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September 18, 2015

Elmore County Land Use and Building Department
Alan Christy
520 E 2nd South
Mountain Home, ID 83647

Re: Mountain Home Solar 1, LLC – Conditional Use Permit Application and Master Site Plan

Dear Mr. Christy:

On behalf of Mountain Home Solar 1, LLC (a subsidiary of Intermountain Energy Partners) Tetra Tech is pleased to submit a Conditional Use Permit Application and Master Site Plan for the Mountain Home Solar Project.

A check for \$800.00 was made out to Elmore County, ID and mailed for Friday September 18 delivery to Elmore County Land Use and Building Department.

Questions regarding contents of the application should be directed to:

DEPCOM Power, Inc.
Lance Weinkamer
Director – Transmission and Interconnection
9200 E Pima Center Pkwy Suite 180
Scottsdale, AZ 85258
(614) 499-2011
lweinkamer@depcompower.com

with cc to:
Thirdpath Advisors, LLC
Richard Gruber
Managing Director
(512) 771-1555
rlgruber@gmail.com

Respectfully Submitted,

Joy McLain
Permitting Specialist

Attachments: Mountain Home Solar 1, LLC, Conditional Use Permit Application and Master Site Plan

Mountain Home Solar Project Conditional Use Permit Application and Master Site Plan

September 18, 2015

SUBMITTED TO

Elmore County
Land Use and Building Department
520 East 2nd South
Mountain Home, ID 83647

SUBMITTED BY

Mountain Home Solar 1, LLC
a subsidiary of



Lance Weinkamer,
9200 E Pima Center Parkway #180
(614) 499-2011

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ACRONYMS/ABBREVIATIONS

Acronyms/Abbreviations	Definition
AC	alternating current
BMP	best management practice
CIA	critical issues analysis
CUP	conditional use permit
CWA	Clean Water Act
dBA	A-weighted decibels
DEQ	Department of Environmental Quality
DOD	Department of Defense
DEPCOM	DEPCOM Power, Inc.
FAA	Federal Aviation Administration
FERC	Federal Energy Regulatory Commission
IEP	Intermountain Energy Partners, LLC
IPUC	Idaho Public Utilities Commission
ITD	Idaho Transportation Department
IPC	Idaho Power Company
MW	megawatt
NEPA	National Environmental Policy Act
NHD	national hydrography dataset
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
NPDES	national pollution discharge elimination system
NWI	national wetland inventory
POI	point of interconnection
PV	photovoltaic
Tetra Tech	Tetra Tech Inc.
SCADA	Supervisory Control and Data Acquisition
SHPO	State Historic Preservation Office
SWPPP	stormwater pollution prevention plan

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EXECUTIVE SUMMARY

Mountain Home Solar 1, LLC (Applicant) seeks a Conditional Use Permit (CUP) from Elmore County to develop, construct, operate, and maintain 20 megawatt (MW) alternating current (AC) photovoltaic (PV) solar facility on approximately 165 acres of privately owned land defined as the Project site (**Appendix A, Figure 1 – Project Vicinity**). The Project site is located on private land in unincorporated Elmore County, Idaho (**Appendix A, Figure 2 – Project Site**).

The Applicant is a subsidiary of Intermountain Energy Partners LLC, an Idaho Limited Liability Company (IEP). IEP is developing a number of similar solar PV projects in ID and other western U.S. states. The Applicant has worked cooperatively with Idaho Power Company (IPC) on the development of the Project. The Idaho Public Utilities Commission (IPUC) has approved the Energy Sales Agreement between IPC and the Applicant solidifying a 20-year sales contract for the energy from the Project.

The Project represents a major investment in Elmore County helping to strengthen the County's economy while using little to no county or environmental resources. The Project achieves goals included in the County's Comprehensive Plan and will comply with the County's Zoning Regulations relative to CUP requirements and process. The Project also demonstrates compliance with Title 6, Elmore County Zoning and Development Ordinance with the preparation of a Master Site Plan. Based on the merits of this application and with the support of on-going environmental due diligence efforts to document existing environmental resource conditions in and around the Project, the Applicant seeks County approval of this application.

1.0 GENERAL INFORMATION

1.1 ELMORE COUNTY CUP APPLICATION FORM

This section includes the 8-page Elmore County CUP application form. The pages following the form include supporting information required for the application and master site plan.

A number in parentheses at the end of a heading section indicates the corresponding section of the CUP application form that it is addressing.



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 E 2nd South – Mountain Home, ID 83647 – (208) 587-2142 www.elmorecounty.org

Conditional Use Permit Application

The Elmore County Land Use & Building Department **DOES NOT** accept faxed applications or signatures.

Application must be completed in **INK**. Please use addition sheets of paper if necessary. This application must be complete and all fees paid prior to acceptance by the Elmore County Land Use & Building Department. A public hearing will not be scheduled until the application is accepted.

The Conditional Use Permit Application must be in compliance with Chapter 27 of the Elmore County Zoning and Development Ordinance.

Pre-application meetings are strongly encouraged for Conditional Use Permit Applications. Pre-application meetings are by appointment only. Do not hesitate to contact the Land Use & Building Department with any questions or concerns.

1. Name of applicant: Mountain Home Solar 1, LLC
 2. Address of applicant: C/O Lance Weinkamer, 9200 E Pima Center Parkway #180, Scottsdale, AZ 85258
 3. Daytime telephone number of applicant: (614) 499-2011
 4. Email Address: lweinkamer@depcompower.com
 5. Name, address, and daytime telephone number of developer: Intermountain Energy Partners, LLC. 1109 Main St., Suite 420, Owyhee Plaza, PO Box 7354, Boise, ID 83707. Phone: (800) 405-7975
 6. Address of subject property: W 10th N, Elmore County
 7. Name, address, and daytime telephone number of property owner (if different from applicant): Weitz & Company, Inc. and Idaho Farmway, Inc., 1900 West Main Street, Boise, ID 83702, (208)-345-1125
 8. Attach Legal Description and acreage of property and legal description and acreage of part that CUP is to encompass: A legal description of the property is included in the lease agreement in Appendix B.
- Attach at least one of the following: Appendix B
- Deed Proof of Option Earnest Money Agreement Lease Agreement Assessor's Parcel Master Inquiry RP# _____
9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: See Section 1.4.1



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9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: See Section 1.4.1

10. Current zoning: Light Industrial (M1) b. Current district (if applicable): _____

11. a. Is the proposed location within an Area of Critical Concern (ACC) or Community Development Overlay (CDO)?

Yes No If in a CDO, what CDO? _____ If in an ACC or CDO, technical studies, an environmental assessment, or an environmental impact statement may be required.

b. Is the proposed development within any city's impact area? Yes No

c. Is the proposed site within an Airport Hazard Zone or Air Port Sub Zone? Yes No
If yes, applicant shall provide approval from the Federal Aviation Administration and/or the Idaho Department of Aeronautics and Transportation. *See Section 1.3.4 (11c) for details and Appendix E for correspondence with FAA.*

d. Is any portion of the property located in a Floodway or 100-year Floodplain? Yes No

If yes submit map showing location of floodway and/or floodplain in relation to the property and/or proposal.

e. Does any portion of this parcel have slopes in excess of 10%? Yes No If yes, submit contour map.

f. The impacts of a proposed development and/or land use on adjacent land uses and transportation facilities must be considered. The applicable Highway District or Transportation Department may require a Traffic Impact Study (TIS) if the proposed development or land use has associated with it special circumstances deemed by the district or department to warrant a study. A notation and signature from the applicable district or department stating no study is required or a copy of this study must be submitted with this application. *The Applicant has met with the Mountain Home Highway District (Mr. Luis Lausen) to discuss the Project. Mr. Lausen expressed no concerns. Correspondence is included in Appendix E.*

g. The impacts of the CUP on existing public services and facilities (such as the fire department, emergency services, sheriff's department, schools, etc.) must be considered. A letter from the applicable agency governing the public service or facility stating how the developer will provide for said services with plans and/or drawings or that said services are not required may need to be submitted with the application. *Impacts on existing public services will be minimal. Correspondence with the applicable agencies is included in Appendix E.*

h. Are there any known hazards on or near the property (such as canals, hazardous material spills, soil or water contamination, etc.)? Yes No If yes, describe and give location: _____

i. Are there hazardous materials and/or wastes involved either in your operation or generated off site and brought onto the property? Yes No

12. Does any other agency require a permit (DEQ, EPA, IDWR, FAA, state, federal, etc.)? Yes
 No If yes, who? Coverage under the NPDES Construction General Permit will be obtained prior to construction. See response to #22e in Section 2.5.

Proof of having applied for or acquired other agency(ies) permit(s) submitted with CUP application.

13. ADJACENT PROPERTIES have the following uses: See Section 1.3.1.

North _____ East _____
South _____ West _____

14. EXISTING USES and structures on the property are as follows: no structures, grazing.

15. A written narrative stating the specific PROPOSED USE. Include as much detail as possible (use additional sheets of paper if necessary):

Refer to Section 1.2 Project Description for a detailed description of the Proposed Use.

16. a. The conditional use is requested to begin within four (4) days/ months after permit approval (permit expires if not used within 1 year of approval) and is for _____ years or perpetuity.

b. Construction or improvements associated with conditional use is expected to begin within: one (1) days/ month/ years and be completed within four (4) days/ months/ years.

17. Proposed Use(s): electric generation (solar) Hours of Operation: daylight hours

Days of Operation: 7 days/week Maximum Number of Patrons: n/a

Sewage disposal: municipal / individual septic – no onsite sewage proposed.

Water: municipal supply / community well / individual well – no onsite water supply proposed.

Number of employees during largest shift: 2 Proposed number of parking spaces: N/A

18. PRELIMINARY FLOOR PLANS: To a professional standard with sizes and types of interior spaces indicated, 15 copies 8½" x 11". No buildings proposed.

19. ENVIRONMENTAL IMPACT STATEMENT AND/OR ASSESSMENT: When a development or proposal is of a more complex nature, when it is required by the Zoning and Development Ordinance, and/or when the site is located within an Area of Critical Concern, and Environmental Impact Statement and/or Assessment may be required at the expense of the applicant.

(The Land Use & Building Director will determine if an EIS is required)

EIS Required: Yes No **Director Initial** _____

Department Note: _____

20. PROPERTY OWNER'S ADDRESS: A list of property owner's/purchaser's of record names and addresses within a minimum radius of 300' (1000' Minimum in Agriculture Zone) of property boundaries encompassed by proposed Conditional Use Permit. Said list shall be obtained from the tax records of the appropriate county.

**Radius extended to: 300 | BSB feet mile(s) Date: 9/30/15 Initial BSB

21. Is this application submitted with any additional applications? _____

22. Ordinance Chapter 27, Section 6-27-7 states that the Elmore County Planning and Zoning Commission shall review all proposed conditional use applications and find adequate evidence that such use meets all of the following standards. The applicant must provide said evidence. Following are the standards the conditional use must meet (please use additional sheets of paper if necessary):

How does the proposed land use constitute a conditional use as determined by the land use matrix?
See Section 2.1(22a) for response.

How will the proposed land use be in harmony and accordance with the Comprehensive Plan and the Ordinance?
See Section 2.2 (22b) for response.

How will the proposed land use comply applicable base zone and with the specific standards as set forth in the Ordinance?
See Section 2.3 (22c) for response.

How does the propose land use comply with all applicable County Ordinance?
See Section 2.4 (22d) for response.

How does the propose land use comply with all applicable State and Federal regulation?
See Section 2.5 (22e) for response.

What about the proposed land use's design, construction, operation and maintenance makes it harmonious and appropriate in appearance with the existing or intended character of the general vicinity and how will it not change the essential character of said area?
See Section 2.6 (22f) for response.

Why or how will the proposed land use not be hazardous or disturbing to existing or future neighboring uses?

See Section 2.7 (22g) for response.

How will the proposed land use be served adequately by available public facilities/services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer or how will these public services be provided by the applicant/developer?

See Section 2.8 (22h) for response.

Why or how will the proposed land use not create excessive additional requirements at public cost for public facilities/services or be detrimental to the economic welfare of the county?

See Section 2.9 (22i) for response.

Why or how will the proposed land use not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors?

See Section 2.10 (22j) for response.

How will the proposed land use have vehicular approaches to property designed to not create interference with traffic on surrounding public or private roadways?

See Section 2.11 (22k) for response.

Why or how will the proposed land use not result in the destruction, loss or damage of a natural or scenic feature of major importance?

See Section 2.12 (22l) for response.

23. **ADDITIONAL INFORMATION:** Any additional information as required or needed by the Planning and Zoning Commission, Land Use & Building Department, or interested agency.

A neighborhood meeting must be conducted prior to submitting application. Requirements for a neighborhood meeting are outlined in the Elmore County Zoning and Development Ordinance Chapter 4 Section 6-4-3. *See Section 2.13 (23) for response and Appendix D for Public Meeting Materials.*

A master site plan is required with this application. Requirements for a master site plan are found in Chapter 18 of the Elmore County Zoning and Development Ordinance. *See Section 2.13 (23) for response and Appendix A for Preliminary Site Plan and other drawings.*

Agency signature sheet on page 8 of this application.

Elmore County reserves the right to withhold processing and/or issuance of any County Conditional Use Permit until the County is satisfied that County approval may be the final action in any multi- agency approval process. Proof of having obtained or applied for necessary permits and/or approvals from applicable local (other than Elmore County) state, and/or federal agencies may be required prior to issuance of a Conditional Use Permit by Elmore County. If required, documentation shall be submitted with the Conditional Use Permit application.

The Planning and Zoning Commission shall hold at least one public hearing on an application for a Conditional Use Permit. A public hearing will be scheduled within sixty (60) days after acceptance of the application. The Land Use & Building Department will mail hearing notices to the surrounding property owners and to any agency that may have an interest in the proposal. The Land Use & Building Department will place a Notice of Public Hearing in the Mountain Home News at least fifteen

(15) days prior to said hearing. The Land Use & Building Department will post notice of the hearing on the premises not less than seven (7) days prior to the hearing.

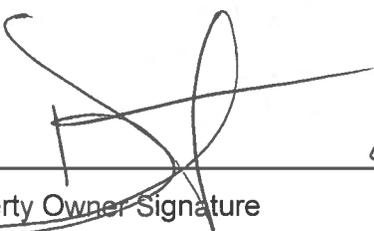
This application may be approved, conditionally approved, denied, or tabled.

If the application is approved or conditionally approved by the Planning and Zoning Commission, the applicant will be sent a document that is the official "Conditional Use Permit". This document may be in the form of a Findings of Fact, Conclusions of Law, and Order, and will enumerate the conditions attached to the approval and issuance of the permit and will state the consequences of failure to comply. The permit shall not become effective until after an elapsed period of 10-days from the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order. During this time, any interested person may appeal the action to the Board of Elmore County Commissioners. The applicant will be notified of any pending appeals. An appeal will stay all proceedings until its resolution.

If the Conditional Use Permit is denied by the Planning and Zoning Commission, the applicant may reapply or the applicant may appeal the decision in writing to the Board of Elmore County Commissioners. Appeal of a Planning and Zoning Commission decision must be made within ten

(10) days after the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order,

The applicant hereby agrees to pay the fees established by the Board and agrees to pay any additional fees incurred (initial) JLM. The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) JLM. The initial applicant understands there could be a delay in a decision should the applicant or their representative not attend any meeting where the application is being considered.

	<u>09/22/15</u>		<u>9/23/15</u>
Property Owner Signature	Date	Applicant Signature	Date
		<i>on behalf of Lance Weinkamer Mountain Home Solar I, LLC.</i>	

ADMINISTRATIVE USE ONLY

Date of Acceptance _____

Accepted by _____

CUP FEE: \$800.00

Fee \$ 800.00 (~~7~~ Pd) Receipt # 26-10216 ~~20-10213~~ BSR

Date Paid: ~~9-21-15~~ 9/24/15

Case# CUP-2015-14

Agency signatures are used for the applicant to make initial contact with certain agencies to address issues prior to a public hearing and application submittal. Additional agencies not listed may have additional requirements. The agencies listed below may be required for future approvals or signatures depending on the type of conditional use. The signature does not constitute a final approval by the agency. The agency signatures below do not guarantee approval from the Elmore County Land Use & Building Director, Elmore County Planning and Zoning Commission or Elmore County Board of Commissioners. The agencies listed below will be notified of the public hearing. Elmore County Land Use & Building Staff will inform the applicant of the desired agency signatures prior to application submittal.

Agency Comments & Signatures

Notes for agency signatures.

1. It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information.
2. Agency signature does not guarantee any future approvals.
3. Agencies may attach additional sheets of paper for comment and/or conditions if necessary.

Marty Jones, EAS 9/24/2015
Date

Central District Health (or other Sewer District) Sewer Permit (580-6003)

Comment: _____

Luigi Lasso 9/22/15
Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115) Date

Comment: _____

Bob Jones MHRFD 9.22.15
Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 366-2689) (BGRFD 834-2511) (ARFD 864-2182) Date

Assessor's Office (Verify Legal Description OR Tax Status if Manufactured Home) (ext 247) Date

Comment: _____

Agency Comments & Signatures

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_____ **Date**
Central District Health (or other Sewer District) Sewer Permit (580-6003)

Comment: _____

_____ **Date**
Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115)

Comment: _____

_____ **Date**
Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 366-2689) (BGRFD 834-2511) (ARFD 864-2182)

_____ **Date**
Assessor's Office (Verify Legal Description OR Tax Status If Manufactured Home) (ext 247)

Comment: _____

1.2 DETAILED PROJECT DESCRIPTION

The Project is a ground-mounted single axis tracking PV system, with a nominal capacity of up to 20 MWAC. The Project is located approximately 10 miles northeast of Mountain Home AFB and approximately 0.75 miles southeast of the Simplot B&B Grain Terminal located on McMurtrey or Grainery Road, off NW Bypass Road. The Project will occupy approximately 165 acres zoned as M1. A preliminary site plan is provided in **Figure 3**, which is indicative of the typical layout for the single axis solar energy facility. Final design of the Project within the existing project area will depend on final results of an upcoming detailed geotechnical investigation and from feedback obtained during the Elmore County CUP process.

The Project components including equipment, construction, operations and maintenance, and decommissioning are described below.

1.2.1 Project Components

Solar Module

A solar module is made up of numerous solar PV cells. The cells are made of crystalline silicon and are designed to absorb sunlight and convert the sun's rays into electricity by exciting electrons in silicon cells using the photons of light from the sun. This is referred to as the "photovoltaic effect." Solar PV modules, which are often referred to as panels, are electrically connected and mounted on a supporting structure (see **Figures 5 and 6**).

Single Axis Solar Tracker

Modules would be mounted on tracker technology that tilts the panels to follow the course of the sun to maximize efficiency and optimize the incident angle of sunlight on their surface.

The single axis tracker rotates around a fixed axis, allowing the PV modules to track the sun's east/west position through the day. A row of individual modules electrically connected together and supported by a common supporting tracker structure is called an array. The inverters convert the direct current (DC) power to AC where the power is stepped up in voltage. Concrete foundation pads are used for the inverters. It is planned that 20 inverters will be needed for the Project. Ground-mounted solar PV array inverters make a humming noise while operating when electricity is generated during daylight hours. At approximately 50 to 150 feet from an inverter the sound is inaudible¹. In addition, the Project is designed so that equipment with the potential to generate a noise or vibration would be located away from the perimeter fence. Further, the

Applicant will adhere to the County standard requiring that the Project's improvements to be at least 2,500 feet from the nearest residence as measured from the closest solar array.

Collector System

Underground cables will be installed to connect the power from each inverter to the Project's AC Service Panel, which will contain disconnects and breakers along with Project utility meters. From this point the Project's power will be contained in one circuit and can be electrically connected to the IPC grid.

¹ Tech Environmental, Study of Acoustic and EMF levels from Solar Photovoltaic Projects, Prepared for the Massachusetts Clean Energy Center, December 2012.

Interconnection

The Project point of interconnection (POI) will be to the existing Idaho Power 69 kV line located on the project site.

On-Site Meteorological Station

The Project will include up to two on-site solar meteorological stations, which will consist of solar energy (irradiance) meters as well as air temperature and wind meters. Power for each solar meteorological station will be provided by the plant auxiliary power system or a dedicated PV module with a small battery.

Control and Storage Containers

The Project will have a prefab modular air conditioned container for a control system and sensitive electronics. The container will measure approximately 10-foot-wide x 40-foot-long x 9-foot-high. A second metal storage container, measuring approximately 10-foot-wide x 40-foot-long x 9-foot-high will be available for spare parts and maintenance materials. Both containers will be secured, unmanned and non-habitable.

Control System

The site will have a Supervisory Control and Data Acquisition (SCADA) system that will allow for remote monitoring and control of inverters and other project components. The SCADA system will monitor Project output and availability as well as run diagnostics on the equipment.

Internal Access Roads and Fencing

An internal road perimeter road will be built along the project's perimeter fence, 20 feet in width. Primary access to the project site will be via W 10th N St., an existing wide and compacted heavy-duty gravel road which currently extends to serve the gravel pit operation due east of the project site. The project will improve that portion of the primary access road as necessary to support transportation of machinery and construction materials. Any extension or improvement of the access road and the internal perimeter roads will be constructed in conformance with the State of Idaho Fire Marshal's recommendations. Any access road improvements and the internal access roads will remain in place for ongoing operations and maintenance activities after construction is completed.

A 6-foot tall perimeter fence with up to three strands of barbed wire will be constructed to ensure that intrusion will not occur. The site will be accessed through locked gate with a security camera. A lockbox containing a key only accessible by emergency vehicles (i.e., fire department) will be placed next to the gate.

Any required access and utility easements will be in place and recorded for the Project prior to commencement of construction. Easements will provide for continued and future site access to the Applicant, its heirs, successors, and assigns. Any recorded easements will be provided to the Land Use and Building Department for verification prior to the commencement of construction.

Lighting

The Project will include external safety lighting for both normal and emergency conditions at the primary access point (W 10th N St.). Lighting will be designed to provide the minimum illumination needed to achieve safety and security and will be downward facing and shielded to focus illumination in the immediate area.

1.2.2 Construction

Project construction will last 6-9 months. Various elements of the Project will be constructed concurrently on the property. The Project construction sequence is expected to begin with fencing, removal of vegetation for grading, grading, installation of PV supporting structure, and trenching for underground cables, followed by installation of the PV module structures, control systems and construction of the interconnection facilities.

During peak construction, an estimated average of 10 tractor trailer loads per day will access the Project. In addition personal vehicles for construction and project management personal will range from an estimated 20-150 vehicles during the construction phase.

A Project representative has consulted with the Mountain Home Highway District (MHHD) and has confirmed that the Project will require no permits from the MHHD (see correspondence in Appendix E).

Site Preparation and Staging

Some site grading is proposed for the site. Initial grading work will include the use of excavators, graders, dump trucks, and end loaders, in addition to support pickups, water trucks, and cranes. Water trucks and tanks will be required during construction to support dust control and module washing.

A laydown yard will be needed for temporary storage for parts and other Project components, as well as for equipment and employee parking during construction. The laydown yard will be approximately one-two acres in size.

All other construction staging is expected to occur within the Project. Temporary containers with equipment will be placed in the staging and laydown areas. There may be a temporary modular construction office onsite during construction. After construction, disturbed areas, temporary roadways, and equipment laydown sites that are not required as part of the ongoing operating of the facility will be restored.

Stormwater

A stormwater pollution prevention plan (SWPPP) incorporating best management practices (BMPs) for erosion control will be prepared and approved prior to the start of construction. Prior to site preparation, the SWPPP will be implemented and preliminary erosion and sediment control features will be installed.

Hazardous Waste

No hazardous wastes will be generated during the construction of the Project. The following wastes are anticipated to be generated: common household trash, cardboard, wood pallets, copper wire, scrap metal, paper, glass, plastics from packing material, waste lumber, insulation, wood wire spools, concrete, empty non-hazardous containers, and vegetation wastes. The Applicant will recycle as much of the generated waste as feasible. Although construction is not expected to generate hazardous waste, field equipment used during construction will contain limited amounts of hazardous materials such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, and other petroleum-based products contained in construction vehicles. Standard BMPs will be utilized to contain and dispose of these materials in accordance with applicable regulations. Any hazardous materials will be stored in appropriate storage locations and containers. Flammable materials, such as paints and solvents, would be stored in nonflammable material storage cabinets.

Noise

The contractor shall, to the extent practicable, conduct construction activities in such a manner that the maximum noise levels would not exceed established noise standards. During construction there are some activities like pile driving that cause noise and will be limited to daylight hours.

1.2.3 Operations and Maintenance

Operation and maintenance activities would consist of an anticipated staff of approximately two to four workers to monitor operations from an off-site location and perform periodic cleaning and on-site maintenance procedures as needed. No permanent on-site operations and maintenance facilities will be required to support the proposed Project. Monitoring will be conducted remotely from an existing off-site facility.

It is anticipated that maintenance requirements will be minimal as the Project's PV arrays will operate with limited moving parts. Operational activities are limited to monitoring plant performance and responding to utility

needs for plant adjustment along with preventative and unscheduled maintenance. The Project will generate electricity and operate during daylight hours only; however some maintenance and repair may occur after daylight hours.

No heavy equipment will be used during normal operation. Operation and maintenance vehicles will include trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance, and water trucks for solar module washing. Large heavy-haul transport equipment may be brought to the site infrequently for equipment repair or replacement.

Glare

The PV modules used in the installation absorb over 90 percent of the light received; as a result, glare from reflected sunlight is not expected to be a concern. PV panels have been installed at numerous airports in fact, including Nellis Air Force Base (NV), Denver International Airport (CO), Davis Montham Air Force Base (AZ), Lakeland Airport (FL) and Hemet Airport (CA).

Fire Prevention

There is no reasonably foreseen risk of the Project being the source of a fire, nor will it contribute to spreading an existing fire. As with all electrical installations, there is some electrical fault risk; however, this risk is mitigated during installation as a careful engineering review of all electrical components will be completed in accordance with all relevant requirements. In addition, once operating, the Project is subject to a long-term monitoring and maintenance agreement. The Project will be regularly monitored to ensure proper power output. Regular on-site inspections and maintenance will also be performed and will ensure proper vegetation management. Site vegetation will be mowed and vegetation will not cover 100 percent of the site, so spreading potential would be low in the case of potential brush fire due to a lightning strike. Additionally, there will be the 20-foot vegetation-free perimeter road between the solar field and the perimeter fence. As the construction of the Project is primarily glass, concrete, and steel, the Project is not flammable and will not contribute to spreading fires that may start offsite.

The Project will be designed, constructed and tested to meet or exceed the latest revision of the applicable National Electrical Code, National Electrical Safety Code, American Society of Civil Engineers, American National Standards Institute, Institute of Electrical and Electronics Engineers, Underwriters Laboratories, National Electrical Manufacturers Association, Occupational Safety and Health Administration, and other local, state and federal standards as applicable.

1.2.4 Project Decommissioning

At the end of the Project's operational term (at least 20 years), the Applicant may determine that the site should be decommissioned and deconstructed. When the arrays are removed after the Project's lifetime, the land will be largely unaltered from its original state. The Project is temporary in nature and the limited amounts of concrete and gravel used for site construction and operations can be removed. The decommissioning plan would include a collection and salvaging program to promote recycling of Project components and minimize disposal of Project components in landfills. All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable federal, state, and county regulations.

1.3 PARCEL OWNERSHIP, SURROUNDING LAND USE, AND ZONING

1.3.1 Land Use on Adjacent Properties (13)

Adjacent properties have the following uses:

North: The property adjacent to the north border of the proposed Project site is currently zoned as light Industrial (M1). It is currently undeveloped with evidence of livestock grazing.

The northeast corner of the Project is adjacent to at transportation corridor (zoned as Highway/Interstate Commercial) which includes W 23rd St, Old U.S. Highway 30, and the Union Pacific Railroad.

East: The southern ¾ if of the eastern site boundary is adjacent to the municipal boundary of the City of Mountain Home. The area was once used as a gravel pit but appears to be unoccupied currently. The current county zoning is Light Industrial (M1) but the future land use is designated as openspace/park (RRMU).

The northern ¼ if of the eastern site boundary is adjacent to an unincorporated Elmore County in which the future land use is designated as light industrial. The area is currently unoccupied and used for grazing.

South: The property adjacent to the west border of the proposed Project site is zoned as Light Industrial (M1) and appears to currently be unoccupied grazing land.

West: The property adjacent to the west border of the proposed Project site is zoned as Light Industrial (M1) and appears to currently be unoccupied grazing land.

1.3.2 Property Owners Address (20)

A list of property owner's/purchaser's of record names and addresses within a minimum radius of 300' (1000' Minimum in Agriculture Zone) of the property boundaries encompassed by proposed Conditional Use Permit is included in **Table 20** below. The list was obtained from the tax records of Elmore County.

Table 1. Names and Addresses of Property Owners' within a 300-foot radius of the Proposed Project Site

Name	Address	City	State	Zip
CC Idaho LLC	141 W Jackson Blvd Suite 211 A	Chicago	IL	60604
City of Mountain Home	P O Box 10	Mountain Home	ID	83647
Hanau, Chris	1726 Helen	Boise	ID	83705
Idaho Farmway, Inc.	P O Box 368	Caldwell	ID	83606
Mansfeld, George J	9775 W Hubbard	Kuna	ID	83634
Montierth, Herbert R	825 Heartland Dr	Nampa	ID	83686
Mountain Home RV Park Inc.	2295 American Legion Blvd	Mountain Home	ID	83647
Nettleton, Elizabeth Ann	18542 SE Wilson Road	Glenns Ferry	ID	83623
Payne, Jackie L	520 NE Ladon Place	Mountain Home	ID	83647
Weitz & Company Inc.	PO Box 854	Baker City	OR	97814

1.3.3 Known Hazards (11h)

A small trash dump is located in the southwest corner of the Project site adjacent to a dirt road. The location of the dump is shown **Appendix A, Figure 2**. A photograph of the dump is included below. The dump, approximately 18 feet x 5 feet, consists of hundreds of rusted cans. A section of the dump area appears to have been burned.



Trash Dump Located on the Project Site

The Applicant hired a contractor (Tetra Tech) to conduct a limited subsurface investigation to assess possible subsurface impacts in an area used for unauthorized waste disposal. The investigation was conducted on September 10, 2015. Four shallow soil samples were collected using a shovel and hand auger, with depths ranging up to 24 inches. The samples were analyzed for volatile organic compounds (VOCs) and Total Petroleum Hydrocarbons (TPH).

The results indicate that VOCs were not detected in any of the four soil samples. Minor amounts of TPH were detected in each of the four samples. The TPH concentrations ranged from 2.43 to 64.2 milligrams per kilogram (mg/kg). These levels are well below the levels of concern which range from 100 to 2,000 mg/kg and do not warrant any further investigation or remediation. The detailed letter report, including lab results, is included in Appendix C.

1.3.4 Airports (11c)

Is the proposed site within an Airport Hazard Zone or Air Port Sub Zone?

The Project site is located within the airport subzone, as defined in Chapter 36 of the Elmore County Zoning and Development Ordinance, for the Mountain Home Municipal Airport. As such, the Applicant has been in consultation with the Federal Aviation Administration (FAA) and has filed a Notice of Proposed Construction or Alteration (Form 7460-1) with the Administrator of the FAA; and will comply with applicable requirements.

1.4.2 Access

The Applicant would use existing public roads to access the Project during construction, operation, and maintenance activities. Primary access to the Project site will be from W 10th N St. Project deliveries will be expected to be routed along US I-84, taking exit 90, following NW Bypass Road to Airbase Road, before heading toward the site (**See Figures 4a and 4b**). For construction and project management staff driving their personal vehicles, the Applicant would suggest they take their own preferred route to the site. Project site roads and delivery areas will be constructed to accommodate the weight, width, and turning radii of the Project's construction vehicles and equipment. Access, including a MHHD Approach Permit if required, will be in place and recorded for the Project prior to commencement of construction.

2.0 ELMORE COUNTY STANDARDS AND SUPPORTING EVIDENCE

Ordinance Chapter 27, Section 6-27-7 states that the Elmore County Planning and Zoning Commission shall review all proposed conditional use applications and find adequate evidence that such use meets all of the following standards. The applicant must provide said evidence. Following are the standards the conditional use must meet:

2.1 CONDITIONAL USE (22a)

How does the proposed land use constitute a conditional use as determined by the land use matrix?

The Project is located entirely within the Light Industrial/Manufacturing (M1) land use category in unincorporated Elmore County. In accordance with Table 6-8-11 (C), Elmore County Land Use Table, electrical generating facilities (including solar) are permitted as a conditional use in the M1 zoning district. Additional requirements apply to electric generating facilities as outlined in Section 6-8-94 of the Ordinance. These are discussed in the response to item 22c.

2.2 COMPREHENSIVE PLAN OBJECTIVES AND THE ORDINANCE (22b)

How will the proposed land use be in harmony and accordance with the Comprehensive Plan and the Ordinance?

The proposed Project constitutes an appropriate land use (electrical generating facility) for the M1 zoning designation and would be in harmony with the objectives stated in the Elmore County 2014 Comprehensive Plan. The applicable objectives and how the Project is in harmony with each is discussed below.

Property Rights

10. Property owners acknowledge and expect that Elmore County will preserve private property rights and values by enforcing regulations that will ensure against incompatible and detrimental neighboring land uses.

The Project site and land surrounding the Project is primarily zoned M1, with some Highway/Interstate Industrial (C2) zoned land to the northeast. The following activities would occur within the M1 land with no or minimal effect on neighboring properties:

- **There would be temporary or short-term activity during construction. To minimize disturbance to adjacent properties during construction, the Applicant would employ the following measures:**
 - **Limit temporary construction-related noise to between 6:00 a.m. and 9:00 p.m. unless otherwise authorized by the County;**

- Regularly water or apply magnesium chloride on unpaved roads during high dust periods to minimize fugitive dust levels;
 - Speed limits of 20 mph would be observed on unpaved roads, and
 - Implement and maintain construction stormwater and erosion control BMPs - follow the SWPPP.
- During the facility's operation, minimal maintenance would be required. The minimal maintenance activities would include visits to the Project by a small work crew approximately one or two times per month or less.

The proposed land use as described in detail in Section 1.2 is compatible with, and would not be detrimental to, the neighboring land uses.

Economic

6. Encourage and support light industrial development to locate in the vicinity.
The proposed land use constitutes an industrial development (electrical generating facility) located within the appropriate zoned area.
11. Recognize the need for electric utility facilities that are sufficient to support economic development.
The proposed solar electric utility facility will produce low cost renewable energy from the sun to be delivered to IPC customers. The Project will help mitigate future escalating energy costs. The Project will also diversify and strengthen the region's economy by broadening the tax base and creating employment and service opportunities.
12. Encourage Idaho Power to make additions to and improvements of electric utility facilities that provide adequate capacity for projected growth.
Operation of the solar electric utility facility would provide IPC with additional capacity, necessary to meet the needs of projected growth.

Land Use

5. Encourage and support commercial and industrial development if it complies with County ordinances and guidelines to create jobs and expand the tax base. Maintain two industrial zones; heavy and light.
The proposed land use constitutes an industrial development (electrical generating facility) that complies with County ordinances and guidelines, as demonstrated in this application.
12. Review all commercial and industrial development proposals to determine the land use compatibility and impact to surrounding areas.
The Project site and land surrounding the Project is primarily zoned M1, with some Highway/Interstate Industrial (C2) zoned land to the northeast. The proposed land use as described in detail in Section 1.2 is compatible with, and would not be detrimental to, the neighboring land uses.
17. Evaluate all development proposals in terms of land use and environmental compatibility. Discourage development proposals, which negatively impact land use patterns and negatively impact the human and natural environment.
A Critical Issues Analysis (see Appendix C) and a Cultural Resources Assessment for the Project indicates that the Project would have minimal impact on natural features, including hydrology, soils, vegetation and wildlife. A summary of findings from the CIA is provided in section 3.0 of this application package. The Project is consistent with

surrounding land uses and proposed in the Light Industrial/Manufacturing Zone. The Project will not negatively affect land use patterns.

Public Service (electrical power)

- 1. Work with Idaho Power Company to promote the development of energy services and public facilities to meet public needs.

The Applicant has successfully negotiated an Energy Sales Agreement with IPC, which was approved by the Idaho PUC.

- 2. Encourage the enhancement of the electric system capacity and reliability.

Operation of the Project would provide IPC with additional system capacity and reliability from a renewable energy resource.

- 3. Encourage the enhancement of the capacity and reliability of renewable energy resources.

Operation of the Project would provide IPC with additional system capacity and reliability from a renewable energy resource.

- 4. Encourage the multiple-use of utility corridors by utility providers.

Existing power lines near the property allow for electricity generated at the Project to be delivered to market.

- 5. Support siting of utility to ensure that they connect to similar facilities in adjacent jurisdictions.

The Project will be designed around existing utility easements, making it possible for future solar energy facilities to connect to transmission facilities.

- 9. Support siting of utility corridors within identified or designated transportation corridors and allow the appropriate placement of electric facilities on public rights-of-way.

Changes to existing utility easements for transmission lines in the project area are not proposed as part of the Project. Solar facilities would be built around existing utility easements, which typically follow identified or designated transportation corridors.

- 11. Recognize other types and sources of energy beyond the existing electrical infrastructure have a role to play in the future of Elmore County (e.g. solar, wind, gas).

The Project is a solar energy facility, which will add diversity to the existing electrical infrastructure.

- 18. Encourage the enhancement of the capacity and reliability of renewable energy resources.

The Project is a utility scale PV solar project producing renewable energy.

Soils

- 2. Encourage commercial, industrial, and residential growth into areas where soils are of least value for agriculture.

The Project is proposed in the M1 Zone. During construction the Project will look to minimize grading, and cut and fill to that which is required to create a safe work environment.

- 4. Support proper fuel management practices on land to both reduce the risk of wildfires and undue erosion.

The Project is located in the M1 Zone and via its construction will remove a good deal of flammable material. The project will have a 20 foot wide, vegetation- free, perimeter

gravel road, which will, in addition to ground cover management activities at the site, will protect against potential wildfires on adjacent properties. In addition, the Project will not be comprised of any flammable materials.

Water

1. Water quality should be protected and preserved in all proposed developments.

Project construction and operations will avoid the intermittent stream that is on site. The topography is relatively flat, so water quality impacts are not expected to occur. The Project will require minimal impervious surfaces and a SWPPP will be developed to mitigate runoff and erosion.

Mineral Resources

1. Promote erosion control measures that will keep detrimental silts out of streams.

Project construction and operations will avoid the intermittent stream that is on site. The topography is relatively flat, so water quality impacts are not expected to occur on or offsite. The Project will require minimal impervious surfaces and a SWPPP will be developed to mitigate runoff and erosion.

Air Quality

1. Encourage types of economic development in the County, which can manage pollution to ensure a clean environment.

The Project will generate clean, renewable energy for IPC customers. The Project will contribute to economic development; broadening tax revenues for Elmore County and increasing employment and subsequent consumer spending as a result construction and operation of the Project.

3. Encourage Light Industrial uses to locate in the M1 unincorporated section of Elmore County.

The Project is located in the M1 zoned area near an inactive gravel pit, grain elevator operations, cheese manufacturing facility and an active rail line. Although a solar energy facility is very benign in nature it could be considered an industrial use given the development is an electrical generating facility.

Community Design

4. Economic Development

- Continue to support and solicit new business industries to locate in the County to provide economic development opportunities for the County.

The Project is located adjacent to the City of Mountain Home. The development of a solar energy facility could help raise the profile of the area as “business friendly” and encourage the development of future industrial businesses.

In addition, the Project's construction activities would employ a portion of the local labor force, leading to direct economic benefits to laborers and indirect economic benefits to suppliers of local goods and services. It is the Applicant's experience with development of renewable projects that construction employees eat at local restaurants, shop in area grocery stores, make fuel purchases at nearby gas stations, and obtain equipment, supplies, and materials where conveniently available. Additionally, to the extent that laborers travel to the area for work, they stay at nearby hotels, motels, and RV facilities.

5. Land Use

- Encourage new development to comply with the County Comprehensive Plan.

The Project is in compliance with the County's Comprehensive Plan, as demonstrated in this application.

- The intent of the M1 Light Industrial Zoning is to reserve land for light industry and job creation following a detailed CUP procedure.

The Project constitutes an industrial development and will meet all requirements of a CUP, as demonstrated throughout this application.

- Consider dust control and dust abatement in all land use decisions within the community.

Dust control and abatement BMPs would be employed during construction, but would not be needed during operation of the Project.

6. Natural Resources

- Protect creeks, drains and washes from incompatible land use encroachment and development.

Environmental due diligence for the Project and surrounding area indicates that the Project would have minimal impact on natural features including hydrology, soils, vegetation and wildlife (see Appendix C).

- Protect the foothills and rangeland from wildfire and incompatible land use development.

The Project will not emit any hazardous or disturbing odors, noise, etc. The Project will convert solar energy directly to electrical energy without any byproducts that are typical of other power-producing facilities such as coal plants. The proposed land use is compatible with neighboring land uses, which include developed and undeveloped industrial lands along with agricultural lands.

9. Transportation

- Require all new development to be served by improved, all-weather roads to every lot or parcel.

The proposed Project will include all weather access, perimeter and interior roads.

13. Community Design

The proposed land use is compatible with neighboring land uses, which include developed and undeveloped industrial lands along with agricultural land. The Project will not affect land use patterns or the atmosphere of the area.

Military Installations

6. Development proposals shall be reviewed to determine their propensity to cause hazards for aircraft take offs and landings as well as in flight, including: uses that release any substance such as steam, dust and smoke into the air which would impair pilot visibility; uses that produce light emissions, glare or distracting lights which could interfere with pilot vision or be mistaken for airfield lighting; sources of electrical emissions which would interfere with aircraft communications or navigation; and uses which directly or indirectly attract birds or waterfowl to the extent that they would pose a danger to aircraft operation in the vicinity of Gowen Field, Orchard Training Area (OTA), Mountain Home AFB or the Mountain Home Range Complex.

The Project is located ten miles northeast of Mountain Home AFB but it is outside of the airport Subzone. The Project will not emit any substances (steam, dust, or smoke) into the air or construct facilities that could impair pilot visibility (>200 feet high). The reflectivity of the solar panels is minimized by their design (matte surface) as solar

energy is absorbed not reflected in order to maximize electric power production. The Project site lacks suitable habitat, like wetlands or water bodies, for birds and waterfowl; they are not expected to utilize the project site during operation.

7. Provide notifications to the Idaho National Guard and Mountain Home AFB for review and comment on County discretionary land use actions to include, but not limited to, Comprehensive/Specific Plan amendments or updates, zone changes, tract maps, parcel maps, master plans, and conditional/special use permits.

The Applicant contacted the Mountain Home Air Force Base (AFB) on September 15, 2015. No concerns were expressed regarding the site's proximity to the base. A summary of this correspondence is included in Appendix E.

- a. All new development and substantial redevelopment in the County shall conform to FAR Part 77 height limits and developed to not pose a safety hazard to air operations in the region.

Project construction and operation activities will conform FAR Part 77 height limits and will be developed to not pose a safety hazard to air operations in the region. No buildings will be erected on site. Most facility equipment will extend vertically only to about 10 to 12 feet from the ground surface. The tallest structures (transmission poles) will be nominally as tall as the existing poles on site, which are approximately 70 feet tall.

19. Ensure that future development includes provisions for the design of outdoor light fixtures to be directed/shielded downward and screened to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions.

Any outdoor lighting would be hooded and directed so as not to shine directly upon adjoining property or public road rights-of-way.

Community Goals Mountain Home and Orchard Training Range Vicinities

5. Land Use

- Encourage new development to comply with the County Comprehensive Plan.

The Project is in compliance with the County's Comprehensive Plan, as demonstrated in this application.

- Consider dust control and dust abatement in all land use decisions within the community.

Dust control and abatement measures will be employed during construction, but would not be needed during operation of the solar energy facility.

6. Natural Resources

- Protect the Air Base Vicinity rural and community areas from incompatible land use encroachment and development to preserve natural land resources.

Environmental due diligence for the project area indicates that the Project would have minimal impact on natural features including hydrology, soils, vegetation and wildlife (see Appendix C). The solar energy facility will not emit any hazardous or disturbing odors, noise, etc. The facility will convert solar energy directly to electrical energy without any byproducts that are typical of other power-producing facilities such as coal plants. The proposed Project is compatible with neighboring land uses, which include developed and undeveloped industrial lands along with agricultural lands.

See response to 22b (Section 2.2) below for a discussion of how the Project will be in harmony and accordance with the County's land development and zoning ordinance.

2.3 BASE ZONE AND STANDARDS (22C)

How will the proposed land use comply applicable base zone and with the specific standards as set forth in the Ordinance?

The Project is located within the M1 zoning designation of Elmore County. The Project would comply with all applicable standards for this base zone, as outlined in the County's Land Use and Zoning Ordinance, as described below.

The 2014 Elmore County Comprehensive plan categorizes the Light Industrial/Manufacturing (M1) category as being directed towards general industrial needs of the County. Land uses in this category may require a mix of commercial or light industrial uses that consists of clean types of manufacturing, processing, warehousing, repair and general industrial uses. In setting aside industrial areas, easy access to railroad and highway systems should be taken into consideration. Light Industrial/Manufacturing is needed for day-to-day services and sustained economic growth and diversity in the County; however, it must be planned so that it will not degrade the present quality of life.

The Project (an electrical generating facility) is considered a Conditional Use for the M1 zoning designation within Table 6-8-11 (C) "Elmore County Land Use Table". A CUP will be acquired for the Project, in accordance with the standards and requirements provided in Chapter 27 of the Zoning and Development Ordinance. Supporting materials are included in Appendices A-F of this application package.

Table 6-8-12 (B) includes the following base building controls for the M1 zoning district:

- Building setbacks: 20 feet for the front yard and 10 feet for street side.
- Lot size shall be appropriately sized and configured to meet setback requirements and to provide for off-street parking.
- Maximum lot coverage: 80 percent.
- Minimum lot frontage: 30 feet
- Maximum building height: 80 feet

Additionally, Section 6-8-12 states:

5. There shall be easements provided for utilities, drainage, and irrigation abutting to all public street right-of-way and subdivision boundaries, and other easements when considered necessary as determined by the Director. Easements, where considered necessary be centered on the interior property lines. Said easements shall have a minimum width of ten (10') feet or greater as determined by the Director. All property lines fronting a public or private road, street or prescriptive easement shall be ten (10') feet in width from the exterior of the property line.
6. A Conditional Use Permit (CUP) shall be required for all land uses in the M1 Light Industrial Zone. A buffer zone of up to fifteen hundred (1,500') feet shall be required when deemed necessary by the Commission.

The Project will be designed to comply with these setbacks, lot coverage, and height requirements as well as specific setback requirements for electrical generating facilities as outlined in Section 6-8-94 of the Ordinance (see response to Section 6-8-94 requirements on page 20 above, setbacks shown on the Proposed Site Plan in Figure 3). The proposed perimeter access road will be at least 20-foot-wide to accommodate delivery and emergency vehicles. The maximum anticipated height for: 1) any solar structure is 12 feet, 2) gen tie line is about 80 feet and maximum lot coverage will be 80 percent of Landlords total for all parcels.

Section 6-8-94 Electrical Generating Facilities

A. Additional standards or requirements for this use. Certain types of electricity generation facilities are permitted as conditional uses in zones as specified in table 6-8-11 (c) and must adhere to the following conditions:

1. The facility shall use only natural gas, solar cells, water (hydroelectric) or wind. Power to produce electricity for sale. The use of diesel fuel is allowed only for emergency generation of electricity for fire suppression or winding down turbines.

The proposed Project will use solar cells to produce electricity for sale to IPC.

2. The owner or operator of the facility shall show compliance with all applicable Idaho Public Utility, and Federal Agency rules and regulations before receiving a zoning permit and shall operate the facility in conformance with those same regulations.

All applicable Idaho Public Utility, and Federal Agency rules and regulations will be met by the Project.

3. Facility improvements shall be at least 2,500 feet away from any residence existing at the time of the application for permit. This distance shall be measured from the centerline of the power producing turbine to the closest edge of the residence. The distance may be shortened if the applicant applies for and is granted a waiver using the standards and procedures contained in this ordinance. A distance waiver shall be granted by the Commission provided, the owner(s) of affected residence(s) waive, in writing, the 2,500 foot setback requirements. If such waiver(s) are submitted to the administrator for each residence within the 2,500 foot setback no variance approval shall be required.

The Project will be designed to comply with the County set-back requirements for residences or apply for a waiver if deemed required.

4. Operation of the facility shall not result in any noise louder than 58 decibels on. The A-weighted decibel scale as measured from 750 feet from the centerline of the power producing turbine. A higher decibel reading would require a variance unless the Commission grants a noise waiver. The Commission may grant a noise waiver provided the owner(s) of affected property waive in writing the 58Db noise requirement.

The Project would comply with this requirement. Construction noise would be temporary, short-term, and typically limited to hours between 6:00 a.m. and 9:00 p.m. during the construction period. Ground-mounted solar PV inverters make a humming noise during daytime, when the array generates electricity. At approximately 50 to 150 feet from the inverters, sound from the equipment is inaudible³. The Project is designed so that equipment with the potential to generate noise or vibration, such as inverters, would be located away from noise receptors to the extent practicable. Additionally, this equipment only runs during daylight hours. Therefore, operation-related noise emissions are not expected to be incompatible with surrounding uses.

5. The applicant, with its building permit application, shall submit and thereafter follow a landscaping, screening and noise control plan to comply with section 4 above. The plan's ability to comply with section 4 shall be certified by a licensed engineer employed by the applicant. All improvements on the facility shall be enclosed by an appropriate security fence.

The Project would generate minimal noise (refer to response to item 4 above) and would not require landscaping, screening, or a noise control plan. No or low noise will be generated during the operation of the proposed Project. A noise control plan is not

³ Tech Environmental, Study of Acoustic and EMF levels from Solar Photovoltaic Projects, Prepared for the Massachusetts Clean Energy Center, December 2012.

required. An appropriate security fence will be installed around the entire solar energy facility as shown on the proposed Preliminary Site Plan (Figure 3).

6. The applicant shall demonstrate and maintain an adequate fire protection and firefighting capacity, including entering into an agreement with a public firefighting agency when the applicant's project is within the jurisdiction of such an agency.

The Project will not be compromised of any flammable materials and the adjacent vegetation will be controlled for fire dangers resulting in minimal risk of fire. However, access to the site for police and fire protection is available. An all-weather, 20-foot wide access road to the Project and 20-foot wide interior roads will be constructed

7. Before a zoning permit is granted, the applicant shall hold at least two (2) public meetings. Notice of those meetings shall be by publication in local newspaper and by mail to property owners within one (1) mile of the proposed facility.

Approximately 1,300 property owners, located within one mile of the Project site, were sent notice letters of a community meeting held August 18th, 2015 from 6 p.m. to 8 p.m. The purposed of the meeting was to share information about the project construction and operation and to answer any questions. The presentation materials provided at the meeting is included in Appendix D of this package

As second public meeting will be scheduled if requested by Elmore County.

8. The administrator shall cause the applicant to provide information detailing possible adverse impacts and require mitigation of same.

The Applicant contracted Tetra Tech to conduct a desktop critical issues analysis (CIA) for the proposed Project to characterize key biological resources and land uses within the proposed Project site; determine potential major biological permit issues; develop a permit matrix; and identify required or recommended future studies to support project planning, permitting, construction, and operation. The conclusion of the analysis is that the Project will have minimal impacts on natural resources within the Project area.

There is one mapped stream feature on site located along the far eastern edge of the property. This feature will not be disturbed by Project construction or operation. Runoff from the Project will be minimal as the site is fairly flat and a vegetative groundcover would be established within the Project boundary to prevent erosion by water and wind.

The Project site is covered by grasses (mostly cheatgrass), forbs, and sage brush. Disturbance from invasive plant species and livestock is common throughout, and two track roads intersect the area. As such, the Project area is unlikely to provide important habitat for any federally listed plant or animals

9. Towers and structures that seek to exceed the building height restrictions from Table 6-8-12 (c) must be compatible with the flight operations of MHAFFB and the city of Mountain Home and Glenns Ferry public airport operations. The proposed plan should be coordinated and approved by local, state, federal and military aviation officials.

The Project does not exceed building height restrictions. The interconnection facilities will be at nominally the same height as the existing IPC 69 kV transmission line. A Notice of Construction or Alteration (Form 7460-1) has been submitted to the FAA and a Glint and Glare Analysis has been conducted indicating that no glare impacts are anticipated. Given no structure at the site will exceed the height of the existing IPC transmission line, which is adjacent to the eastern border of the Project site and at its closest is 0.25 miles from the eastern end of the Mountain Home Regional Airport, it is expected that the FAA will approve the project to proceed as it will introduce no incremental risk or have no impact on airport operations.

10. Towers and height variances shall not be granted within 5 miles of Mountain Home AFB or along depicted flight corridors.

The Project is located 10 miles from Mountain Home AFB, outside of the Mountain Home AFB Subzone. The Applicant contacted the Mountain Home AFB on September 10, 2015 (correspondence is included in Appendix E of this package). No concerns were expressed regarding the site's proximity to the Mountain Home AFB.

11. Within the Mountain Home or Glenns Ferry airport influence areas overlay district, the height limits on the tower or facility structures shall be as required by the code of federal regulations 14 CFR 77.

The Project site is located within the airport subzone, as defined in Chapter 36 of the Elmore County Zoning and Development Ordinance, for the Mountain Home Municipal Airport. The interconnection facilities will be at nominally the same height as the existing IPC 69 kV transmission line. As such, the Applicant has been in consultation with the Federal Aviation Administration (FAA) and has filed a Notice of Proposed Construction or Alteration (Form 7460-1) with the Administrator of the FAA; and will comply with applicable requirements.

No glare impacts were indicated using the FAA Glint and Glare Analysis Tool and given no structure at the site will exceed the height of the existing IPC transmission line, which is adjacent to the eastern border of the Project site and at its closest is 0.25 miles from the eastern end of the Mountain Home Regional Airport, it is expected that the FAA will approve the project to proceed as it will introduce no incremental risk or have no impact on airport operations.

12. Notification distance shall be increased at the discretion of the Director to accommodate for visual impacts.

Visual impacts from the Project will minimal. The Applicant will comply with notification distance requirements as indicated by the Director.

2.4 COUNTY ORDINANCE (22D)

How does the propose land use comply with all applicable County Ordinance?

See response to questions 22a and 22c.

2.5 STATE AND FEDERAL REGULATIONS (22E)

How does the propose land use comply with all applicable State and Federal regulation?

The proposed land use will be in compliance with all applicable State and Federal regulations by using qualified engineers and electricians for the construction, operation, and maintenance of the facility.

The Project is located in the Mountain Home Municipal Airport Subzone and will require a determination of hazard or no hazard. A Notice of Proposed Construction or Alteration (Form 7460-1) and Glint and Glare report have been filed with the FAA.

The Project will be required to obtain coverage under the NPDES Stormwater Construction General Permit. Coverage is required for all construction activities with a planned total disturbance of one acre or more of land (e.g., clearing, grading, and excavating). The Applicant (or designated contractor) will apply for coverage under this permit 14 day prior to the start of construction. A SWPPP will prepared and implemented prior to construction and kept onsite.

2.6 VISUAL CHARACTER (22F)

What about the proposed land use's design, construction, operation and maintenance makes it harmonious and appropriate in appearance with the existing or intended character of the general vicinity and how will it not change the essential character of said area?

The proposed location will be minimally visible Hwy30/84 due to it being beyond a raised rail bed and the low profile of the facility. The Project will be located near existing IPC transmission lines. Most of the solar energy facility will extend vertically only to about 12 feet from the ground surface, much less than the adjacent transmission lines or nearby large grain elevator operation.

Operation and maintenance of the Project will require minimal site visits by the Applicant (possibly one or two times per month). Therefore, traffic and noise impacts on surrounding public or private roadways will be negligible. Construction will seek to minimize earthwork while providing a safe construction work place and safe operation long-term. The proposed solar structures are above-ground structures and will be attached to piles. The proposed access road will generally follow existing topography of the site, which is relatively flat.

2.7 HAZARDS (22g)

Why or how will the proposed land use not be hazardous or disturbing to existing or future neighboring uses?

The Project will not emit any hazardous or disturbing odors, noise, etc. The reflectivity (non-reflective) of the solar panels is minimized by their design (matte surface), which traps solar energy to maximize electric power generation. The facility will convert solar energy directly to electrical energy without any byproducts that are typical of other power generation facilities such as coal plants.

2.8 AVAILABLE PUBLIC SERVICES (22h)

How will the proposed land use be served adequately by available public facilities/services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer or how will these public services be provided by the applicant/developer?

Operation and maintenance of the energy facility will require minimal site visits by Applicant personnel. Therefore, traffic impacts will be negligible.

Since no habitable structures are proposed, police protection would be unnecessary. Since the Project will not be comprised of any flammable materials and the adjacent vegetation will be controlled for fire dangers, fire protection would be unnecessary. However, access to the site for police and fire protection is available.

Drainage improvements related to each solar panel array will aim to not affect existing drainage patterns. A SWPPP will be developed and implemented on the site prior to construction.

Since no habitable structures are proposed, refuse disposal and water and sewer service will not be necessary.

2.9 COST OF PUBLIC SERVICES (22i)

Why or how will the proposed land use not create excessive additional requirements at public cost for public facilities/services or be detrimental to the economic welfare of the county?

As described above, the Project will require minimal public facilities/services. Traffic impacts to public roads will be negligible.

2.10 PUBLIC HEALTH (22J)

Why or how will the proposed land use not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors?

The Project has no known or suspected potential public safety concerns. The Project will not emit any hazardous or disturbing odors, noise, etc. The reflectivity of the solar panels is minimized by their design (non-reflective-matte surface), which traps solar energy to maximize electric power generation. The facility will convert solar energy directly to electrical energy without any byproducts that are typical of other power-producing facilities such as coal plants.

2.11 TRAFFIC (22K)

How will the proposed land use have vehicular approaches to property designed to not create interference with traffic on surrounding public or private roadways?

Operation and maintenance of the solar energy facility will require minimal site visits by the Applicant. Therefore, traffic impacts on surrounding public or private roadways will be negligible.

2.12 NATURAL OR SCENIC FEATURES (22L)

Why or how will the proposed land use not result in the destruction, loss or damage of a natural or scenic feature of major importance?

The proposed location has historically been used for cattle grazing and is currently zoned for light industry and manufacturing. The naturally gently sloping site has already been disturbed by cattle grazing, off-road vehicles, and numerous large animal burrows. No natural or scenic features of major importance are within the Project site. Impacts from erosion will be minimized by implementing appropriate BMPs as part of a comprehensive SWPPP.

2.13 ADDITIONAL INFORMATION (23)

Neighborhood Meetings

A neighborhood meeting must be conducted prior to submitting application.

A neighborhood-public meeting was held at the Project on August 18, 2015 at 6 pm. Information pertaining to this meeting is included in Appendix D.

Master Site Plan

A Master Site Plan is required with this application. The following describes how the applicant incorporated the Master Site Plan into this CUP application:

Chapter 18 within Title 6, Elmore County Zoning and Development Ordinance contains the requirements for a Master Site Plan. The following are the relevant sections for this Project:

Section 6-18-2: Applicability

- A. A master site plan shall be submitted to the Growth and Development Department in compliance with this Chapter. The master site plan application shall be submitted concurrently with any other required applications in conformance with this Title.

2. Industrial Development (applies to this Project)

Section 6-18-3: Application Process

- A. A. Pertains to application and fees.
- B. The Director may approve a master site plan application for development. The master site plan application shall comply with the following requirements:
1. The master site plan application shall be submitted concurrently with any other required applications in conformance with this Title.
Submitted as part of the CUP application
 2. The applicant shall concurrently submit a natural features analysis.
See Section 3.0 and Appendices C and F of this package.
 3. The applicant shall concurrently submit plans consistent with Sections 6-18-4: General Required Standards and 6-18-6: Other Required Standards
See Figure 3, Site Plan and Section 1.2 - Project Description, which includes site construction (i.e., road widths/vehicle routing), operations, maintenance, and decommissioning.

3.0 NATURAL FEATURES ANALYSIS SUMMARY

Tetra Tech (on behalf of the Applicant) prepared a Critical Issues Analysis (Appendix C) and Cultural Resources Assessment Summary (Appendix F) which characterized the natural features in the project area. This section summarizes the findings of these reports and describes how the Project meets the Natural Features Analysis Standards as outline in Section 6-18-5: of the Ordinance.

A. Natural Features Analysis: The master site plan shall include the following features which, shall be mapped, and described, or noted as not applicable in the natural features analysis plan:

1. Hydrology: Analysis of natural drainage patterns and water resources including an analysis of streams, natural drainage swales, ponds or lakes, wetlands, floodplain areas or other areas subject to flooding, poorly drained areas, permanent high ground water areas, and seasonal high ground water areas throughout the site; and

Tetra Tech reviewed existing hydrology data including the National Wetlands Inventory (NWI) data, the National Hydrography Dataset (NHD), and Federal Emergency Management Agency (FEMA) floodplain maps. Based on this review there are no wetlands or floodplains within the Project site. Observations during the site visit support this finding. According to the NHD, there is a single intermittent stream that runs along the length of the eastern edge of the property. Observations during the site visit indicate that the NHD feature is a canal or a modified intermittent stream. There was no water present during the field visit, but the channel does have bed and bank, and a narrow band of riparian vegetation along the channel bottom. This feature runs along the far eastern edge of the property adjacent to the existing power line.

2. Soils: Analysis of types of soils present in the site area including delineation of prime agricultural soil areas, aquifer recharge soil areas, unstable soils most susceptible to erosion, and soils suitable for development. The analysis of soils shall be based on the Elmore County soils survey (United States department of agriculture, natural resources conservation service); and

The Project site does not have any hydric soils. Soil infiltration rates on the Project Site range from moderate infiltration rate (moderate runoff potential) to a very slow infiltration rate (high runoff potential). Soil erosion factor K in the Project site ranges from 0.39 to 0.49.

3. Topography: Analysis of the site's terrain including mapping of elevations and delineation of slope areas greater than twenty-five (25%) percent, between fifteen (15%) percent and twenty-five (25%) percent, between eight (8%) percent and fifteen (15%) percent, and less than eight (8%) percent. Contour lines based on USGS datum of 1988 with intervals of not more than five (5') feet for properties with a general slope of greater than five (5%) percent, or intervals of not more than two (2') feet properties with a general slope of less than or equal to five (5%) percent. Contour lines shall extend a minimum of three hundred (300') feet beyond the proposed development boundary. If a drainage channel borders the proposed development, the contour lines shall extend the additional distance necessary to include the entire drainage facility as determined or required by the Director or County Engineer; and

The slopes in the Project site are generally less than 3 percent. The only topographic feature is the stream channel that roughly parallels the eastern edge of the property. This channel has deeply incised banks approximately 5 to 6 feet in depth. Elevation at the Project site is 3,180 feet above sea level. A topography map is provided as Figure 6 in Appendix A.

4. Vegetation: Analysis of existing vegetation of the site including, but not limited to, dominant tree, plant, and ground cover species; and

The Project site is predominantly covered by grasses (mostly cheatgrass), with some forbs and sage brush. Disturbance from invasive plant species and livestock is common throughout, and two track roads intersect the area.

Sensitive Plant and Wildlife Species: Analysis of sensitive plant and wildlife species of the site including, but not limited to, those species listed in the Idaho conservation data center (State of Idaho Department of Fish and Game) The site development shall minimize adverse impacts to sensitive plant and animal species through site design or approved mitigation programs; and

There are no federally listed plant or wildlife species that are known to occur within the Project site.

One proposed endangered plant, Slickspot peppergrass (*Lepidium papilliferum*) is known to occur in sagebrush shrublands in Elmore County. It is an annual or biennial plant found in specific habitat throughout the Snake River Plain and the Owyhee Desert of southwestern Idaho. The plant habitat are slickspots, which are sparsely vegetated, pan like features where water periodically pools. Slickspots are visually distinguishable in the sagebrush ecosystems in which they are found. During the site visit, Tetra Tech observed slickspots throughout the Project Site. These slickspots were of marginal to good quality, though no Slickspot peppergrass plants were found. Slickspot peppergrass is not currently listed under the ESA, although listing may occur in the future.

5. Historic Resources: Analysis of existing historic resources as identified on the Elmore County historic resources inventory. The proposed development shall conserve identified historic resources to the greatest extent possible; and

On behalf of the Applicant, Frontier Historical Consultants, Inc. (FHC) submitted a records request to the Idaho State Historic Preservation Office (SHPO) to identify previously recorded sites within the Project site and its vicinity. The records search revealed no previously recorded cultural sites within the Project site. However, a number

of linear historic sites were previously recorded along and/or just outside the boundaries of the Project site.

Because the project will visually impact only a small percentage of each of these linear sites and will not directly impact them or impact their NRHP status, the previously recorded sites are unlikely to be affected.

On September 15 and 16, 2015, Frontier Historical Consultants, Inc. (FHC) conducted a 161-acre cultural resource inventory and assessment of the Project site (the preliminary findings of this survey are included in Appendix F. The pedestrian survey identified several cultural sites with the boundaries of Project site that will require recordation. FHC will submit a report of these findings to the SHPO to determine the NRHP eligibility of these sites and whether they will be affected by the Project.

6. Hazardous Areas: Location and identification of all potential hazardous areas including, but not limited to, land that is unsuitable for development because of flood threat, poorly drained areas, high ground water, steep slopes, rock formation, buried pipelines, or other similar conditions likely to be encountered; and

A small trash dump is located in the southwest corner of the Project site. This feature is discussed in Section 1.3.3 of this application package.

7. Impact on Natural Features: The applicant shall provide a written statement explaining how the design of the plan protects or mitigates impacts on the natural features of the site.

The proposed location has historically been used for cattle grazing and is currently zoned for light industry and manufacturing. The naturally gently sloping site has already been disturbed by cattle grazing, off-road vehicles, and numerous large animal burrows. No natural or scenic features of major importance are within the Project site. Impacts from erosion will be minimized by implementing appropriate BMPs as part of a comprehensive SWPPP.

Beth Bresnahan

From: Steve.Engebrecht@faa.gov
Sent: Wednesday, September 09, 2015 3:55 PM
To: cameron@intermountainenergypartners.com
Cc: mark@intermountainenergypartners.com; rlgruber@gmail.com; Lance Weinkamer
Subject: RE: FAA requirements for filing 7460

Cam-

My understanding of the current process matches your summary below.

For federally obligated airports, such as Mountain Home, the Owner of the Airport is required by its grant obligations to ensure compatible land use in the vicinity of the airport. The FAA could use this requirement to have the Airport owner require a glare analysis for proposed solar developments near airports. How far from an airport this could reach has not been determined to my knowledge.

Please be advised that significant public funds have been put into airports and it is in the best interest of all to verify that proposed solar developments do not negatively impact the utilization of those airports. That being said, we'd appreciate your continued efforts to run the solar glare hazardous analysis tool for proposed installations near airports, and to provide our office with the results.

Thanks, and please let me know if you have any questions.

Steve Engebrecht, P.E.
Civil Engineer
Helena Airports District Office

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From: Cameron Coleman [<mailto:cameron@intermountainenergypartners.com>]
Sent: Wednesday, September 09, 2015 11:29 AM
To: Engebrecht, Steve (FAA)
Cc: Mark Van Gulik; rlgruber@gmail.com; Lance Weinkamer
Subject: FAA requirements for filing 7460

Hello Steve,

Thank you for your time this morning discussing the filing requirements for a 7460 in regards to utility solar projects in proximity to airports (but not on airport property).

You described the general policy of needing an Obstruction Evaluation if the 100:1 envelope is pierced. The link with information and directions for filing are here:

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

As stated on the website, forms 7460-1 and 7460-2 will need to be filled out and submitted and can be done electronically.

To submit the forms, all of the locations and heights of proposed obstacles piercing the 100:1 envelope will need to be accurately shown as per the forms and directions on the above website.

Steve, it would be most helpful if you could reply-all to this email and either agree that the above information is correct or address items that are not correct.

Thank you!

Cam

Cameron Coleman
cameron@intermountainenergypartners.com

