

ROUTT COUNTY PLANNING COMMISSION

FINAL MINUTES

September 15, 2022

The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke and Commissioners Brian Kelly, Bill Norris, Jim DeFrancia, and Linda Miller. Commissioner Ren Martyn participated remotely. Commissioners Greg Jaeger, Andrew Benjamin and Paul Weese were absent. Planning Director Kristy Winser and staff planners Alan Goldich and Sally Ross also attended. Sarah Katherman prepared the minutes.

PUBLIC COMMENT

There was no public comment.

MINUTES - August 18, 2022

Commissioner Kelly moved to approve the above cited minutes, as written. Commissioner Miller seconded the motion. **The motion carried 6 - 0, with the Chair voting yes.**

MINUTES - September 1, 2022

Commissioner DeFrancia moved to approve the above cited minutes, as written. Commissioner Kelly seconded the motion. **The motion carried 6 - 0, with the Chair voting yes.**

ACTIVITY: PL20220010

PETITIONER: Peabody Williams Fork Mining

PETITION: Renewal of Special Use Permit PP2011-018 for the Red Rock gravel pit

LOCATION: approximately 10 miles south of Hayden on CR 53

Ms. Miranda Kawak, representing the petitioner, stated that she did not have a presentation to make, nor anything to add to the staff report.

Mr. Goldich reviewed the history of the site. He stated that a small pit on the site was originally permitted by the state in 1978. The County issued a permit for a gravel pit on the site in 2011. The parcel on which the gravel pit is located contained 149.28 acres when the County permit was issued in 2011, but the permit boundary was an area of 41.8 acres. Since then, the parcel size has been reduced to 40.1 acres. The current area of disturbance is 23.3 acres. Mr. Goldich said that under the renewal being requested, the area within the permit boundary would be reduced by 1.7 acres to the parcel size of 40.1 acres. He said that staff is recommending approval of the permit with the suggested conditions as listed in the staff report.

Mr. Goldich stated that Routt County, which operates under an agreement with Peabody, generally crushes gravel at the site in the late fall. He stated that the gravel from this pit is used on County Roads. Mr. Goldich reviewed the haul route used by Peabody from the pit to the Peabody Sage Creek Mine via RCR 53 to Peabody's Tie-Across Haul Road to RCR 27 to RCR 27A. He said that he had contacted the Hayden School District, which confirmed that there are students who are bussed from locations along this route, but that they do not have any conflicts with haul traffic, provided that the permittee continues to work with them on scheduling. Mr. Goldich said that no complaints have been received regarding this operation.

Mr. Goldich reviewed the suggested conditions of approval (COAs), which have been updated to reflect current standard language and requirements. He said that new standard COAs have been added regarding weed control and reporting.

Mr. Goldich said that one comment regarding the petition had been received from an adjacent property owner who operates a hunting operation on his land. The property owner stated that animals generally avoid the southern portion of his property in the fall when the County is crushing gravel. Mr. Goldich noted that the property referred to is the larger parcel from which the gravel pit parcel was subdivided. The pit was in operation well before this parcel was subdivided and purchased. He said that the only topic of discussion identified by staff is whether the reduction in the size of parcel is significant, given that the permit boundary will be reduced from 41.8 acres to 40.1 acres.

There was no public comment.

Planning Commission agreed that the reduction in the size of the parcel was not a concern.

Mr. Goldich clarified that the COAs in **bold** in the staff report are new or modified conditions; the language marked by ~~strikethrough~~ will be deleted.

MOTION

Commissioner Kelly moved to recommend approval of the renewal of a Special Use Permit for the Red Rock gravel pit. This recommendation is based on the following findings of fact:

1. The proposal with the following conditions is in compliance with Sections 3, 5, and 6 of the Routt County Zoning Regulations.
2. The policies and regulations have not changed since the existing permit's approval and no complaints have been received.

This approval is subject to the following conditions:

General Conditions

1. **The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, 6 and 9.**
 2. **The SUP is limited to uses and facilities presented in the approved project plan.** Any additional uses or facilities must be applied for in a new or amended application. Minor amendments may be approved by the Planning Director subject to Section 3.2.10 of the Zoning Regulations.
 3. Any complaints or concerns which may arise from this operation may be **cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.**
 4. **In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.**
 5. No junk, trash, or inoperative vehicles shall be stored on the property.
 6. This permit is contingent upon any required permits being obtained and complied with from all involved agencies including, but not limited to the following:
 - a) Division of Reclamation, Mining and Safety (DRMS) 112 Construction Materials Permit
 - b) Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division (APCD) Air Quality Permit
 - c) CDPHE Stormwater Management Plan
- The operation shall comply with all Federal, State, and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations.
7. Fuel, flammable materials, and hazardous materials shall be kept in a safe **area. Any spills of fuels or hazardous materials shall be reported to the Routt County Planning Department within three days of occurrence.**
 8. All exterior lighting shall be downcast and opaquely shielded.
 9. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
 10. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director without notice.
 11. Permits will be assessed an Annual Fee in accordance with the Fee Schedule in Appendix B of the Routt County Zoning Regulations.
 12. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply

with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent to the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.

13. The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the most current version of the Colorado Noxious Weed Act **and the Routt County** regulations for noxious weeds. **A weed mitigation plan shall be developed by the Permittee and reviewed and approved by the Weed Supervisor prior to issuance of the Special Use Permit.**
14. Any land survey monuments shall be recorded in the Colorado Land Survey Monument Records prior to commencement of mining, and if removed, shall be replaced following reclamation.
15. Copies of all financial guarantees related to the project shall be submitted to **the Planning Director prior to issuance of the Special Use Permit. The Board of County Commissioners may require a financial performance guarantee to insure restoration of the site and access roads and compliance with other conditions of this permit. The County will not require financial guarantees that are duplicative of that required by the State.**

Specific Conditions:

16. **The SUP is valid for ten (10) years** from the BCC approval date, provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
17. Approved uses include:
 - a) Sales from the gravel pit shall not exceed 30,000 tons per year
 - b) Extraction of sand and gravel deposits
 - c) Crushing and processing of gravel
 - d) Stockpiling of topsoil, overburden, and extracted and processed gravel
 - e) Reclamation
18. The operation consists of:
 - a) Sales from the gravel pit shall not exceed 30,000 tons per year
 - b) Extraction, reclamation, crushing, processing, loading, and hauling shall be from 7:00 a.m. to 7:00 p.m. Monday through Friday.
 - c) Extraction, reclamation, crushing, processing, loading, and hauling shall be from 7:00 a.m. to 4:00 p.m. Saturday.
 - d) No extraction, processing, hauling, or operation of trucks or other equipment on Sundays and national holidays, which are Christmas Day, Thanksgiving Day, New Year's Day, Fourth of July, Presidents Day, Memorial Day, and Labor Day.
 - e) Warming of equipment is allowed 15 minutes prior to startup.

- f) The Board of County Commissioners may grant temporary waiver of hours and/or days of operation for public projects or for projects with special technical requirements, by special hearing with at least 24 hours notice to adjacent property owners.
 - g) The hours of operation may be amended to avoid conflicts with school busses at the Planning Director's discretion.
19. Any proposed amendments to the DRMS permit must be approved by the **Planning Director and may be cause for a review of the SUP.**
 20. Soil and vegetation shall not be stripped in excess of an area required for one year of mining
 21. Topsoil and overburden stockpiles shall have a minimum of 3:1 slopes, and shall be revegetated if left undisturbed for more than six-months.
 22. A maximum of 23.3 acres within the permit boundary shall be disturbed at any time.

Reporting:

23. The permittee shall submit the current DRMS Annual Report for the pit to the Planning Department within two weeks of due date each year for compliance verification.
24. The operator shall submit an annual report to the Planning Department and the Assessor's office on or before February 15th of each. The annual report shall detail total materials imported and exported, remaining reserves, and total number of truck trips to and from the site.
25. Permittee shall conduct an annual inventory of weeds on site each spring including but not limited to species identification and map locations. Inventory shall be submitted to Routt County Weed Program (RCWP) supervisor within 30 days of conducting the survey.
26. Permittee shall submit an annual report prior to December 31 of each year to document all weed control measures undertaken, including herbicides used, rates of application, and total gallons of mixed herbicide solution applied.
27. Any written or verbal notice of violation or citation issued to the Permittee by DRMS, CDPHE, MSHA, or any other permitting agency will be provided to the Routt County Environmental Health within 7 business days of the violation. Any other inspection reports, annual reports, asphalt plant and crusher relocation notices, and any other documentation required to be submitted to DRMS, CDPHE, or MSHA for any permits obtained through those agencies shall be available to the Routt County Environmental Health Department upon request.

Reclamation

28. The permittee shall be responsible for reclamation as set forth by DRMS gravel mining guidelines and the approved reclamation plan.

29. A SUP shall be in place through the end of reclamation. The permittee shall engage in phased reclamation during the life of the permit, and is required to proceed with due diligence upon the closing of the pit. Disturbed area is land not covered by substantially noxious weed free vegetation, water, pavement, or seed and mulch sufficient to resist wind and water erosion.

Access and Traffic:

30. The permittee shall obtain a Right of Way Access Permit from the Road and Bridge Department prior to any change to the site access.
31. The permittee shall coordinate with the Hayden School District to determine appropriate safety measures for hours that hauling may conflict with school bus routes. Terms and conditions agreed upon by the permittee and Hayden School District shall be submitted to the Routt County Planning Department.
32. Gravel loads shall be tarped if required by the Road & Bridge Department or by the State of Colorado.
33. Permittee shall install signage along the haul route indicating heavy truck traffic, if determined to be necessary by the Road & Bridge Department.

Air Quality and Noise:

34. The Special Use Permit is contingent upon the petitioner complying with the applicable requirements of Regulation 1, Section III.D.1.b of the Colorado Air Quality Control Commission, as a minimum standard. If applicable, the operation shall maintain a State-approved fugitive dust control plan for the sand and gravel operation. In addition, no off-site transport of visible dust emissions shall be allowed. The Planning Administrator may require temporary closure of the facility if dust control measures are not effective. All haul roads and disturbed sites shall be watered and/or chemically stabilized to minimize dust. Watering operations shall be increased immediately in response to periods of high wind. The operator shall take all appropriate actions to mitigate and control dust from all sources, including stockpiles. Environmental Health Director may require temporary closure of facility if dust control measures are not effective.
35. Noise from all on-site sources and from haul trucks shall be in compliance with the performance standards in the State noise statute (C. R. S. 25-12-103). **Violations of performance standards shall be enforceable by the Routt County Planning Department and may be cause for a review of the SUP by Planning Commission and/or the Board of County Commissioners.**

Miscellaneous:

36. The operator shall use the use of the mostly technologically advanced and proven procedures and equipment to mitigate the significant impacts of mining operations and associated uses.
37. Any fencing shall comply with recommendations of Colorado Parks and Wildlife.

Commissioner Miller seconded the motion.

The motion carried 6 - 0, with the Chair voting yes.

ACTIVITY: PL20220056

PETITIONER: Clay Hockel

PETITION: Amendment of Special Use Permit PL-21-155 to include a new building and expand the permit boundary

LOCATION: California Park; located on CR 80, approximately ¾ mile from tis split from CR 70

Mr. Clay Hockel reviewed the permitted snowmobile tour operations on lands in the California Park and Pilot Knob area north of Hayden and northwest of Steamboat Springs. The tours are staged primarily off of CR 80, and off of FSR 42 as a secondary access. He stated that the proposed amendment to the Special Use Permit (SUP) is for a storage building to be located on a parcel of land on CR 80. Mr. Hockel stated that currently all snow machines are trailered to the site on a daily basis. The proposed building would allow the snowmobiles as well as the groomer, trailers, and other equipment to be housed on site. All customers will continue to be shuttled to this site from the Steamboat Springs office. Mr. Hockel said that Thunderstruck offers two types of tours: a beginner version and an advanced version. He said that the tours are often split up according to the level of rider.

Mr. Hockel presented photos of the turnaround area on CR 80 that is currently used for staging. He said that it is really just a plowed area and often is very rutted and can get muddy. He presented a site plan of the area and noted that two parcels that are under contract for purchase if this amendment is approved. One parcel is 14 acres and other is 21 acres. The two parcels would be consolidated into a single 35-acre parcel. The proposed 60'x100' building would be located on this parcel and equipped with a concrete apron. Mr. Hockel said that the building would provide a secured area and lockable structure, as well as location for portable toilets. He indicated the location of the proposed uses on a site plan. He said that the area would be surrounded by a split-rail fence. He said that he has permission from the Routt County Road and Bridge Department to plow CR 80 to gain access to this site. Mr. Hockel stated that he is also proposing on-site fuel storage to be located on the concrete apron. He presented photos of the proposed double-walled fuel storage tank and secondary containment facility. He said that the proposed equipment meets all Colorado regulations regarding fuel storage. Mr. Hockel presented a rough rendering of the proposed metal building. He reviewed the benefits of the proposal, including a significant reduction in traffic and trailering on US 40 and CR 70, a secured structure to house equipment, a more convenient and safer staging/shelter area for clients, a location where small and mid-scale maintenance could be performed, a storage

area for safety and emergency gear, a reduction in erosion and rutting of the turnaround site, and the ability to provide portable toilets for clients and staff.

In response to a question from Commissioner Miller, Mr. Hockel reviewed the fuel caddies and used oil waste containers. Regarding lighting, Mr. Hockel said that there is no power at the site, but that the area could be equipped with solar yard lights. He said he would also like to employ security cameras.

Commissioner Norris asked about the color of the building and about the shuttle busses. Mr. Hockel said the building would be light grey. He said that the shuttle busses would be stored in Steamboat if the driver was returning there, or in the building on-site if the driver were returning to Hayden.

Ms. Winser reviewed the proposed conditions of approval (COAs). She noted that although no changes to operations have been proposed, some of the COAs had been combined, clarified and re-organized from the original permit for ease of use by the permittee and staff. She said that the hours of operation and the access restrictions had not changed, but had been clarified. She noted that the restrictions on the use of FSR 42 had not changed; this amendment pertains only to the CR 80 access.

Ms. Winser said that the proposal would provide a permanent staging area for the operation, and would add a separate 35-acre parcel to the permit boundary. She said that staff is working with the applicant on the process necessary to combine the two parcels into a legal 35-acre parcel in the Agriculture/Forestry zone district. She presented a site plan and indicated the location of the proposed building and other uses. She offered that the circulation plan for the area seems like it will work. She said that it would be appropriate to add a COA regarding where vehicle repairs and maintenance would be allowed on the site.

In reviewing the COAs, Ms. Winser noted that the size of tours is limited to 8 clients and that each tour must have at least 2 guides. Mr. Hockel noted that they often split tour groups up according to ability, with one guide going with each group.

Chairman Warnke asked about the regulations covering fuel storage. Ms. Ross noted that the proposed tanks meet the Colorado regulations; the County does not have separate standards. Chairman Warnke offered that although West Routt Fire Protection District may not have jurisdiction over this use, the fuel storage should be reviewed by the District.

In response to a question from Commissioner Martyn, Mr. Hockel stated that the two parcels under contract are currently owned separately, but would be combined into a single parcel. He said that the operation of the tours would not change, just the location of the staging, as the proposed site of the new building is adjacent to CR 80, which is where the tours begin. Commissioner Martyn asked if the site would require grading to accommodate the building. Mr. Goldich

stated that although some grading to level the site would be needed, no additional permit would be required. When grading is limited to what is associated with a building permit, the grading is handled through the building permit process.

There was no public comment.

Commissioner Kelly offered that the operator would want to have some source of power. He recommended solar, or perhaps on-site wind generation.

There was a discussion of the COA regarding the minimum number of guides. Following discussion, it was decided that at a minimum, there should be one guide for every four clients.

MOTION

Commissioner Kelly moved to recommend approval of item PL20220056, an amendment to the Special Use Permit for Thunderstruck snow mobile tours, with the findings of fact that the proposal, with the following conditions, meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, 6 and of the Routt County Zoning Regulations.

This approval is subject to the following conditions:

General Conditions:

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, and 6.
2. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns that may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. Permits will be assessed an Annual Fee in accordance with the Fee Schedule.
6. No junk, trash, or inoperative vehicles shall be stored or left on the property.
7. This approval is contingent upon the acquisition of and compliance with any required federal, state and local permits. The operation shall comply with all federal, state and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to the commencement of operations.

8. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
9. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
10. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
11. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent for the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.

Specific Conditions:

12. The Special Use Permit (SUP) is valid for the life of the use provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year (except for uses that a customarily operated seasonally or periodically).
13. Prior to operation, permittee shall submit to Routt County proof of a Sales Tax Account/License if applicable.
14. All trash shall be packed out.
15. Any required permits from the Routt County Road and Bridge Department or Building Department shall be obtained and any inspections completed before operations commence.
16. Operations include:
 - Hours of operation shall be 8:00 a.m. to 5:00 p.m., 7 days per week
 - Forest Service Road (FSR) 42: December 15th - January 1st and April 1st - April 15th
 - County Road 80: December 1st - April 1st with weather and road conditions permitting. Operation past April 1st must be approved by the Road and Bridge Director in writing and shall not extend past May 1st.
 - Tours are limited to two per day total between the two accesses.
 - There shall be a maximum of 8 clients in each tour. The client to guide ratio shall be at least 4 to 1.

17. All employees shall be first-aid certified and be trained on emergency procedures. Radios or cell phones shall be provided to guides in case of emergency.
18. Any accidents requiring emergency services shall be reported to the Planning Department within 72 hours.
19. Any wildlife encountered along or near the tours shall not be disturbed and shall be given time to move away from any tours. No pets or firearms shall be allowed.
20. The operator shall avoid all wetlands and streams unless there is sufficient snow cover to protect the vegetation and ground.
21. Private property boundaries will be posted to prevent trespass in areas where trails are on private land.
22. Routt County has the authority to close any county road at its sole discretion if damage to the road may occur by its use. To the extent that a road closure may affect Permittee's operations, Routt County will cooperate with Permittee to allow operations to be continued in a safe and practicable stopping point.
23. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, it shall be conducted in conformance with the Manual on Uniform Traffic Control at the permittee's expense and the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance to review and approve the proposed traffic control plan:
 - a. The permittee shall provide traffic control during events in accordance with the MUTCD at the intersection of the site access and CR 80. The traffic control plan shall be submitted for review and approval of the Road and Bridge Department annually prior to the first event each season.
24. Routt County roads affected by this SUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage, culvert damage, cattle guard damage or repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the county or third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Permittee shall solely bear the costs of repairs.
25. Permittee shall apply for a plow permit to conduct grooming operations on the County Road. Permittee shall designate limits on the plow permit as to the sections of the road being groomed. Permittee shall understand that County Road 80 accesses an area where the public regularly uses snowmobiles. Grooming operations shall not obstruct or impede access to those areas.
26. There shall be no customer/employee parking on County Road 80 or FSR 42, the public parking lot, or the corresponding right-of-way for any days that tours will be operated. Guests of tours shall be transported to the site.
27. Permittee shall start and end tours from the 35-acre parcel, subject lot of this amendment. at the end of County Winter Maintenance on County Road 80.

28. The applicant shall coordinate with Road and Bridge on the design and access permit for the gravel apron to their property, which cannot be in the ROW.
29. Applicant shall coordinate with West Routt Fire to review and approve their Emergency Operation Plan.
30. Permittee shall submit Forest Service permit to the Planning Department prior to operations each season.
31. All on-site maintenance shall take place on an impervious surface and spill kits shall be located in the structure.

Commissioner DeFrancia seconded the motion.

The motion carried 6 - 0, with the Chair voting yes.

PRESENTATION ON LARGE-SCALE SOLAR DEVELOPMENT

Mr. Mike Kruger, president of the Colorado Solar and Storage Association, stated that the drivers behind the current surge in solar development are customer demand, the desire for utility companies to have local control, economic development, and price predictability. The cost of solar generation is all in the up-front development, so a price can be locked in for 20 - 25 years. Mr. Kruger reviewed a schematic diagram of the essential parts of solar development, storage and transmission. He said that a rough formula is that it takes 5 acres of solar panels to generate 1 megawatt of energy, and that a 5 megawatt battery takes up 1 acre of land. He noted that transmission is the key and that developing transmission lines costs approximately \$1million per mile. The ideal location for solar development is adjacent to transmission lines and substations. Mr. Kruger presented a map of the existing transmission lines in northwestern Colorado, noting the high concentration of lines and substations in the western portion of Routt County and in Moffatt County. He stated that with the upcoming closure of Hayden Station additional capacity will become available on these lines, making this area very attractive to solar developers.

Mr. Kruger presented a flow chart of the process followed by industrial scale solar developers that includes the following steps:

- Find a good interconnection (transmission)
- Locate appropriate land nearby (through lease, a lease option or, rarely, purchase)
- Obtain a land use permit
- Conduct an interconnection study to ensure the availability of capacity
- Receive an award from a utility company
- Build project

Mr. Kruger stated that awards are very specific to the amount of energy to be generated at the specific site.

In response to a question from Chairman Warnke regarding hazards, Mr. Kruger said that hazards are minimal, but that there is a fire hazard with batteries. He

discussed the precautions that are taken regarding battery fires, but noted that the batteries are self-contained and sited on concrete pads. Regarding the size of projects, Mr. Kruger said that they vary from ½-acre to 5,000 acres, but that community projects that are intended to produce energy exclusively for local usage are usually in the 25 - 40 acre range.

Mr. Kruger emphasized the importance of cultivating awareness of the proposed projects well in advance, developing collaborative partnerships to solve local problems and address needs, maximize the community benefits of the projects, reduce impacts through defining appropriate and inappropriate locations, and aligning all relevant agencies, plans and regulations. He advised against picking particular properties in advance to avoid the appearance of picking winners and losers.

Mr. Kruger stated that the biggest impacts, other than the visual impact, are on wildlife, run-off, weed and grass management (herbicides, etc.) security fencing and lighting, and occasional system cleaning and maintenance.

Mr. Kruger reviewed the issues and processes involved in decommissioning or extending the life of a solar collector field at the end of its 20 - 25-year span. He recommended including decommissioning, disposal and bonding in the regulations. He also reviewed the newly available tax credits and other incentives to support solar power development.

Chairman Warnke asked if the preference is for panels to be concentrated in a single location. Mr. Kruger said that in order to maximize the opportunities for sunny days, utilities prefer to diversify their arrays geographically; individual projects, however, are most efficient when panels are as condensed as possible.

Commissioner Kelly asked about battery disposal. Mr. Kruger discussed battery assembly, noting that because they are so heavy it is preferable to construct them as near to the site of deployment as possible. He said that although reuse and recycling of these types of batteries is not yet available, it is likely that the industry will develop quickly. Mr. Goldich offered that the regulations should take battery storage and eventual disposal into account.

In response to a question from Ms. Ross about the uncertainty of transition plans for Hayden Station and the lack of information coming from Xcel, Mr. Kruger advised that the County keep the public informed that the transition is coming and stay in close touch with the local Xcel Energy representative. Mr. Goldich noted that Xcel has said that one unit at Hayden Station may be converted to a biomass plant and the other may a molten salts facility.

Regarding the impacts of solar development on wildlife, Mr. Kruger said that identifying areas of sensitive habitat and wildlife migration corridors, along with including provisions for protecting them in the regulations, will help to mitigate conflicts and inform developers of what is expected.

Commissioner Martyn asked about the maximum distance between transmission lines and industrial-scale solar arrays. Mr. Kruger said that the best location is absolute adjacency to lines or a substation, but only in rare cases would development occur more than a couple of miles away due to the cost of developing tie lines. Commissioner Martyn asked about the taxation on solar facilities and whether it would make up for the loss of property taxes collected from the power plant. Mr. Kruger said that Xcel will at least partially cover the tax loss for some period of time. He said that solar development would not backfill the entire amount. Mr. Goldich said that solar is assessed by the state based on the nameplate capacity of the array. He noted that Xcel is the largest taxpayer in Routt County, followed by the coal mine.

Mr. Kruger stated that the key is local decision making so that solar developers understand the requirements and the expectations of the community. He stressed that developing public awareness in advance is very important to ensuring a smooth process.

There was a discussion of the development of regulations to address large-scale solar development. Ms. Winser stated that this issue would be prioritized when the regulation review and revision project begins with a consultant on board in January. Mr. Goldich said that staff has done a lot of preparation and has developed draft regulations for solar development.

Ms. Winser noted that the RFPs that will be put out by Xcel for solar development will be statewide. Many factors will determine where they choose to develop. There was a discussion of mapping the most likely development corridors. Mr. Goldich stated that the larger the facility, the farther it can be from the transmission lines. He expressed concern that the order of events for developers is to obtain a land use approval prior to conducting the interconnection study and prior to being awarded a project. Ms. Winser offered that the idea may be complying with zoning regulations rather than actually obtaining a permit. Mr. Goldich noted that the two developers he had spoken with were interested in 2500 - 3000 acre properties immediately to the south and immediately to the east of Hayden Station.

ADMINISTRATOR 'S REPORT

Ms. Winser stated that there would be no meeting on October 6. She reviewed the upcoming schedule of items to be heard by the Board. She also reviewed the items to be discussed at the upcoming joint meeting of the Board and City Council, including the mountain base area plan, the extension of the Core Trail to the west, and an update on the update of the Steamboat Springs Area Community Plan.

The meeting was adjourned at 8:20 p.m.