

## **APPENDIX N**

### **Pre-Application Meeting Notes**



## PROJECT NAME: TRAPPER SOLAR PROJECT

- Date and Time: 1:30 AM – 2:30 PM MT, December 18, 2023
- Location: Microsoft Teams
- Attendees: Jonathan Berry, Tanya Foster, Leigh Coffee, and Hank Powers (RWE Clean Energy, LLC [RWECE]);
  - Erik Hartung, Erin Youngberg, Matt Pierce, and Ben Snyder, (SWCA Environmental Consultants [SWCA]);
  - Kristy Winser and Alan Goldich (Routt County)

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## MEETING NOTES

- Attendees introduced themselves.
- E. Hartung shared his screen and a Special Use Permit (SUP) application outline drafted for the Trapper Solar Project (Project).
  - SWCA discussed how the SUP application outline is organized to meet the Routt County Zoning Regulations (the Code) and is aligned with the Routt County Master Plan and Hayden 3 Mile Area Plan.
    - The SUP application outline is organized into four main sections: Section 1 introduces the Project, Section 2 indicates how this SUP application complies with the Code, Section 3 indicates how this SUP application meets Routt County's submittal requirements, and Section 4 indicates how this SUP application is consistent with the Routt County Master Plan and Hayden 3 Mile Area Plan.
    - A. Goldich confirmed that SWCA and RWECE have a copy of the newly adopted (as of Sept 14, 2023) Section 3 regulations, which are applicable to the Project.
    - A. Goldich confirmed that the Section 3 regulations are not available online (i.e., they are not published on Routt County's website).
  - A. Goldich stated that Section 3 of the Code replaces the need for compliance with Routt County's Standards for Major Facilities of a Public Utility (which was listed as Section 2.6 of the SUP application outline prepared for the Project).
  - Routt County confirmed that the SUP application outline includes the requirements for the SUP. Additionally, no other master or area plans besides the Routt County Master Plan and the Hayden 3 Mile Area Plan need to be considered as part of the SUP application.
  - A. Goldich asked what RWECE's anticipated timeline is for submitting the SUP application for the Project.
    - E. Hartung indicated he expects the application will be submitted to Routt County in approximately 4 to 6 months, depending on how long it takes to get some of these reports and plans together.
    - A. Goldich mentioned that Routt County plans to update the "General Performance Standards," "General Standards and Mitigation Techniques for Land Use Approvals," and "Standards for all Administrative, Conditional, Minor and Special Use Permit" sections of the Code by March or April of 2024. Those sections are addressed in sections 2.3, 2.4, and 2.5 of the SUP application outline drafted for the Project.
      - Part of that update would include an environmental section addressing floodplains, waterbody setbacks, and impacts to wildlife. Currently, Routt County has a waterbody setback of 50 feet from the ordinary high-water mark; however, they anticipate that

setback to change and should have a draft of the updates available for RWECE's review in approximately 6 weeks.

- A. Goldich thought the structure of SUP outline looked good and appreciated the inclusion of an index.
- SWCA, Routt County, and RWECE discussed a list of questions that SWCA and RWECE prepared regarding the SUP requirements:
  - Routt County indicated that the SUP process includes a 3-week review period of the SUP by Routt County once received. The County will then provide comments to the applicant. Once those comments are addressed, the County will ask for comments from referral agencies, such as Colorado Parks and Wildlife. The referral agency review period is 3 weeks and comments from the referral agencies are expected to be addressed in the SUP application, once received. Referral agencies could include Colorado Parks and Wildlife and Colorado Department of Transportation. Then the Planning Department will prepare a staff report and the SUP application would be set as an agenda item to be heard at a Planning Commission hearing. The Planning Commission meets on the first and second Thursday of every month. That hearing is public, and the applicant and the Planning Department would both present at that hearing. The Applicant presents first, then A. Goldich (Routt County) will have a presentation to fill in any gaps or missed information, provide updates from referral agencies, and then there is time for questions from the Planning Commissioners and the public before a decision is made on whether to approve the SUP. Once the SUP application is approved by the Planning Commission, then it will be set as an agenda item to be heard at a Board of County Commissioners meeting. There is a 2-week period prior to the Board of County Commissioners hearing.
    - Routt County will follow up with RWECE and SWCA to provide a list of referral agencies for the SUP application.
  - K. Winsor said the SUP application is usually issued for life-of-use unless the commissioners put a time-limit on it for some reason.
    - If a time-limit is set, they typically would allow a planning director to renew it after 5 years, as an administrative process.
  - Routt County indicated that structure setbacks from property lines, as indicated in Section 5.2.1 of the Code, would be from outer non-participating parcels and would not apply to parcels within the Project area. Additionally, setbacks applicable to the Project area are listed in Section 3.1.D.6 of the Code.
  - SWCA indicated that RWECE would likely use watering to minimize dust during construction of the Project to adhere to state air permitting requirements for the Project and plans to indicate that in the SUP application to satisfy the requirements of a dust mitigation plan.
    - Routt County indicated that would be acceptable, but they would like to know how much water would be planned for use for dust suppression and where the water would be sourced from.
  - Routt County confirmed that bulk density can be measured after the SUP approval and prior to construction. The intent is to try to get a baseline understanding of the bulk density of soils within the Project area so when construction is complete, soil bulk density targets can be set for restoration.
  - Routt County confirmed that the SUP application should be submitted in narrative form.
- A. Goldich said to defer to the Routt County Road and Bridge department regarding the haul route and road engineering study for the Project.

- Routt County discussed the road engineering study process and indicated that the road engineering study could occur after approval of the SUP.
  - Routt County subcontracts with a third party to review the traffic plan the applicant provides to see what, if any, improvements to the roads need to be made prior to starting any work.
  - Routt County recommended speaking directly with the Routt County Road and Bridge Department, specifically Mike Mordi, to help determine which roads would be best used as a haul route for the Project and to discuss a road use agreement and driveway permit.
    - Routt County indicated that it would be good for RWECE to have rough ideas of haul routes and truck trips.
- Routt County indicated that the only requirements regarding battery energy storage systems are in Section 3.1.D.17 of the Code.
  - E. Hartung reviewed expected permits for the Project.
    - A. Goldich said all listed permits look good and he will let us know if he thinks of any others that may apply to the Project. The listed permits are conditional and can be pursued following the SUP.
- Routt County indicated that Sections 6.5 through 6.13 of the Code do not need to be addressed if Section 3 of the Code is addressed regarding mitigation and a standalone mitigation plan is not required.
- Routt County indicated they would like the SUP application to address how snow will be handled during construction in the site plan.
- Routt County indicated that structural drawings are not needed for the SUP, but the County wants to see typicals of raking and panels to know generally what the solar structures will look like. The typicals can be from a different project.
  - RWECE indicated that the only building associated with the Project would be an operations and maintenance building.
- SWCA noted that meeting notes from RWECE's meetings with Colorado Parks and Wildlife will be included in the SUP application as documentation of consultation comments, which is required pursuant to the Solar Energy System submittal checklist.
  - A. Goldich asked how RWECE's coordination with Colorado Parks and Wildlife has been going.
    - E. Hartung stated there have been no major red flags and RWECE is discussing some items with Colorado Parks and Wildlife. RWECE has been able to adjust their Project site plan based on conversations with Colorado Parks and Wildlife. RWECE is keeping Colorado Parks in the loop as they write the wildlife mitigation plan for the Project.
- RWECE asked Routt County what level of detail is needed for the housing plan.
  - Routt County indicated they need to discuss more in order to give guidance and were concerned that up to 500 people would need housing for a year during construction.
    - H. Powers stated that a peak level need of between 200-300 workers would be needed for a few months at the most. Contractors would typically know, when planning the job, where they would be staying.
    - RWECE indicated that they won't know the exact number of workers needed until the Project's design is complete and it goes out to bid. The number would be tough to estimate right now.

- A. Goldich indicated he is picturing a timeline broken out into phases with a range of number of people needed for each phase of the Project and an indication of the number workers needed at peak times.
- K. Winsor pointed out that there is difficulty housing workers in the vicinity of the Project area. Camping is not allowed except on public land and some hotels are being used for housing.
  - Routt County indicated that RWECE could submit their housing plan based using what they did for housing on a different project as an example.
  - H. Powers said he would try to get a phased approach together and housing responsibility can vary by contractor (hotel block, or company, or even individual)
- Routt County indicated that the Board of County Commissioners may have questions about housing during the Project.
- A. Goldich indicated that the U.S. Geological Survey's web soil survey data can be used to fulfill the requirement for information on soil types in the SUP application and solar specific web soil survey data would be helpful to indicate in the SUP application.
- Routt County indicated that screening of the solar panels is not required but is encouraged. However, if using vegetation or berms, be careful with the amount of water required for any new vegetation.
- SWCA asked what the Statement of Authority is.
  - Routt County indicated it is a document that allows an individual to sign on behalf of a landowner or organization. For example, landowner documents may have a provision that indicates that RWECE can apply for any required permits on behalf of the landowners. It could also be a consent to apply for the SUP.
- A. Goldich mentioned that Dry Creek flooded in 2022, so a 50-foot setback would get a lot of pushback and a larger setback from the creek may be needed.
- J. Berry said they usually implement a setback from the ordinary high-water mark and asked if that would suffice.
  - Routt County indicated that would.
- E. Hartung asked if Dry Creek is mapped as a flood zone.
  - A. Goldich said Hayden does map it as a flood zone, but not the County.
  - E. Hartung mentioned that RWECE plans to work with Colorado Parks and Wildlife to seed the creek bank, which may help control overflows and flooding.
  - B. Snyder asked for more details regarding the flooding at Dry Creek.
    - A. Goldich said Routt County's emergency management department might have more information and recommended that SWCA reach out.

## ACTION ITEMS

Organization Responsible	Action Item	Follow-up/Due Date
SWCA	<ol style="list-style-type: none"> <li>Contact Mike Mordi with Routt County Roads and Bridge Department to help determine which roads would be best used as a haul route for the Project and to discuss a road use agreement and driveway permit for the Project.</li> <li>Follow up with Routt County towards the end of January to ask for an updated copy of Routt County's performance standards.</li> <li>Contact Routt County's emergency management department for more information regarding Dry Creek flood control and potential setbacks to implement for the Project.</li> </ol>	<ol style="list-style-type: none"> <li>TBD; complete during development of the SUP application.</li> <li>1/26/2024</li> <li>TBD; complete during development of the SUP application.</li> </ol>
RWECE	<ol style="list-style-type: none"> <li>N/A.</li> </ol>	<ol style="list-style-type: none"> <li>N/A.</li> </ol>
Routt County	<ol style="list-style-type: none"> <li>Follow up with RWECE and SWCA to provide a list of referral agencies for the SUP application.</li> <li>Let SWCA know if there are any other necessary permits outside of ones listed in SUP outline.</li> </ol>	<ol style="list-style-type: none"> <li>1/26/2023.</li> <li>1/26/2023.</li> </ol>