

CARBON COUNTY

www.carbonwy.com

Department of Planning and Development

215 West Buffalo, Suite 336

Rawlins, WY 82301

Tel (307) 328-2651 FAX (307) 328-2735

Fee Paid \$ _____ Date _____

Case File No. C.U.P.W. CASE #

**CONDITIONAL USE PERMIT APPLICATION
COMMERCIAL WIND ENERGY FACILITY
(Please Print or Type)**

Project Name: Ekola Flats Wind Energy Project

Applicant: EKOLA FLATS WIND ENERGY LLC

Mailing Address: One South Wacker Dr. Suite 1800 Chicago, IL 60606 Phone: (303) 800-9335

Email Address: kmann@invenergyllc.com

Representative (authorization required) James Williams

Mailing Address: One South Wacker Dr. Suite 1800 Chicago, IL 60606 Phone: (303) 557-4488

Land Owner: See Appendix 06 for a full list of land owners

(If other Than Applicant)
Mailing Address: See Appendix 06 for a full list of land owners Phone: See Appendix 06

GENERAL LOCATION AND/OR LEGAL DESCRIPTION OF PROPERTY:

(Attach additional sheet(s) if necessary)

GEO/Parcel Identification Number(s) (PIN) #: See Appendix 01 for an ownership map.

Quarter Sections See Appendix 01 for a legal description Section App. 01 Township App. 01 Range App. 01

Approximate location West of Medicine Bow. See Appendix 05 for a regional map.

Zone District(s) RAM

PRE-APPLICATION MEETINGS:

All meetings should be held prior to submittal of application.

Application must be signed by agency or department head or processing may be delayed.

Pre-Application Meeting (Planning Department) Date: 12/5/17 Signature: See Supplement 02

(Entire Application)

Pre-Application Meeting (County Road and Bridge) Date: 12/18/17 Signature: See Supplement 02

(Use of Public Roads)

Pre-Application Meeting (Weed and Pest) Date: 12/5/17 Signature: See Supplement 02

(Noxious and invasive species control)

Pre-Application Meeting (County Sherriff) Date: 11/13/17 Signature: See Supplement 02

(Emergency Management Plan)

Pre-Application Meeting (Emergency Management) Date: 11/15/17 Signature: See Supplement 02

(Emergency Management Plan)

Pre-Application Meeting (County Fire Warden) Date: 12/5/17 Signature: See Supplement 02

(Emergency Management Plan)

List other Emergency Service Agencies & Representatives and meeting dates: (If Project spans multiple jurisdictions, list all agencies in other jurisdictions and meeting dates)

Pre-Application Meeting _____ Date: _____ Signature: _____

STATE AGENCIES:

The applicants are advised to consult with Wyoming Game and Fish Department (WGF) department. The Applicant should submit evidence of consultation that the Applicant has coordinated with WGF about the project.

The applicants are advised to seek comments from the Wyoming State Historical Preservation Office (SHPO) for matters concerning archaeology and/or historical importance and to include relevant reports with the application.

PROJECT SUMMARY:

Project Acreage (Total Area)	Approximately 27,000 acres
Number of Turbines	Up to approximately 100
Est. Project Cost	Approximately \$250-\$350 million
Peak Construction Manpower	Up to approximately 250 at peak construction
Total Full Time Permanent Jobs	Approximately 10-20
Est. Start of Construction	April 2019
Construction Phases	One Phase
Time to Complete Project	Two Years
Accessory or Related Uses	None

REQUIRED ATTACHMENTS: *(Attach additional sheet(s) if necessary)*

Project Description; including, but not necessarily limited to the following items and information, to the extent available:

1. A general description of the project, including its approximate total name plate generating capacity; the potential equipment manufacturer(s), type(s) of WECS(s), number of WECS, and name plate generating capacity of each WECS; the maximum height of the WECS Tower(s) and maximum diameter of the WECS rotor(s); the general location of the project.
[See Page 7 of the Application Text.](#)
2. A description of the Applicant, Owner and, if known, Operator including their respective business structures.
[See Page 08 of the Application Text.](#)
3. The name(s), address(es), phone number(s), and email(s) of the Applicant(s), Owner(s) and Operator(s), and all owner(s) of property on which the Project is to be located.
[See Appendix 06 to the Application Text.](#)
4. The name(s), address(es), and phone number(s) of the Applicant(s), Owner(s) and Operator(s), and all property owner(s) within 1,000 feet of the geographical boundary of the WECS project site.
[See Appendix 07 to the Application Text.](#)
5. A preliminary site plan for the installation of a WECS Project showing the planned location of each WECS Tower, guy lines and anchor bases (if any), Primary Structure(s), property lines (including identification of adjoining properties), setback lines, public & private access roads and turnout locations, Substation(s), electrical cabling from the WECS Tower to the Substation(s), ancillary equipment, transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.
[See Appendix 02 to the Application Text.](#)
6. A waste management plan that includes an inventory and disposal program of estimated solid wastes to be generated during the construction, operation and eventual decommissioning of the proposed WECS project.
[See Page 11 of the Application Text.](#)
7. A plan for reclamation of the surface after construction.
[See Page 12 of the Application Text.](#)
8. A list of all State and Federal agencies requiring approval and a copy of such approval, including all required studies reports and certifications.
[See Appendix 11 to the Application Text.](#)
9. Letters of consent to permit from all surface property owners upon which the WECS project will be located or other legal documentation (leases, etc.) which demonstrate consent of the surface property owners for the WECS project.
[See Supplement 01 to the Application Text.](#)
10. Tax Certificate – must be signed by the Carbon County Treasurer or authorized deputy.
[Tax Certificates submitted to Carbon County.](#)
11. Any other information normally required by the County as part of the Conditional Use Review process.

PUBLIC ROADS USE PLAN:

To include but not necessarily limited to the following:

1. A report demonstrating how legal access will be provided to the property and a description of how private roadways within the project will be marked as private roadways.
[See Appendix 04 to the Application Text for a description of legal access and Page 25 for a discussion on road markings.](#)
2. Private road systems within the project and their connectivity to the rest of the County's public road system.
[See Appendix 04 to the Application Text for a preliminary map of private roads and their connectivity to County roads.](#)
3. Acknowledgment that the County will not be required to repair, maintain or accept and dedication of the private roadways to the public.
[See Supplement 10 for a draft road-use agreement and Page 25 for acknowledgment of Applicant's responsibilities re roads.](#)
4. A traffic study, prepared by a Licensed Engineer, of any public roadways leading to and away from the proposed project during and after construction. Identify all public roads within Wyoming and submit conceptual mapping of all proposed haul routes. The Applicant(s) may be required to provide additional studies and reports, prepared by qualified professional(s), to determine if impacts to public roads will occur. If impacts are determined, a mitigation plan and/or long term road maintenance agreement will be required.
[See Appendix 16 to the Application Text.](#)
5. Provide a preconstruction baseline survey to determine existing road conditions and assess potential damage to roadways due to project construction and operations. Including estimated dollar amount necessary to repair roadways.
[See Page 27 of the Application Text for a discussion of the preconstruction baseline survey to be conducted.](#)
6. Provide applicable weight and size permits or describe plan to obtain highway permits from the appropriate agency to transport WECS equipment to the property.
[See Appendix 11 to the Application Text for a permit matrix that outlines permits to be obtained for WECS transportation.](#)

The Board of County Commissioners may require the Applicant(s) enter into a Road Use Agreement for the use of County roads prior to construction of the project. The Board may require financial assurance for the purpose of repairing any damage to public roads caused by constructing, operating or maintaining the WECS Project. The amount of financial assurance shall be submitted as an estimate signed and sealed by a Licensed Engineer and submitted as part of the Road Use Agreement. The Road Use Agreement shall be developed by the applicant for review by the County Road & Bridge Department, Planning Department, and the County Attorney's Office.

[See Supplement 10 for a draft road-use agreement and Page 25 for acknowledgment of Applicant's responsibilities re roads.](#)

NOXIOUS WEED AND INVASIVE SPECIES CONTROL PLAN:

Plan must be signed off by County Weed and Pest as well as any state and federal agencies that may also have jurisdiction.

[See Supplement 13 to the Application Text for a draft Weed Management Plan. The Plan has been shared with Carbon County Weed and Pest and will be finalized prior to construction.](#)

SITE & FACILITY RECLAMATION AND DECOMMISSIONING PLAN:

Plan must comply with the Wyoming Industrial Siting Council's adopted requirements.

[See Appendix 18 to the Application Text for a draft Decommissioning Plan created per the Wyoming Industrial Siting Council's adopted requirements.](#)

OPERATION AND MAINTENANCE PLAN:

Summary of routine operations and scheduled maintenance.

[See Appendix 20 to the Application Text for a discussion of operations and maintenance to be conducted at the TB Flats Wind Energy Project.](#)

CONSTRUCTION PLAN:

Include the following:

1. Construction Timeline.
2. Manpower.
3. Workforce housing plan.
4. List of Hired Contractors.

[See Appendix 02 to the Application Text for a discussion of the Project's Construction Plan and Appendix 15 for a schedule.](#)

ATTACH THE FOLLOWING:

1. **Application Fee.** An application fee of \$3,100 calculated per the County Fee Schedule is attached hereto
2. **All Lease Agreements.** See Supplement 01 to the Application Text for documentation of lease agreements and consent to permit forms. Please see Appendix 11 for a Permit Matrix that outlines what permits will be obtained
3. **Required FAA Documentation and Permits.** from the FAA prior to construction. See Supplement 16 for an Aviation Systems, Inc report outlining any potential FAA issues. The report indicated determinations of No Hazard should be issued by the FAA
4. **GIS Data in shapefile format including project boundary, approximate turbine and transmission tower locations, internal road network, substations and transmission lines.**
GIS data were provided as part of this application submittal to the Carbon County Department of Planning and Development.
5. **An evaluation of FAA approved remote sensing beacons or Audio Visual Warning Systems (Alternative Lighting Systems) that do not require continuous night time lighting.**
See Page 22 of the Application Text for a discussion of FAA-approved lighting systems that do not require continuous night time lighting.

I hereby acknowledge that I must provide Carbon County with evidence of public notice that shall be published in a newspaper of general circulation in Carbon County twenty (20) or more days prior to the public hearing required by W.S. §18-5-506. The public notice shall include a brief summary of the wind energy facility, invite the public to submit comments and identify the time and date of the hearing. The applicant must provide an affidavit of publication prior to the BoCC hearing.

I hereby certify that the representation included hereon and by attachment are true and correct to the best of my knowledge and further certify:

1. That reasonable efforts have been undertaken to provide notice in writing, to all owners of land within one (1) mile of the proposed WECS project and to all cities and towns located within twenty (20) miles of the WECS project. (Attach affidavit.)
2. That the proposed WECS project will comply with all the standards required by W.S. 18-5-504.
3. That the proposed WECS project will comply with all applicable zoning and county land use regulations.
4. That notice has been provided to the record owners of mineral rights located on or under the lands where the proposed facility will be constructed. Such notice may include notice by publication. The certification of notice shall be provided with the application. To the extent that the notice requirements in the paragraph do not comply with rules adopted by the Industrial Siting Council, the standards and requirements adopted by the Industrial Siting Council shall control and shall be complied with by the applicant.

PRINTED NAME

DIRECT CONTACT NUMBER

SIGNATURE OF APPLICANT

DATE

PRINTED NAME

DIRECT CONTACT NUMBER

SIGNATURE OF OWNER

DATE

The applicant is solely responsible for the contents of this application and verifies that it is accurate, complete and contains all information required by the Carbon County Zoning Resolution, Section 5.9 Wind Energy Facilities-Overlay District. The applicant shall notify the Carbon County Planning & Development Department in writing of any material changes to the information provided that occurs while approval of the WECS Conditional Use Permit application is pending.

AFFIDAVIT
Attesting to the Accuracy of Information Provided to
Carbon County, Wyoming

In Carbon County, Wyoming,

(Applicant or Authorize Representative – Please Print)

has made application to Carbon County that requires notice to abutting\adjacent property owners, and being duly sworn, deposes and says that the mailing labels of abutting\adjacent property owners (land having a common property line or separated only by an alley, easement or private road) submitted with their application, is a true and accurate listing of those property owners, as reflected in the records of the Carbon County Assessor's office on _____, 20_____.

The Applicant does hereby accept responsibility for any inaccuracies in the production of these mailing labels of abutting\adjacent property owners that result from applicant's errors, rather than errors in the Assessor's records, and holds harmless Carbon County for any delays in processing of the applicant's petition that result from these inaccuracies.

(Applicant or Authorize Representative Signature)

I, _____, a Notary Public of the _____ (COUNTY),
_____ (STATE) aforesaid, hereby certify that
_____ personally known to me to be the affiant in the foregoing affidavit,
personally appeared before me this day and having been by me duly sworn deposes and says that the
facts set forth in the above affidavit are true and correct.

Witness my hand and official seal this the _____ day of _____, 20_____.

(SEAL)

Notary Public

My Commission expires:

_____/_____/_____.

Adjacent Property Owners/Landowners

Example:

PIN No: 12890100000600

Name: Bureau of Land Management – Attn: Realty Division

Mailing Address: PO Box 2407

City: Rawlins **State:** WY **Zip:** 82301

PIN No: Please see Appendix 07 for adjacent landowners.

Name: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

PIN No: _____

Name: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

PIN No: _____

Name: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

PIN No: _____

Name: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

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Name: _____

Mailing Address: _____

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PIN No: _____

Name: _____

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City: _____ **State:** _____ **Zip:** _____

