



**TOWN OF ERIE**

Community Development Department – Planning Division  
645 Holbrook Street – PO Box 750 – Erie, CO 80516  
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: [www.erieco.gov](http://www.erieco.gov)

**LAND USE APPLICATION**

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY		
FILE NAME:		
FILE NO:	DATE SUBMITTED:	FEES PAID:

**PROJECT/BUSINESS NAME:** Lazy Dog Substation

**PROJECT ADDRESS:** TBD

**PROJECT DESCRIPTION:** Application for a new electrical substation within the Town of Erie proposed to be developed by United Power and Tri-State Generation and Transmission Association, Inc.

**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds)

Subdivision Name: See attached Exhibit A

Filing #: \_\_\_\_\_ Lot #: \_\_\_\_\_ Block #: \_\_\_\_\_ Section: 28 Township: 1N Range: 68W

**OWNER** (attach separate sheets if multiple)

Name/Company: United Power  
Contact Person: Steve Barwick  
Address: 500 Cooperative Way  
City/State/Zip: Brighton, CO 80603  
Phone: 303-637-1234 Fax: \_\_\_\_\_  
E-mail: sbarwick@UnitedPower.com

**AUTHORIZED REPRESENTATIVE**

Company/Firm: Same as owner  
Contact Person: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

**MINERAL LEASE HOLDER** (attach separate sheets if multiple)

Name/Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

**LAND-USE & SUMMARY INFORMATION**

Present Zoning: Public Lands and Institutions  
Proposed Zoning: No change proposed  
Gross Acreage: 8 acres

Gross Site Density (du/ac) NA  
# Lots/Units Proposed No change  
Gross Floor Area NA

**SERVICE PROVIDERS**

Electric: United Power  
Metro District: \_\_\_\_\_  
Water (if other than Town): Town of Erie

Gas: None required  
Fire District: Mountain View Fire and Rescue  
Sewer (if other than Town): None required

**PAGE TWO MUST BE SIGNED AND NOTARIZED**

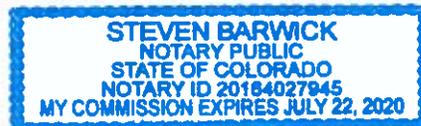
DEVELOPMENT REVIEW FEES			
<b>ANNEXATION</b>		<b>SUBDIVISION</b>	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<input type="checkbox"/> Deannexation	\$ 1000.00	<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
<b>COMPREHENSIVE PLAN AMENDMENT</b>		<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Road Vacation (constructed)	\$ 1000.00
<b>ZONING/REZONING</b>		<input type="checkbox"/> Road Vacation (paper)	\$ 100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre	<b>SITE PLAN</b>	
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input checked="" type="checkbox"/> Non-Resl. (>10,000 sq. ft.)	\$ 2200.00
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resl. (>2,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resl. (<2,000 sq. ft.)	\$ 200.00
<b>SPECIAL REVIEW USE</b>		<input type="checkbox"/> Amendment (major)	\$ 1100.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (minor)	\$ 350.00
<input type="checkbox"/> Minor	\$ 400.00	<b>VARIANCE</b>	\$ 600.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	<b>SERVICE PLAN</b>	\$ 10,000.00
All fees include both Town of Erie Planning & Engineering review. These fees do not include referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.			

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: \_\_\_\_\_  
 Owner: Robert Maxwell  
 Applicant: Robert Maxwell

Date: \_\_\_\_\_  
 Date: 1/15/2019  
 Date: 1/15/2019

STATE OF COLORADO )  
 County of ADAMS ) ss.  
 The foregoing instrument was acknowledged before  
 me this 15 day of JANUARY, 2019,  
 by ROBERT MAXWELL.



My commission expires: 7/22/2020.  
 Witness my hand and official seal.

Steven Barwick  
 Notary Public

**EXHIBIT "A"**  
**(SPECIAL WARRANTY DEED)**

**PROPERTY DESCRIPTION**

ALL OF THAT PARCEL OF LAND KNOWN AS TRACT A OF FRONT RANGE LANDFILL MINOR SUBDIVISION PLAT, ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 3722553. SAID TRACT A IS LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 28, AS MONUMENTED BY A 2 INCH ALUMINUM CAP MARKED "PLS 25937"; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST ONE-QUARTER OF SECTION 28, SOUTH 89°23'50" WEST, A DISTANCE OF 933.46 FEET; THENCE SOUTH 00°36'10" EAST, DEPARTING THE NORTH LINE OF SAID NORTHEAST ONE-QUARTER OF SECTION 28, A DISTANCE OF 40.00 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID TRACT A, SAID NORTHWEST CORNER ALSO BEING ON THE SOUTH LINE OF A 40.00 FOOT RIGHT-OF-WAY DEDICATED ON SAID MINOR SUBDIVISION PLAT AND THE **POINT OF BEGINNING**;

THENCE NORTH 89°23'50" EAST, ALONG THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 833.41 FEET;

THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.15 FEET, A CENTRAL ANGLE OF 90°02'41", AND A CHORD BEARING AND DISTANCE OF SOUTH 45°34'50" EAST, 42.44 FEET;

THENCE SOUTH 00°33'29" EAST, ALONG THE EAST LINE OF SAID TRACT A, SAID LINE ALSO BEING THE WEST LINE OF A 70.00 FOOT RIGHT-OF-WAY DEDICATED ON SAID MINOR SUBDIVISION PLAT, A DISTANCE OF 863.36 FEET;

THENCE SOUTH 89°23'50" WEST, ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 863.43 FEET;

THENCE NORTH 00°33'29" WEST, ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 893.38 FEET TO THE **POINT OF BEGINNING**.

THE TOTAL AREA OF THE ABOVE DESCRIBED PARCEL IS 17.704 ACRES (771,178 SQUARE FEET) OF LAND, MORE OR LESS.

**NOTES:**

1. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT ISSUED THROUGH THE OFFICE OF ....., ORDER NUMBER ....., DATED ..... FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY, OR TITLE OF RECORD.
2. BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS AND/OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE N.G.S. AND PROJECTED TO "COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE" (C.R.S. 38-52-105 & 106).
3. DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GROUND. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.99971527.
4. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., SAID LINE BEING MONUMENTED ON THE NORTH BY THE NORTHEAST CORNER OF SAID SECTION 28, BEING A FOUND 2 INCH ALUMINUM CAP MARKED "PLS 25937" AND ON THE SOUTH BY THE EAST ONE-QUARTER CORNER OF SAID SECTION 28, BEING A FOUND 3.25 INCH ALUMINUM CAP ILLEGIBLY MARKED AND BEARS SOUTH 00°33'29" EAST.

PROJ. NO. 176018  
 PREPARED BY: H. LAWRENCE SINCO  
 DATE PREPARED: 06/04/19  
 FOR AND ON BEHALF OF ACKLAM, INC..  
 195 TELLURIDE ST., SUITE 7, CO 80601  
 303.659.6267  
 FRONT\_RANGE\_LANDFILL\_1ST\_AMEND\_DESC.docx  
 PRINTED: 6/4/2019 10:32:00 AM Lawrence Sinco

REVISIONS			
NO.	DATE	BY	DESCRIPTION

# LAZY DOG SUBSTATION PROJECT



## SITE PLAN REVIEW APPLICATION: SP-001053-2019 Town of Erie - Weld County, Colorado

Submitted To:



Submitted By:



*August 2019*

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**Lazy Dog Substation Project  
 Site Plan Review Application**

<b>Site Plan Review User's Guide Submittal Requirements</b>	
<b>Information</b>	<b>Location in Permit Package</b>
1) Completed Application	Front of Binder
2) Application Fee	Previously Provided
3) Written Narrative <ul style="list-style-type: none"> <li>a) General project concept and purpose of the request;</li> <li>b) Discuss how the proposed development is in compliance with the five approval criteria of the Municipal Code Title 10—UDC for Site Plan review;</li> <li>c) Discuss how the proposed building architecture provides visual interest consistent with the community's identity, character and scale. Explain how building facades and rooflines are articulated to reduce the mass, scale, uniform and monolithic appearances of large buildings. Describe how architectural features, patterns and details provide visual interest at the scale of the pedestrian;</li> <li>d) Provide a development schedule indicating the approximate date when construction of the proposed development, and when applicable, phases of the proposed development can be expected to begin and be completed;</li> <li>e) Provide general business-related data including the total number of employees, the square footage of building(s), lot area, and total project value (building and site development costs excluding land value);</li> <li>f) If residential units are proposed, the number of units and how they are being integrated into the proposed development;</li> <li>g) A brief description regarding the location, function and ownership/maintenance of public and private open space, parks, trails, common areas, common buildings; and</li> <li>h) A brief description regarding the status of mineral rights and the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision.</li> </ul>	Section 3
4) Proof of Ownership	Section 4 Appendix A
5) Notarized Letters of Authorization from Landowner(s)	Section 5
6) Copies of Special Agreements, Conveyances, Restrictions, or Covenants	Section 6
7) Site Plan Agreement	Section 7
8) Product/Material Sample Board	Section 10 Appendix B & Appendix I
9) Color Renderings of the Substation Elevations	Section 11 Appendix I
10) Full-Scale Copy of Recorded Final Plat	Section 12 Appendix E

Site Plan Review Application  
 Lazy Dog Substation Project

Site Plan Review User's Guide Submittal Requirements	
Information	Location in Permit Package
11) Site Plan Exhibits a) Cover Sheet b) Site Plan c) Landscape Plan d) Utility Plan e) Grading/Drainage Plan f) Photometric Plan g) Building Elevations	Section 8 Appendix B
12) Additional Graphic Aids a) Photo Simulations, Materials Samples, and Substation Elevations	Section 13
13) Development Reports/Studies/Plans a) A Phase III Drainage Report and Plan b) A Final Erosion Control Study and Plan c) A Final Grading Plan d) For applications with public roads, Final Road Construction Plans e) For applications requiring parks, open space or trails that meet Town dedication requirements, Final Landscape Construction Plans f) Geological Report, if required g) A Traffic Impact Study or narrative, if required	Section 9
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- Appendix B: Site Plan Exhibits
- Appendix C: Phase III Drainage Report, Construction Plan, and Operation and Maintenance Plan
- Appendix D: Geotechnical Report
- Appendix E: Full-Scale Copy of the Recorded Final Plat
- Appendix F: Biological Resources Report and Raptor Nest Survey Report
- Appendix G: Stormwater Management Plan
- Appendix H: Alternative Equivalent Request
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# Introduction

United Power, Inc. (United Power), in coordination with Tri-State Generation and Transmission Association, Inc. (Tri-State), is proposing to construct and operate a new electric substation (Project, Lazy Dog Substation) on a parcel owned by United Power located near the southwestern corner of the intersection of Weld County Road 6 and Weld County Road 7 (Figure 1). This Site Plan Application permit package has been prepared per the requirements of Chapter 7 Section 12 from Title 10—Unified Development Code (UDC) and the Town of Erie’s Site Plan Review User’s Guide.

To meet requirements for the Site Plan Review process, United Power and Tri-State representatives attended a pre-application conference with the Town of Erie on February 12, 2018. Additional meetings were held with the Town of Erie on July 18, 2018, and September 10, 2018, to further discuss the project and associated permitting requirements. Based on the materials submitted to satisfy the pre-application meeting, and discussion during the two additional meetings, the Town of Erie provided preliminary comments on the Project. Town of Erie comments have been incorporated into the site design represented in this application package.

United Power and Tri-State submitted a Site Plan, Special Use Review and Minor Subdivision permit applications in accordance with Chapter 7 Section 12 from Title 10—Unified Development Code on January 30, 2019. United Power and Tri-State received the completeness review for all three concurrent permit applications from the town of Erie on February 15, 2019, and subsequently submitted the agency referral packets on February 22, 2019. United Power and Tri-State received a first round of referral agency comments on April 12, 2019 and additional comments from the Town of Erie on April 25, 2019 and May 9, 2019 and submitted responses and a new set of three permit applications on June 5, 2019. United Power and Tri-State received a second round of Town of Erie comments on July 17, 2019 and July 18, 2019 and additional referral agency comments on July 19, 2019. Town of Erie and referral agency comments have been incorporated into the site design and application package. Responses to these comments are included in this application package behind the cover letter.

Appendices provided with the Site Plan Review permit application are listed in Table 1.

**Table 1:**  
**List of Appendices Included with the Site Plan Review Application**

Appendix	Supplemental Information Provided
Appendix A	Proof of Ownership and Title Commitment
Appendix B	Site Plan Exhibits
Appendix C	Phase III Drainage Report, Construction Plan, and Operation and Maintenance Plan
Appendix D	Geological Report
Appendix E	Full-Scale Renderings of the Recorded Final Plat
Appendix F	Biological Resources Report and Raptor Nest Survey Report
Appendix G	Stormwater Management Plan
Appendix H	Alternative Equivalent Request
Appendix I	Substation Photo Simulations, Material Samples and Elevations

# 1. Completed Application

The Town of Erie Site Plan Review application is included as part of the permit package and is located in the front of the binder.

# 2. Application Fee

The \$2,200.00 application fee for the Site Plan Review application was paid to the Town of Erie with the initial application submittal on January 30, 2019.

# 3. Written Narrative

## 3a. General Project Concept and Purpose of the Request

United Power and Tri-State are proposing to construct and operate a new electric substation that would be located on an approximate 8-acre parcel owned by United Power. The parcel is located near the southwestern corner of the intersection of Weld County Road 6 and Weld County Road 7 (the northeast quarter of Section 28, Township 1 North, Range 68 West; Figure 1). The Project would serve the growing electrical needs of the surrounding area. The Project would be located entirely within the jurisdiction of the Town of Erie (Erie) in Weld County, Colorado. United Power purchased the land from the Town of Erie, and the parcel was subdivided into the current United Power parcel (146728101004) and to the east, a Town of Erie parcel (146728101005). The Project parcel was identified as being the best location for the Lazy Dog Substation based on the availability of an open parcel, compatibility with surrounding uses, and proximity to the load center where the electric power will be delivered to consumers.

The Project would include the following components: substation yard and equipment, driveway and access road, detention basin and swales, a screen wall, landscaping, and the addition of high voltage electrical equipment and facilities to connect into the existing Western Area Power Administration's (Western) existing Erie-Terry Street 115-kilovolt (kV) transmission line (Appendix B). The transmission interconnection would require that Western remove a single transmission structure (Structure 29-7) and install two new structures (29-7A, 29-7B) along the Erie-Terry Street transmission line to provide a source of electricity to the substation (Figure 1). The proposed tap transmission lines connecting to the existing Erie-Terry Street transmission line would be 115-kV and owned by Western. The substation would be built on property owned by United Power, and the new transmission structures would be placed within the existing Western right-of-way for the Erie-Terry Street transmission line. The substation site would be accessed from Weld County Road 6, which is approximately 0.15 mile west of Weld County Road 7. The site is currently grassland; no buildings are present on the site.

Underground distribution lines would exit the substation on the northern and eastern sides of the substation and proceed to Weld County Road 6 and Weld County Road 7, respectively, to connect into

United Power's existing distribution system. The location and required permits and approvals for the underground distribution lines would be processed under United Power's franchise agreement with the Town of Erie. United Power does not anticipate that any of the design components or landscaping on the northern and eastern sides of the substation would be affected by the location of the underground distribution lines.

Western has evaluated interconnection to the Project through a Categorical Exclusion under the National Environmental Policy Act. The interconnection would include a new tap that would connect the transmission line into the substation, and structure modifications along the existing transmission line. Western installed the interconnection facilities located within their existing easement in early 2019 so that the modifications are in place to support construction of the Project.

### **3b. Compliance with Municipal Code Title 10—UDC and Site Plan Review Approval Criteria (1–5)**

#### **1. Consistency with Comprehensive Master Plan**

The Project would adhere to Erie's Comprehensive Master Plan. The parcel of land to be used for the Project is designated as Public/Quasi Public (P/QP) land use on the comprehensive plan map (Erie 2016; Figure 2). This land use category is designated for facilities needed for essential public services, including electrical substations. Because it would be part of a larger system that provides electricity to local customers of United Power, the Project would provide an essential service to the community at large, and this intended use would be consistent with Erie's intended and designated use.

#### **2. Consistency with Precedent Plans of Land Approvals**

United Power and Tri-State are not aware of any previously approved subdivision plats, planned developments, or any other precedent plan or land use approval on the Project parcel.

#### **3. Compliance with Municipal Code Title 10—UDC**

The Project complies with all applicable development and design standards set forth in the Municipal Code Title 10—UDC (Erie 2018), including but not limited to the provisions in Chapter 2, Zoning Districts; Chapter 3, Use Regulations; Chapter 4, Dimensional Requirements; and Chapter 6, Development and Design Standards. Per the Community Development Department—Planning Division request, United Power and Tri-State are also seeking Alternative Equivalent Compliance (UDC Section 10.6.1.C) for the height of the screen wall and planting pocket requirements, the details of which are presented in Appendix H.

According to UDC Section 10.11.3, the Project qualifies as a major utility facility in that it is "a service that is necessary to support development within the immediate vicinity and that involves significant structures...Examples include electric transformer stations, gas regulator stations, telephone exchange buildings, and well, water, and underground utility boxes, and sewer pumping stations." Chapters 2 and 3 of the UDC establish zoning districts and permitted land uses within Erie, respectively. Chapter 4 of the UDC includes the dimensional standards applying to development in the districts. The Project lies within the Public Lands & Institutions (PLI) Zone District (Figure 3) which, according to UDC Section 10.2.5, has a purpose of providing "areas for the development of public or quasi-public facilities or private facilities of

a non-commercial character, including churches, schools, libraries, and cultural facilities". The substation would be a private facility and can be considered a "passive" use of land, exhibiting non-commercial characteristics. The Project is located in a Public/Quasi Public Land Use (P/QP) District (Figure 2). Per Table 3.1 of the UDC, the Project requires a Special Review Use prior to development. A Special Review Use permit package will be submitted concurrently with this Site Plan Review permit package. Setback requirements set forth in Chapter 4 of the UDC would be exceeded on all sides of the property as depicted on the Site Plan (Appendix B). As outlined in the Site Plan Review User's Guide and in compliance with the development and design standards set forth Chapter 4 and 6, a Site Plan has been developed as presented herein.

#### **4. Anticipated Significant Adverse Impacts and Mitigation**

Substations are common throughout Colorado's Front Range and are generally compatible with a variety of land uses, including commercial, industrial, agricultural uses, and residential uses that require the electrical power substations distribute. Local temporary impacts to the surrounding land uses are anticipated from the construction of the substation, including an increase in traffic; increase in noise and dust from construction activities; increase in odors from construction equipment exhaust (fumes); increase in vibrations from heavy construction equipment; and visual effects from the presence of construction equipment and active work areas. It is anticipated that construction impacts would not result in long-term effects and would exist only for the anticipated duration of construction. Noise levels would be elevated above normal background levels during construction of the Project during daytime hours. United Power, Tri-State, and their construction contractors would endeavor to address and alleviate any nuisances that are identified during construction.

A desktop analysis was conducted for the Project (Figure 1) to collect publicly available background data and field surveys to evaluate the existing conditions. The biological resources report is included as Appendix F. No potential habitat for federally or state listed species were identified during the field survey in the Project area. One State of Colorado C-List noxious weed, cheatgrass, was identified in the survey area. The State of Colorado does not have a plan to implement for controlling the spread of List-C species; however, the State of Colorado does recommend implementing controls to limit the spread of this species. During the field survey, one roadside ditch and one swale were identified, these features are assumed to be non-jurisdictional. Impacts to the ditch and swale will be minimized to result in less than 0.1 acre of disturbance (Appendix F). This would avoid the need for a Section 404 permit with the U.S. Army Corps of Engineers by locating the Project outside of the ditch and swale areas.

Wildlife observations were documented during raptor nest surveys in March and May 2018. Swainson's hawks, red-tailed hawks, and prairie dogs were observed within the vicinity (Appendix F). Two active raptor nests and two inactive nests were observed within the vicinity as of May 10, 2018. A follow up survey was completed on January 21, 2019. During subsequent surveys in 2019, a pair of red-tailed hawks were observed building a nest. Monitoring of this nest began on March 21, 2019, and proceeded until May 15, 2019, when the nest was observed to have failed due to unknown reasons. The pair of red-tailed hawks did not return to the nest area. United Power and/or Tri-State will coordinate with wildlife agencies as applicable prior to construction.

The Project would be located within the breeding range of bald eagles; however, the closest known active bald eagle nest is approximately 3.5 miles from the Project site boundary. The Colorado Parks and Wildlife (CPW)-recommended buffer zone for bald eagles is 0.5 mile from active nests, outside the boundaries of the Project area. No eagles or their nests were observed during surveys; nesting eagles are not expected to be affected by Project-related construction activities (Appendix F). If eagles or nests were observed during subsequent surveys prior to construction, CPW seasonal buffers would be followed to avoid impacts to active nests. An active prairie dog colony was observed outside of the Project area (approximately a half-mile west) and would be avoided during construction.

A limited results block survey (less than 160 acres) and pedestrian survey for cultural resources was conducted in March 2018, and an additional field survey was conducted in July 2018. No resources were observed within the survey area during the March 2018 survey, and an ineligible site was observed in the July 2018 survey. Impacts to cultural resources are not expected. Operational impacts are discussed below.

Traffic impacts from operation are not expected because the substation represents a passive use and its operation would not generate trips in excess of those occasionally needed for maintenance or emergencies. The substation would not be staffed, and the only vehicles entering or exiting the site would be related to inspections and maintenance. Lighting needed to perform maintenance or emergency repairs would be provided by a permanently mounted light fixtures within the substation yard. The light would be controlled using a manual switch and would only be used during occasional maintenance or during emergencies. The details of lighting are shown on the Photometric Plan Sheet of the Site Plan (Appendix B, Site Plan).

During operation, the substation would be a new and permanent land use and facility. The visual impact of the substation would be decreased by providing a screen wall and landscaping around all Project boundaries. A mix of deciduous and evergreen trees and shrubs would be used throughout the proposed substation site to provide a variety of colors, textures, and heights to blend the design into the surrounding area. The landscaping would be irrigated in accordance with Town of Erie requirements in UDC Section 10.6.4. The Landscape Plan is provided in Appendix B. An Irrigation Plan will be prepared based upon the final landscape plan approved by the Town of Erie and will be included in the Project construction drawings.

The Project is not expected to impact avian species during the operation of the Project. The substation and transmission interconnection facilities would be built according to Avian Power Line Interaction Committee guidelines for prevention of avian collisions and electrocutions.

The substation would require routine and occasionally emergency maintenance that would produce noise and activity associated with maintenance workers and equipment. Routine maintenance may include spraying to control noxious weeds and vegetation control within the substation yard as well as testing and repair or replacement of electrical equipment. In case of an emergency at the substation, a specific Emergency Plan will be in place. The substation should not be entered by anyone other than United Power, Tri-State, Western personnel, or their contractors and all emergencies would be handled following protocols currently in place with each of those companies.

The substation would produce electric and magnetic fields during operation; however, these are not expected to cause any negative impacts. The strength of a magnetic field reduces dramatically with increasing distance from the source (NIEHS 2018). The Project would be surrounded by industrial uses that would not be impacted by electric and magnetic fields during operation. The Project would comply with CPUC Rule 3206(e) for electric and magnetic field levels at the property line.

The substation would produce noise during operation, primarily from the transformers; however, noise reduces with distance from the source. The Project would be surrounded by industrial uses and comply with the noise limit prescribed by PUC rule 3206(f) and Weld County Code of Ordinance Section 14-9-40.

## **5. Compatibility with Surrounding Land Uses**

The land uses shown on the Comprehensive Plan, Land Use Plan Map (Erie 2015) surrounding the Project are designated as Industrial (I), Landfill (LF), and Public/Quasi-Public (P/QP) (Figure 2). The parcel is designated P/QP, and the substation would be located east of the Denver Regional Landfill and south of the Erie Landfill Gas to Energy Project (Figure 1). The Project use, therefore would be compatible with the surrounding areas.

Use of the proposed parcel as a substation would be compatible with surrounding land uses because the substation can be considered a “passive” use of land. The substation would not cause increased vehicle traffic. The substation would be an unstaffed facility and would be monitored remotely; no parking is proposed outside the screen wall. Visits from utility personnel would be limited to emergencies or maintenance and inspection activities.

### **3c. Description of Visual Interest**

The Project would be located at the intersection of Weld County Roads 6 and 7 in a rural setting and adjacent to existing industrial land uses. The parcel is located to the south of Weld County Road 6, which is a paved road, and to the west of Weld County Road 7, which is paved. The parcel is located to the east of the Denver Regional Landfill and south of the Erie Landfill Gas to Energy Project. The electrical substation, along with equipment to connect into an existing 115-kV transmission line, plus a screen wall and landscaping, would be located on an 8-acre parcel. The footprint of the proposed substation would be 1.89 acres and situated on the western portion of the parcel. The screen wall would be located around the substation equipment and surrounded by landscaping that would provide screening and complement the existing setting per Town of Erie Unified Development Code 10.6.4, sections F and G (Appendix B). The screen wall would be approximately 8 feet high around the perimeter (Alternative Equivalent Compliance discussed in Appendix H). The screen wall would be constructed of decorative concrete blocks placed between columns. Two metal gates located along the north side of the screen wall will provide utility access to the substation yard. All metal used would be rust resistant to ensure that a clean appearance would be maintained. Photo simulations, materials samples, and substation elevations are included in Appendix I. The landscape plan is included in Appendix B.

National Electric Safety Code (NESC) mandates that high voltage warning signs be posted at the facility. The NESC required signs are anticipated to be about 2'x2' and will be placed on each gate and approximately 50' apart along the perimeter of the screen wall. Additional signs depicting the substation

name and contact information for United Power and Tri-State will be mounted on each gate. No other signage is proposed for the facility.

A mix of deciduous and evergreen trees and shrubs would be used throughout the proposed substation site to provide a variety of colors, textures, and heights to blend the design into the surrounding area. The Landscape Plan is provided as in Appendix B.

Included within the screen wall would be electrical equipment including transformers, circuit breakers, protective equipment, electrical equipment enclosures, and space for parking service vehicles and mobile substation equipment. Service vehicles and mobile substation equipment may be required for system repairs or support during outages. The static mast and the wires that protect the substation from lightning strikes would be between 40 and 50 feet in height. The height of the static masts is mandated by the National Electric Safety Code and substation design standards to protect the substation equipment from lightning strikes. The screen wall and all above ground equipment are depicted on the Landscape Plan (Appendix B). Photo simulations, materials samples, and substation elevations are included in Appendix I.

One driveway would allow ingress and egress into the substation from Weld County Road 6. Two gates within the screen wall would serve as access to the substation yard, and a circular access road within the substation yard would provide ample room inside the substation fence for maintenance and emergency vehicles to safely maneuver around equipment and park. Designated parking spaces are not proposed nor required as the facility will be private. The access gates would be locked and only authorized utility employees would be allowed entrance. New electrical interconnection equipment is required to interconnect into the electrical grid via the Western 115-kV transmission line located along the southwestern corner of the parcel. A detention basin and swales would be constructed outside of the screen wall as stormwater control.

Emergency lighting would be installed within the substation yard. This lighting would only be activated in the event of an outage or other repair-related event at the substation during nighttime hours. The lighting would be mounted on static masts and light poles and would be directed downward toward equipment. The lights would only be turned on when utility personnel are at the site performing maintenance and the lights would be turned off after repairs are completed. Section A of the Photometric Plan drawing includes details and cut sheets for all lighting proposed at the substation. The Photometric Plan has been updated to include details of the light pole, full cut-off lighting, and aiming angle per Section 10.6.10 of the UDC, and a note has been added to the sheet (Appendix B, Site Plan).

The Town of Erie's Transportation Plan details planned future development along Weld County Road 7. This development includes both a bike lane and a traffic signal at the intersection of Weld County roads 6 and 7. There are no existing or planned sidewalks along Weld County roads 6 and 7, so the Project area would most frequently be viewed by bike and vehicular traffic. From the Weld County roads, the substation equipment would be partially obstructed by the screen wall, planting pockets, and landscaping which are designed to blend the Project into the surrounding area.

### **3d. Development Schedule**

The Project schedule is subject to permitting approvals. Project construction is expected to last for 6 months with an anticipated in-service date of November 2019, provided that all applicable permits have been received by May 2019. An anticipated schedule is as follows:

- Permitting: January 2018–Summer 2019
- Engineering: January 2018–Summer 2019
- Construction: Fall 2019–Spring 2020
- In Service Date: Spring 2020
- Project Close-Out: Spring/Summer 2020

The dates provided above are no guarantee of performance and are derived from available information at the time of this application submittal; they are to be used for information purposes only and are subject to change.

### **3e. General Business-Related Data**

The following sections address general business-related data.

#### **Total Number of Employees**

No permanent employees would be present at the substation site. Maintenance employees would visit the substation on an as-needed basis.

#### **Square Footage of Total Project**

The Project site would be developed on an 8-acre site; however, the substation would not encompass the entire site. The substation footprint would be approximately 1.89 acres, or 82,368 square feet and would include a screen wall, electrical equipment, transmission interconnection facilities, and electrical equipment enclosures.

#### **Total Project Value**

The Project is anticipated to cost a total of \$8 Million for construction and operation.

### **3f. Number of Residential Units and Integration into Proposed Development**

Residential units are not included in the Project.

### **3g. Location, Function and Ownership/Maintenance of Public and Private Open Space, Parks, Trails, Common Areas, Common Buildings**

Public and Private Open Space, Parks, Trails, Common Areas, and Common Buildings are not located within or in proximity to the Project. The closest facility is the Erie Single-Track Bike Park, located approximately 1 mile to the west at the intersection of Weld County Road 6 and Weld County Road 5. The Project, therefore, would have no effect on the location or function of these areas.

### **3h. Description of Mineral Rights or Other Restrictions Applying to the Proposed Subdivision**

United Power owns the surface rights of the parcel but does not own the mineral rights. The mineral rights owner will be notified per the requirements of 24-65.5-103 C.R.S. A Western easement overlaps the southwest corner of the Project Area (Appendix B). There are no other proposed or existing covenants, special conditions, grants, or other restrictions on the property (see also Sections 4, 5 and 6 of this application).

## **4. Proof of Ownership**

Proof of ownership, including a title commitment is included in Appendix A.

## **5. Notarized Letter of Authorization from Landowners**

Not applicable to the Project; the parcel is owned by United Power, who is the applicant along with Tri-State.

## **6. Copies of Special Agreements, Conveyances, Restrictions, or Covenants**

No special agreements, conveyances, restrictions, or covenants exist on the proposed site.

## **7. Site Plan Agreement**

The Site Plan Agreement, if required for the Project, would be drafted by Town of Erie staff once the staff application review has been completed per Town of Erie Unified Development Code 10.7.18.

## **8. Site Plan Exhibits**

A Project Site Plan containing a cover sheet, Site Plan, Landscape Plan, Utility Plan, Grading/Drainage Plan, Photometric Plan, and Elevations are provided in Appendix B. No occupied buildings are proposed as part of the Project and therefore Building Elevations have not been included in the Site Plan.

## **9. Development Reports/Studies/Plans**

Development reports were prepared to document the physical characteristics of the proposed Project. Table 2 lists all reports, studies, plans, and their associated appendix.

**Table 2:**  
**Site Plan Review, Project Development Reports, Studies and Plans**

Title	Appendix
Phase III Drainage Report and Plan	C
Stormwater Management Plan	G
Final Grading Plan	B
Final Road Construction Plans	N/A—Public road construction is not required for this Project.
Final Landscape Construction Plans	N/A—Applicable to applications requiring parks, open space, or trails dedications.
Geotechnical Report	D
Traffic Impact Study	N/A—No permanent increase of roadway usage is expected
Biological and Raptor Nest Survey Reports	F
Photo Simulations	I
Substation Elevations	I
Material Samples	I

## 10. Product/Material Sample Boards

Proposed materials, including manufacturer colors and numbers, for the screen wall and plant material are provided in the Landscape Plan in Appendix B and depicted in Appendix I.

## 11. Color Renderings of the Elevations

Color renderings of the substation elevations are included in Appendix I.

## 12. Full-Scale Copy of Recorded Final Plat

A full-scale copy of the recorded plat will be included as Appendix E in the final submittal of the Site Plan permit once the Minor Subdivision has been approved by the Town of Erie.

## 13. Additional Graphic Aids

Additional graphic aids beyond the photo simulations, materials samples, and substation elevations (included in Appendix I) are not included for this submittal.

## 14. Additional Information

No additional information has been requested by Erie.

## 15. Bibliography

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Site Plan Review Application  
Lazy Dog Substation Project

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