

*Additions are in red.*

## Appendix A

Following are considerations to help the applicant understand the types of things that the Permit Authority may consider on balance in determining whether a Project complies with the Permit Application Approval Criteria. These considerations are not criteria that the Project must satisfy; they serve solely as guidance. The considerations are in regular type and the actual criteria that the considerations relate to are in bold type.

Chapter 4, Section A(3)

**The Project is technically and financially feasible.** The determination of technical and financial feasibility of the Project may include but is not limited to the following considerations:

- (a) Amount of debt associated with the Project.
- (b) Debt retirement schedule and sources of funding to retire the debt.
- © Estimated construction costs and construction schedule.
- (d) Estimated annual operation, maintenance and monitoring costs.

Chapter 4, Section A(5)

**The Project will not have a significant adverse effect on the capability of local governments affected by the Project to provide services, or exceed the capacity of service delivery systems and public utilities.** The determination of the effects of the Project on local government services may include but is not limited to the following considerations:

- (a) Existing and potential financial capability of local governments to accommodate development related to the Project.
- (b) Current and projected capacity of roads, schools, infrastructure, housing and other services necessary to accommodate development, and the impact of the Project upon the current and projected capacity.
- (c) Changes caused by the Project in the cost of providing education, transportation, networks, water treatment and wastewater treatment, emergency services, or other governmental services or facilities.
- (d) Changes in short or long term housing availability, location, cost or condition.
- (e) Need for temporary roads to access the construction of the Project.
- (f) Change in demand for public transportation.
- (g) Reduction in the amount of water available for future water supply in the County.

Chapter 4, Section A(6)

**The Project will not create an undue financial burden on existing or future residents of the County.** The determination of the financial effects on the Project may include but is not limited to the following considerations:

- (a) Changes in assessed valuation.
- (b) Tax revenues and fees to local governments that will be generated by the Project.
- © Changes in tax revenues caused by agricultural lands being removed from production.
- (d) Changes in costs to water users to exercise their water rights.
- (e) Changes in cost of water treatment or wastewater treatment.
- (f) Effects on wastewater discharge permits.
- (g) Changes in total property tax burden.

Chapter 4, Section A(8)

**The Project will not significantly degrade any current or foreseeable future sector of the local economy.** The determination of the effects of the Project on the economy may include but is not limited to the following considerations:

- (a) Changes to projected revenues generated from each economic sector.
- (b) Changes in the value or productivity of any lands.
- © Changes in opportunities for economic growth and diversification.

Chapter 4, Section A(9)

**The Project will not have a significant adverse effect on the quality or quantity of recreational opportunities and experience.** The determination of effects of the Project on recreational opportunities and experience may include but is not limited to the following considerations:

- (a) Changes to existing and projected visitor days.
- (b) Changes to duration of kayaking and rafting seasons.
- © Changes in quality and quantity of fisheries.
- (d) Changes in instream flows or reservoir levels.
- (e) Changes in access to recreational resources.
- (f) Changes to quality and quantity of hiking and bike trails.
- (g) Changes to the wilderness experience or other opportunity for solitude in the natural environment.
- (h) Changes to hunting experiences.

- Chapter 4, Section A(10a) **The Project will not have a significant adverse effect on land use patterns.** The determination of effects of the Project on land use patterns may include but is not limited to the following considerations:
- (a) Whether the Project complies with and is consistent with applicable land use plans.
  - (b) Likelihood that the Project will/will not cause or contribute to urban sprawl or “leapfrog” development.
  - © Significant changes in the amount of impervious surfaces.
  - (d) Contiguity of development associated with the Project to existing growth centers.
  - (e) Changes to unique land forms.
  - (f) Changes in the amount of character of open space.
  - (g) Changes to traffic patterns, road capacity and congestion.
- Chapter 4, Section A(11) **The Project is not subject to significant risk from natural hazards.** The determination of risk from natural hazards to the Project may include but is not limited to the following considerations:
- (a) Faults and fissures.
  - (b) Unstable slopes including landslides, rock slides and avalanche areas.
  - © Expansive or evaporative soils and risk of subsidence.
  - (d) Wildfire hazard areas. **A fire protection plan approved by the applicable fire protection district should be implemented to address wildfire hazard.**
  - (e) Floodplains.
- Chapter 4, Section A(12) **The Project will not significantly degrade air quality.** The determination of effects of the Project on air quality may include but is not limited to the following considerations:
- (a) Changes to seasonal ambient air quality.
  - (b) Changes in visibility and microclimates.
  - © Applicable air quality standards.
- Chapter 4, Section A(13a) **The Project will not significantly degrade surface water quality.** The determination of effects of the Project on surface water quality may include but is not limited to the following considerations:
- (a) Changes to existing water quality, including patterns of water circulation, temperature, conditions of the substrate,

extent and persistence of suspended particulates and clarity, odor, color or taste of water.

- (b) Applicable narrative and numeric water quality standards.
- © Changes in point and nonpoint source pollution loads.
- (d) Increase in erosion.
- (e) Changes in sediment loading to waterbodies.
- (f) Changes in stream channel or shoreline stability.
- (g) Changes in stormwater runoff flows.
- (h) Changes in trophic status or in eutrophication rates in lakes or reservoirs.
- (I) Changes in the capacity or functioning of streams, lakes or reservoirs.
- (j) Changes in flushing flows.
- (k) Changes in dilution rates of mine waste, agricultural runoff or other unregulated sources of pollutants.

**The Project will not significantly degrade groundwater quality.**

The determination of effects of the Project on groundwater quality may include but is not limited to the following considerations:

- (a) Changes in aquifer recharge rates, groundwater levels, and aquifer capacity including seepage losses through aquifer boundaries and at aquifer-stream interfaces.
- (b) Changes in capacity and function of wells within the impact area.
- © Changes in quality of well water within the impact area.

**The Project will not significantly degrade wetlands and riparian areas.** The determination of effects of the Project on wetlands and riparian areas may include but is not limited to the following considerations:

- (a) Changes in the structure and function of wetlands and riparian areas
- (b) Changes to the filtering and pollutant uptake capacities of wetlands and riparian areas.
- © Changes to aerial extent of wetlands and riparian areas.
- (d) Changes in species' characteristics and diversity.
- (e) Transition from wetlands to upland species.
- (f) Changes in function and aerial extent of floodplains.

Chapter 4, Section A(13b)

**The Project will not significantly degrade terrestrial or aquatic animal life or its habitats.** The determination of effects of the Project on terrestrial or aquatic life may include but is not limited to the following considerations:

- (a) Changes that result in the loss of oxygen for aquatic life.
- (b) Changes in flushing flows.
- © Changes in species composition or density.
- (d) Changes in number of threatened or endangered species.
- (e) Changes to habitat and critical habitat, including calving grounds, mating grounds, nesting grounds, summer or winter range, migration routes, or any other habitat features necessary for the protection and propagation of any terrestrial animals.
- (f) Changes to habitat and critical habitat including stream bed and banks, spawning grounds, riffle and side pool areas, flushing flows, nutrient accumulation and cycling, water temperature, depth and circulation, stratification, and any other conditions necessary for the protection and propagation of aquatic species.
- (g) Changes to the aquatic and terrestrial food webs.

Chapter 4, Section A(13c)

**The Project will not significantly degrade terrestrial plant life or plant habitat.** The determination of effects of the Project on terrestrial plant life or habitat may include but is not limited to the following considerations:

- (a) Changes to habitat of threatened or endangered plant species.
- (b) Changes to the structure and function of vegetation, including species composition, diversity, biomass and productivity.
- © Changes in advancement or succession of desirable and less desirable species, including noxious weeds.
- (d) Changes in threatened or endangered species.

Chapter 4, section A(14)

**The Project will avoid or mitigate significant adverse impacts on critical wildlife habitat, including breeding grounds, nesting areas, migration routes, and wintering areas. Rare and endangered species habitat protection shall also be addressed.** The determination of effects of the Project on wildlife may include but is not limited to the following considerations:

- (a) Whether or not the project has included designing of foundations/support structures for equipment to avoid creation of artificial habitat or shelter for wildlife.
- (b) Whether or not the project has included the use of anti-perching protection devices on moving structures
- (c) Methods such as coloration or sound-producing devices to discourage birds from entering areas of concentrated solar energy

near solar-thermal mirrors or other devices that concentrate solar radiation.

- (d) Whether or not power lines are placed underground, when feasible, to prevent avian collisions and electrocutions.
- (e) Whether or not above-ground lines, transformers, or conductors comply with the Avian Power Line Interaction Committee published standards to prevent avian mortality ([www.aplic.org/](http://www.aplic.org/))

Chapter 4, Section A(15)

**a. The Project will not significantly degrade areas of paleontological, historic or archaeological importance.**  
**b. The Project will have no significant adverse impact on cultural resources as determined by the reports provided by the State Historic Preservation Officer.** In addition to the existing registered historic districts, and the national historic landmark, the determination of effects of the Project may include, but is not limited to consideration of adverse impacts to the following additional cultural resources:

- (a) The Geneva Creek Basin Project Area, as described in the *Clear Creek County Master Plan 2030*, and further defined in the document, Geneva Creek Basin Project, a Project of the Clear creek County Open Space Commission dated November, 2003
- (b) The Waldorf and Stevens Creek Upper Mountain Basins, as described in the *Clear Creek County Master Plan 2030*, and further defined in the document, Mountain Basin Project dated June 2000.
- (c) The Guanella Pass Road and Mt. Evans National Scenic Byways.
- (d) The Silver Heritage Area, as described in the *Clear Creek County Master Plan 2030*.

Chapter 4, Section A(16)

**The Project will not significantly degrade soils and geologic conditions.** The determination of effects of the Project on soils and geologic conditions may include but is not limited to the following considerations:

- (a) Changes to the topography, natural drainage patterns, soil morphology and productivity, soil erosion potential and floodplains.
- (b) Changes to stream sedimentation, geomorphology and channel stability.
- © Changes to lake and reservoir bank stability and sedimentation, and safety of existing reservoirs.

- (d) Changes to avalanche areas, mudflows, and debris fans, and other unstable and potentially unstable slopes.
- (e) Exacerbation of seismic concerns and subsidence.

Chapter 4, Section A(17b)

**The Project will not significantly degrade existing visual quality.** The determination of visual effects of the Project may include but is not limited to the following considerations:

- (a) Visual changes to ground cover and vegetation, waterfalls and streams, or other natural features.
- (b) Interference with viewsheds and scenic vistas.
- (c) Changes in appearance of forest canopies.
- (d) Changes in landscape character types of unique land formations.
- (e) Compatibility of building and structure design and materials with surrounding land uses. **Such design should complement the County's mountain environment or historic mining heritage. Natural materials should be used such as wood siding, native stone, masonry, or glass or that which complements the County's historic mining heritage. Architectural designs should complement and coordinate with one another and should create interest through varied roof lines, treatment of building facades, and use of covered walkways and entrances.**
- (f) Avoidance of dominant silhouettes on ridgelines
- (g) Screening techniques should be considered and utilized depending on site conditions, including landscaping, berming, camouflaging, screening, and fencing, where appropriate.
- (h) Specific to utility-scale wind facilities, tubular towers rather than lattice towers should be required.
- (i) Utility-scale wind and solar facilities should be finished in a single, non-reflective matte finished color.
- (j) Utility-scale wind facilities should use turbines of similar design, size, operation, and appearance throughout the project.
- (k) Lettering, company insignia, advertising, or graphics should not be located on any part of a wind turbine or solar array.
- (l) Lighting of a project should be prohibited except to the extent required by the FAA or applicable authority. FAA required lighting should be shielded from ground view to FAA maximum standards.

Chapter 4, Section A(19a)

**The Project will not cause a nuisance.** The determination of

nuisance effects of the Project may include but is not limited to the following considerations:

- (a) Increase in odors.
- (b) Increase in dust.
- (c) Increase in fumes.
- (d) Increase in glare.
- (e) Increase in heat.
- (f) Increase in noise.
- (g) Increase in vibration.
- (h) Increase in artificial light.
- (I) Increase in traffic impacts.

Chapter 4, Section A(19b)

**The Project will not result in unreasonable risk of releases of hazardous materials.** The determination of the risk of release of hazardous materials caused by Project may include but is not limited to the following considerations:

- (a) Plans for compliance with federal and state handling, storage, disposal, and transportation requirements.
- (b) Use of waste minimization techniques.
- (c) Adequacy of spill prevention and response plans.
- (d) Systems to be designed to prevent unauthorized access to electrical and mechanical components and hazardous areas.
- (e) Spent lubricants and cooling fluids used to be properly and safely removed in a timely manner from the site.
- (f) Signs or information to be posted near the facility that will contain emergency contact information.
- (g) Posting of warning signage of applicable hazards associated with the facility to be posted.
- (h) Whether or not wind power generation facilities are equipped with manual and automatic controls to limit the rotational speed of the blades within the design limits of the rotor and that there are redundant braking systems.
- (i) Whether or not solar power generation facilities are designed to prevent misdirection of concentrated solar radiation onto adjacent property, roads, or other public spaces.
- (j) Whether or not fire prevention measures are implemented for construction and operation of the facility acceptable to the County and the applicable fire protection district. Such measures should identified in a fire prevention plan.

Chapter 7, Section B(1)

**The Project shall emphasize the most efficient use of water, including the recycling, reuse and conservation of water.** The

determination of whether the Project emphasizes the most efficient use of water may include but is not limited to the following considerations:

- (a) Whether the Project uses readily available conservation techniques.
- (b) Whether the Project recycles water to the greatest extent allowed by law.

Chapter 7, Section B(2)

**The Project will not result in excess capacity in existing water or wastewater treatment services or create duplicate services.**

The determination of whether the Project will result in excess capacity or create duplicate services may include but is not limited to the following considerations:

- (a) Whether the Projects creates overlapping or competing service areas.
- (b) Whether the Project differs significantly from the provider's facility plan.
- © Whether the Project impacts other water and wastewater permits.

Chapter 7, Section B(3)

**The Project shall be necessary to community development and population demands in the area to be served by the Project.**

The determination of whether the Project meets community development and population demands may include but is not limited to the following considerations:

- (a) Relationship to reasonable growth projections and local land use plans.
- (b) Relationship to other water and wastewater provider's service area.

Chapter 7, Section B(4)

**Urban development, population densities, and site layout and design of storm water and sanitation systems shall be accomplished in a manner that will not degrade groundwater quality.** The determination of potential for pollution of the aquifer recharge areas by the Project may include but is not limited to the following considerations:

- (a) Proximity of urban development and population densities to aquifer recharge areas.
- (b) Proximity of stormwater and sanitation systems to aquifer recharge areas.
- © Changes in water quality in the aquifer recharge areas.

Chapter 8, Section B(1)

**The Project shall be reasonably necessary to meet projected**

**community development and population demands in the areas to be served by the Project, or to comply with regulatory or technological requirements.** The determination of whether the Project is reasonably necessary may include but is not limited to the following considerations:

- (a) Relationship to reasonable growth projections and local land use plans.
- (b) Relationship to other water and wastewater provider's service area.
- © Whether the Project is not in compliance with regulatory or technological requirements or will not be in compliance in the near future.

Chapter 8, Section B(2)

**When determined to be appropriate, wastewater and water treatment facilities shall be consolidated with existing facilities within the area.** The determination of whether consolidation is **feasible** shall include but is not limited to the following considerations:

- (a) Whether there is an opportunity for consolidation.
- (b) The environmental, economic, and social feasibility of consolidation. This would include review of life-cycle costs, and infiltration/exfiltration costs from collection and transmission pipes.

Chapter 8, Section B(3)

**New domestic water and sewage treatment systems shall be constructed in areas which will result in the proper utilization of existing treatment plants and the orderly development of domestic water and sewage treatment systems of adjacent communities.** The determination shall include but is not limited to the following considerations:

- (a) Relationship to reasonable growth projections and local land use plans.
- (b) Proximity to other water and wastewater provider's service area.

Chapter 8, Section B(4)

**The Project shall be permitted in those areas in which the anticipated growth and development that may occur as a result of such extension can be accommodated within the financial and environmental capacity of the area to sustain such growth and development.** The determination shall include but is not

limited to the following considerations:

- (a) Relationship of the Project to approved land use plans for the area.
- (b) The environmental, economic, and social impacts related to such development.
- © the environmental, economic, and social impacts of provision of service to all additional land encompassed by an extension of a service area. Extended service area should be topographically logical and should not bypass land by way of “flagpole” extension, or like effect.
- (d) The environmental, economic, and social impacts of the extension of a service line, caused by the implications and obligations befalling lands outside the extended service area.