



BATTERY STORAGE FACILITY (BESS) CONDITIONAL USE PERMIT

APPLICATION SUBMITTAL REQUIREMENT

- _____ Application form. (See attached).
- _____ Project Narrative, see attached instructions.
- _____ Sketch plan, see attached instructions.
- _____ Elevation drawings of the proposed facility showing all structures, fencing, equipment, and other improvements related to the facility, including specific materials, placement and colors
- _____ Dust and Wind Erosion Control Plans
- _____ Weed and invasive species management Plan.
- _____ Grazing, Farming and or Wildlife plan
- _____ Storm water management and erosion controls: Please specify what permit(s) you are acquiring for your project. If your site is not regulated by a State or Federal Agency please document how you will protect your site and neighboring lands from storm water runoff and water erosion.
- _____ Utility Company Interconnection Agreement. If proposing to interconnect to a utility company, copy of a "letter of intent to interconnect" or interconnection agreement signed by the utility company or cooperative.
- _____ Alternatives Statement. Reasonable alternatives to the proposed location shall be adequately assessed, and the proposed action shall be consistent with the best interests of the people of the County and shall represent a balanced use of resources in the affected area.
- _____ Emergency Services Plan-Renewable projects should demonstrate ability to handle spill containment, fire and personnel emergencies within their project area.
- _____ Statement of Transportation Construction Impacts, see attached instructions.
- _____ Proof of approved Decommissioning-Reclamation Plan
- _____ Landscaping Plan and/or Fencing Plan, if proposing encroachment into five hundred (500) residential setbacks for visual mitigation.
- _____ Authorization form, if applicable. (See attached).
- _____ Articles of Organization or Incorporation documents if the owner is a business entity. Include Statement/ Delegation of Authority documentation.
- _____ Deed identifying the surface estate ownership interest in the property and relevant landowner lease documents including surface use agreements.
- _____ Trustee documents if the owner is a Trust.
- _____ Buffer Report, signed, of the names, addresses and parcel numbers of the surrounding property owners within 500 feet of the property. The buffer report expires within 30 days of the Assessor date stamp.
- _____ Application fee. (\$1000) Note: Fees are non-refundable. Fees are set by the Board of County Commissioners. County Staff is not authorized to negotiate fees and cannot, under any circumstance, waive, reduce, or amend the fees set forth in the Moffat County Planning Fee Schedule.

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APPLICATION INSTRUCTIONS

Project Narrative

The project narrative shall include a description of the property and how it is currently being used, the project scope and schedule, and how it complies with the following development standards for Battery Storage Facilities:

1. Setbacks. The improved area shall conform to the setback requirements of the underlying zone. Additionally, the improved area must be at least five hundred (500) feet from existing residential buildings and residential lots of a platted subdivision or planned unit development. The residential setback requirement may be reduced if appropriate screening through landscape or an opaque fence is installed, or upon submittal to Moffat County of a waiver or informed consent signed by the residence owner agreeing to the lesser setback. If landscaping or opaque fencing is substituted for setback, a landscaping plan or fencing plan shall first be submitted to and approved by the Department of Planning Services.
2. Dust and weed mitigation. The operators of BESS shall continuously employ the practices for control of fugitive dust and weeds detailed in their plans.
3. Underground cables. All electrical cables on the improved area shall be buried.
4. Fencing. The BESS shall be enclosed with a security fence as approved pursuant to a fencing plan submitted to the Department of Planning Services. Appropriate signage shall be placed upon such fencing that warns the public of the high voltage therein.
5. Access permit. Prior to construction the applicant shall apply for and obtain an approved Access Permit.
6. Soil Conservation plan(s)

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APPLICATION INSTRUCTIONS CONTINUED

Sketch Plan

The sketch plan shall include the following:

1. Vicinity map showing adjacent properties, general land uses, zoning and streets/roads within five hundred (500) feet of the site.
2. Scaled drawing of the property (1"=50').
3. Outline of the perimeter of the subject parcel.
4. All existing and proposed structures and other improvements including buildings, the proposed location of the BESS, support structures, related improvements, and equipment. Include distances from the BESS to the property lot lines, above-ground power lines and other structures.
5. Distances to residential structures in the vicinity.
6. Access to the BESS (indicate whether it is existing or proposed).
7. Location and measurements of all on-site or adjacent easements and rights-of-way.
8. Location and design of any proposed stormwater management devices or structures.
9. Irrigation ditches on or adjacent to the property.
10. Areas of vegetation and landscaping to be added, retained, replaced or removed.
11. Location, amount, size and type of any proposed landscape material, including fencing, walls, berms or other screening.
12. Location of all hydrographic features including year-round and ephemeral streams, rivers, lakes, ponds and reservoirs and any FEMA designated Special Flood Hazard Areas (SFHA).

Statement of Transportation Construction Impacts

The statement shall be based on impacts to transportation during construction phase and include the following:

1. Haul route map showing a minimum of one (1) mile traveled road and must include a connection to a paved, publicly-maintained road.
2. Agreement to mitigate construction traffic impacts to the area surrounding the proposed BESS.
3. Describe what impacts construction of the project will have upon transportation patterns in the area intended to be served or affected by the proposal.
4. Describe the potential construction impact on roads within the County.
5. Identify improvements required to any roads within the County in order to serve the project adequately

Statement of Soil Impacts

The statement shall be based on impacts to the soil and vegetation during construction phase , through the life of the project and condition at the time of decommissioning.

Please refer to the Conservation plan guidance sheet.

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PRIOR TO CONSTRUCTION SUBMITTAL REQUIREMENTS

- _____ Approved Building Permit application(s) to Department of Building Inspection.
- _____ Prior to applying for a Grading Permit, a final drainage report stamped and signed by a Professional Engineer registered in the State of Colorado.
- _____ Approved Grading Permit application.
- _____ Approved Access/ROW Permit application(s)
- _____ Flood Hazard Development Permit (FHDP) if structures will be located in a SFHA to the Department of Planning Services.

PROJECT UPDATE REQUIREMENTS

Construction Phase:

Regular Progress Reports:

- Reports detailing project status, progress, and any challenges encountered.

Change Orders (Amendments):

- Documentation and approval of any changes to the original design or scope of work.

Project Completion Report:

- Summary of the project's final status, including any final reporting updates and any outstanding issues.

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APPLICATION PROCEDURES

All applications require a pre-application meeting with the Planning department

Preliminary permit application meeting :

- Application, maps and accompanying required documents must be turned in to the Planning Department no less than 21 (working) days before the next Planning Commission meeting (meetings held the 1st Tuesday of each month)
 - The Application and all accompanying documents will be sent to local and state agencies for review and comments.
 - A notice of these hearings will be mailed to all adjacent landowners and will be advertised in the Legal Section of the Craig Daily Press.
 - The Planning Commission will review and make recommendations based on information provided as well as local agency and public feedback.
 - Preliminary application will be presented to the Board of County Commissioners for review and feedback the following Tuesday.
- * Please note that requests for additional information from local agencies may lengthen the process.

Final approval meeting:

- Application along with any updated and/or new information will be reviewed by the Planning Commission the 1st Tuesday of the following month.
- Application with final conditions/recommendations will be presented to the the Board of County Commissioners following Tuesday for final approval.
- A notice of these hearings will be mailed to all adjacent landowners and will be advertised in the Legal Section of the Craig Daily Press.
- Please note that final approval is dependent on receipt of all required documentation including interconnection agreement.

Total application Processing Time: 45 (+/-)

Application Cost: \$1000

Amendment Application (If required) \$200

Changes to Project Requiring an Amendment to the Original Permit

Circumstances:

- Changes to the project scope, design, or location that were not anticipated in the original permit
- Adding new structures or facilities not included in the original permit
- New or unforeseen environmental impacts identified during construction
- Changes to building codes or regulations that require modifications to the project
- Altering the project's environmental mitigation measures

Process:

1. Identify the need for an Amendment: Any changes during any phase of the project, as listed in the circumstances above are to be communicated to the planning department at which time a review will determine if the changes to the project are substantial enough to require an amendment to the original permit.
2. Request Amendment Application: Submit a formal amendment application to the permitting agency, outlining the proposed changes and their justification.
3. Review and Approval Process: The permitting agency will review the amendment application and may request additional information. They will assess the potential impacts of the changes and determine if the amendment can be approved.
4. Public Notice and Comment: In some cases, the permitting agency may require a public notice and comment period to allow local agency to provide input on the proposed changes.
5. Issuance of Amended Permit: If the amendment is approved, the permitting agency will issue an amended permit that incorporates the approved changes.

It is crucial to communicate any potential changes to the project to the permitting agency as soon as possible. Early notification allows the agency to assess the need for an amendment and minimize delays.

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SOIL CONSERVATION PLAN GUIDANCE

The following recommendations may be helpful for putting together a Conservation Plan for submittal with your Moffat County Planning & Zoning Application. Not all sites may require every recommendation listed here, and some of them may be called out in other parts of the P&Z Application. Those recommendations that are submitted elsewhere in the application may be documented with reference to another section of the submittal.

Sites may require temporary controls during construction and re-vegetation which can be accomplished by utilizing various run-off measure and soil stabilization controls such as erosion control wattles, silt fences, brush filters, physical barriers or baffles, terraced check dams, or rip-rap to slow down sediment loaded surface water.

Sites may require a full erosion control plan if re vegetation is not done through use of soil stabilization and various run-off measures. This plan would make use of all controls mentioned above, although for a much longer period.

Adjoining landowners do not want your surface water erosional problems to become their problem to deal with so make sure your plan protects them.

Wind erosion control plan:

- A. Sites may require temporary controls during construction and re-vegetation depending upon what time of year construction is accomplished and how long a period the soil will remain in a condition that allows for wind erosion. This may include surface residue (such as straw), artificial barriers (such as snow fencing), straw bales (or similar) and other types of small wall structures.
- B. Sites may require a full-time wind erosion control plan if re vegetation is not being planned for the site. This may include the use of topical soil stabilizers as well as all the controls mentioned above.
- C. Adjoining landowners do not want to inherit your weed or invasive grass problems so make sure your plan controls them accordingly.

Weed and invasive species management:

Local weeds and invasive grasses are managed through Moffat County Weed and Pest Control. Colorado First Conservation District (CRCD) and National Resource Conservation Service (NRCS) are also good local sources of information, as well as local private applicators. Moffat County requires a weed control plan be submitted with the P&Z application. You can summarize your plan here or reference it within the application.

Soil health management recommendations:

- A. Colorado Conservation Districts recommend revegetating disturbance areas rather than graveling or bare grounding site disturbance. Maintaining ground cover under wind turbines and solar panels offers numerous benefits, ranging from environmental conservation and improved energy production, to cost savings and enhanced community relations.
- B. Manage soils more, by disturbing them less. Local area soil conservation agencies recommend minimal soil disturbance be utilized for affected areas, especially when disturbing new areas. The less soil is disturbed the more soil microbes and food webs, as well as other retained nutrients will survive to aid in vegetative growth.
- C. Keep plants growing throughout the year by utilizing a variety of species in your seed mix to continually feed the soil. One way to keep continual live plants/roots is through a crop rotation or cover crops to avoid fallow periods when the soil lies dormant for a period of time.
- D. Keep the soil covered as much as possible to avoid surface water and/or wind erosion problems.
- E. Incorporating responsible ground cover practices is an important aspect of sustainable wind and solar energy development.

Native and non-native plantings to create crop diversity:

Use plant diversity to minimize weed or invasive grass invasion into your surface crop. Non-native plantings can be useful when trying to keep invasives from taking over your site. The local conservation district (CFCD) or NRCS would be a great resource when planning for a cover crop for your site.

Grazing plan:

- A. Colorado Conservation Districts recommend that sites should be revegetated with a cover crop. If that cover crop can be grazed please respond to this recommendation.
- B. Include grazing livestock to recycle cover crop plant material and crop residues into plant usable nutrients found in livestock manure and urine.
- C. CFCD, NRCS, or Colorado Ag Drought Advisors can assist with setting up a grazing plan for your project site if the owner chooses.

Long-term reclamation plan:

It may seem a long way off from today's decisions, but thoughts should be given to how you will leave the land once the wind towers or solar panel installations are removed at the end of their lives and the site needs to be final reclaimed.

It is imperative that the landowner give some thought to how the land should be returned after the prospective lease is finished and what is expected to be done with the land at that time.

LOCAL AND STATE AGENCY CONTACT LIST

Moffat County Planning and Zoning

1198 W. Victory Way Suite 107
Craig CO 81625
970-824-9148

Moffat County Building Inspection *Building Permits, Septic Permits*

On Site Waste Water Systems (OWTS)
300 W 4th Street
Craig, CO 81625
970.826.2024

Moffat County Road & Bridge

Access Permits
822 East 1st Street
Craig, CO 81625
(970)-824-3211

Moffat County Department of Public Health and Environment

4300 Cherry Creek Drive South
Denver, CO 80246
303-692-2000

www.Moffatgov.com/Government/Departments/Health-and-Environment

Craig Rural Fire Department

419 Yampa Ave
Craig CO 81625
970-824-5914

Colorado Department of Transportation (CDOT)

270 Ranney Street
Craig, CO 81625
(970)-243-2368
www.codot.gov/

Division of Water Resources

Water Wells
437 Yampa Ave
Craig, CO 81625
(970) 826-0810

Soil Conservation Districts

145 Commerce Street
Craig, CO 81625
(970) 824-3746

www.coloradoacd.org

Colorado Geological Survey Division of Minerals and Geology

1313 Sherman Street
Room 715
Denver, CO 80203
(303) 384-2643

www.coloradogeologicalsurvey.org



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FOR PLANNING DEPARTMENT USE:

DATE RECEIVED: _____

FEE \$ _____

PERMIT # ASSIGNED: _____

CHECK# _____

PROPERTY INFORMATION *(Attach additional sheets if necessary.)*

Site Address: _____

Parcel Number(s): _____ Zoning District: _____

Section: _____ Township: _____ Range: _____

Property Acreage: _____ Facility Acreage: _____

Floodplain No / Yes Geological Hazard No / Yes

PROPERTY OWNER(S) *(Attach additional sheets if necessary.)*

Name: _____

Company: _____

Phone #: _____ Email: _____

Street Address: _____

City/State/Zip Code: _____

Name: _____

Company: _____

Phone #: _____ Email: _____

Street Address: _____

City/State/Zip Code: _____

APPLICANT/AUTHORIZED AGENT *(Authorization must be included if there is an Authorized Agent.)*

Name: _____

Company: _____

Phone #: _____ Email: _____

Street Address: _____

City/State/Zip Code: _____

I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. All fee owners of the property must sign this application. If an Authorized Agent signs, an Authorization Form signed by all fee owners must be included with the application. If the fee owner is a corporation, evidence must be included indicating the signatory has the legal authority to sign for the corporation.

Signature

Date

Signature

Date

Print

Print



AUTHORIZATION FORM

I, (We), _____, give permission to _____
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Legal Description: _____ of Section _____, Township _____ N, Range _____ W

Subdivision Name: _____ Lot _____ Block _____

Property Owners Information:

Address: _____

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant _____ by: Mail _____ Email _____

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

_____ Date _____ Date _____

Owner Signature

Owner Signature

Subscribed and sworn to before me this _____ day of _____, 20 _____ by

_____.

My commission expires _____

Notary Public

**AFFIDAVIT OF INTEREST OWNERS
SURFACE ESTATE**

I, the undersigned, certify that the attached list is a true and accurate list of the names, addresses, and corresponding Parcel Identification Numbers assigned by the County Assessor of the owners of property (the surface estate) within five hundred (500) feet of the subject property(ies). This list was compiled from the records of the Moffat County Assessor, or a person qualified to do the task, and shall be current as of a date no more than thirty (30) days prior to the date the application is submitted to the Department of Planning Services.

Subject Property(ies): _____

Signature

Date