NATRONA COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA

Paul Bertoglio, Commissioner
Forrest Chadwick, Commissionel
Rob Hendry, Commissioner
Brook Kaufman, Commissioner
Jim Milne, Commissioner

Tuesday, January 7, 2020 5:30 p.m.
Natrona County Courthouse, 200 North Center, Casper, Wyoming
2nd Floor, District Courtroom #l

I. CALL MEETING TO ORDER

II. ROLL CALL

III. ELECTION OF CHAIRMAN & VICE CHAIRMAN

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF CONSENT AGENDA

VI. PUBLIC HEARINGS

A. CUP19-6 a request by Anticline Wind, LLC to install a meteorological tower on a portion of land north of the Town of Bar Nunn in the SW/4 SE/4 OF Section 8, Towship36N, Range 79W.

VII. PUBLIC COMMENTS

VIII. COMMISSIONER COMMENTS

IX. ADJOURNMENT

agenda is subject to amendment

Paul Bertoglio, Commissioner
Forrest Chadwick, Commissioner
Rob Hendry, Commissioner
Brook Kaufman, Commissioner
Jim Milne, Commissioner

NATRONA COUNTY
BOARD OF COUNTY COMMISSIONERS

CONSENT AGENDA

Tuesday, January 7, 2020 5:30 p.m.
Natrona County Courthouse, 200 North Center Street, Casper, Wyoming
2nd Floor, District Courtroom #2

I. APPROVAL OF DECEMBER 17, 2019 MEETING MINUTES

II. APPROVAL OF BILLS $

III. CONTRACTS, AGREEMENTS, RESOLUTIONS

A.

IV. LICENSE

A. Ginsback Construction -Robertson Road/CR #305-Approach-lic. #29-19-38

V. STATEMENT OF EARNINGS

Mtn/Parks $5,575.00
Planning $36,765.00
Lake $16,833.14
County Clerk $92,116.20
Clerk of Court $13,385.67

VI. TAXROLL CORRECTIONS 2019: Karstoft, Kenneth $-842.75, Leory W Ahrndt & Molly Ahrndt Living Trust $-203.67, Moser Engine Service Inc. $-13,902.44, Michael & Kathy Tyler Living Trust $-1,292.22, Michael & Kathy Tyler Living Trust $-695.87

agenda is subject to amendment

BOARD OF COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
December 17, 2019

The regular meeting of the Board of County Commissioners was brought to order at 5:30 p.m. by Chairman Hendry. Those in attendance were Commissioner Paul Bertoglio, Commissioner Jim Milne, Commissioner Brook Kaufman, Commissioner Forrest Chadwick, County Attorney Eric Nelson, County Clerk Tracy Good and Commissioners' Assistant Michelle Maines.

Consent Agenda:
Commissioner Chadwick moved for approval the Consent Agenda. Commissioner Bertoglio seconded the motion. Motion carried.

Public Comments:
Chairman Hendry opened the floor to Public Comments.

Tracy Lamont (Casper) and Sean O'Brien (Casper)

Hearing no further comments, the floor was closed.

Commissioner Comments:
Chairman Hendry opened the floor to Commissioner Comments.

Hearing no comments, the floor was closed.

Adjournment:
There being no further business to come before the Board of Commissioners, Chairman Hendry adjourned the meeting at 6:16 p.m.

BOARD OF NATRONA COUNTY COMMISSIONERS

_____
Robert L. Hendry, Chairman

ATTEST:
NATRONA COUNTY CLERK

_____
Tracy Good

COUNTY OF NATRONA, STATE OF WYOMING LICENSE N:

LICENSE

Date—'1_2_-{_3_◆1 _7._ Road_._&-'bb_u-'f_5'-OM._._,kotto

The BOARD OF *COUNTY* COMMJ,SIONERS OF Tiffi COUNTY OF NATRONA, STATE OF WYOMING, (hereinafter called the "Board", hereby grants a license to _(::I cYJS C ?, \"eP/1,/'f/'"- c/;'_

(hereinafter called the "L1censee"), 10 cQnSlrm;l, mahu:un, use and operate C<. /'\ _, 1-11 Ice;, G-G-/- ----, : : ..... ---- =---,------=--,--=---=--=----.<hercinafter cnllcd the "Facili1y'), locm d in Section _3_ Township 33-8C N, Range W, upoa the poopcrty of the Couaty or Nntronn, acquired for and u1ili1-'/o/ju ratlon and main1cnnncc of a connty road in the locations and positions nnd in strict accordance with the specifications shown on 1ho prim dnted _/ 'I-.-1-. ounched hereto, mntked Exhibh "A", and by Ibis reference specifically mode a part hereof.

This license is granted upon uch express tcnns nnd conditions as nn: inserted below, and should the Lletinsec at any time violate any of the said terms or co11ditions hercin contained or use or attempt 10 11st said fucil!ty for any 01het or diffcren1 purpose than thnl above spcclii:tl. or refuse or foil 10 comply with any rule or direc1ion of the CQUnty Road nnd Bridge Supcrimcl1den1, made by said Supcinltndent under bis general supervisory powers of conll'Ol nnd supc,vision o f counly roods for 01e use and safety o f Ulc gencrnl public, Lhen the Boaqt may, at iIS oplion, immediately revoke lltls licen,;e.

This license is subject to the foUowing conditions:

FIR 'T. The wo1·k.of con.sIJUCting, altering and maintnining o f 1M Facilities shall be prosecu1ed and completed in n good and ,yorkmanllke manner at the sole expense of the Licc11s« and under supervision of, and to ,atisfuctorlly meet the specifications o f lhc County Road nnd Bridge Superintendent. Sue!\ work of con-s1ruction, nlter.uion 1ll1d maintenance of the Facility shall be done In s_uch a manner ns to in no 1Vay in1ecferc wilh the use. opcrntion and mainmumce by llie County or N,trona of a cQUnty road for county road pwposes. nrul In such manner as to in no way endanger tho general public in use of said county road right-of.ways.

SECOND. 1be said Licensee shall give 10 th& Board, through the Coun1y Road & Bridge Superin1undel11, at tcnsl 1cn days noti.ce, in writing, before entering upon Lbe county road right-of-way for the purpose or construction or ahernlion o f !he Facility or In make neco.'ISIU)' repairs, except in CIISC o f genuine. emergency requiring !mmcdia1c n:pair, tlten in that event, Lbe Licenst:t shall notiry tlteBoard, thl'ough the County Road & Dtidga Suprimendcnt, or local mol111ennnce author•ily immedintely cnier upon the county road right-of-way and make necessary repairs. Licensee shill.l be responsible for any repairs 11e<:ssary to road or righ1-of-way for 180 dnys afler completion or consm1c1ion.

THTRD. 111e said Licensee agree, 10 forever indemnity nnd dafend !he Board, thclr agent\ or employees, againsl and save !hem hnnnl<ss from all linbility for drunnge 10 property or injury 10 or ckath or persons, including all rosts nnd expcm411 incident hereto, arising wholly or in prut from or in connection with the e.List·encc or, construction, altenuion, mnin1e1lance, rcpalr, 1.cm:wal, rcc,1nstruction. opcralion, use or (:Cmovnl of the said Facility as it pertains 10 county road propcny.

POURTH. The Board reserves the right 10 use. occupy and crtioy its right-of-way for n county road and for county rood pu.rpo.1es, in such manner and at such times as il·shl1ll desire, tlte snlTIC as ift11e instrument had not been executed by iL If any such use shall at uny timeua,-essit:te any chn.nge in the localion or mrumerof use or said FaoiUly, or any pllll1 1hcrcof. such clumgc or nlterntion shill) be mad.c by the Licensee, nt the sole expcl1,;e of sold Licensee, upon the demand o f the BQ.'lrd, Uuough the County .Ro3d & Bridge SupcrintendCllt, and neither the Board nor the County of Nauuno shall he liable 10 Ule said Llce.osce on nccount Lhereof, or on account of nny damage growing out o f nny use which die County of Natrona or the Board, or either of them, mny make of its said right-of-way.

AFl'H.11ie Board shall have the right at any time 10 rcvolce this license by Ilic giving or thirty (30) days 11olice in writing to the said Ucciisec. and nl die expiration of !he rime limiled by said notice, or upon tltc express !'evocation of lhis Liceose for any ofUie causes cnum11In11cdherein, !he Licensee sir.Ill promptly and in too monm,rdirocted by the.Boord, tl1rougb the Counly Road & Bridge Sllperin1c1 1dent, remove said Facilily and each nnd every pan thereof, htreby nulhorized, from the premises o f !he coun1y road right-of-wny and leavesaid premises in the same condition in which they were before the ias\Inllation of sald Facility. Upon the rcfuslil or failure of the Licensee. s·o to do, lhe Board may remove tlle Facility and each nnd every pan thercofand restore lhecoumy roadrigh1-of-wny to Lbesame•"Ondition us before lhe grunting of 1his license, nnd the Licensee hereby agrees promptly 10 pay to the County of Notrona the cost o f S!lid rcmovul of lhe FilcllilicS, nnd each nnd every prut tlie.rcof.

SIXTIl. Tlu, County o f Nnu:onn nnd th Board, for the purpose of this llconsec, hereby disclnims any representation or implication 1h0l it retains any 1ille in nny county reind right-of-way other than a perpetual mcnt.for road purposes for so much lAnd :is described by the insllLJment coveying such ca. cmem. The Liccn.see by-these present occcplS no1icc and ogrces that any expenses or dwnoges incurred by said Uccn:c c IIS a result of 1llis disclaimer shall be borne by snid Licensee ni no cxpcn e whalSOOver to tlle Board or the County of Noll'Ona. It shnll·be also unders1oocl llmt. 0l1 i\eccss F11allity Highwnys. ingress and egress shall be limited to dlose locations as dtsl gn otcd by the Board, or their gmted Represcntntive, Illlkl shown on plwls on file.in Lbe omco or IC County Road Department nnd County Surveyor

SEVBNTH. The 1Vaiver or :1Ily breach or nny Of Uu, tcmis or conditions of this Licensee shall be limited 10 the act or ocls cons1iluting such breach. nnd shllll never be construed ns being n continuing or pcmwlcnl waiver of nny such tt.rm or condition, all of which sh.all be and remain in full foQC and c!Tecl, rlS to the fumre nd!I 0l' happenings, no1withsUl11ding 1ll1Y such individual waiver or ony breach thereof.

6lGHl'H. The said Licensee, nve:s to locotc underground facilities when needed by the County or other users for fulurc construl:lion and mainterumce nctivi-1ies. Tl1is toc tion informotion will mclude the mnrking of the facility on tl1 grouod, u., spc'<:i6cd by W.S. §37-12-301 cl seq., witl1 lhe appropriate color w,d includ•l ng the 1mmrc and elevation o f the utility nnd shalt be tied both horizontally and venicnlly, by coonlinn1es. by n licensed land = y o r lo upubtic land suivey comer. 11tis infonnation shall beshow11 on plllllBcrea1ed by the uli!lty company or facility own.crand a copy will be sent 10 theNntronn County Surveyor's Office in Cl111per, Wyoming.. Costs for identifying nnd localing the facllttty will be the responslbll!ty or the uUIU:y company or foclttlty owne.r on County rlght-of-wnr.s.

"!o official or employee o f th? C:county of Nntronn, other Bl lh .Bonni o f County Commissioners, shall hove aulhoritr IQ waive any term or :0ndl6011 herein contmned. Any an1endmeoisz:ts bcense agreement shall bt m wnuug,.'Igncd by the licensee ond designated representative of the county comrruss1oners.

Dale of Commenccmem C M1 Pt- / 'J 2o1/

(Five (5) day notice must be given County Road & Bridge Superintendent before start of construction)

Dn of Compll!tinn -'-n c e,,, bv- 2-o-l,4 % s. /2, II- r'// rl-.e tp: It. ./ Vc.

(C<lunly Rood & Bridge Superintendent must be notified within five (5) days after construction)

IN WTI'NESS WHEREOF, The Board of County Commissioners, has caused this license lo be executed on the _____ day of _____ ,A.D., 19 __

By ------,,-----,-s .- m.0

ATI'EST:

County Clerk

By

Chairman of the Board of County Commissioners.

The undersigned, the Licensee mentioned in the forgoing License, hereby accepts th sam, subject to lle terms a conditions conlained therein.

ATI'EST:

Secretary

President

(the original instrument musl recorded in the County Clerks office by Licensee)

ORIGINAL. RECORDING FILE, YELLOW· COMMISSIONERS, PINK· COUNTY SURVEYOR, GOLDENROD • LICENSEE

EXHIBIT 'A'

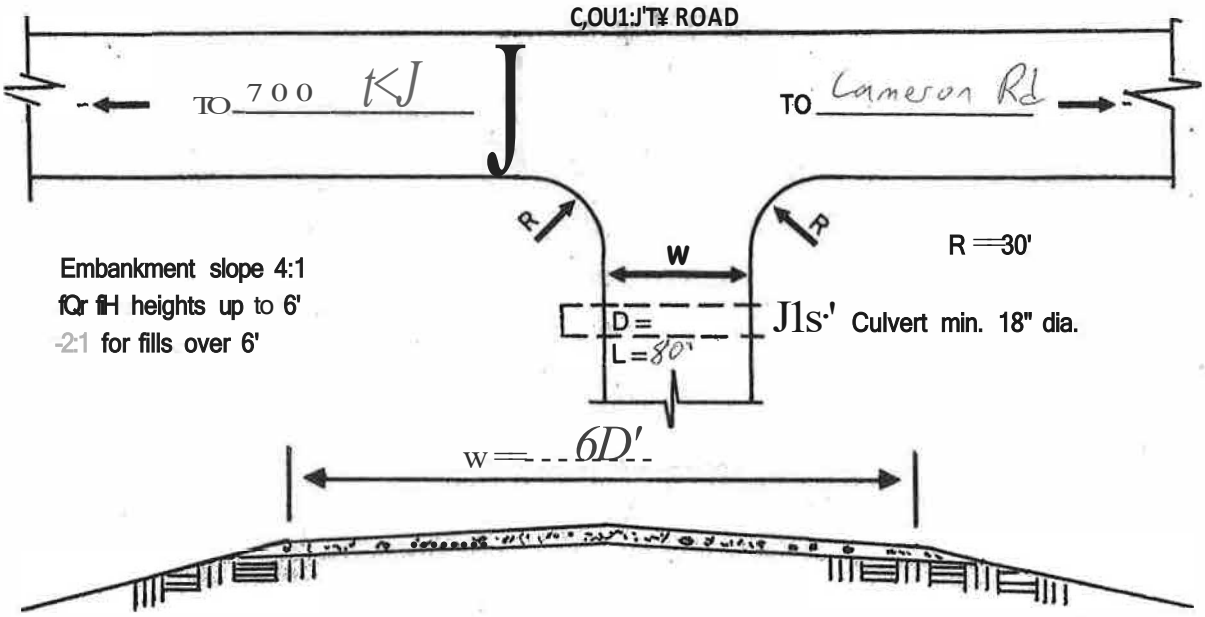
No. 29-19-38

C'OUNTV OF NAT·AO,NA

AP·PU.0ATIO.N FO,R A, A,P,PROACH

Applicant: 6 1-15 &ct4 Co H 5 f n,, c:f?o/ /. Ur,.:,7 ℓ a.f,,:.fc.J>nVP tl;u:ai.Jlt.

Address: _I DVIf_ fc_o_bu_h_o--1_ f<C_ C_R 3_o_&_ Phone: 3o 7-2 77- ";>Z7 (



Furnish tha Following Inlorma11on:

1) Location: Section 3, Townshjp 33 North, Range 80 West.

2) County Road Designation f?.:e,,- i [f c.Y\

3) Surfac'" of County Road a ph

(Surface of approsah must b f se.m, a§ s1,1rfsce of -County Road.)

4) SollType C- H '(

5) Sight Distance on County Road S2 o 0,Y d s f 111 :Sc

6) ReasonforApproach - 0 - v -b" :1 J. ♦ I'J

7) Requirements:

A) Approach must meet specifications fo q.onstructlon and surfacing of. subdlvlslon:roads and streets.

B) All dh1turbed areas must be se11ded w.lth a ml ture and. using methods appre>ved: by County Road Superintendent.

C) Any changes to the approach required becau.se of chali'lge to the County Road will not be the responsibility of the County.

D) Attach approach x-sectlon @ culvert. Show culvert design.

Approved:

Michael D. Hayes 12/13/19
Road and Bridge Superintendent

Sue Sec I 2-/3-1'J
Applicant or Agent Date

'County Engineer

Registered Engineer Date
Wyo, ...••.,••.•••.•••••••

County Commissioner

Approval Date: _____

Completion Date: _____

Qll c m ft\ffIM - CAUIll, WYOdlll

ORIGINAL·- RECORDING FILE

NATRONA COUNTY

Development Department

200 North Center Street, Room 202
Casper, WY 82601

AGENDA
BOARD OF COUNTY
COMMISSIONERS MEETING
January 7, 2020

Planning Commission Recommendations

1. **Planning Commission Recommendation:** **Approve**
   CUP19-6 - A request by Anticline Wind, LLC to install a meteorological tower on a portion of land north of the Town of Bar Nunn in the SW/4 SE/4 of Section 8, Township 36N, Range 79W.

NATRONA COUNTY

Development Department

200 North Center Street, Room 202
Casper, WY 82601

MINUTES OF THE
NATRONA COUNTY PLANNING COMMISSION
September 10, 2019

MEMBERS PRESENT: Harold Wright, Jim Brown, Bob Bailey, Tom Davis and Hal Hutchinson

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Jason Gutierrez, Trish Chavis and Peggy Johnson

OTHERS PRESENT: Charmaine Reed, Deputy County Attorney

Chairman Wright called the meeting to order at 5:30 p.m.

ITEM 1

Brown moved and Davis seconded a motion to approve the September 10, 2019 meeting minutes as presented. Motion carried unanimously.

ITEM 2

Chairman Wright opened the hearing for **CUP19-6** - A request by Anticline Wind, LLC to install a meteorological tower on a portion of land north of the Town of Bar Nunn in the SW/4 SE/4 of Section 8, Township 36N, Range 79W.

Gutierrez gave the staff report. Staff proposes that the Planning and Zoning Commission enter a motion and vote to recommend approval of the requested Conditional Use Permit by the Board of County Commissioners and incorporate by reference the conditions and all findings of fact set forth in the staff report and this public hearing.

Discussion between Planning Commission and Staff

Public hearing open

Those speaking in favor- Christine Mikell, Utah.

Those speaking in opposition - None

Public hearing closed

Brown makes a motion to recommend approval of CUP19-6 by the Board of County Commissioners as presented by staff and incorporate by reference the conditions and all findings of fact. Bailey seconded the motion. Motion carried unanimously.

Public Comment - None

Meeting adjourned at 6:08 p.m.

_____

Harold Wright, Chairman
Natrona County Planning and Zoning Commission

_____

Tracy Good
Natrona County Clerk

NATRONA COUNTY

Development Departm.mt

200 North Center Street, Room 205
Casper, WY 82601

Phone: 307-235-9435
Fax: 307-235-9436
Email: 1gutlerrezcwnatronacounty•wv.gov

Jason Gutierrez, PE, Director
County web: www.r,atronacounty-wy.gov

"The purpose of the Natrona County Development Department is to provide necessary services to implement sound land use planning and economic development policies to protect and enhance the quality of life for present and future inhabitants of Natrona County."

MEMORANDUM

To: Board of County Commissioners

From: Jason Gutierrez, P.E., Director

Date: December 11, 2019

RE: Allow the installation of a MET Tower

cc: Applicant, County Attorney, File

Planning and Zoning Commission Recommendation: **Approve**

At its December 10, 2019 meeting, the Planning Commission, with all Commissioners present, acted to recommend approval of the requested Conditional Use Permit to the Board of County Commissioners with the following conditions:

1. Towers are to be marked and lighted per FAA regulations;
2. Tower are to be painted in accordance with F M regulations;
3. High visibility aviation orange spherical balls are attached to guy wires;
4. High visibility sleeves be installed on the guy wires;
5. That this Conditional Use Permit shall expire in five (5) years from the date of final approval by the Board of County Commissioners.

(Motion passed unanimously).

Board of County Commissioners Review and Procedure: The following options are available to the Board of County Commissioners when acting on an item:

- Approve the application as recommended by the Planning Commission;
- Approve the application as submitted;
- Approve the application on its own conditions;
- Deny the application;
- Remand the application to the Planning Commission for reconsideration;
- Table to a date specific; or with the express consent of the applicant, the Board may table indefinitely or dismiss the application.

CONDITIONAL USE PERMIT APPLICATION

(Please read GENERAL INFORMATION AND APPLICATON INSTRUCTIONS before filling out.)

I (We), the undersigned, do hereby petition the Board of County Commissioners of Natrona County, Wyoming, for a Conditional Use Permit, as provided in Chapter 11, 2000 Natrona Zoning Resolution.

Applicant's Name: Christine Mikell, Anticline Wind, LLC

Applicant's Address: 19950 S Power Plant Lane Sandy, UT 84092

Applicant's Phone: 1(801)455-1045

Owner's Name: Kevin R. Forgey, North Forgey Ranch Property

Owner's Address: 11023 S. Wolcott Casper, WY 82601

Owner's Phone: 1(307) 235-0102

Explain why you are requesting this conditional use permit and detail the proposed use:

We are requesting a conditional use permit for the installation of a met tower to measure the viability of land for wind energy generation.

Legal description and size of property (If within a platted subdivision, give subdivision name, block and lot number. If not within a platted subdivision, give quarter-section, section, township and range.):

SW1/4 of SE1/4, 8, 36N, 79W

Current zoning of property: Agriculture

Type of sewage disposal: ☐ Public ☐ Septic ☐ Holding Tank ☒ Other

Source of water: N/A

This property was purchased from: This property is leased from North Forgey Ranch Property

The date this property was purchased: The lease went into effect on April 23, 2019

On separate sheets of paper, please respond to the following questions and provide explanations for your answers:

- **Will granting the conditional use permit contribute to an overburdening of County Services?**
- **Will granting the conditional use permit cause undue traffic, parking, population density or environmental problems?**
- **Will granting the conditional use permit impair the use of adjacent property or alter the character of the neighborhood?**
- **Will granting the conditional use permit detrimentally affect the public health, safety and welfare?**

I (We) hereby certify that I (We) have read and examined this application and know the same to be true and correct to the best of my (our) knowledge. Granting this request does not presume to give authority to violate or cancel any State or local laws. All information within, attached to or submitted with this application shall become part of the public record. I **(We) further understand that all application fees are non-refundable.** By signing the application I am (We are) granting the Development Department access to our property for inspections.

Applicant: _____ (Signature) _____ Date: _____ 2011

Print Applicant Name: Christine Mikell

Owner: _____ (Signature) Date: _____

Print Owner Name: _____

I (We) hereby certify that I (We) have read and examined this application and know the same to be true and correct to the best of my (our) knowledge. Granting this request does not presume to give authority to violate or cancel any State or local laws. All information within, attached to or submitted with this application shall become part of the public record. **I (We) further understand that all application fees are non-refundable.** By signing the application I am (We are) granting the Development Department access to our property for inspections.

Applicam _____ iSf"gnature) Date: _____

Print Applicant Name: _____

Owner: _____ (Signature) Date: 10-13-19

Print Owner Name: Kim Forgey

Natrona CUP Q&A

Will granting the conditional use permit contribute to an overburdening of County Services?

No, after approving the conditional use permit application, we will attach marker balls to the guy lines and paint the tower red and register the tower with the state of Wyoming.

Will granting the conditional use permit cause undue traffic, parking, population density or environmental problems?

No, the meteorological tower is strictly for analyzing the wind speed and direction and the viability of wind energy generation.

Will granting the conditional use permit impair the use of adjacent property or alter the character of the neighborhood?

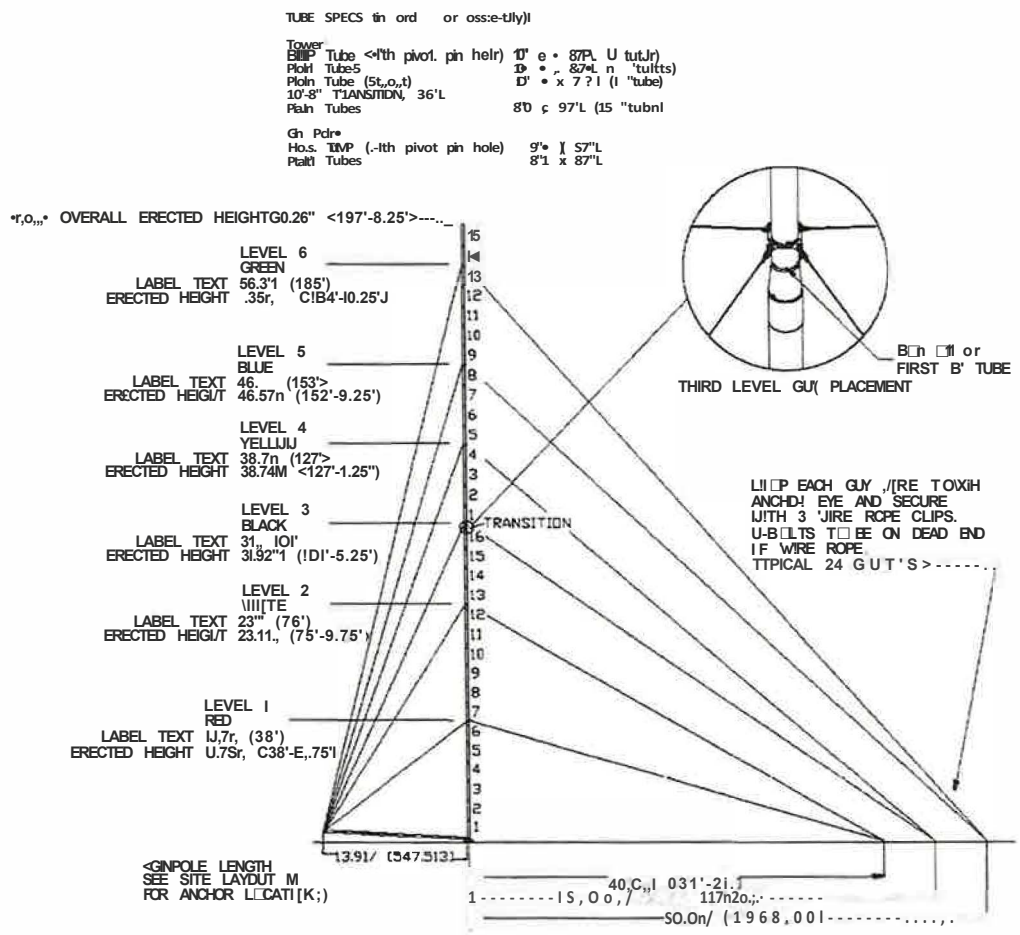
No, the location of the MET tower is within the property boundaries and will be several acres from the nearest fence or adjacent property.

Will granting the conditional use permit detrimentally affect the public health, safety and welfare?

No, the meteorological tower has no known adverse effects on any aspect of human life or welfare, they simply gather data.

Appendix B: 60m XHD with Standard Footprint

Tower Layout



Appendix O: 60m XHD TallTower Painted Version

15	ORANGE
14	ORANGE
13	ORANGE
12	ORANGE
11	ORII-NGE
10	WHIIf
9	WHITE
8	WHITf.
7	WHIT!:
6	WHITE
5	ORANGE
4	ORANGE
3	OR/1.NGE
2	OR-'NGE
1	OR-'NGf
16	WHITE
15	WHITE
14	WHITE
13	V,'HITE
12	ORANGE
11	ORANGE
10	ORANGE
9	ORANGE
8	\"vHITE
7	WHITE
6	WHITE
5	WHITE
4	ORANGE
3	ORANGE
2	ORANGE
1	ORANGE

PART NUMBER

60m XHD TALLTOWER
PAINTED VERSION

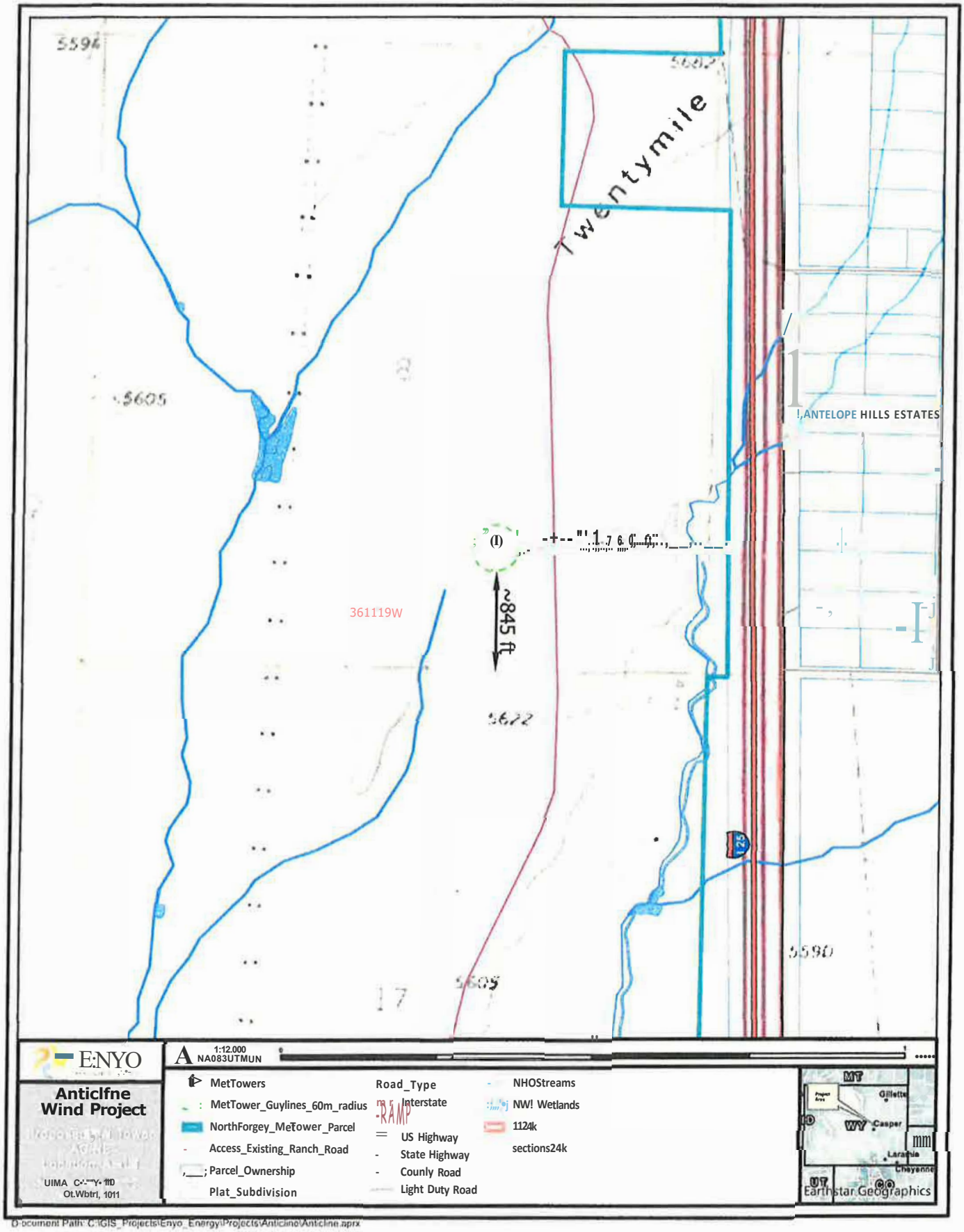
TRANSIT10N. UNPAINTED

NOTES

1 PAINT SCHEME DERIVED FROM F M AC70 7460-IK (CANADIAN VERSION CAR 13?1•lii)
2 TOWER OrVIOeO INIO SE 1E N SECTIONS ROUNOEO TO THE NEAREST WHCLE TUBE

NRG SYSTEMS

N4463 C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5605
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ANTELOPE HILLS ESTATES
(I)
~845 ft
361119W
5622
5590
5605
17
E:NYO
Anticlfne
Wind Project
1:12.000
NA083UTMUN
MetTowers
MetTower_Guylines_60m_radius
NorthForgey_MeTower_Parcel
Access_Existing_Ranch_Road
Parcel_Ownership
Plat_Subdivision
Road_Type
Interstate
US Highway
State Highway
Counly Road
Light Duty Road
NHOStreams
NW! Wetlands
1124k
sections24k
MT
Gillette
WY
Casper
Laramie
Cheyenne
UT
Earthstar Geographics
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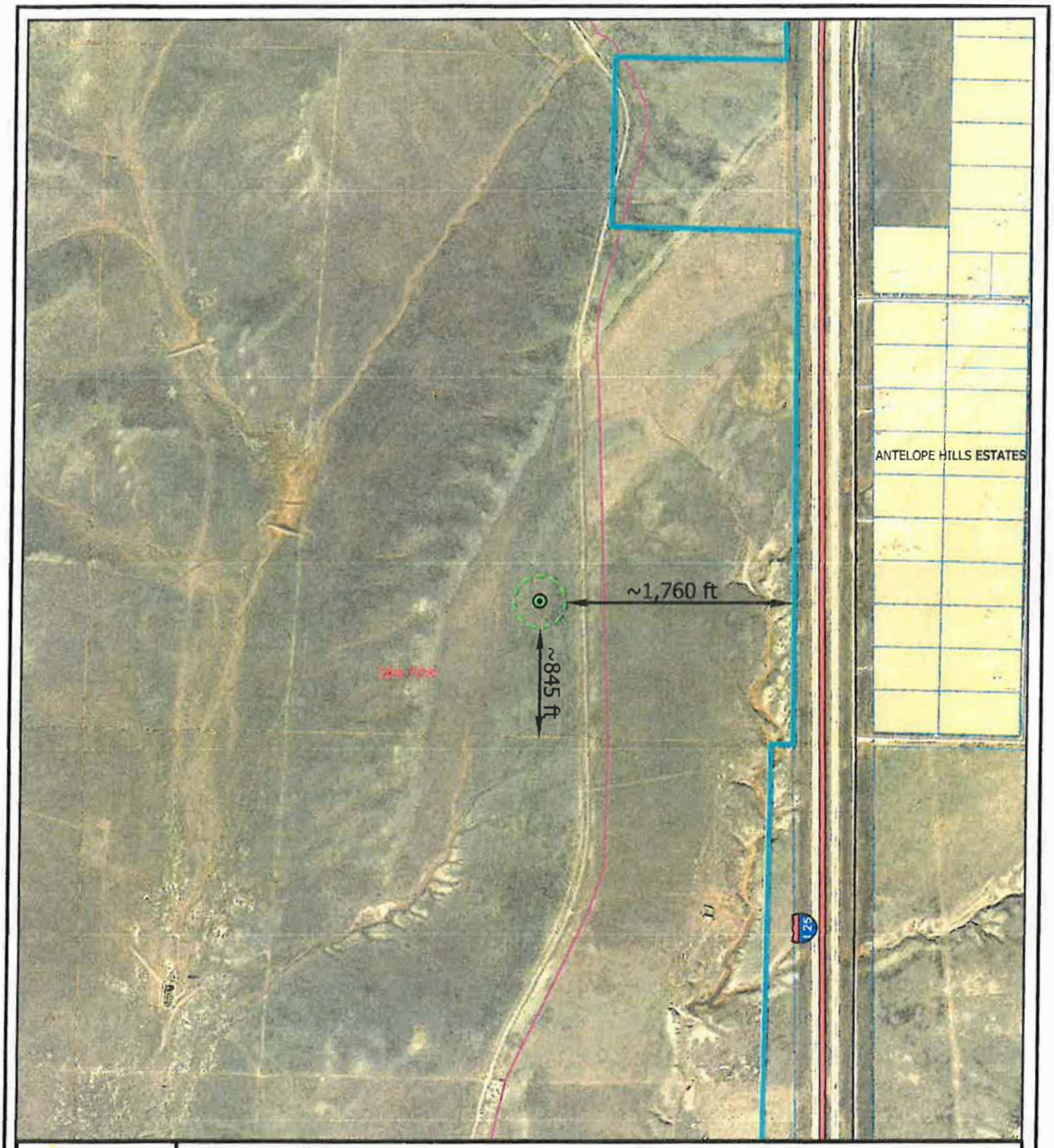


ENYO

1:12,000
NAC83 UTM 13N

0 0.5 1 Miles

Anticline Wind Project

PROPOSED MET TOWER AC NE LOCATION AERIAL

Niobrara County, Wyoming
October, 2019

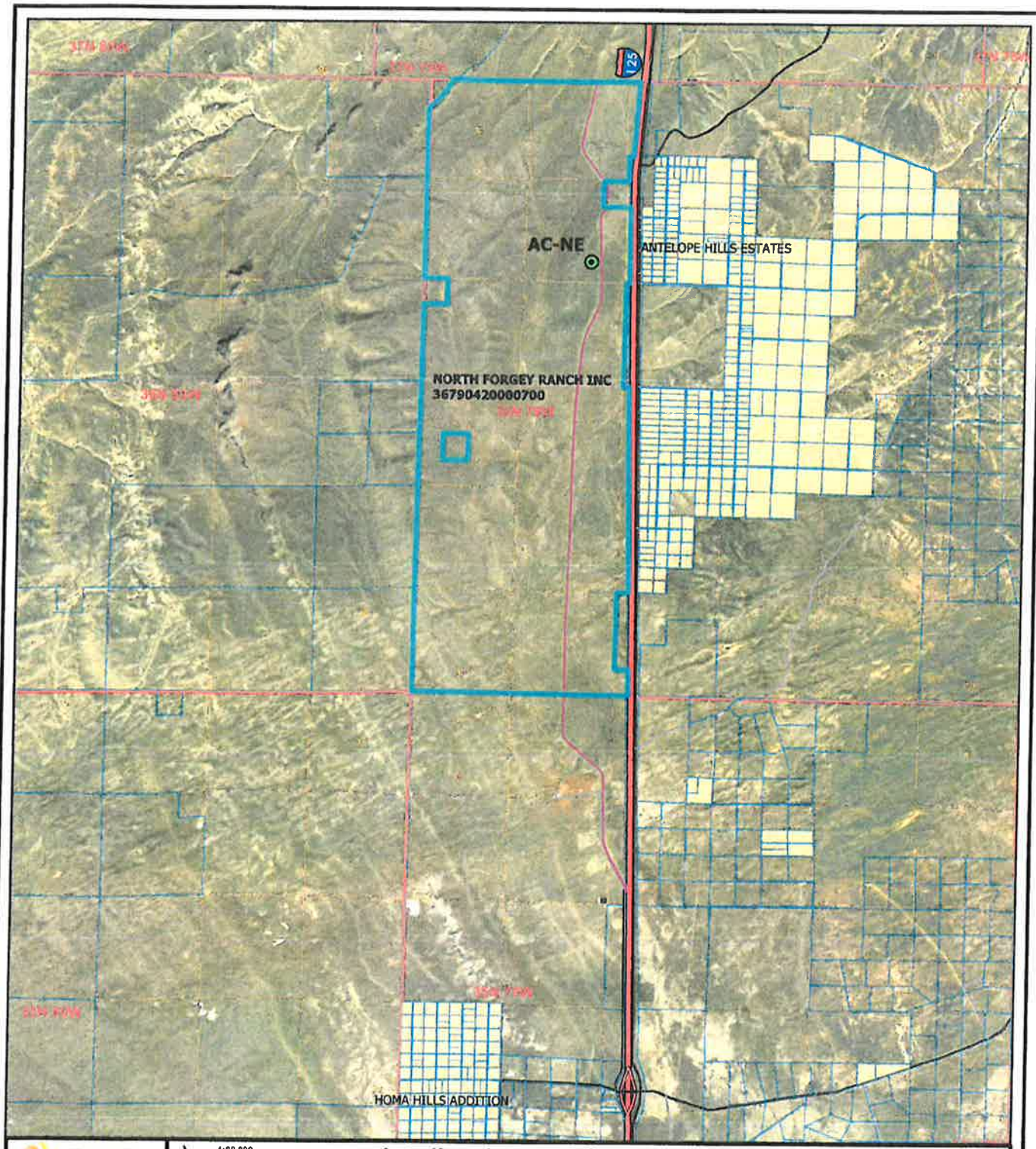
@ Met Towers
MetTower_Guylines_60m_1ad1us
Northforgey_MetTower_Parcel
Access_Existing_Ranch_Road
Parcel_Ownership
Plat_Subdivision

Road_Type
Interstate
RAMP
US Highway
State Highway
County Road
Light Duty Road

tr24k
sections24k

Earthstar Geographics

Document Path: C:\GIS_Projects\Enyo_Energy\Projects\Anticline\Anticline.aprx



ENYO

1:80,000
NAD83 UTM 13N

0 0.5 1 2 3 4 5 Miles

Anticline Wind Project

Proposed Met Tower Parcel and Access Ranch Map

Natrona County, Wyoming
October 9, 2019

NorthForgey_MetTower_Parcel
Met Towers
Access_Existing_Ranch_Road
Parcel_Ownership

Road_Type
Interstate
RAMP
US Highway
State Highway
County Road
Light Duty Road

tr24k
sections24k
Plat___Subdivision

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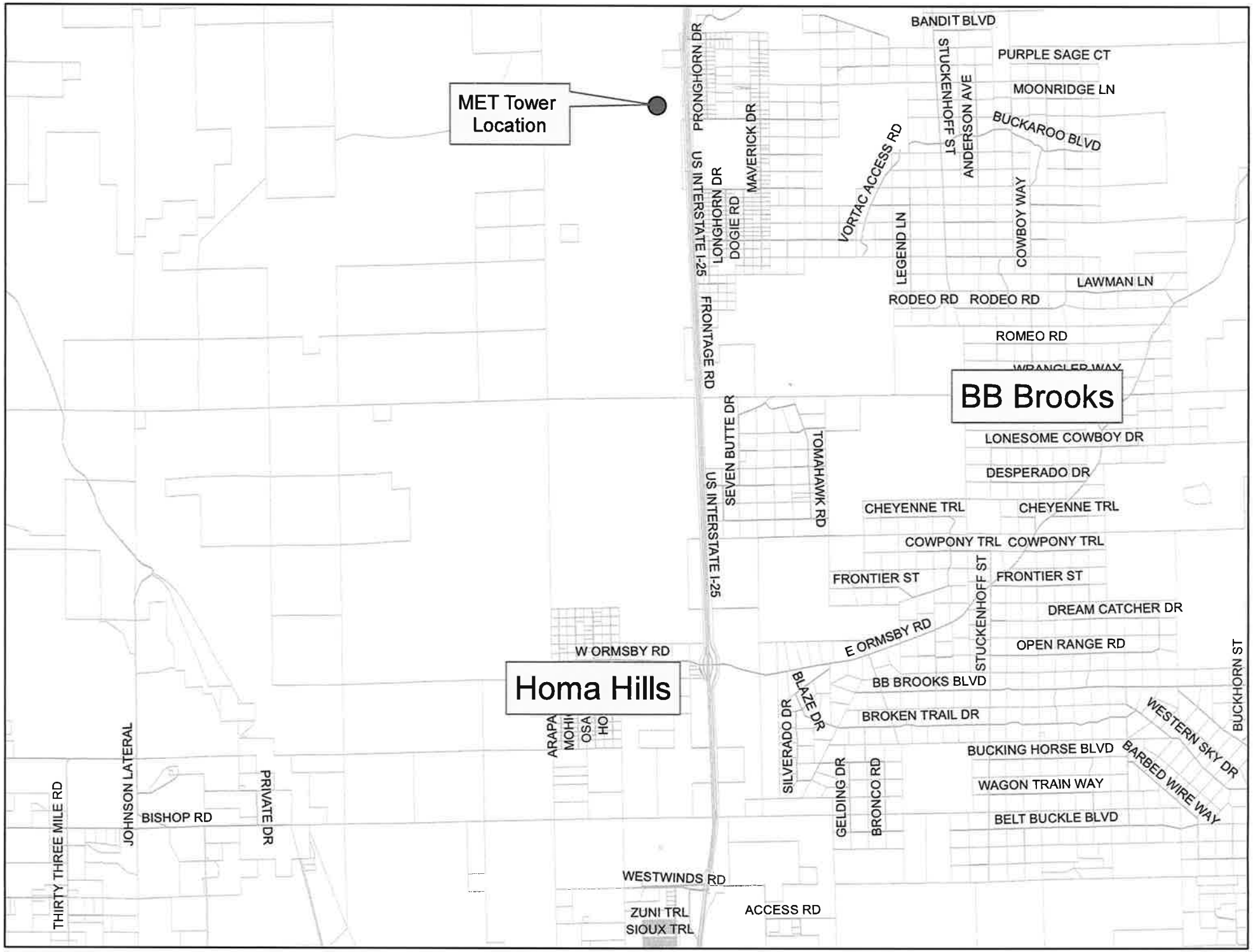
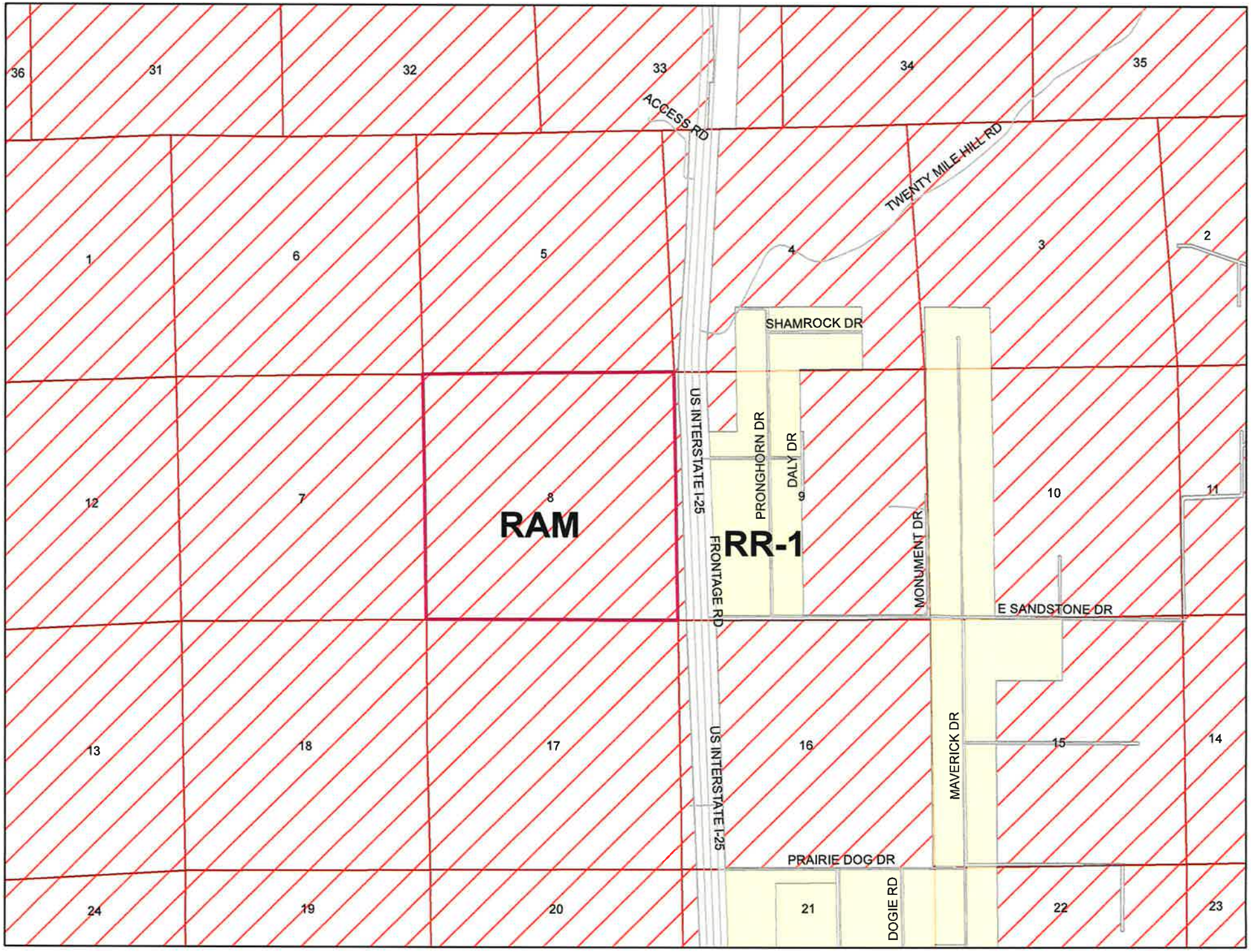

MET Tower Location
BB Brooks
Homa Hills
BANDIT BLVD
PURPLE SAGE CT
MOONRIDGE LN
BUCKAROO BLVD
STUCKENHOFF ST
ANDERSON AVE
VORTAC ACCESS RD
COWBOY WAY
LEGEND LN
LAWMAN LN
RODEO RD
RODEO RD
ROMEO RD
WRANGLER WAY
LONESOME COWBOY DR
DESPERADO DR
CHEYENNE TRL
CHEYENNE TRL
COWPONY TRL
COWPONY TRL
FRONTIER ST
FRONTIER ST
DREAM CATCHER DR
OPEN RANGE RD
E ORMSBY RD
W ORMSBY RD
BB BROOKS BLVD
BROKEN TRAIL DR
BUCKING HORSE BLVD
WAGON TRAIL WAY
BELT BUCKLE BLVD
WESTERN SKY DR
BARBED WIRE WAY
BUCKHORN ST
PRONGHORN DR
US INTERSTATE I-25
LONGHORN DR
DOGIE RD
MAVERICK DR
FRONTAGE RD
SEVEN BUTTE DR
TOMAHAWK RD
US INTERSTATE I-25
STUCKENHOFF ST
BLAZE DR
SILVERADO DR
GELDING DR
BRONCO RD
ARAPA
MOHI
OSA
HO
WESTWINDS RD
ZUNI TRL
SIOUX TRL
ACCESS RD
THIRTY THREE MILE RD
JOHNSON LATERAL
BISHOP RD
PRIVATE DR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ACCESS RD
TWENTY MILE HILL RD
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SHAMROCK DR
US INTERSTATE I-25
PRONGHORN DR
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RR-1
FRONTAGE RD
MONUMENT DR
E SANDSTONE DR
13
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MAVERICK DR
US INTERSTATE I-25
PRAIRIE DOG DR
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21
22
23
DOGIE RD

CONDITIONAL USE PERMIT REQUEST

CUP19-6

Staff Report: Trish Chavis
November 22, 2019

For

December 10, 2019
Planning and Zoning Commission

And

January 7, 2020
Board of County Commissioner Meeting

Applicant: Christine Mikell, Anticline Wind, LLC

Request: Allow installation of a Meteorological Tower (MET Tower)

Location and Zoning

The parcel is located 12 miles north of the Town of Bar Nunn in the SW1/4 SE1/4 of Section 8, Township 36N, Range 79W.

The subject parcel and the parcels to the north, west and south are zoned Ranching, Agriculture and Mining (RAM). To the east is Interstate I-25.

Background

In 2016, the applicant had applied for 3 MET Towers in different sections of land in this area. That application was approved by the Planning Commission and the Board of County Commissioners. This approval came with conditions. Those same conditions have been added to this application as a condition, if approved.

MET towers are used to measure the viability of land for wind energy.

General Standards

For

Conditional Use Permits

Criteria for Approval

1. Will granting the Conditional Use Permit contribute to an overburdening of county services?

   No, after approving the Conditional Use Permit application, we will attach marker balls to the guy lines and paint the tower red and register the tower with the State of Wyoming.

   Proposed Finding of Fact.
   Granting the Conditional Use Permit will not contribute to an overburdening of county services. County services and infrastructure will not be necessary for this Conditional Use Permit.

2. Will granting the Conditional Use Permit cause undue traffic, parking, population density or environmental problems?

   No, the meteorological tower is strictly for analyzing wind speed and direction and the viability of wind energy generation.

   Proposed Finding of Fact.
   There will be no impact to traffic parking or population density. The tower is not manned. Only traffic would be from construction, occasional inspections, and removal.

3. Will granting the Conditional Use Permit impair the use of adjacent property or alter the character of the neighborhood?

   No, the location of the MET Tower is within the property boundaries and will be several acres from the nearest fence or adjacent property.

   Proposed Finding of Fact.
   The surrounding properties are zoned RAM with uses being ranching and agriculture. The installation of a MET Tower will not impair the use of adjacent properties or alter the character of the neighborhood.

4. Will granting the Conditional Use Permit detrimentally affect the public health, safety and welfare, or nullify the intent of the Development Plan or Zoning Resolution?

   No, the meteorological tower has no known adverse effects on any aspect of human life or welfare, they simply gather data.

Proposed Finding of Fact.

The tower has been submitted to the FAA and an aeronautical study has been initiated. The application was also submitted to the Natrona County International Airport. The MET Tower simply gathers data and will not nullify the intent of the Development Plan or the Zoning Resolution.

Public Comment

As of the date of this staff report there have been no comments received. Staff sent the public notice to 53 neighbors within 1.5 miles.

Recommendation

Staff proposes a motion and vote by the Planning and Zoning Commission to recommend approval of the requested Conditional Use Permit, by the Board of County Commissioners with the following conditions:

1. Towers are to be marked and lighted per FAA regulations;
2. Tower are to be painted in accordance with FAA regulations;
3. High visibility aviation orange spherical balls are attached to guy wires;
4. High visibility sleeves be installed on the guy wires;
5. That this Conditional Use Permit shall expire in five (5) years from the date of final approval by the Board of County Commissioners.

Staff would also recommend that the motion incorporate findings of fact as presented by staff.

casper natrona county
international airport

November 26, 2019

Trish Chavis, Planner
Natrona County Development Department
200 N. Center Street
Suite 202
Casper, WY 82601

Dear Trish:

Please consider these comments in response to the Conditional Use Permit Application, applicant name Christine Mikell, Anticline Wind, LLC, for the installation/construction of a Meteorological Tower (MET) to measure the viability of land for wind energy generation.

On the Natrona CUP Q & A, you ask "Will granting the conditional use permit detrimentally affect the public health, safety and welfare?" The response was, "No, the metrological tower has no known adverse effects on any aspect of human life or welfare, they simply gather data." Unfortunately, without a Federal Aviation Administration airspace study (which I did not see in the application package), the impact of this MET on the Airport is unknown, so while there may not be any **known** adverse effects, there may in fact be some. While you do not ask this in the application, I would respectfully request that an airspace study is completed so that we have an opportunity to review the results prior to final action on this application. Without this information, we would object to the CUP not knowing if the tower would have an adverse impact on the operations of the Casper/Natrona County International Airport.

Please let me know if you have any questions.

Sincerely,

Glenn S. Januska, A.A.E.
Airport Director

c: Airport Board of Trustees

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2019-ANM-7467-OE

Issued Date: 12/01/2019

Christine Mikell
North Forgey Wind Energy
3434 E Bengal Blvd, #180
Salt Lake City, UT 84121

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Met Tower (non-WT Farm) AC NE
Location:	Casper, WY
Latitude:	43-05-56.76N NAD 83
Longitude:	106-20-44.09W
Heights:	5638 feet site elevation (SE)
	197 feet above ground level (AGL)
	5835 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 06/01/2021 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (424) 405-7641, or tameria.burch@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-ANM-7467-OE.

Signature Control No: 420461703-424055242 (DNE)
Tameria Burch
Technician