

**Proceedings of the Dolores County Planning Commission Meeting  
and  
Public Hearing for the Dolores Canyon Solar Project**

**August 30, 2021**

The Dolores County Planning Commission held a Public Hearing on Monday, August 30, 2021 at the Public Service Center in Dove Creek, Colorado. Present for the meeting were Planning Commission Board members: President JP Funk, Vice President Robert Crain, Commissioner Jim Begalle and Commissioner Todd Parisi, as well as County Attorney Dennis Golbricht, Administrator Margret Daves, Mapping and Addressing Director Amber Fisher and Deputy Clerk to the Board of County Commissioners Jody Gardner. Commissioner Linda Yellowman joined via zoom.

**Pledge**

The meeting started with the Pledge of Allegiance.

**Guests**

**Attended via Zoom:** JUWI Representative Eric Jesse, Dolores County Emergency Manager Keith Keesling, Kinder Morgan Representative Chandler Marechal and Gail Blinky

**Attended via Zoom with Comment:** Michele Martz, Jo MacKenzie (iPhone)

**Attended in Person:** Steven Diggle, Dwayne and Cherrie Garchar, Connie Cannon, Mark and Cindy Coffey, Jim and Gloria Watt, Cecil Martin and Johnny Holaday

**Attended in Person with Comment:** John Garchar, Earl Winger and Cindy Tout, Lyle Rice, Lee Hartley, Bruce MacKenzie, CPW Representatives Becca deVergie and Brian McGee, Dolores County Sheriff Don Wilson, Dave and Kim Wood, Brett Martin and Laurel Hollen

**JUWI Representatives in Person:** Bryan Lohoff, David Kimmatt and Greg Bunce

**Minutes**

Presented for approval were the regular meeting minutes from July 19, 2021 as well as the regular meeting minutes for August 2, 2021 minutes.

Commissioner Crain made a motion accepting the above-mentioned minutes.

Commissioner Parisi seconded the motion.

All Commissioners voted in favor of the motion.

## **Agenda**

There were no additions or deletions to the agenda.

### **Public Hearing for JUWI/Dolores Canyon Solar Project**

**Planning Commission President JP Funk** verified that the Public Hearing checklist had properly been conducted by confirming the following:

- All the properties were accurately posted as required
- Landowners received an Affidavit of Notice
- Public Hearing was properly noted in the Dove Creek Press
- Reviewing Agencies were notified and asked to comment. (DWCD and Mandatory Weed sent agreeable comments) (CPAW will share theirs within one week)

**JUWI's Dave Kimmett** described the process involved with how the project location was chosen and how the project bid was awarded from Tri-State in late 2019. The project footprint, design and layout were discussed. The preferred project start date will be March 2022, with completion at the end of 2023. The estimated peak workforce would provide 300 jobs. Workers are sourced out. Local sub-contractors will have the opportunity to bid jobs. JUWI representatives took part in answering numerous questions and further specifically requested that the bond for decommissioning and reclamation be modified pursuant to their latest proposal, as the full bond amount of over 7m would place a financial hardship on the project.

**Commissioner Parisi** voiced concerns regarding recyclability of the panels post project as well as the decommissioning bond amount. Mr. Kimmett said that the demand for used panels continues to increase as they are still functionable.

**Commissioner Crain** voiced concerns regarding road traffic and maintenance and suggested bussing workers in from a parking lot outside the area.

**Sheriff Wilson** discussed the demand on his department that would come from increased traffic. Speed control, accidents and inclement weather were all items discussed. Sheriff Wilson requested that JUWI fund a deputy position in the Sheriff's office during the increased traffic construction phase.

**Earl Winger** had concerns regarding wet roads and possible damage and dust mitigation in the summer. Mr. Winger questioned the hours of operation. The project will operate from 7a.m. to 7p.m. with no after hour deliveries.

**Cindy Tout** asked if there was possible expansion of this project in the future. There are no further project designs at this time. Any expansion would be required to go through the same

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process as the current one. The size of the panels was asked. 3.5'x7'. The panels are "tracking panels" that will follow the sun, east to west. The panels will reach a peak height of 8'. Also asked was if there would be a community contact to address any future concerns. The answer was yes.

**Lyle Rice** voiced his concern for his neighbors. A decrease in property values located near the project was feared. Wildlife migration routes was voiced. A beautification plan to inhibit a prison yard appearance was suggested.

**Bruce MacKenzie** had concerns for the roads.

**Michele Martz** asked if the parcels would continue with an ag status if not able to be farmed by tractors. The project does not change the ag status of any of the parcels. A grass seed mix will be planted at the end of the construction phase of the project that could be mowed or possibly grazed. Landscape features like trees was suggested to hide the view of the panels. A setback from homes was implemented in the project planning phase for homeowners to be able to plant vegetation if they so choose to block the view of the panels. Construction employee access on Road R was a concern, as well as bussing in workers to mitigate traffic.

**David Wood** asked if there would be concrete slabs under the panels. The panels will be set on driven steel. Wild game, specifically elk herd crossings on county roads were a concern. Mr. Wood also asked if there would be adequate porta johns for workers. There will be.

**Laurel Hollen** had concerns regarding erosion, noise, and glare from the panels. A vegetative privacy fence was also preferred.

**Lee Hartley** has previously submitted concerns in writing that were shared prior to the meeting with the Planning Commission. He said his questions had been answered during the public hearing and strongly suggested the project be denied.

**John Garchar** stated that his family homesteaded much of the land considered for the project. Generations of family members have chosen to farm those lands. With the continuously increasing costs associated with farming (examples being equipment, fuel, seed and fertilizer) farming is a hard way to make a living. Then there's the ongoing drought factor that may put several farmers out of business next year. If monies from the lease of the land for the solar project can fill that void, then why deny that to the landowners? The visual impact concern for neighbors around the project has been voiced, but what about the neighbors that the project helps?

**Brian McGee and Becca da Vergie** were present to represent the Division of Wildlife. A statement will be provided to the planning commission with comments in approximately one week. Some discussion of wildlife migration did take place.

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**Brett Martin** asked how tall the fence would be. Mr. Kimmett said that is still being discussed with CPW. Initial plans are for a six-foot-tall woven fence topped with two strands of high visibility wire. **Jo MacKenzie** stated that in previous discussions she had understood that fencing would be hidden by vegetation for affected homeowners. Vegetation is not in the current proposal from JUWI.

There being no further comment, that portion of the hearing was closed at 7:55p.m.

Commissioner Begalle made a motion approving the project with a recommendation to move it forward to the Board of County Commissioners with the following considerations:

- 1) A contribution be made to the Sheriff's department for traffic enforcement/mitigation.
- 2) A road agreement be reached between JUWI and the County, with special consideration be made for wet road conditions.
- 3) Project screening be considered, but no fence inserts should be used.
- 4) A full reclamation/decommissioning bond in the amount calculated by JUWI (\$7,733,615.00) be posted prior to commencement of construction and shall remain in place, with review and adjustment every five years, or when there is a significant event, such as reclassification of panels to hazardous.
- 5) CPW recommendations should be considered in the final review; and
- 6) While not a condition, the PC stated a preference that domestic made parts and equipment be used when possible.

Commissioner Parisi seconded the motion.

Four of the Commissioners voted in favor of the motion.

Commissioner Yellowman had departed the Zoom prior to the vote.

**Adjourned**

Commissioner Crain made a motion to adjourn.

Commissioner Begalle seconded the motion.

All present Commissioners voted yes.

Commissioner Funk adjourned the meeting.

Respectfully submitted by Jody Gardner

