

Appeal# _____

**UTAH COUNTY
BOARD OF ADJUSTMENT
APPLICATION FOR A CONDITIONAL USE
(Application Fee is Non-refundable)**

Date Received: _____

Received By: _____

Project Name: **Quicksilver Solar II**

Table 1. Legal descriptions, tax parcel numbers, and zone information for the Project.

Legal Description	Tax Parcel No.(s)	Zone*
The West half of Section 24, Township 7 South, Range 2 West, Salt Lake Base and Meridian.	59-132-0001	Mining and Grazing I
The Southeast quarter of the Southwest quarter; and the Southwest quarter of the Southwest quarter of Section 7, Township 7 South, Range 1 West, Salt Lake Base and Meridian.	59-085-0008 (portion)	Mining and Grazing I
The North half and the Southwest quarter of Section 12, Township 7 South, Range 2 West, Salt Lake Base and Meridian. Also described as: The Northeast Quarter, Northwest Quarter, Southwest Quarter of Section 12, Township 7 South, Range 2 West, Salt Lake Base and Meridian.	59-120-0002	Mining and Grazing I
The West half of the Southeast Quarter of Section 13, Township 7 South, Range 2 West, Salt Lake Base and Meridian.	59-121-0004	Mining and Grazing I
The Northeast quarter of the Northeast quarter of Section 21, Township 7 South, Range 2 West, Salt Lake Base and Meridian.	59-120-0001	Mining and Grazing I
The Southwest Quarter and the West half of the Northwest Quarter of Section 13, Township 7 South, Range 2 West, Salt Lake Base and Meridian.	59-121-0001	Mining and Grazing I

The Northeast Quarter of the Northwest Quarter of Section 13, Township 7 South, Range 2 West, Salt Lake Base and Meridian.	59-121-0005	Mining and Grazing I
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*Source: [Utah County Zoning Map](#)

Hearing Date: _____ Fee Paid: _____ Receipt # _____

County Address: None – Project is located on vacant land located in unincorporated Utah County

Applicant’s Name: Quicksilver Solar, LLC

Attn: Christine Watson Mikell

Phone: 801-455-1045

Mailing Address: P.O. Box 71810, Cottonwood Heights, UT 84171

E-Mail Address: christine@enyo-energy.com (with a copy to: ajbell@hollandhart.com)

Property Owner’s Name (if different from Applicant): Myrna B. Carter – see table below for list of Carter tax parcels comprising the Project Area.

Table 2. Property owner for each tax parcel.

Tax Parcel No(s).	Property Owner
59-132-0001 59-085-0008 (portion) 59-120-0002 59-120-0001 59-121-0004 59-121-0005 59-121-0001	Carter, Myra B., as Trustee of the Myrna B. Carter Trust, dated May 20, 1997

As part of the application, applicant is required to submit:

1. A plot plan which shows the property boundaries, and the location of existing and proposed buildings and land uses within those boundaries, and buildings on adjoining lots which are within 200 feet of applicant’s property line; a landscape and improvements plan when the application is for a moved building and additional information.

See Exhibit A attached: Quicksilver (200 MW) Site Plan (the “Site Plan”)

The alternative transmission line corridor is on Myrna Carter property (slightly north of where it is depicted on the site plan) until it gets to the border between BLM (on the north) and TLA (on the south), where it shifts slightly south to fall wholly on Trust Lands Administration (TLA) land (Exhibit D-TLA letter of support). There it joins the previously approved BLM right- of-way and extends two miles northward before entering Eagle Mountain City jurisdiction.

2. A list of names and addresses of all abutting property owners.

See Exhibit B attached: Quicksilver Solar Abutting Property Owners

Project Overview

Quicksilver Solar, LLC (“Quicksilver” or “Applicant”) requests a conditional use permit for the development and operation of an unmanned, utility-scale solar photovoltaic power generation facility, and 345-kV electric power transmission line located in unincorporated portions of Utah County, Utah (the “Project”), all in accordance with §§ 8.44(4), 12.28(C)(3) and 16.80 of the Utah County Land Use Ordinances (the “Land Ordinances”). Quicksilver is a wholly owned subsidiary of Enyo Renewable Energy, LLC (“Enyo”). Enyo is a Utah-based wind and solar company whose purpose is to develop a portfolio of utility-scale solar, storage and wind power generation projects in the Intermountain West. In accordance with § 16.84(C) and (D) of the Land Ordinances and to accomplish the purposes of the Project, Applicant requests an approval term of the conditional use permit of no less than five (5) years, with an option to extend such term for an additional twelve (12) months by providing written notice prior to the expiration of the initial 5-year period.

The Project site consists of approximately 1,227 fenced acres of privately owned, open, and largely undeveloped land in remote portions of unincorporated Utah County, located approximately 6.6 miles west of Utah Lake (the “Project Site”). There are no towns or substantial settlements near the Project Site and the nearest residential area, Fairfield, is located approximately 3 miles northwest of the Project Site. The Project Site is currently located in a Mining and Grazing Zone (“MG-1 Zone”).

The Project will consist of the following components: photovoltaic solar panels and all accessory uses and facilities incidental thereto, such as steel racking and single-axis tracking system, electrical inverters and transformers; underground and above ground wires and cables for the transmission of electrical energy or for communication purposes, together with foundations, towers, footings, cross arms and other appliances and fixtures; one or more substations or interconnection or switching facilities; battery energy storage system (BESS) facilities; and access roads, fences, and gates, as more fully described and shown on the Site Plan. The Project includes a 345-kV overhead transmission line, which will be sited in one of the two potential transmission corridors shown on the Site Plan. The final location of the transmission line and corridor will be included in the final plans that the Applicant submits with its building permit application for the Project. The solar facilities will be surrounded by a 6-foot-high chain-link fence with 3 strands of barbed wire at the top, which will be angled outward to discourage climbing and to protect the Project Site against unauthorized access and animals. The Project will also have a 20-foot-wide access road around the perimeter of the Project Site, just inside the fence line.

The Project may be developed on the Project Site as one project or in phases as separate projects, depending on the needs and requirements of the power offtaker. Regardless of the number or size of each phase, a phased Project layout is not expected to materially differ from the Site Plan, but certain Project facilities, such as the substation, collector line routes, and access roads, would be used in common to support all phases of Project development. Additionally, key Project facilities that are required for all phases, such as the access road to Soldiers Pass Road, the transmission line, and the substation, will be constructed as part of the first phase.

The Applicant is negotiating a long-term ground lease from the property owner for the Project site and for access to the Project from Soldiers Pass Road, which is designated by the County as a Class D Road and connects to Lake Mountain Road (a Class B road – Recorded Road File 250011). Following completion of construction, the Project will be unmanned and accessed by maintenance employees two to three times per week for regular

routine inspections and maintenance. As an unmanned facility, the Project is therefore not subject to the requirements of §§ 4.44 and 4.48 of the Land Ordinances.

The Project is consistent with the purposes of an MG-1 Zone, which is to, among other things, promote the conservation of water, land mineral, and other resources, and to provide a location for certain types of uses that are not compatible with urban development. Specifically, the Project will not require water to operate and does not generate any waste by-products, toxic emissions, or air pollution. Rather, the Project will serve as a reliable source of renewable energy for the state of Utah. Moreover, given the nature of the Project, existing public facilities have adequate capacity to serve the Project. The Project design incorporates reasonable fire protection measures that enhance the Project's safety and minimize the risk of harm to firefighters and other public safety officers. Given the Site's isolated location and other characteristics, the Project is not reasonably anticipated to generate any detrimental effects on adjacent property or land uses.

Accordingly, approving this conditional use permit is in the best interest of the County and would meet the standards of approval as found in § 16.80 of the Land Ordinances, each as addressed in the following questions:

a. State the Conditional Use Desired, the Board of Adjustment Authority, and the Current and Proposed Use:

This application requests that the Utah County Board of Adjustment (the "Board") grant a conditional use permit for a utility-scale solar photovoltaic power generation facility, 345 kV electric power transmission line, and substation. The Project Site is located in an MG-1 Zone. The use of an electrical power generation plant, 345 kV electric power transmission line and transmission corridor, and substation are conditional uses within a MG-1 Zone if approved by the Board.

b. Is the conditional use you are requesting one with the Board of Adjustment is specifically empowered to grant?

Yes.

c. If yes, state the section in the ordinance which allows the Board to approve the conditional us applied for:

The Board has the authority to grant this conditional use permit in accordance with §§ 12.28(C)(3) and 16.80 of the Land Ordinances.

d. State how the land is being used at the present time and what changes are proposed by this appeal:

Current Use

The Project site currently consists of privately owned, open, and undeveloped land in remote portions of unincorporated Utah County, Utah.

Proposed Use

As set forth in this application, the proposed use of the Project Site is for an unmanned, utility-scale solar photovoltaic power generation facility, Project Substation, and 345-kV electric power transmission line. The Project Site consists of approximately 1,227 acres.

The primary component of solar PV facilities are the solar arrays. Solar PV arrays consist of individual modules that convert solar energy into electricity. This electricity is then transmitted to inverters that change the electrical output of the modules from direct current (DC) to alternating current (AC). From the inverters, the electricity is transmitted to the Project Substation via an underground collection line network. At the Project

Substation, the voltage will be stepped up from 34.5 kV to 138 kV or 345 kV. Based on current PV technology, the Project is expected to include 1,352,844 Jinko Solar or equivalent crystalline silicon (monofacial or bifacial) modules with an individual name plate capacity of 490 watts (W) each. It should be noted that the manufacturer, type, number, and capacity of modules may change depending on the PV technology available at the time of procurement.

The solar modules will be mounted on north-south-oriented, single-axis tracker racking systems that will allow the modules to track the sun from east to west throughout the day, maximizing power generation efficiency. The height of the solar arrays will vary from approximately 4 feet above ground when the panels are horizontal to a maximum of approximately 10-12 feet above ground at maximum tilt. Project Substation components will be taller than the solar panels but shorter than the adjacent transmission towers (see below). Other components of the Project include the battery energy storage system (BESS) facilities, access roads, and a perimeter fence with 3 strands of barbed wire at the top, which will be angled outward to discourage climbing.

As depicted on the attached Site Plan, the Applicant has identified two potential transmission corridors. The final location of the transmission line and corridor will be included in the final plans that the Applicant submits with its building permit application for the Project. The 345-kV generation interconnect transmission (or gen-tie) line is anticipated to include steel lattice or monopole towers up to 175 feet in height. The transmission line corridor will be 150 feet wide.

Table 3. Tax Parcel numbers associated with the alternative transmission line corridor depicted in Exhibit A.

Tax Parcel No(s).	Property Owner
66-749-0002	Stadion, LLC
59-069-0003 59-030-0003	Monte Vista Ranch, LLC
59-085-0008	Myrna Carter
59-031-0001	Utah Trust Lands Administration
59-152-0005 59-152-0008 59-085-0006	USA Division of Property Management

The proposed BESS facility is a 400-MW energy storage facility comprised of multiple, interconnected lithium-ion battery modules that will be located on approximately 32 acres adjacent to the Project Substation (refer to Exhibit A, attached). The BESS is expected to be able to store most or all of the power output of the Quicksilver solar PV facility for short durations (2 – 4 hours), allowing it to provide better reliability to the local electrical grid, which will be a benefit to area residents.

The minimum and maximum output for this Project is estimated to be between 160-320 MW and the estimated value of the Project is between \$176 million - \$360 million.

1. Will granting this appeal degrade the public health, safety, or welfare?

No. As noted above, the Project will not produce any effluents, toxins, air emissions, or solid wastes in the process of generating electricity and, as a result, is anticipated to have no impact on public health, safety, and welfare. Rather, the Project will serve as a reliable source of renewable energy for the state. Moreover, Project operations and maintenance activities will generate minimal dust, and no fumes, unsightly conditions, or pollution. Night lighting may be required on occasion for maintenance and repair operations, but such instances will be temporary, short-term disturbances and unlikely to affect public health, safety, and welfare given the distance between the Project Site and existing residences.

The Project will not introduce invasive species, does not contribute additional noise to the area, and there will be little traffic to and from the Project. While the Project Site is approximately 0.25 miles west of the nearest residence, it is approximately 3.5 miles from the nearest business or residential neighborhood in Fairfield, UT.

During construction, impacts to air quality due to the generation of fugitive dust will be minimized by implementing a fugitive dust abatement plan including the use of water trucks or other soil stabilizers during construction to minimize any detrimental effect to public welfare. Such dust control measures will be used in compliance with applicable county and state laws. Project access roads, temporary parking, staging, and laydown areas, and Project substations will have gravel surfaces to limit dust generation during all phases of the Project's lifecycle.

Additionally, the Applicant will submit a decommissioning plan prior to the issuance of any building permits for the Project, which will include provisions for the removal of all Project structures, foundations (to a depth of three (3) feet), electrical equipment, internal access roads and the restoration of any soils or vegetation disturbed by the reclamation activities. A decommissioning bond, for the removal of equipment associated with the solar facility, approved by the Utah County Attorney's Office and in a format to be similar to the bond form submitted by the applicant will be completed by the applicant prior to issuance of any permits.

2. Does this appeal conform to the "characteristics and purposes" stated for the zoning district involved and the adopted county master plan?

MG-1 Zone

Yes, the Project conforms to the characteristics and purposes of an MG-1 Zone. The specific characteristics and purposes of an MG-1 Zone are found in § 12.28 of the Land Ordinances and are as follows: Zoning District: "(1) To take advantage of and more fully implement the basic purposes for planning and zoning as set forth in Utah Code, as amended; (2) To promote the conservation of water, land, mineral, and other resources; (3) To foster livestock grazing and mining industries within the county; (4) To provide a location for certain types of uses which, due to odor, noise, danger, etc., are not compatible with urban development; [and] (5) To ensure the development of adequate public facilities to match private development."

The Project is consistent with the characteristics and purposes of an MG-1 Zone. The Project does not require water to operate and will not generate any waste byproducts, and therefore, will function to conserve water and other resources. The Project promotes the efficient use of natural resources and supports the growth and development of clean energy production. Due to the overall size of the Project, the Project cannot be located near or within urban areas of the Utah County. Through the transformation of currently underutilized property, the Project will expand and diversify Utah County's industrial tax base and provide significant benefits to Utah

County's taxing entities through the increase in both real and personal property taxes. Moreover, the Project will generate significant new jobs for Utah County during the construction phase.

Utah County Master Plan

Yes, the Project conforms to the goals and objectives of the Utah County Master (General) Plan (the "General Plan"). The goal of the General Plan is found in §2.02 of the General Plan which provides as follows: "It is the desire of Utah County citizens, the Utah County Legislative Body, and the Utah County Planning Commission to have a pleasant and progressive county in which people can live and work, without sacrificing the traditional rural atmosphere inherent in the unincorporated areas of the county while protecting the quality of life in the incorporated municipalities and respecting the rights of private property owners."

To support the General Plan's stated goal, the Project complies with and is consistent with the following objectives:

- §2.10 Objective 5: Maintain prime and other agricultural land in active production and retain the traditional rural nature of the unincorporated county - The Project is not on prime or other agricultural lands and will not impact agricultural production located on prime agricultural land in the County.
- § 2.14 Objective 6: Support a variety of methods to preserve agricultural land - The Project will aid in the preservation of agricultural lands for the duration of the Project's life cycle. As noted above, the construction of the Project will likely have minimal short- and long-term impacts on the area. Additionally, during the Project's lifecycle, the Project will prevent the area from being developed for other uses such as residential, commercial, industrial, or other non-agricultural uses. Moreover, at the conclusion of the life cycle of the Project, the land will revert to its original state as open space.
- §2.28 Objective 13: Preserve and protect natural resources and open space – As noted, the Project promotes the efficient use of natural resources and supports the growth and development of clean energy production, with minimal resources required for operations. Moreover, the general characteristics of the Project and the minimal height of any of the Project's facilities will preserve open space and protect open sight lines throughout the Project Site.
- §2.30 Objective 14: Adopt policies for careful use of water and other natural resources - The Project does not require water to operate and does not generate any waste by-products. The Project Site is not irrigated and will not impact any existing irrigation or sewer systems. Solar energy generation facilities do not generate toxic emissions, air pollution and do not affect the viewshed. The lighting on site will be minimal. The remoteness of the Project Site also aids in minimizing any impacts to the County's water and other natural resources.

3. Is this appeal compatible with the public interest and with the characteristics of the surrounding area?

Yes. The Project is compatible with the public interest and characteristics of the surrounding area. The Project Site is in a remote MG-1 Zone, approximately 3 miles from the nearest residential neighborhood. With the exception of a single residence approximately 0.3 miles east of the Project Site, the surrounding area is mostly undeveloped and vacant or is otherwise used for non-irrigated open range and grazing purposes. The Project Site will not take high-value agricultural land out of production. Much of the Project Site has already been disturbed via past cultivation and/or degraded by overgrazing, ORV use, dumping, target shooting, wildfires, as

well as the introduction and spread of cheatgrass. The Project Site will revert to its original open state at the end of the Project's life cycle. As noted elsewhere in this application, the Project will generate many benefits to the Utah County tax base and will result in the development of underutilized property.

During the permitting process for the southern portion of the Project, the Applicant consulted with Shane Hill at the Utah Division of Wildlife Resources ("UDWR") about the Project, who suggested minimizing impacts to raptor prey habitats and nesting areas. In response to UDWR's comments, the Applicant will implement the following mitigation measures to limit avian impacts:

- If construction takes place during the avian nesting season (generally January 1 through August 31), pre-construction nest surveys will be conducted within the disturbance footprint and surrounding species-specific nest buffers no more than 7 days prior to Project initiation. If any active raptor nests are found within the survey area, they shall be flagged and avoided in accordance with USFWS-recommended species-specific spatial and temporal nest buffers (Romin and Muck, 2002). The breeding season for passerine birds (includes songbirds, sparrows, and finches) and long-billed curlews is April 1 through July 31. Active passerine bird nests within disturbance footprint and surrounding 100-foot buffer and active long-billed curlew nests with the disturbance footprint and 660-foot buffer shall be flagged and avoided during this time or until the nest is abandoned or the young have fledged.

To prevent environmental contamination, standard best management practices will be followed for the storage, handling, spill prevention, clean-up, and disposal of motor fuels, oil, compressed gas, etc., used during construction and operation of the Project.

The Quicksilver Environmental Analysis is included as **Exhibit D** of this application.

4. Will granting this appeal adversely affect local property values?

No. Applicant previously obtained and submitted to the Board of Adjustment a report prepared by J Philip Cook titled "Value Impact of Commercial-Scale Solar Facilities on Adjacent Properties," dated October 7, 2021, in connection with Applicant's conditional use permit for the Quicksilver Solar project (see Action by the Board of Adjustment, Appeal No. 1595, Conditional Use, recorded on October 13, 2021 as Entry No. 175090:2021), which is adjacent to the Quicksilver Solar II project. A copy of this report is attached as Exhibit C. The authors of the report concluded that proximity to a solar farm does not impact property values based on the information and studies that were addressed in the report.

Given that the site characteristics and surrounding land uses are very similar between Quicksilver Solar and Quicksilver Solar II projects, the finding in the report should apply to the Quicksilver Solar II project.

Additionally, given the Project's remote location, low profile, and lack of development within its vicinity, it is unlikely to affect neighboring properties by casting a shadow, generating glare, or otherwise materially affecting viewsheds. Therefore, no adverse effects to local property values are reasonably anticipated.

5. Are all the standards stated in the Land Ordinances, including but not limited to those found in §§ 4, 6, 8, and 12 of the Land Ordinances, met by this appeal?

Yes. The Project will comply with all regulations of the Land Ordinances, including the following:

- §4.08 Yards to be Unobstructed – The Project layout will promote the efficient use of the Project Site and will comply with all yard and setback requirements.

- §4.12 Storage of Junk, Debris and Obsolete Vehicles in Yards Prohibited – No structure, accessory structure, yard, field or open space will be used for the placement of junk, debris, or obsolete vehicles.
- §4.16 Rendering Plants – The Project or the Project Site will not be used for livestock or as a rendering plant.
- §§ 4.20 through 4.28 Yards and Setbacks - The Project will comply with all yard and setback requirements.
- §§4.32 through 4.40 Dwellings – No dwellings will be on the Project Site.
- §4.44 Frontage on an Approved Public Street Required, Exceptions – This section does not apply because the Project will have no dwellings, manned industrial plants, or other facilities or structures occupied by humans on the Project Site. The Project will be an unmanned facility.
- § 4.48 Motor Vehicle Access – This section does not apply because the Project will not have frontage on an official county road, city street, or state road or highway. Moreover, the Project will have no dwellings, commercial establishments, manned industrial plants, or other facilities or structures occupied by humans on the Project Site. The Project will be an unmanned facility.
- § 4.56 Storage of Trucks in Certain Zones Prohibited - The Project will not be used for the storage of trucks.
- § 4.60 Off-Street Parking and Loading - No parking is required on the Project because there are no dwellings or other structures requiring a minimum number of parking spaces on the Project Site. Parking on the Project Site will be minimal and limited to operations and maintenance vehicles to accommodate personnel expected to visit the site for routine inspections and maintenance.
- § 4.64 Off-Street Loading Space Required – The Project will have no buildings that receive or distribute goods, merchandise or supplies by vehicle.
- §§ 4.68, 4.72 Setbacks – The location of all Project facilities comply with the setback requirements, as shown on the Site Plan.
- § 4.76 Fences and Walls – The Project will have a fence and gates, approved by the County Engineer and County Fire Marshall, that comply with all setback and height requirements, as shown on the Site Plan.
- § 6.04 Health Department Approval, Water and Sewer – The Project will be unmanned and does not require a potable water supply facility and/or a sanitary sewage disposal facility.
- § 6.08 Drainage - Any drainage occurring on or from the Project is naturally occurring and not from manmade structures, which will be unaffected by the Project.
- § 6.12 Flood Protection – No structure will be constructed within 100 feet from the banks of a stream, gully, or other flood channel, and the Project will not interfere with the flow of water.
- § 6.16 Flood Protection in Special Flood Hazard Areas – The Project Site is not located in that has not been identified as having one percent chance of flooding.
- § 6.20 Avalanche Hazard Mitigation – The Project Site is not located in a known avalanche path.
- § 6.24 Exposed Slopes to be Less Than the Critical Angle of Response – There will be no cut or fill shape in a final slope that exceeds the critical angle of response.
- § 6.28 Open Pit Extraction of Earth Products – There will be no sand, gravel, topsoil, rocks or minerals that will be extracted by an open pit method.
- § 8 Uses With Special Review Provisions – Supplementary Requirements and Procedures Applicable Within Zones – There are no special review provisions, supplementary requirements or procedures for solar energy projects.

- § 16.28 Utility Installation Unlawful Without Permit – The Project will obtain all necessary permits to install any electrical utility lines on the Project Site.

6. Will granting this appeal result in a situation which is cost ineffective, administratively infeasible, or unduly difficult for the provision of any of the following essential services: roads and access for emergency vehicles and residents; fire protection; police protection; schools and school busing; water, sewer, and storm water facilities, and garbage removal?

No. Due to the nature of the Project, there will be minimal to no impacts to the provision of essential services. A general assessment of Project-related impacts to essential services is provided below.

Traffic / Roads and Access for Emergency Vehicles and Residents

The lifecycle of the proposed Project consists of three phases: (1) construction, (2) operations and maintenance, and (3) decommissioning and reclamation. Traffic levels will vary within and across each of these phases. Peak project-related traffic occurs during construction when construction workers would be commuting to/from the Project Site and solar modules, steel racking materials, inverters, substation components, fencing, and other project materials will be delivered. Pre-construction improvements to county roads and post-construction road repairs will be addressed, if and as needed, through a county road use agreement. The road use agreement would be negotiated with Utah County following approval of this conditional use permit. Construction parking will be provided on a gravel pad located on the Project Site. It is expected that heavy equipment and other machinery would be stored onsite to limit interference with daily travel patterns.

During operation and maintenance phases, four or five workers are expected to make visits to the Project Site. At the end of the Project's life cycle, which is anticipated to occur 30-plus years following commencement of operations, the Project will be decommissioned and removed from the Project Site in accordance with the decommissioning plan. Solar facilities are typically dismantled, and the materials reused and recycled or sold as scrap. Project decommissioning and reclamation will necessitate a short period of increased vehicle traffic to and from the Project Site. Overall existing traffic volumes on area roads would remain low.

As discussed below, the Project will contain a 20-foot wide perimeter fire access road to provide a defensible space around the solar generating equipment. Additionally, the Project will have 12-foot wide internal access roads, spaced 600 feet apart (i.e., a 300-foot hose pull distance to all site features) and passable by the anticipated fire protection vehicles that would be responding to an emergency event at the Project Site.

Fire Protection and Police Protection

Given the low level of activity on the Project Site once the Project is operational, the Project is not anticipated to significantly impact or strain the County's fire and police services. As noted elsewhere in this application, the Project Site will be fenced and secured by locked gates and will not be accessible to the public. In the unexpected event of an emergency, the site layout provides for adequate spacing between banks of solar panels and fencing to accommodate emergency vehicles and firefighting equipment. Upon installation of locked gates, a key to the secured locked gates will be provided to the fire department. Additionally, the Project will implement the following fire protection measures:

- Proper storage of flammable and hazardous material during construction and operation of the facility.
- A 20-foot wide, perimeter fire access road to provide a defensible space around the facility.

- At least 12-foot wide internal access roads, spaced 600 feet apart (i.e., a 300-foot hose pull distance to all site features) and passable by the anticipated fire engines that would be responding to the facility.
- Site roads designed as looped access throughout the Project.
- A 12-foot wide buffer area devoid of vegetation (either treated with placement of rock material or provided with ongoing maintenance to prevent vegetation growth) established outside the perimeter fence.
- Herbaceous vegetation maintained at low levels around panels and the perimeter fences.
- Site completely fenced with chain-link and barbed-wire fencing material.
- Gravel base with no vegetation in the substation and equipment laydown areas.
- Multiple 26-foot wide chain-link and barbed-wire gates with fire-accessible padlocks, located at regular intervals around the perimeter of the Project.
- Regular inspections of electrical equipment.
- First responders able to put the trackers in the horizontal stow “safe” position by flipping a switch/switches to allow for the greatest clearance from ground level to the tracker assembly. Back-up power to be provided to ensure this feature works when needed.
- First responders able to de-energize the entire project site.
- Portable carbon dioxide (CO₂) fire extinguishers provided at all inverters and medium-voltage transformer units.
- Consistent and clear labeling and warning placards provided on all electrical equipment.
- Contact information provided for reliably available key personnel who can assist responding firefighters with technical aspects of the Project.

With the above design features, the Project is not anticipated to adversely affect or impact the County’s provision of essential fire and public safety services to the surrounding community. Consequently, no adverse impacts to public safety are anticipated.

Schools and School Busing / Population Density

There is no residential component to the Project and few long-term operations staff. Thus, significant Project-related changes to population density are not anticipated. During Project construction, there would be a temporary increase in workers from outside the community. Rather, the Project will generate significant new real and personal property tax revenues for the benefit of Utah County schools without increasing demand any such services.

Water, Sewer, Storm Water Facilities and Garbage Removal

Solid waste generated during construction will be recycled where commercially feasible or stored in closed dumpsters. Portable toilets will be available on-site during construction. A third-party contractor will empty dumpsters and portable toilets on a periodic basis.

Water required for construction (e.g., dust control, mixing concrete for inverter pads, fence posts and other structure foundations) will be procured from an existing, permitted source.

Following the start of commercial operations, the Project will be an unstaffed facility. Consequently, during the operation and maintenance phase of the Project there will be no need for potable water, sewer, and solid waste removal.

7. What mitigation measures or conditions of approval by the Board do you propose to lessen the impacts and work out an adjustment between this conditional use and the surrounding area (such as parking: traffic acceleration lanes; on-site storm water retention facilities; special security or fire protection facilities; water, sewer, and garbage facilities; landscape screen to protect neighboring properties; requirement for the management and maintenance of the facilities; limited hours of operation; limited use of equipment emanating offensive noise, light, dust, or traffic; or other measures)?

The applicable mitigation measures for the anticipated impacts of the Project noted in the application include the following:

- (a) Implementing a fugitive dust abatement plan during Project construction;
- (b) Appropriately disposing of waste material during construction and operations;
- (c) Securing the Project Site with fencing and locked gates;
- (d) Implementing the fire suppression measures noted in Section 7 of this application;
- (e) Entering into a road use agreement with the County to manage impacts of Project construction traffic on County roads;
- (f) Implementing the construction mitigation measures for avian species noted in Section 3 of this application; and
- (g) Requiring the submission of a decommissioning plan prior to the issuance of a building permit as noted in Section 2 of this application.
- (h) Removing the restrictive covenant encumbered some of the Project parcels that designates such parcels as agricultural and limited to agricultural uses only.
- (i) A setback of 50 feet for all Project generation facilities from any shared boundary with a non-project parcel.

8. State any other details about this appeal which you want the Board to be aware of.

Granting this conditional use permit is in the County’s best interest because it allows a Utah-based company to provide a large source of dependable, renewable energy to the community. Moreover, the Project is consistent with both the General Plan and the objectives of an MG-1 Zone and will provide significant public benefits to the County in terms of new construction jobs and increases to the County’s tax base without increasing demand for any County services. As shown below, the Project Site yielded only \$120.25 in tax revenue to Utah County in 2022. Over the life of the Project, the Project is anticipated to generate approximately \$26,400,000 over 30 years in tax revenue to Utah County’s taxing entities.

Parcel ID	Taxes 2022	Taxes 2021	Taxes 2020
59-132-0001	\$30.18	\$36.31	\$36.92
59-085-0008	\$6.58	\$7.92	\$8.05
59-120-0002	\$43.92	\$52.84	\$53.74
59-120-0001	\$15.49	\$18.63	\$18.95
59-121-0004	\$3.91	\$4.71	\$4.79
59-121-0005	\$2.02	\$2.43	\$2.47
59-121-0001	\$18.15	\$21.84	\$22.21
TOTAL	\$120.25	\$144.68	147.13

In addition to the information provided in the previous sections of this application, the Project will also be subject to the following conditions:

1. It will meet the standards found in Section 16.8-.C.1 through C.7 of the Utah County Land Use Ordinance.
2. That building permits or other applicable land use permits for all applicable proposed structures and uses be obtained that meet all applicable zoning, building, health, and fire-safety requirements, including applicable setback requirements.
3. That construction and use of the facility comply with all applicable local, state, and federal regulatory standards, including the National Electric Code, as amended. This includes, but is not limited to, regulations related to any applicable threatened or endangered species, along with any impacts to historic, cultural, and archaeological resources.
4. That the facility be constructed and operated in compliance with all applicable requirements of the Federal Aviation Administration (FAA), particularly as it relates to potential solar glare impacts.
5. That the applicant submits and receive approval from the Utah County Engineer of any applicable Storm Water Pollution Protection Plan (SWPPP) and land disturbance permit prior to the issuance of any permits for the establishment of the solar energy facility.
6. That a signed access agreement be provided prior to the issuance of any permits for the establishment of the solar energy facility that provides for site access and maintenance across any parcels not adjacent to a public road.

9. To the best of my knowledge, the above information is accurate and complete.

Applicant:

Quicksilver Solar, LLC,
a Delaware limited liability company

DocuSigned by:
By: Christine W. Mikell
9DE29078A98B49C...

Name: Christine W. Mikell

Title: Manager

This Application for a Conditional Use is acknowledged
and consented to by:

Landowner:

DocuSigned by:
By: Danie Bills
14A666881D7C433...

Name: Danie Bills