BOCC DRAFT MOTIONS – UASI25-001, CANYON PEAK POWER STATION, USE BY SPECIAL REVIEW

Conditional Approval
In the case of UASI25-001, Canyon Peak Power Station, Use by Special Review, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and any public comment as presented at the hearing and hereby move to approve this application based on the findings in the staff report, subject to the following conditions:

1. Prior to the signature of the final copy of these plans, the applicant must address Public Works and Development staff's comments and concerns.

2. Prior to the signature of the final copy of these plans, the applicant shall dedicate the proposed drainage easement to the County and vacate the existing drainage easement.

3. The applicant shall develop a wildfire mitigation plan acceptable to the local fire district before the issuance of a building permit.

4. The applicant shall obtain approval of the firefighting water supply plans from Bennett Watkins Fire Rescue before the issuance of a building permit.

5. The Decommissioning Plan Agreement shall be signed and financial assurance provided before the issuance of a Certificate of Completion by the County. The Decommissioning Plan cost estimate shall be reviewed every five years by the Planning and Building Divisions, commencing from the year of the issuance of the Certificate of Completion. This cost estimate shall be submitted by December 31st every five years.

6. The applicant shall comply with an inadvertent discovery clause and conduct archaeological monitoring during construction of the facility and pipeline.

7. The applicant shall sign a County Agreement to repair any county roads that may be damaged during construction.

8. The facility shall comply with the lighting standards of the Land Development Code. The lighting for the gas facility shall be directed inward, downward, and shielded. The height of the light poles shall be a maximum of 25 feet in the parking area and 20 feet elsewhere on-site.

9. If grading and/or construction is to occur on the project (facility site, pipeline alignment area, and lease areas) between April 1 through August 30, the applicant shall conduct a survey to determine if any ground-nesting birds are present during the migratory bird nesting season. The results of the survey shall be submitted to Colorado Parks and Wildlife (CPW) and the Planning Division for their review and approval. If nesting birds are present, no construction/grading is permitted during those dates without prior CPW authorization.

10. If grading and/or construction is to occur on the project (facility site, pipeline alignment area, and lease areas) between January 1 through April 30, the applicant shall conduct a survey to determine if Pronghorn are present. The results of the survey shall be submitted to CPW and the Planning Division for their review and approval. If Pronghorn are present, no construction/grading is permitted during those dates without prior CPW authorization.

11. Prior to the signature of the final copy of these plans, the applicant shall provide Planning Staff with the lease agreements for the three lease areas.

Staff provides the following Draft Motions listed below as general guidance in preparing <u>an alternative motion</u> if the Board reaches a different determination:

<u>Denial</u>
In the case of UASI25-001, Canyon Peak Power Station, Use by Special Review, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the hearing, and hereby move to deny this application based on the following findings:

1. *State new findings in support of denial as part of the motion.*

<u>Continue to Date Certain</u>:
In the case of UASI25-001, Canyon Peak Power Station, Use by Special Review, I move to continue the hearing to [*date certain*], 9:30 a.m., to obtain additional information and to further consider the information presented.