

Referral Agency

Referral Agency Comments

Applicant's Response

ARAPAHOE COUNTY OPEN SPACES	<p>Current Comments: The applicant has addressed this division's concerns.</p> <p>Initial Comments:</p> <ol style="list-style-type: none"> 1. Open Spaces does not see sidewalks being constructed along Harvest Road frontage to the property, this is usually required by development code. <i>Revised 09-13-2022</i> 2. The lighting plan shows a large number of Holophane Floodlights which do not direct light down. The amount seems excessive and not following dark skies best practices, shining outward instead of downward. 3. Research shows Noise can be an issue - • Noise: Noise produced by the BESS and associated equipment must be kept below a 1-hour average of 60 A-weighted decibels (dBA), based on measurements taken at the outside wall of any nearby unaffiliated building that is in current use. – I see nothing regarding noise reduction, is Planning aware these facilities cause Noise? 4. The Fairgrounds has trails @ 600' away. Arapahoe County Open Spaces operates the County Fairgrounds in very close proximity to this proposed use. The Fairgrounds and Event Center Facility sees users from all over the County and front range holding events that are attended by thousands of people per event, with the County Fair holding well over 20,000 people per day 5. In reviewing this proposed development Open Spaces has concerns about the safety of this facility. We see that no water service is being requested. No fire hydrants extended closer to this facility. Many documents say best practices utilize an internal fire suppression system – I do not see one designed. The Fairgrounds is directly southeast of the predominantly northwesterly winds which would push any fire in this direction where an outdoor event may be held with large crowds. 6. I spoke to Altura Fire Dept Chief Rick Solomon on 4/12/23 regarding the hazard this may present. The fire dept. will 	<p>Current Comments: Noted.</p> <p>Initial Comments:</p> <ol style="list-style-type: none"> 1. The City of Aurora has jurisdiction on Harvest Road and confirmed that no sidewalks are required. 2. The lights are directed downward and have hood added to minimize light spillover. The lighting plan meets the county's requirements of zero lumens at the property line. 3. The state's requirement is 75 to 80 dBA for industrial activities at a distance of 25-feet from the property line. See CRS §25-12-103(1). The noise level is expected to be 32 to 35 dbA, which does not exceed ambient noise levels at the property boundaries. See file 3-UASI23-001-Study (Noise).pdf 4. Acknowledged. 5. Chief Rich Solomon of Sable Altura Fire District has assured the Applicant and County staff that SAFD is capable of responding to any issue at the project site. The Applicant has a standard training program for local fire districts/departments. An Emergency Operations Plan has been added to the application. Furthermore, an Emergency Response Plan will be provided during the building and construction permit submittal process as discussed with County Planning at the 6/25/24 meeting. Additional site-specific public safety documentation will be provided during the building and construction permit process in addition to the ERP. 6. See Response #5. 7. Noted.
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	<p>fight any potential fire based on the limitations of no fire hydrants. They have equipment at their disposal as a rural fire dept. that is designed to not need fire hydrants in close proximity as is usually the case in rural areas. The question is; is this means and methods for fire suppression with no fire hydrants and use of water sufficient? This is an industrial facility and the proximity of residential and event space is not rural in nature. As stated in the referral letter, they are seeking more information and training. Open Spaces has concerns regarding the ability to suppress a fire at this facility. The true hazard of these facilities is not known – a quick research on this type of facility yields many hazards for fighting a fire. Not much is known on best practices, industry standards say an internal fire suppression system is best – I do not believe this facility has designed one: Suppression Systems. Fire suppression systems are often recommended to quickly reduce the combustible atmosphere created from thermal runaway. When a malfunctioning battery is detected, either through gas, smoke, or heat detection, the connected fire panel may release one of two recommended fire suppression systems: water mist or gaseous agents.</p> <p>7. Overall Open Spaces is unsure County is aware of the hazards and implications of this facility. It is not similar to a power substation and has many differing issues. I have attached some research conducted on best practices. I think it would be wise to look carefully at this facility and ensure this location is safe and best practices are used.</p>	
ARAPAHOE COUNTY PUBLIC HEALTH DEPARTMENT - LAND USE REFERRALS	<ol style="list-style-type: none">1. If this site anticipates any full-time employees, then the facility must connect to an OWTS or city sewer and water. At this time ACPH will not require the facility to install an OWTS based on their proposal.2. Involve sewage disposal plans for subdivisions, a review of the water supply quality report of a proposed water supply for the subdivision will also take place.	<ol style="list-style-type: none">1. Because the operation of the BESS is not anticipated to require employees to be onsite full-time, no connection to water or sewer is required. A temporary construction or trailer maybe present on-site for the comfort and convenience of technicians who visit the site, which will have self-contained tanks for water and wastewater that will be filled and drained off-site.

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	<p>3. Are suspected of being impacted by flammable gas from a nearby landfill, or if they involve a past, present, or proposed solid waste disposal site.</p> <p>4. If this site anticipates any full-time employees, then the facility must connect to an OWTS or city sewer and water. At this time ACPH will not require the facility to install an OWTS based on their proposal.</p>	<p>2. As a sewer connection is not required, sewage disposal plans are not included in this application.</p> <p>3. The Subject Property for Case No. UASI23-001 is not impacted by flammable gas.</p> <p>4. Acknowledged. It is not anticipated that the BESS project will require employees on-site full-time.</p>
ARAPAHOE COUNTY PUBLIC WORKS - BUILDING DIVISION	Applicant to consider the new construction considerations provided.	Noted.
SABLE ALTURA FIRE DISTRICT	The district has been working with the applicant and the district is able to serve this project. The District provided a "will serve" letter to the County.	Noted.
CDPHE/ DEPARTMENT OF HEALTH & ENVIRONMENT - STATE OF COLORADO	General information letter of who to contact.	<p>1. The applicant must comply with all applicable hazardous and solid waste rules and regulations. Response: The applicant will comply with the applicable regulations.</p> <p>2. The applicant must comply with all applicable water quality rules and regulations. Response: The applicant will comply with the applicable regulations.</p> <p>3. Applicable clean water requirements may include, but are not limited to, obtaining a stormwater discharge permit if construction activities disturb one acre or more of land or if they are part of a larger common plan of development that will disturb one or more acres of land. In determining the area of construction disturbance, WQCD looks at the entire plan, including disturbances associated with utilities, pipelines or roads constructed to serve the facility. Please use the Colorado Environmental Online Services (CEOS) to apply for new construction stormwater discharge permits, modify or terminate existing permits and change permit contacts. Response: The applicant's contractor will comply with the applicable regulations.</p> <p>4. Domestic Wastewater</p>

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		<p>Response: The project will not utilize a domestic wastewater or OWTS system.</p> <p>5. Drinking Water Requirements Response: The project will not utilize a public water system.</p> <p>6. Air Quality - The applicant must comply with all relevant state and federal air quality rules and regulations. Air quality regulations are available here: https://www.colorado.gov/pacific/cdphe/aqcc-regs. Response: The applicant will comply with the applicable regulations.</p> <p>7. Air Pollutant Emissions Notices (APENs) and Permits Response: The applicant will comply with the applicable regulations.</p>
AURORA PLANNING - REFERRALS	<p>1. The city is not requesting a sidewalk along Harvest Road.</p> <p>2. Please have the plat include the dedication of ROW comparable to the City of Aurora Public Safety Training Center Subdivision Filing No.1.</p>	<p>1. Noted.</p> <p>2. The City's comment is reflected on the proposed subdivision plat. Additionally, the city has confirmed that no further dedications are required along Harvest Road.</p>
ARAPAHOE COUNTY SHERIFF'S OFFICE - LAND USE REFERRALS	No comments.	Noted.
CDOT - REGION 1 - METRO DENVER	We have no comment, as this is off of the State Highway System.	Noted.
XCEL ENERGY	<p>1.Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for Front Range Energy Storage and requests that a 10-foot-wide utility easement is dedicated abutting East Quincy Avenue on the plat.</p> <p>2.Additionally, PSCo requests that the following language or plat note is placed on the preliminary and final plats for the subdivision: <i>By this plat, permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including,</i></p>	<p>1. Noted.</p> <p>2. The applicant and Lowry Environmental Trust are happy to discuss specific easement locations and will be dedicated when the site is designed.</p> <p>3. Noted, the Owner will coordinate with PSCo as needed.</p> <p>4. Noted.</p> <p>5. Noted</p>

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	<p><i>without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.</i></p> <p>3. Please be aware PSCo owns and operates existing overhead electric <i>distribution</i> facilities along East Quincy Avenue and underground electric <i>distribution</i> facilities along South Harvest Road. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.</p> <p>4. Additional easements <i>will</i> need to be acquired by separate document for new facilities (i.e. transformers) – be sure to contact the Designer and request that they connect with a Right-of-Way Agent.</p> <p>5. PSCo also has an existing electric <i>transmission</i> substation south of the subject property, and high-pressure natural gas <i>transmission</i> pipeline facilities with East Quincy Avenue.</p>	
DIVISION OF WATER RESOURCES- STATE ENGINEER/GROUNDWATER	<p>1. According to the referral, no water or sanitary service is required for this development. Any water used during construction will be trucked in. Any water hauled to the site must be obtained from a legal source.</p> <p>2. Additionally, the application materials indicate that a storm water detention structure will be constructed as a part of this project. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office.</p> <p>3. The applicant should review DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, attached, to ensure that the notification, construction and operation of the proposed structure meets</p>	<p>1. Correct, no water is proposed on-site, no additional response necessary.</p> <p>2. The detention facility will be registered with the appropriate division.</p> <p>3. There is no post-wildland fire facility proposed for the site. No additional response necessary.</p> <p>4. Noted.</p>

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	<p>statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal to meet the notification requirements, located at: https://maperture.digitaldataservices.com/gvh/?viewer=cswdif</p> <p>4. Since there is no water demand associated with the development or the subdivision, our office has no additional comments on this referral. If there is a water supply related issue the county wants our office to provide comments on, please provide further explanation and sufficient information for our review of the water supply issues.</p>	
SEMSWA- SOUTHEAST METRO STORMWATER AUTHORITY	See the Engineering comments.	
COLORADO PARKS & WILDLIFE/ 1ST POINT OF CONTACT	<p>Recommends:</p> <ol style="list-style-type: none">1. Raptor survey if disturbance to occur between February 15 and August 31, recommends surveys for tree, shrub, and ground-nesting raptors and songbirds. If an active raptor nest is observed, appropriate buffers should be maintained until young are no longer dependent on the nest.2. A burrowing owl survey be conducted if earth-moving is to occur between March 15th and August 31st.3. A weed management plan.4. Any security lighting be designed to minimize light pollution and dark sky indicatives.	1. These comments apply to the UASI25-001 application and not the plat.

Staff sent referrals to the following agencies and did not receive a response:

- BUCKLEY AFB / SPACE FORCE
- FAA- FEDERAL AVIATION ADMINISTRATION-DIA AURORA
- ARAPAHOE COUNTY ASSESSOR-COMMERCIAL
- ARAPAHOE COUNTY PUBLIC WORKS WEED CONTROL
- ARAPAHOE COUNTY/PWD ENG/TRAFFIC OPS
- LOWRY LANDFILL CITIZENS ADVISORY GROUP
- MILE-HIGH FLOOD DISTRICT

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- US ARMY CORPS OF ENGINEERS
- ARAPAHOE COUNTY POST OFFICE-CO/WY
- COLORADO GEOLOGICAL SURVEY - STATE OF COLORADO
- ARAPAHOE COUNTY SHERIFF'S OFFICE - LAND USE REFERRALS
- DEER TRAIL & EAST ADAMS CONSERVATION DISTRICT
- E-470 PUBLIC HIGHWAY AUTHORITY ENGINEERING & ROADWAY MAINTENANCE
- CENTURYLINK NETWORK REAL ESTATE DEPARTMENT
- ECCV WATER & SANITATION DISTRICT-REFERRALS