

Issue Resolved	Document Name	Comment Date	Reviewer Name	Section & Page Number	Comment	Response
	General	08/13/20	DK	Application Header	Please use UASI20-001 instead of the Presubmittal application number.	Corrected in all documents and titles. Updated the address on the Land Development Application page.
	General	08/13/20	DK	EIA	Is there a redlined version of the EIA?	No, we did not provide a redline, rather, we updated the EIA to fully encompass the Geller land that is being added to the application. The EIA that was included in the 2017/2018 application encompassed the other lands (Beichle, Tolt, Hyatt, Moore, and MBM). The removal of the well pad areas does not impact the previous or Geller EIA.
	General	08/13/20	DK	Fence	Throughout the application, the transparent chain-link fencing is explained. Will all of the chain-link fencing be transparent (without slats)?	The project will use chain-link fencing without slats due to recommendation by CPW for wildlife friendly fencing. The one place this will be different is along the northeast side of the project area where the project is adjacent to the Moore home and Kiowa Creek Sporting Clays facility. Along that section, the fence will be an opaque 8' tall material to screen for the Moore home and event facility.
	General	08/13/20	DK	2nd Submittal	The 2nd submittal might benefit from a teleconference discussion of these comments.	Michelle spoke with Diane and Sherman as well as emailed with Karen and Joseph. Our engineer, Kevin Klug of RINA, spoke with Joseph via phone regarding engineering comments.
	General	08/13/20	DK	Printed Copy	The spiral bound book of exhibits needs a cover document under the clear plastic	This will be added when printed
	General	08/13/20	DK	Printed Copy	The spiral bound book needs cover sheets before or immediately after each tab	This will be added when printed
	General	08/13/20	DK	Printed Copy	The tabs in the spiral bound book need labels. Exhibit A or App. A would be appropriate and then the cover sheets would provide more information for that tab.	This will be added when printed
	Revised Site Plan	08/13/20	SF	General	Need to have legend to distinguish original USR with Amendment. May need to have more pronounced lines to help distinguish original from amendment.	Legend for Overall Site Data Plan added to USR and Address Plat plan sets. An Amendment Summary has been added to the USR plan set, sheet USR-1 to identify the major changes between the original project submittal and the new amendment submittal.
	Revised Site Plan	08/13/20	SF	General	This size scale is very difficult to read, may need larger size paper than 8 1/2" x 11". Need legible legend.	24x36 printed copies will be sent to Diane and Sherman
	Application Narrative	08/13/20	SF	Executive Summary, page 1	Need to explain how Torch fits into the partnership of D.E. Shaw Renewable Investments LLC and Hunter LLC. Is Torch a holding company for Hunter LLC?	Hunter Solar, LLC is a Colorado limited liability company and is owned by affiliates of D.E. Shaw Renewable Investments, LLC and Torch Clean Energy LLC.
	Application Narrative	08/13/20	SF	Executive Summary, Page 4	Need to include either listing of Appendices or Exhibits in Table of Contents and make consistent with tabs or title pages for the list of Appendices or Exhibits throughout the application	Used Microsoft Word Table of Contents function to ensure updates were made
	Application Narrative	08/13/20	SF	Letter of Intent, page 6	Please indicate lease term. I know that you mention it later, but it would be nice to have it more upfront.	Added term details to letter of intent
	Application Narrative	08/13/20	SF	Narrative, page 14	Terrestrial and Aquatic Animal Life: What will be done regarding studies for pronghorn?	Per the Environmental Impact Analysis, Section 4.6, page 4-8, pronghorn migration trends typically occur within water-way corridors and the nearest waterway corridor occurs outside the proposed project, therefore, pronghorn migration should not be impacted by the proposed actions.
	Application Narrative	08/13/20	SF	Narrative, page 16	Instead of "Potential Project costs include," I would suggest that you say, "Potential Project losses include." Losses fit in better with the Approval Criteria. Also Photo simulations/visual renderings do not seem to fit under "Losses." I would also suggest that you explain that you are using chain-link fence because CPW recommends them for wildlife.	Changed statement about Potential Projects Costs include on page 48, but page numbers may have changed between redline and clean versions.
	Application Narrative	08/13/20	SF	Narrative, page 18	Cultural Resources: I would suggest that you mention that there will be some dust and traffic noise during construction that will be reduced by some mitigation measures.	During construction, there will be noise associated with construction activities and there will be dust (mitigated by spraying water from truck mounted water tanks) produced during civil activities during construction.
	Application Narrative	08/13/20	SF	Narrative, Page 20, Section 1.2	Please add some background information on D E Shaw Renewables Investments LLC.	Added DESRI details
	Application Narrative	08/13/20	SF	Narrative, Page 20, Section 1.3	Remove CCR and replace with Torch or D E Shaw or Hunter LLC.	Wasn't able to find mention of CCR or Cypress Creek.
	Application Narrative	8/13/2020 and 11/17/2020	SF	Narrative, page 21, section 1.3.2	Please indicate roughly how much the agricultural property taxes are in comparison to the solar power plant taxes.	Added a property tax estimate table derived from the State Division of Property Taxation's template for determining personal property taxes in association with solar projects over 2MW in size. Also added a table of the current property taxes being paid on the parcels in the project.
	Application Narrative	08/13/20	SF	Narrative, Page 21	Remove paragraphs related to reduce energy consumption/conservation, since this project is not a reduce energy consumption/conservation project. It is a power generation project and does not directly relate to conservation.	Removed
	Application Narrative	08/13/20	SF	Narrative, Page 23, Section 2.2	There is no noise, odor, dust, or pollution associated with solar energy facilities' please add the following to this sentence "except relatively small amounts of noise, dust and pollution during construction of the solar power plant that will be mitigated as explained in this application."	Added
	Application Narrative	08/13/20	SF	Narrative, page 25, Section 2.5.1	Crystalline Silicon PV panels are the preferred "non-toxic" panels. Copper-Indium Selenum PV panels may potentially be toxic when the CIS panels are sent to a solid-waste disposal site. This same statement pertains to Page 27, Section 2.6.4, Hazardous Materials. We agree that they are not likely to create a hazardous material situation on the solar power plant site, however we are somewhat concerned about when they are disposed. We are much more in favor of Crystalline Silicon PV panels rather than CIS PV panels.	Confirmed with DESRI and Torch that Hunter Solar will use Crystalline Silicon panels only.
	Application Narrative	08/13/20	SF	Narrative, page 29, Section 2.8	Solar Energy Facility Safety: Mention that there is some impact during construction of the Solar Energy Facility, but the applicant will mitigate noise and dust as explained in the application (page??).	Added, "There will be relatively small amounts of noise, dust and pollution during construction of the solar power plant that will be mitigated as explained in this application."
	Application Narrative	08/13/20	SF	Narrative, page 32, Section 2.11	As mentioned earlier, I would suggest removing "Photo simulations" from this list. While it is a relatively small cost, it is not a loss/cost like the other bulleted items.	Removed
	Application Narrative	08/13/20	SF	Narrative, page 34, Section 3.3	Please add Section 3.3 number to "Relation to Arapahoe County Land Development Code. Also, please provide information how this project fulfills or meets the approval criteria for a USR case. See Land Development Code, Section 5-3.4 B which has 9 Approval Criteria (page 5-275).	Added the 9 criteria and responses.
	Application Narrative	08/13/20	DK	Approval Criteria A.3	"have" a proven track record may read better than "has" a proven track record.	corrected
	Application Narrative	08/13/20	DK	A.3	2.The second paragraph in A. 3. was deleted. This needs to be updated to reflect Torch Clean Energy rather than CCR, but this type of paragraph is necessary here, even though the information is provided elsewhere in the application.	replaced
	Application Narrative	08/13/20	DK	Approval Criteria A.4	We suggest supplying Letter(s) of Financial Comfort in an appendix that demonstrate that a financial commitment can and will be met. Please refer to this link or others references on the web that discuss Comfort Letters: https://www.investopedia.com/terms/c/comfort_letter.asp	Included as Exhibit Q
	Application Narrative	08/13/20	DK	A.6	Need to remove the word "screened" from "The Project will be screened from adjoining properties by an 8' chain-link fence, because without the privacy slats the fence is not providing any screening.	removed
	Application Narrative	08/13/20	DK	A.7	Bennett-Watkins Fire Rescue responded to a fire at a solar garden in July that was caused by hail damage to a solar panel, or multiple panels. The damaged panel arced, which caused a brush fire that not only impacted the solar garden, it spread to an adjacent property. Given this rare but possible type of incident the first sentence that refers to emergency services only being needed during construction should be changed.	Clarified in Section A.7
	Application Narrative	08/13/20	DK	A.7	Can arcing of a panel be detected remotely? Can a facility be "shut in" remotely?	Yes, anytime there is an issue with the system, an alert is sent remotely to the monitoring team and they can shut the system off remotely while also alerting any services as needed.
	Application Narrative	08/13/20	DK	A.7	The name of BFPD has changed to Bennett-Watkins Fire Rescue. Please use BWFR and include this acronym in the list of acronyms.	updated throughout document
	Application Narrative	08/13/20	DK	A.7	The proper name for the sheriff is Arapahoe County Sheriff's Office, rather than "department".	Corrected

	Application Narrative	08/13/20	DK	A.7	What is the date that Torch first reached out to BWFR?	We first contacted BWFR on June 21 via email. We later followed up via phone. They have reviewed our vegetation management plan and plan set and approved as well as provided a permit application to pull prior to construction.
	Application Narrative	08/13/20	DK	A.7	Note for future reference in this application: In addition to BWFR, and the Arapahoe County Sheriff's Office, the Office of Emergency Management (please add OEM to the acronym list) also responds to emergency incidents.	Ok, thanks. Corrected.
	Application Narrative	08/13/20	DK	A.8	This section also refers to emergency services only being needed during construction. It's also possible that a maintenance worker could have a health issue during a weekly visit.	Yes, this has been updated
	Application Narrative	08/13/20	DK	A.8	Regarding decommissioning: Will the posts be removed that are driven in? Will the surface be smoothed out if it was disrupted?	Yes, all posts are removed and taken away and the surface is restored, as closely as possible, to its original condition.
	Application Narrative	08/13/20	DK	A.8	What materials will be purchased locally?	added: "(Hunter Solar will commit to the extent possible to locally purchase equipment that can be obtained in the County such as fencing, basic construction materials, water supply, portable restroom supply and service, etc.)"
	Application Narrative	08/13/20	DK	A.8	Please state here, as indicated later in the application, that the materials have value so they will not be left onsite when the leases expire.	Added, "All property will be removed including racking. The materials used in a solar photovoltaic facility includes valuable items such as steel, aluminum, and copper. Typically the salvage value of the materials is equal to or more than the cost to decommission the site."
	Application Narrative	08/13/20	DK	A.8	Note for future reference in this application: While the silica of the panels is sealed with the metal frames so that there is no leaching of the metals, would hail damage break the seal, potentially allowing Indium and Selenium to be leached?	The leadership at Torch and DESRI have confirmed that the project will be using Crystalline Silicon modules which do not contain hazardous materials.
	Application Narrative	08/13/20	DK	A.9	Be prepared at both hearings to be able to answer the question: How much of the leased land was recently in an agricultural mode?	Ok, thank you for that heads-up. Currently, about 160 acres is being farmed for wheat. At times in the recent past (10 years), approximately 450 acres has been farmed in wheat.
	Application Narrative	08/13/20	DK	A.11	Please clarify the statement regarding the offsite transport of "all material waste". What is the waste being referred to?	Updated. This is meant to refer to cardboard, plastics, and strapping tape or other materials used in the packaging and shipping of materials.
	Application Narrative	08/13/20	DK	A.12	Please explain the maximum height of 12 feet, by describing the various heights during the day as the panels follow the sun from east to west. This could potentially be addressed with a small table, but explaining in the text is probably best.	See diagram added to the narrative.
	Application Narrative	08/13/20	DK	A.12	Please explain how a transparent chain-link fence will "mitigate visual impacts". Will some portions of the fence contain slats?	Please see updated section in application
	Application Narrative	08/13/20	DK	A.12	Please elaborate on how a final determination will be made as to whether the USACE would take jurisdiction. Isn't the USACE going to review the application? Planning prefers that the applicant contact the ACE, rather than us.	We have already received JD from the USACE on the original footprint and submitted for jurisdictional determination for the Geller additional lands in June 2020.
	Application Narrative	08/13/20	DK	A.12	Last sentence of third paragraph (starts with "Furthermore") seems out of place.	Agreed. This has been removed.
	Application Narrative	08/13/20	DK	A.12	Will fuel and transformer fluids be contained on site? Or will concrete pads be placed under transformers, in case of drips?	All transformers and equipment will be set on concrete pads.
	Application Narrative	08/13/20	DK	A.12	Please put PEM, OHWM and TNW into the list of acronyms and explanations.	Added
	Application Narrative	08/13/20	DK	A.12	Please state that no impacts are anticipated for this item.	Added
	Application Narrative	08/13/20	DK	A.12	Please state that no impacts are anticipated for this item.	Added
	Application Narrative	08/13/20	DK	A.12	"Where forested" doesn't seem applicable. As far as staff knows, there are no trees on the lands associated with the application.	Removed
	Application Narrative	08/13/20	DK	A.13	What does "temporary after image" mean?	a lingering image of the glare in the field of view
	Application Narrative	08/13/20	DK	A.13	Take out the last sentence for the 2nd submittal because at that time we should already have the glare studies for the Geller land.	removed
	Application Narrative	08/13/20	DK	A.15	It seems like a) and b) weren't addressed. Please put the answers to a) immediately after a), the answers to b) immediately after b) and likewise for c). Is there a list or guess of the types of potential hazardous materials that will be used?	Reformatted
	Application Narrative	08/13/20	DK	A.16	Is the support to community organizations in the form of donations?	It is in the form of Property Taxes that will be paid to community infrastructure services.
	Application Narrative	08/13/20	DK	A.16	Regarding potential project costs: we feel that the 2nd, 3rd and 4th bullets are application expenses and they should come off the list. The 5th bullet (fencing) should come off because without the slats, it's no longer a mitigation.	Removed
	Application Narrative	08/13/20	DK	A.17	Staff feels that the 3 alternatives do have noteworthy differences. Leaving the land undisturbed is very different than placing an industrial type of facility on it. There will be a disruption to the existing vegetation, even if temporary, and a disruption to the pollinators, as well as at least a temporary disruption to wildlife migration (even if wildlife corridors will be installed). The State Land Board alternative may have few differences than the preferred alternative. Please elaborate more on the differences between the 3 alternatives.	Agreed, there are noteworthy differences which are explained in the following paragraph as well as in the EIA. I have removed this statement from the narrative. The differences in the three alternatives are elaborated upon in the paragraph that follows this one in the narrative.
	Application Narrative	08/13/20	DK	A.17	Would Torch Clean Energy consider planting pollinator-friendly vegetation beneath and around the panels (as utility-scale operators have done elsewhere) if landowners and Engineering Services (possible conflict with GESC Plan) have no objections?	Yes, Torch will be happy to include pollinator friendly vegetation. See revision in updated narrative. Added language to Section: 2.7: Hunter Solar will provide a seed mix that incorporate native vegetation with a focus on pollinator-friendly mix.
	Application Narrative	08/13/20	DK	Applicant Information 1.2	Figure 1-1 from the former application is a good one. Applicant should consider using it in the presentation to the Planning Commission and the BoCC.	I will ask Torch and DESRI if they have similar graphics to use in a future presentation.
	Application Narrative	08/13/20	DK	Applicant Information 1.2	An updated version of the details about the combined experience of the engineering team, the procurement team and the O&M team from the former application is needed in this application. It will also be helpful in the presentation to the Planning Commission. Most of the members of the Planning Commission have changed since the original application was presented to them.	The team at Cypress Creek was much different than the team at Torch and DESRI. Cypress Creek was vertically integrated and had over 600 employees. Torch Clean Energy has only 9 and DESRI has under 50 so that we can be more focused on the fewer number of projects and ensure quality over quantity.
	Application Narrative	08/13/20	DK	Section 1.3.1	CCR appears in this paragraph and needs to be removed. This is a good place to refer to Letters of Comfort that could have their own exhibit or appendix.	I don't see any mention of CCR and will make sure the second submittal does not have mention of CCR. Added Letter of Comfort reference.
	Application Narrative	08/13/20	DK	Section 1.3.2	The original text refers to 2016. The new text refers to 2018, 2019 and 2020. Growth in 2017 and 2018 should also be included, or the 2016 text could be removed, however most of the first sentence should remain (referring to one of the fastest growing industries). The footnotes would need to be updated if growth in both 2017 and 2018 is described.	Added detail and diagram.
	Application Narrative	08/13/20	DK	Section 1.3.2	Last paragraph: should read "the next 20 years" (with up to a 40-year lease term remaining in the parentheses. An extension to 40 years can't be guaranteed.	corrected
	Application Narrative	08/13/20	DK	Project Description and Analysis, 2.1	"The most recent update, SB13-252, stipulates at least thirty percent of the power generated by an investor-owned utility to be sourced from renewable energy sources" – by when. Seems that a year is missing.	I found the year, it is 2020! I've emailed and called the Energy Office to see if they have any updates or have been tracking progress on the RPS. Made an edit in the narrative. As of 12/10/2020: no update from the energy office.
	Application Narrative	08/13/20	DK	Project Description and Analysis, 2.1	Remove the energy conservation references to the Comp Plan (the 3rd paragraph and the indented paragraph). This project doesn't really influence energy conservation.	Removed
	Application Narrative	08/13/20	DK	Project Description and Analysis, 2.2	This is another opportunity to explain the maximum height of 12 feet and the movement of the panels throughout the day, from east to west.	Added detail
	Application Narrative	08/13/20	DK	Section 2.4.2	Please update this section to agree with the earlier discussion on the project alternatives when the earlier discussion is updated.	Corrected - removed that sentence
	Application Narrative	08/13/20	DK	Section 2.5.1	When referring to the recycling of the panels, it is important to emphasize their value here, as well as where decommissioning is discussed earlier in the application.	No mention of recycling in 2.5.1.
	Application Narrative	08/13/20	DK	Section 2.5.1	Could hail damage result in broken seals, resulting in leaching of metals? The answer does not need to be in the text, but staff would like to know the answer.	Hail does not typically damage solar panels. The glass and frame are tested in a lab that shoots golf ball size hail at the panels at 100 mph to ensure their strength. If damage did occur, it would be in the form of broken glass which shatters like that of a car windshield; it is tempered glass so it is relatively safe like the windows in a car. If hail were to hit the frame, it would be dented, but there are no seals or anything that would be broken and no metals that would be exposed.
	Application Narrative	08/13/20	DK	Section 2.5.3	Staff will verify with Engineering Services whether shoulder or culvert work will be necessary. If necessary, the last sentence of the first paragraph in this section will need to be modified to explain what Engineering requires and how the applicant will comply.	RINA has called the County Engineering reviewer and confirmed that the current plan proposed access road and culvert design is sufficient.

	Application Narrative	08/13/20	DK	Section 2.6.1	The last step in the flow diagram needs to come off. Staff is not aware of any measures that would qualify as landscaping.	Landscaping is meant to refer to planting of the native seed mix. Added the following to the Figure title: "landscaping refers to planting and management of the native low-growth seed and pollinator friendly seed, when feasible.	
	Application Narrative	08/13/20	DK	Section 2.6.4	What types of hazardous materials could be used or stored onsite?	Added clarification.	
	Application Narrative	08/13/20	DK	Section 2.7.1	"less than 10 times over the initial 25-year term". Need to replace 25 with 20.	replaced	
	Application Narrative	08/13/20	DK	Section 2.7.3	Is there a subsequent seeding if initial seeding doesn't completely take? Staff realizes that this would be addressed in the GESC Plan but Planning staff doesn't review the GESC.	Yes, added clarification.	
	Application Narrative	08/13/20	DK	Section 2.7.3	Where would herbicides (in rare circumstances) be stored? Offsite?	Herbicides would be stored offsite with the vendor used to provide any herbicide application services.	
	Application Narrative	08/13/20	DK	Section 2.7.5	The statement regarding the salvage value of the materials should be stated elsewhere in the application when decommissioning is discussed.	It has been added to A.17.	
	Application Narrative	08/13/20	DK	Section 2.8	Please add the Arapahoe County Office of Emergency Management (OEM) to the list of emergency responders.	Corrected	
	Application Narrative	08/13/20	DK	Section 2.8	Please change the name of the Arapahoe County Sheriff's Department to Arapahoe County Sheriff's Office.	Corrected	
	Application Narrative	08/13/20	DK	Section 2.8	Please change the name of Bennett Fire District to Bennett-Watkins Fire Rescue (BWFR).	Corrected	
	Application Narrative	08/13/20	DK	Figure 2.3 in Section 2.10	Staff will verify whether a Floodplain Delineation Study or a Floodplain Development Permit are necessary for this project.	Hunter Solar will not be disturbing any floodplain areas. Please see the Wetland and Waterbody Delineation Report. We have removed reference to this permit in Figure 2.3. In addition, RINA has called the County Engineering reviewer and confirmed that NO Floodplain Delineation Study or Floodplain Development Permit will be required.	
	Application Narrative	08/13/20	DK	Section 2.11	Same comments as in A. 16. Take off photo simulations. Change Bennett Fire District to BWFR.	Corrected	
	Application Narrative	08/13/20	DK	Section 3.1	"workforce center" and replace with Arapahoe County Eastern Service Center.	Corrected	
	Application Narrative - 2nd Submittal	11/15/20	DK	Letter of Intent	What does "screenings" refer to?	This is in reference to the various filters we used to make sure this location was the best spot for a solar project. By reviewing environmental, topo, and hydrological (wetlands) information (called "screenings" in this context), we could determine this was a good location.	
	Application Narrative - 2nd Submittal	11/15/20	DK	Section III, Part C	2.b. Missing: The names and qualifications of those with experience with projects directly related to or similar to that proposed in the application.	Added Torch Clean Energy experience table.	except that no years of experience are listed for Travis nor is the word "since" (such a year) used to determine his years of experience
	Application Narrative - 2nd Submittal	11/15/20	DK	Section III, Part C	4. Why is "Environmental Impact Analysis" listed in the table in the US Army Corps of Engineers row?	I'm not certain why that was in there - perhaps the EIA speaks to why the USACE has responded in concurrence with our NPR finding. I have removed this mention in the table.	Added date Travis started with Torch.
	Application Narrative - 2nd Submittal	11/15/20	DK		7. This section still uses the word "screened" when describing the 8' chain link fence. Because slats will not be used, the word "screened" isn't appropriate.	Corrected	
	Application Narrative - 2nd Submittal	11/15/20	DK		8. Regarding "Any county services needed may be the local fire and emergency medical teams that could be called if there is an incident during construction." It is possible that after the site is up and running, a worker at the site could have a health-related issue requiring medical attention or a lightning strike could result in a brush fire that requires fire service. This section should be revised to indicate that while unlikely, it is possible that emergency services could be required.	Updated and included sentence about the permit we have with BFRD that will be inspected/closed out by them after construction. Also included as Exhibit R.	Changed to BWFR. Please see Exhibit R. BWFR now requires a permit.
	Application Narrative - 2nd Submittal	11/15/20	DK		12 b. Still have concerns that an 8' fence won't mitigate visual impacts. Suggest that this section refer to the photosimulations, showing little visual impact.	clarified and added more language to confirm there will be a transparent fence throughout the majority of the project boundaries.	BRPD should be BWFR. Approved is in the form of a Will Serve letter. No application or permit.
	Application Narrative - 2nd Submittal	11/15/20	DK		12. f. "If species are identified during the surveys, then buffer zones should be used around the sited locations of each species". Please replace "should" with "will". Spacing is off in the last part of the page. Either delete spaces at the end of "Subject site" and "deer populations" or create new paragraphs.	Corrected	
	Application Narrative - 2nd Submittal	11/15/20	DK		13. Explain "temporary after image". Could put the definition in parentheses after the term is used.	According to the Glint and Glare Assessment, they say the definition is "a lingering image of the glare in the field of view." I've added that to the narrative.	
	Application Narrative - 2nd Submittal	11/15/20	DK		13. Delete sentence "Glare studies for the Geller lands are being completed and will be submitted to the County in August of 2020."	Corrected	
	Application Narrative - 2nd Submittal	11/15/20	DK		15. The All Comments Log doesn't not identify hazardous materials. Please insert that info in this section. Perhaps the only hazardous materials are pesticides that could be used for weed control if mechanical methods don't work ???	Added clarification about no hazardous materials associated with the panels or equipment on the project and referenced the noxious weed management plan for any chemical concerns.	Added clarification that no hazardous materials will be present but that the transformers do have oil.
	Application Narrative - 2nd Submittal	11/15/20	DK		17. "Project will be monitored to insure generation and delivery ...". Should mention here (again) that the project can and will be monitored remotely.	Added clarification to narrative.	I see the clarification for no haz materials in the crystalline panels but I don't see a mention of no hazardous materials associated with the equipment.
	Application Narrative - 2nd Submittal	11/15/20	DK		3.3 h. Please add a phrase about weed management to this section.	Added: "A Noxious Weed Management Plan has also been provided that further discusses the methods and commitment to maintaining a natural ecosystem and reducing or eliminating noxious weeds"	Does that oil contain PCBs?
							Rewrote this section 3.3.h.i on page 52 to read: A vegetation management plan has been provided to the Fire District and the County. These plans will ensure that the project will maintain a low growth natural ecosystem and manage noxious weeds. In addition, the ongoing operations and maintenance plan will ensure fencing, access roads, and gates are kept in good condition.
							Grammar error in this part of a sentence: "... and ongoing operations and maintenance will keep fencing, access roads, and gates are kept in good condition". "Keep" was probably entered in error and the word "ensure" was probably intended.
	Site Plan - USR Exhibit	08/13/20	SF		1 Add legend for cross-hatch and diagonal line patterns shown on the properties. (Original vs Amendment)	Legend for Overall Site Data Plan added to USR and Address Plat plan sets. An Amendment Summary has been added to the USR plan set, sheet USR-1 to identify the major changes between the original project submittal and the new amendment submittal.	
	Site Plan - USR Exhibit	08/13/20	SF		2 Add legend for cross-hatch pattern on Key Map. Why is cross-hatch pattern not shown on larger property exhibit. (Original vs. Amendment)	Legend for Overall Site Data Plan added to USR and Address Plat plan sets. An Amendment Summary has been added to the USR plan set, sheet USR-1 to identify the major changes between the original project submittal and the new amendment submittal.	
	Site Plan - USR Exhibit	08/13/20	SF		3 Add legend for cross-hatch pattern on Key Map. Why is cross-hatch pattern not shown on larger property exhibit. (Original vs. Amendment)	Legend for Overall Site Data Plan added to USR and Address Plat plan sets. An Amendment Summary has been added to the USR plan set, sheet USR-1 to identify the major changes between the original project submittal and the new amendment submittal.	
	Site Plan - USR Exhibit	08/13/20	SF		8 On this sheet, provide panel detail. Indicate that they could be CS or CIS. Note: We prefer CS.	in the USR plan set, sheet USR-8, a note has been added to the Tracker Racker detail regarding the type of module to be used. The modules are to be Crystalline Silicon (CS) technology.	

	Site Plan - USR Exhibit - 2nd Submittal comments	11/17/20	SF		Are you planning on have setbacks from each property for the solar arrays? If not, please indicate on USR Exhibit and in the 1041 Application that the project will follow setbacks on the outside perimeter properties and that the internal property boundary setbacks will be specified as they were in the original Hunter BOCC Resolution.	See notes on revised USR plan set. Will also provide illustration and slide on this when presenting to PC and SoCC.
	Environmental Impact Analysis	08/13/20	SF	Page 2-1, 2.0, Purpose and Need	Revise first sentence to read, "The Applicant is completing this document to be in compliance with Arapahoe County's Use by Special Review (USR) requirements in conjunction with 1041 submittal requirements for the Proposed Project. The USR/1041 submittal requirements require a scaled down Environmental Impact Analysis....."	Sentence revised to the following: The Applicant is completing this document to be in compliance with Arapahoe County's Use by Special Review (USR) requirements in conjunction with 1041 submittal requirements for the Proposed Project. The USR/1041 submittal requirements require The Applicant is completing this document to seek compliance with Arapahoe County's 1041 Regulation for the Proposed Project. The 1041 Permit requires a scaled down Environmental Impact Analysis (EIA) for the proposed Hunter Solar, LLC project.
	Environmental Impact Analysis	08/13/20	SF	Page 3-1, 3.0.	Project Alternatives, first two paragraphs: Whenever reference is made to "1041 Permit", please revise to "USR/1041 Submittal Requirements."	All "1041 permit" references in paragraphs 1 and 2 language changed to reflect compliance with "USR/1041 Submittal Requirements".
	Environmental Impact Analysis	08/13/20	SF	Page 3-2, 3.3	Geller Land Addition..... first paragraph: Please spell out what PEM stands for.	PEM changed to reflect palustrine emergent ("PEM") wetlands.
	Environmental Impact Analysis	08/13/20	SF	Page 4-2, 4.2	Visual Quality, second paragraph: Indicate that chain link fence is at the request of CPW for wildlife purposes.	Sentence revised to the following: "Mitigation will include screening the Facility behind a proposed 8-foot chain link fence for wildlife purposes at the request of CPW".
	Environmental Impact Analysis	08/13/20	SF	Page 4-11, 4.8	Nuisances: Add second sentence, "However, there will be some minor nuisances of dust and noise during construction that will be mitigated as described below."	Sentence added to the following: "However, there will be some minor nuisances of dust and noise during construction that will be mitigated as described below".
	Environmental Impact Analysis	08/13/20	SF	Page 4-13, 4.9	first paragraph on this page. Is the map really dated 1866?	Confirmed in Metcalf Archaeological Report- original GLO plat map is dated 1866.
	Environmental Impact Analysis	08/13/20	SF	Page 4-15	Hazardous Materials: Following end of first paragraph on this page, please add another paragraph that addresses the potentially hazardous materials of CIS, if CIS PV cells/panels are used, particularly as it relates to disposal of the cells.	Spirit updated to state that Torch is only using CS and no hazardous materials will be used.
	Environmental Impact Analysis	08/13/20	SF	Page 4-15, 4.12	Visual Quality: Indicate that you were willing to install a solid fence which would be better for screening, but based on CPW recommendations, you will install an 8' chain link fence which is better for wildlife.	Paragraph restructured to reflect the following: "Initial plans for screening included installation of a solid fence, however due to CPW recommendations, the fence will be an eight (8)-foot chain link along sections that are visible from the public right-of-way or as required by Arapahoe County, which is more beneficial to wildlife."
	Environmental Impact Analysis	08/13/20	SF	Page 4-17, 4.12	Transportation Impacts, second paragraph: Indicate that once the facility is in operation, there will be a significant decrease in traffic, as compared to construction traffic.	Second paragraph has been revised to say the following: "Once the Facility is operation, there will be a significant decrease in traffic, as compared to construction traffic. In sum, no significant impacts are anticipated for this item."
	Environmental Impact Analysis	08/13/20	SF	Page 5-1, 5.0	Conclusion, first paragraph, last sentence: Indicate that the proposed fence is chain link which does not screen as much as a solid fence, which Torch Energy first proposed to do. However, because of a CPW recommendation for a chain link fence we are proposing to do a chain link fence.	Final sentence in Conclusion 1st paragraph revised to the following: "Initial construction plans for the facility included a solid fence for screening, however based on CPW recommendations for the benefit of wildlife, an 8-foot chain link fence will be installed."
	Environmental Impact Analysis	08/13/20	SF	Appendix 4	Glare Analysis: Please add Glare Analysis when it is completed.	Glare Analysis has been included.
	Environmental Impact Analysis	08/13/20	SF	Appendix 5, Cultural Resources Survey, Page 1	Title: "Arapaho" is spelled "Arapahoe" as it relates to Arapahoe County.	Spelling changed to Arapahoe
	Environmental Impact Analysis	08/13/20	SF	Appendix 5, Cultural Resources Survey, Page 1	Introduction, second to last sentence in paragraph: "affects" should be "effects."	Changed "affects" to "effects"
	Environmental Impact Analysis	08/13/20	SF	Appendix 5, Cultural Resources Survey, Page 2	maps: Caption indicates that these maps are for "Hunter Solar Geller Land Addition," however the property outlined on the two maps shows more than just Geller land, it also shows Hyatt land etc.. Either please revise the Geller property boundaries on both maps or revise the titles for Figures 1 and 2 to include other property owners shown on the maps.	Spirit changed caption.
	Environmental Impact Analysis	08/13/20	SF	Appendix 5, Cultural Resources Survey, Page 4	3rd paragraph and page 6, paragraphs 3 and 4: As recommended by consultant, has the Class III inventory been conducted on this land. If not, please do so or explain why you are not doing it.	A Class III Inventory was completed.
	Environmental Impact Analysis - 2nd Submittal	11/17/20	SF	Appendix 5, Cultural Resources Survey	Page 4, 3rd paragraph and page 6, paragraphs 3 and 4: As recommended by consultant, has the Class III inventory been conducted on this land. If not, please do so or explain why you are not doing it. Will be a condition of approval, if it has not been done.	While the consultant recommended the Class III inventory be done, it was not required. However, because this project is working through a Section 106 compliance on a federal level, we did have SWCA complete a Class III Inventory, now included as Exhibit T.
	Environmental Impact Analysis - 2nd Submittal	11/17/20	SF	Appendix 5, Cultural Resources Survey	This exhibit does not appear to be listed in the 1041 Table of Contents; please add to the Table of Contents.	Correct. This is an exhibit of the EIA, which is listed in the 1041 Table of Contents as Exhibit B. The exhibits within the EIA are not also listed in the 1041 Table of Contents.
	Environmental Impact Analysis	08/13/20	SF	Appendix 6, Consultation	Nothing included in this Appendix. Please put something there or remove it.	Spirit deleted Appendix.
	Wetland and Waterbody Delineation Report	08/13/20	SF		Need to provide Appendix and number either on tab or title page. Please make consistent throughout the report.	List of attachments has been added to the Table of Contents at the beginning of the report.
	Wetland and Waterbody Delineation Report	08/13/20	SF		Site Visit Photographs, Page 2, Photograph 4: Title states facing "southeast" but it is actually facing "northwest." Please revise. Photograph 3 indicates facing "northwest," however, I believe it is facing east. Please revise.	Photograph 4 direction has been revised to reflect "northwest", and photograph 3 direction has been revised to reflect "west".
	Wetland and Waterbody Delineation Report	08/13/20	SF		You may want to include the Attachments and their respective numbers and titles in the Table of Contents at the front of the application.	Table of Contents in the Wetlands Report lists the attachments.
	Wetland and Waterbody Delineation Report - 2nd Submittal Comments	11/17/20	SF		Wetland Delineation Report, Site Visit Photographs, Page 2, Photograph 4: Title states facing "southeast" but it is actually facing "north." Please revise. Photograph 3 indicates facing "northwest," however, I believe it is facing "south." Please revise.	Corrected photo 4 to facing north. Photo 3 is facing West/Northwest. The Xcel line runs E/W and the Brickcenter substation is on the north side of the Xcel line.
	Maintenance Services	8/13/2020 and 11/17/2020	SF		What is this? Is this a contract or agreement with someone? Who does the work and does the County or Torch Energy get a copy. This seems out of place. Please explain.	No, this is a sample schedule or an example of what a maintenance agreement would resemble.
	General Site Details	08/13/20	SF		At this scale this drawing is difficult to understand. Perhaps a paragraph or two would help explain what the General Site Details are meant to convey.	Provided explanation to diagram.
	GESC	08/13/20	SF		Issue and Revision Record: This page is almost illegible. Please replace with more legible version.	Per call with MZ, RiNA believes that providing full size plans on resubmittal would allow for legible viewing of issues and revision table. Believe issues was with providing letter size plans previously.
	Zoning Map	08/13/20	SF		Please put title of "Zoning Map" on this zoning map.	Added
	Photo Renderings	08/13/20	SF		Please put title and paragraph explaining what the photo renderings are meant to convey, especially on first page of photo renderings.	Added
	Photo Renderings - 2nd Submittal Comments	11/17/20	SF		Please put Exhibit J, title on first aerial photo, and a paragraph explaining what the photos are meant to convey.	Added "Exhibit J" to the first page. The paragraph explaining the purpose of the image was added in the second submittal and reads as follows, "This image shows the locations where photos were taken to create a rendering of what the view might look like after the project has completed construction."
	Vegetation Management Plan	08/13/20	SF		please include Noxious Weed Plan per Arapahoe County Guidelines.	Please see Exhibit S to the updated USR/1041 Application.
	Bennett Fire Protection Letter	08/13/20	SF		Please separate Bennett Fire Protection letter from Vegetation Management Plan.	BWFR no longer provides a "letter" rather they provide a permit that requires inspection at the end of construction. Please see their email and permit materials included in the second submittal as Exhibit R.
	Title Report	8/13/2020 and 11/17/2020	SF and KK		Please put more recent title report in place of the older title report, dated Dec. 18, 2019. I believe that you submitted a more recent title report that was separate from the application.	Included recent title report in second submittal and third submittal.

	List of Landowners within 2640 feet of subject property	8/13/2020 and 11/17/2020	SF		Not quite sure what this list is for; please explain. Applicant will need a list of property owners within 500 feet of the property lines of the proposed Hunter Solar Amendment in order to send letters of notification for Planning Commission and BOCC Hearings.	The list and map include landowners within 1/2 a mile of the project boundary per recommendation from staff in the original application. There was a request to send notice letters to a larger/broader set of neighbors to ensure all potentially impacted property owners were notified.
	IREA Referral Comments	8/6/2020	IREA		IREA has recently constructed a new 115 kV transmission line south of our property (AKA ERU project). The applicant will be required to add the existing 115 kV transmission line and recorded easements on the property of MBM Properties. See attached markup.	Updated ALTA from Gillians provided by Michelle. The IREA easements on the MBM properties have been added to the civil plans.
	Xcel Energy Referral Comments	8/7/2020	Xcel		Public Service Company of Colorado's (PSCO) Right of Way & Permits Referral Desk has determined there is a potential conflict with the above captioned project. Public Service Company has existing electric transmission lines and associated land rights as shown within this property. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. PSCO is requesting that, prior to any final approval of the development plan, it is the responsibility of the property owner/developer/contractor to have this project assigned to a Land Rights Agent for development plan review and execution of a License Agreement (via website www.xcelenergy.com/rightofway or email coloradorightofway@xcelenergy.com).	Hunter Solar will get an Encroachment Permit between Hunter Solar and PSCO to cross under their east/west transmission line on the MBM property so we can get our power from the panels on MBM to the project substation on the Hyatt land.
	Building Division Manager Referral Comments	8/7/2020	Joe Richards CBO PWD		The Solar Farm will be reviewed as an F1 occupancy. Please submit all Engineers Stamped Plans along with the required Permits. A pre submittal meeting via Teams is required prior to permit submission.	Per emails with the Building / PWD, these will be submitted with the building permit application prior to construction, but is not being required by PWD at this time.
	Public Works Department Referral Comments	8/7/2020			Submit an Engineer's Certification of No Impact	This letter was provided in previously submittal.
	Public Works Department Referral Comments	8/7/2020			Submit a Fire Lane Request Letter	An "Approved as Noted" letter has been received by Torch Clean Energy from the Bennett-Watkins Fire Rescue. Additional notes regarding KNOX box locations at the access gates and facility address signage has been added to the plans.
	Public Works Department Referral Comments	8/7/2020			Submit an Irrevocable Letter of Credit on Bank Letterhead	RINA called the County Engineering Review to discuss. Per the County Engineer the Letter of Credit value should be based on the higher value between the Initial/Interim GESC cost or the Final GESC cost. The County Engineer confirmed that the Letter of Credit will be provided prior to the start of construction and will be cleared after inspection.
	Tri County Health Department Referral Comments	8/5/2020	Kathy Boyer		Comments have already been addressed in application narrative.	Comments have already been addressed in application narrative.
	CPW Referral Comments	8/17/2020	Matt Martinez		Within two weeks of construction (e.g., initial site disturbance), please complete one more biological assessment to ensure species absence. For instance, if prairie dogs become present, then please complete a Burrowing Owl survey per CPW recommendations. Regarding an update to DOI M-37050 (discussed on page 4-8 of Spirit Environmental's 7/9/20 Environmental Impact Analysis), it should be noted that on August 11, 2020, a District Court Judge disagreed with the current Opinion M, which allowed for the rollback of the Migratory Bird Treaty Act. Therefore, CPW recommends that if initial site disturbance is proposed to occur between March 15 and October 31, then a bird survey should be completed - especially for the two nests also discussed on page 4-8.	Hunter Solar will be working with an environmental consultant to establish a scope of work for the bird study and make sure CPW sees and approves that scope of work prior to construction. The survey will not be initiated until the building permit application is submitted so that the survey is done as close to the start of construction as possible (with follow up survey done during and after construction and during operations).
	CPW Referral Comments	8/17/2020	Matt Martinez		CPW requests that the culvert to the proposed access drive that heads west from S. Brick Center Road be oversized to accommodate small to medium-sized mammals that would otherwise cross at grade level and possibly be hit by construction or maintenance vehicles.	Torch Clean Energy has received email confirmation from the CPW that the current culvert design is acceptable.
	CPW Referral Comments	8/17/2020	Matt Martinez		CPW would like to discuss with Torch Clean Energy the possibility of enhancing the informal wildlife corridor, on the south side of E. Bellview Avenue, by connecting the two drainages with some native upland shrub plantings.	Hunter Solar is in communication with CPW and open to conversations and plans that could improve the wildlife corridor, however, that corridor is a natural feature that will not be disturbed by project activities and may be outside of the leased land area so it is still uncertain if Hunter Solar has any site control in the desired area to provide enhancements and may require negotiations with the private landowners in the area.
	Site Distance Drawing				No comments. Should we revise the site distance drawing to update the corrected case number and title?	Correct, no comments.
	LIUNA	11/2/2020	Erin Hutson		Representatives from the Laborers International Union for North America (LIUNA) contacted Hunter Solar to request language be added to the application that references Hunter Solar's commitment to "best value" employment metrics.	Hunter Solar met with LIUNA and discussed language to address their concerns. The following was added: Hunter Solar is committed to producing positive impacts on the economic viability in Arapahoe County. To this end, Hunter Solar will select contractors that commit to offering training programs when applicable, hire Colorado-based workers as opposed to out-of-state workers whenever feasible, and pay industry-standard wages and benefits. To pages 12, 38.