a Solar Energy Facility Adjacent to Two (2) Existing Sub-stations, Utilizing Existing Transmission Lines for Property Generally Located North of Rancho Colorado Blvd, West of I-25, and East of Boca Raton Heights

- Front Range-Midway Solar Project, LLC is seeking approval through El Paso County for a Solar Energy Generation Plan overlay in order to develop a solar facility on 1,170 acres on property generally located north of Rancho Colorado Blvd and east of I-25.
 - The development is proposed south of PPIR.
- The City of Fountain will not be water provider for this area as it is located within the Wigwam Water District. This project is proposed to be entirely outside the City limits; therefore, by Code the City of Fountain cannot provide water utilities to this project unless specifically authorized by Council action.
- The City of Fountain Electric Department has met with the developers of this project and had discussions regarding a transmission line easement to plan for future growth within the City. Information regarding the location has previously been provided to the Developer.

Staff Recommendation:

Staff recommends the following comments be forwarded to El Paso County and incorporated into revised plans.

- A 70 foot wide electric transmission line shall be incorporated into the design as depicted in the attached drawing.

Response: The Project Company has contacted the City of Fountain regarding a potential easement within the Project site for the City's planned transmission line. The discussions are ongoing and will be addressed during the Site Development Plan phase.

- Screening of the solar panels from adjacent residential should be incorporated into the design. Landscaping or other means of buffer should be incorporated into the screening methods to avoid a long blank wall of fencing.

Response: The Project Company voluntarily held a community meeting at the Prairie Heights Elementary School on September 13, 2017. At least 26 members of the community were in attendance. Visual impacts were not identified as a concern during that meeting; however, the Project Company will hold an additional community meeting at the same location on January 31, 2018 at 5:30 p.m. to address potential landowner concerns. City Personnel are invited to the meeting and is encouraged to attend. To date, no request has been made to the applicant by adjacent neighbors or the adjacent residential project developer for opaque fencing to be installed at the Project site. The Project will coordinate with landowners to mitigate reasonable concerns identified.

- Coordination with Fort Carson is highly encouraged.

Response: A National Environmental Policy Act review of the Project was previously conducted and included coordination with Fort Carson.

Sincerely,

Dave Iadarola

Dave Iadarola

Front Range-Midway Solar Project, LLC

Project Developer