

FREMONT COUNTY
WIND AND SOLAR ENERGY FACILITY SITING
REGULATIONS

Adopted February 14, 2023

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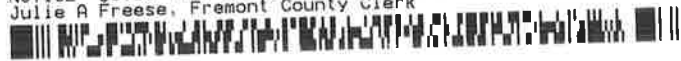


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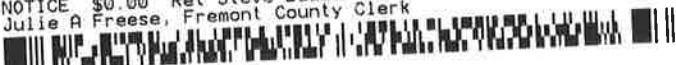
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CHAPTER I

TITLE, AUTHORITY, PURPOSE AND DEFINITIONS

1. Title.

- A. This resolution shall be known as the “Fremont County Wind and Solar Energy Facility Siting Regulations.” These regulations establish rules and standards governing the siting of solar and wind energy facilities and administrative procedures to be followed by the Board of County Commissioners and the Planning and Zoning Commission and set forth penalties for violations thereof.

2. Authority.

- A. The regulation and control of Wind and Solar Energy Facility Siting within the ~~unincorporated areas of Fremont County are vested in the Fremont County Board of~~ County Commissioners by Wyoming Statutes Title 18 Chapter 5, Section 501 through Section 513.

3. Purpose.

- A. These Regulations are designed and enacted for the following purposes:
 - I. To promote the public health, safety and general welfare of the present and future residents of Fremont County, Wyoming.
 - II. To establish standards of design and procedures for the siting of solar and wind generating facilities.
 - III. To ensure that large-scale development and production of wind and solar generated electricity within the unincorporated areas of Fremont County is consistent with the purpose and intent of the Fremont County Land Use Plan so as to protect environmental, historical and cultural resources and to maintain the unique custom and culture of Fremont County.
 - IV. To promote the supply of wind and solar energy production from renewable energy sources.
 - V. To identify and protect different and competing property rights and land uses.
 - VI. To avoid excessive expenditure of public funds for the supply of public improvements and services by ensuring that new development meets County standards and that costs are borne by the Developer.



4. Intent.

- A. No person shall commence the physical layout or construction, reconstruction or enlargement of wind or solar energy facilities without first obtaining a Wind and Solar Energy Facility Siting Permit from the Board.

5. Definitions.

For the purposes of these regulations, certain words, terms and phrases as used herein shall have the following meanings:

Applicant(s) – The entity or person who submits to the County, pursuant to these Regulations, an application for siting a wind or solar energy facility.

Base Flood Elevation – The computed elevation to which floodwater is anticipated to rise during the base flood. Base Flood Elevations (BFEs) are shown on Flood Insurance Rate Maps (FIRMs) and on the flood profiles.

Board – The Board of County Commissioners, Fremont County, Wyoming.

Building Setback Line – A line drawn parallel to and a prescribed distance from the street right-of-way line(s) which establishes the minimum distance allowable between the street right-of-way line(s) and any building or structure or portion thereof.

Comprehensive Master Plan – The Comprehensive Master Plan of Fremont County, Wyoming, when and as adopted, amended and supplemented, including revisions.

Contiguous – Touching at a point or along a boundary.

County Commissioners –The Board of Fremont County Commissioners, Fremont County, Wyoming.

Developer – The entity that petitions the County for approval and development of any wind or solar energy facility pursuant to these Regulations.

Easement – The right to use the real property of another for a specific purpose. The easement is itself a real property interest, but legal title to the underlying land is retained by the original owner for all other purposes.

Engineer – As used in these regulations means a person licensed by the State of Wyoming as a professional engineer.

Encumbrance – A mortgage or other lien of record, securing or evidencing indebtedness and affecting land to be subdivided, including liens for labor and materials. Taxes and

assessments levied by public authority are not an encumbrance under this article except such taxes and assessments as may be delinquent.

Engineering Plans – Plans, profiles, cross-sections, and other required details for the construction of improvements, prepared in conjunction with the final plat and in compliance with the standards of design and construction as required by the Board of County Commissioners.

Fee Simple – A fee simple is an estate limited absolutely to a person or persons and their heirs and assigns forever without limitation or conditions. A fee simple estate is one in which the owner is entitled to the entire property, with unconditional power of disposition during his life, and descending to his heirs and legal representatives upon his death. Such estate is unlimited as to duration, disposition, and descendibility.

Financial Assurance – Reasonable assurance, at the discretion of the County Commissioners, from a credit worthy party that the costs associated with but not limited to; construction, maintenance, consequences from an abandonment, or failure to properly execute closure/post-closure care are recoverable from applicants(s) under these Regulations.

Flood Hazard – Possible occurrence of overflow storm water causing flooding of lands or improvements, or having sufficient velocity to transport or deposit debris, to scour the surface soil, to dislodge or damage buildings, or to cause erosion of the banks or channels of waterways, streams and rivers.

Floodway – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

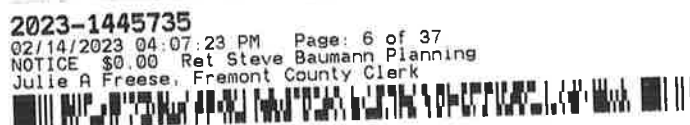
Geologist – As used in these regulations means a person licensed by the State of Wyoming as a professional geologist.

Governing Body – The Board of Fremont County Commissioners of Fremont County, Wyoming.

Ground Anchors – Devices placed in the ground such as cast-in-place concrete “dead men” eyelets embedded in concrete slabs or runways, screw augers, arrowhead anchors or other devices.

Irrigation Facilities – Canals, ditches, laterals, conduits, gates, pumps, reservoirs and any allied equipment necessary for the supply, delivery, storage and drainage of irrigation waters.

Lease – To grant the possession and use of land to another in return for rent or other consideration.



Merchantable Title – A good and marketable title in fee simple, free from litigation, palpable defects, and grave doubts, a title which will enable the owner not only to hold it in peace but to sell it to a person of reasonable prudence.

Off Grid – Not using or depending on public utilities, especially the supply of electricity.

Open Title Commitment – A document that shows the complete chain of custody and any encumbrances on a parcel of land from Patent to the current date.

Operator – The entity responsible for the day-to-day operation and maintenance of any Wind or Solar Energy Facility or Substation, including third party subcontractors.

Owner – The entity or entities with an equity interest in the Wind or Solar Energy Facility, including their respective successors and assigns. Owner does not mean:

- The property owner from whom land is leased for a Wind or Solar Energy Facility (unless the property owner has an equity interest in the Wind or Solar Energy Facility)
- Any person holding a security interest in the Wind or Solar Energy Facility solely to secure an extension of credit, or a person foreclosing on such security interest, provided that after foreclosure such person seeks to sell the Wind or Solar Energy Facility at the earliest practicable date.

Personal Notice – The sending of notice by certified letter with return receipt request, mailed by the Planning Department, cost to be paid for by petitioner.

Planning Commission – The Planning and Zoning Commission of Fremont County, and shall consist of five (5) members, as appointed by the Board of County Commissioners.

Planning Department – Shall mean the Fremont County Planning and Rural Addressing Department.

Professional Land Surveyor – A surveyor as defined by W.S. 33-29-902(a)(viii) who is licensed to practice professional land surveying pursuant to W.S. 33-29-201 through 801.

Public Improvement Standards – The County standards and design criteria required by the Board of County Commissioners regulating the design and construction of public improvement in Fremont County, and as provided in these regulations.

Public Utilities – Underground, above ground or overhead facilities furnishing to the public, electricity, gas, steam, communications, water, drainage, sewage disposal, flood control, irrigation water, refuse disposal, wind power, solar power etc., owned and operated by any person, firm, corporation, or other legal entity, county department, city or board duly authorized by applicable laws.



Restrictive Covenants – A clause in a Deed, an Appendix or Addendum to a Deed or a standalone recorded document that places restrictions upon a future use of the property.

SOLAR AND WIND FACILITIES

- **Commercial Scale** – A wind or solar facility with a rated capacity of 25 KW or greater.

Special Flood Hazard Area – The land area covered by the floodwaters of the base flood is the Special Flood Hazard Area (SFHA) on NFIP maps. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies.

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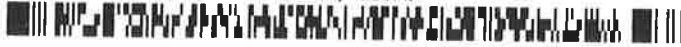


CHAPTER II

ADMINISTRATION

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1. Administration:

- A. The regulations stated herein are minimum standards. The County Commissioners shall reserve the authority to apply reasonable restrictions, limitations, or modifications deemed necessary to protect bona-fide and legitimate health and safety issues related to, or caused by, the siting and operation of wind and solar energy facilities.
- B. It shall be the responsibility of the Applicant/Developer to prepare plans consistent with design criteria and standards contained in these regulations and as set forth by the County Commissioners.
- C. These regulations shall be administered by the Planning Department. It shall be responsible for providing technical planning advice to the Applicant/Developer, Planning Commission, and County Commissioners. It shall review all proposed wind and solar energy facilities for conformance with existing land development regulations, resolutions, ordinances and standards, and coordinate the public and private interests.
- D. Upon receipt of an application, the Planning Department shall conduct a review of the application to determine if it contains all the information required by W.S. 18-5-503 and any applicable rules and regulations. If the Planning Department determines that the application is incomplete, they shall within thirty (30) days of receipt of the application notify the applicant of the specific deficiencies in the application. The applicant shall provide the additional information necessary to fulfill the permit requirements. When the Planning Department determines that the application is complete it shall notify the applicant that the application is complete and shall forward the application to the Planning Commission for review.
- E. As a part of its examination, the Planning Commission may give notice to any interested public or private entity for the purpose of determining whether or not the development is in full conformity with all requirements for the orderly growth and development of Fremont County. All plans, supporting documentation, and Planning Department comments shall be reviewed and evaluated by the Planning Commission. After concluding its review, the Planning Commission shall communicate its recommendations(s) to the Applicant/Developer and County Commissioners in writing. The Planning Department, Planning Commission, and the County Commissioners shall be guided by the procedures and schedules set forth in this document.

- F. In all cases, the Planning Commission shall act on the completed permit application within forty-five (45) days of the date the Planning Department determines the application was complete. The County Planning Commission will forward the permit application to the Fremont County Board of Commissioners with a recommendation of approval or a recommendation of denial.
- G. The County Commissioners shall hold a public hearing to consider public comment on the application to permit a facility no less than forty-five (45) days and not more than sixty (60) days after determining that the application is complete. Written comment on the application shall be accepted by the County Commissioners for not less than forty-five (45) days after determining that the application is complete.
- H. The applicant shall provide certification that notice of the proposed facility was published in a newspaper of general circulation in Fremont County at least thirty (30) days prior to the public hearing with the County Commissioners as required by W.S. 18-5-506. The advertisement shall include a brief summary of the facility, invite the public to submit comments and identify the time and date of the hearing. A copy of the publisher's affidavit shall be provided to the County Commissioners as well as the Planning Department.
- I. Within forty-five (45) days from the date of completion of the hearing required by W.S. 18-5-506, the County Commissioners shall make complete findings, issue an opinion, render a decision upon the record either granting or denying the application and state whether or not the applicant has met the standards required by these regulations. The decision shall be subject to the remedies provided in W.S. 18-5-508. The County Commissioners shall grant a permit if it determines that the proposed facility complies with all standards properly adopted by the County Commissioners and the standards required by these regulations.
- J. No permit shall be granted if the application is incomplete or if all notices required by W.S. 18-5-503 have not been timely given.
- K. A copy of the County Commissioners' decision shall be served upon the applicant.

2. Appeals:

- A. Any party aggrieved by the final decision of the County Commissioners may have the decision reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.
- B. When the decision is issued after hearing on an application for a permit under this article, the decision is final for purposes of judicial review.



3. Referral:

- A. Any Solar or Wind Energy Facility which does not meet the definition of an Industrial Facility as defined in W.S. 35-12-102 (a)(vii)(E) or (G) may be referred to the Industrial Siting Council for additional permitting consistent with the requirements of the Industrial Development Information and Siting Act, W.S. 35-12-101 through 35-12-119 when the County Commissioners have determined that the proposed development poses potentially significant adverse environmental, social or economic issues which the County Commissioners do not have the expertise to consider or address.

4. Variances:

- A. When it can be shown by the Applicant/Developer that strict compliance with the provisions of these regulations would cause undue hardship, the Planning Commission may recommend a variance to these requirements. The discussion of any variance shall be based upon a finding that special engineering or geographical circumstances require such a variance and that its approval will not adversely affect the general public health, safety, or welfare nor nullify the intent and purpose of these regulations. Any variance granted shall constitute the minimum adjustment necessary to alleviate the hardship.
- B. All requests for variances shall follow the provisions outlined in Chapter V of these Regulations. The provisions of any variance granted shall be incorporated into the Permit which must be approved by the County Commissioners.

5. Fees:

- A. To initiate the review of a Wind or Solar Energy Facility Siting, the Applicant shall file the necessary Permit Application with the specified fees as outlined in the current Fremont County Planning and Rural Addressing Fee Schedule.

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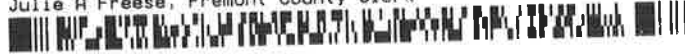
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CHAPTER III
PERMIT AND DESIGN REQUIREMENTS
COMMERCIAL SCALE WIND AND SOLAR PROJECTS

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1. General Conditions

- A. These regulations govern the siting of Commercial Scale Wind and Solar Energy Facilities throughout all the unincorporated areas of Fremont County.
- B. It is unlawful for any person to construct, install, maintain, modify, operate or abandon a Commercial Scale Wind and Solar Energy Facility that is not in compliance with this article or with any condition contained in a Commercial Scale Wind and Solar Energy Permit issued pursuant to this article or any other applicable law or regulation.

2. Pre-application Meeting

- A. The Applicant shall apply to the Planning Department for a Commercial Scale Wind or Solar Energy Facility Permit. Fees shall be paid in accordance with the approved Fremont County Planning and Rural Addressing Fee Schedule.
- B. The Applicant shall meet with the Planning Director prior to submittal of any site plan. This pre-application meeting will allow the applicant to define the project and provide information. During this pre-application meeting, a list of items needed for the submittal of the site plan will be addressed.

3. Requirements Prior to Planning Commission Review

- A. The Applicant shall provide copies of all completed FAA Form 7460 submissions to the Planning Department and any airport authority that could be affected by the application when such forms are tendered to the FAA for approval.
- B. The Applicant shall submit an "Open Title Commitment" prepared by a title company to the Planning Department as part of the application packet.
 - I. The Open Title Commitment shall show that:



- a. The proposed project land is free of all encumbrances;
 - b. In order to ensure the completeness of the property description, it is necessary to include all road, easement, pipeline, Right-of-Way, ditch, and any other known physical encumbrances which may affect the property. Additionally, it is necessary to include the record location of each of those items on the Site Plan to ensure completeness and accuracy of the document for review;
 - c. In order to ensure the completeness of the data contained in the Open Title Commitment, it is necessary for the Title Company to include research of the parcel(s) to be developed from ORIGINAL PATENT through the date of the request for the Open Title Commitment;
 - d. To facilitate review by the Planning Department, the Open Title Commitment shall include a legible copy of each recorded background document used to secure chain of ownership and any easement that impacts the parcel being subdivided.
- C. The Applicant shall show that all surface lands contemplated for development are owned or controlled by the Applicant. Land shall be deemed controlled if it is subject to a recorded lease, waiver, or other written agreement with the landowner under which the landowner has consented to the construction, operation, maintenance and removal of the proposed facilities.
- D. If the lands being proposed for development have a mortgage or lien, the Applicant shall obtain a signed and notarized Consent of Mortgagor/Lienholder to allow Development form.
- E. The Applicant shall certify that reasonable efforts have been undertaken to provide notice in writing to all landowners within one (1) mile of the proposed facility, to the department of transportation and to all cities and towns located within twenty (20) miles of the facility.
- F. The Applicant shall certify that the proposed facility will comply with all the standards required by Chapter III Section 5 below.
- G. The Applicant shall provide a five (5) copies of a written Emergency Management Plan. The Planning Department shall send a letter and copies of the proposed Site Plan and Emergency Management Plan to Emergency Services to allow review and comment on the adequacy of roads, facilities and emergency plans within the proposed development. All postage fees shall be the responsibility of the Applicant/Developer.



- H. The Applicant shall provide two (2) copies of a Waste Management Plan that includes an inventory of estimated solid wastes, e-waste and hazardous waste and a proposed disposal program for the construction, operation and eventual decommissioning of the proposed facility. The Planning Department shall forward a copy of the Plan to the Fremont County Solid Waste Disposal District for review and comment.
- I. The Applicant shall obtain an approved access document and submit a copy to the Planning Department. If the development requires a new or upgraded access, it must receive an access permit from the appropriate State, County or local government agency authorizing and approving the access location.
- J. The Applicant shall provide a detailed road study that describes how private roadways within the facility will be marked as private roadways and shall acknowledge that the county is not required to repair, maintain or accept any dedication of the private roadways to the public use. The application also shall include a Traffic Impact Study of any public roadways leading to and away from the proposed facility. The Commissioners and Transportation Department may require the applicant to enter into a reasonable road use agreement for the use of county roads or state highways prior to construction of the facility
- K. The Applicant shall provide fifteen (15) copies of Site Plan for the proposed development to the Planning Department.
- L. All applicants are required to prepare and submit to the County an Environmental Report that must satisfy all the requirements of this section.

For those applicants who have complied with the requirements of a published Draft Environmental Impact Statement (Draft EIS) pursuant to the National Environmental Policy Act (NEPA), those applicants may request a waiver, from the Board, of some or all of the requirements of the Environmental Report. If no Draft EIS has been prepared pursuant to NEPA, the Board may grant a waiver or partial waiver if the applicant submits an Industrial Siting Application pursuant to the requirements of the Industrial Siting Council. No waiver shall be provided unless the applicant can demonstrate that the contents of the Draft EIS or the Industrial Siting Application, if applicable, substantially match, in whole or in part, the requirements of the Environmental Report herein. These Reports must be prepared by Qualified Professionals and submitted with the Project Permit Application, and include the following:

- I. **Wildlife and Habitat** A report that includes a survey of all of the wildlife and habitat within the Facility Area and in any Biologically Significant area surrounding the Facility Area as determined by the Wyoming Game and Fish Department or governing federal agency. The report shall contain a Wildlife mitigation and




monitoring plan if recommended by the Wyoming Game and Fish and/or governing federal agency. (Where legal access is not obtainable for the surrounding area, the applicant shall advise the Department or the Board.)

The report shall address:

- a. All Special Status Species;
- b. The presence of elk, mule deer, antelope and other mammal populations;
- c. All avian species present, including raptors and other migratory birds. Said report shall include the important habitat for those avian species, such as nesting, stop-over sites, roost sites, and hunting perches;
- d. All bats, both resident and migratory;
- e. All wildlife crucial ranges including winter ranges, parturition areas, nesting areas, fish spawning areas, migration corridors and similar areas critical to wildlife;
- f. All Greater Sage Grouse Core Areas, leks and winter concentration areas;
- g. Wildlife Studies and Surveys shall be performed in conformance with the protocols and recommendations of the Wyoming Game and Fish Department and governing federal agencies;
- h. A Wildlife Impact Mitigation Plan, if recommended or required by Wyoming Game and Fish Department and governing federal agencies, prepared in conformance with the protocols and recommendations of the Wyoming Game and Fish Department and governing federal agencies;
- i. A Wildlife Monitoring Plan, if recommended or required by Wyoming Game and Fish Department and governing federal agencies to monitor the effects of the developed Wind or Solar Facility on wildlife, prepared in conformance with the protocols and recommendations of the Wyoming Game and Fish Department and governing federal agencies;
- j. An inventory of all flora and the anticipated impacts to the flora within the Facility Area and a flora mitigation plan prepared by a Qualified Professional, if determined necessary by the appropriate agency;
- k. A report, prepared by a Wyoming Licensed Professional Engineer, detailing produced water quality, supply, demand, disposal of water during the construction and maintenance of the Wind or Solar Facility Area, and the Project's effect on water quality and supply within 2,640 feet of the Wind or Solar Facility Area. This report shall include a water impact mitigation plan, if the report identifies significant adverse impacts;

1. An inventory of wetlands and riparian areas and any anticipated impacts to these areas within the Wind or Solar Facility Area, and an appropriate mitigation plan prepared by a Qualified Professional, if determined necessary by the appropriate agency.
- II. Historical, Cultural and Archaeological Resources The applicant shall coordinate with appropriate agencies for matters concerning cultural resources studies (archaeological and historic sites) and any other relevant federal, state and local issues. This information shall be provided with the application.
- L. The Applicant shall provide a Weed Control Plan to Fremont County Weed and Pest. The Plan shall be approved by Fremont County Weed and Pest to ensure control of all declared weeds.
- M. The Planning Department shall send a letter and copy of the proposed Site Plan to all Public Utilities to ensure notification and obtain any comments related to the proposed development. All postage fees shall be the responsibility of the Subdivider.
- N. The Applicant shall provide two (2) copies of a site and facility reclamation and decommissioning plan which indicates the planned life of the facility and the means by which the facility and its site will be decommissioned and reclaimed at the end of the facility's life and which certifies that any landowner within the facility and its site who is not the applicant has been consulted in development of the reclamation and decommissioning plan. Such plan shall comply with all requirements adopted by the industrial siting council under W.S. 35-12-105(d). If the permit is granted, the plan shall be updated every five (5) years until site reclamation and decommissioning is complete;
- O. For all Commercial Scale Wind or Solar Energy facilities not meeting the definition of an industrial facility as defined in W.S. 35-12-102(a)(vii)(E) or (G), provide a detailed summary of any significant adverse environmental, social or economic effects that the proposed facility may have together with any preliminary plans developed to alleviate any of the adverse effects.
- P. Any facility subject to these Regulations shall meet the requirements adopted pursuant to W.S. 35-12-105(d) and (e) regardless of whether the facility is referred to the industrial siting council pursuant to W.S. 18-5-509 or is otherwise subject to the industrial siting act.

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4. Site Plan Requirements:

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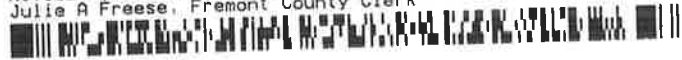


A. Type of Presentation

- I. All Commercial Scale Wind and Solar Energy Facility Site Plans shall include a construction site plan and narrative showing and explaining all components necessary during the project construction phase including, but not limited to, batch plants, stock piles, office trailers, lay down yards, water storage, health and sanitation facilities. The site plan shall be drawn in permanent black ink on linen or polyester base film and as a PDF.
- II. The Plan and associated drawings shall be prepared by a Professional Engineer or Land Surveyor in the State of Wyoming and shall be drawn or a photographic reproduction on a polyester film. Overall sheet size shall be 24"x 36". If more than two (2) sheets are required, the first page shall be an index sheet of the same dimensions as other sheets describing the contents of the Plan.

B. Survey and Other Descriptive Information

- I. Location by section, township, range, meridian, and county, including a complete legal description.
- II. Name, address, and registration number of the surveyor who shall be licensed in Wyoming.
- III. Graphic scale, north point, and date of preparation.
- IV. A small scale location map showing the perimeter of the project and its relationship to existing community facilities including arterial streets, railroads, recreation facilities, waterways, water bodies and other pertinent areas.
- V. Location of city, town, and other governmental agency boundary lines crossing or adjoining the subdivision.
- VI. Location and description of all existing and proposed structures, right of ways, and above and below ground facilities and utilities within the Facility Boundary and within 2,640 feet of the proposed Facility Boundary.
- VII. Total acreage of the project.



- VIII. All existing and proposed public and private access roads, turnouts and parking facilities including all dimensions.
- IX. All roads/streets shall be named, and those names approved, in accordance with Fremont County Rural Addressing Rules and Regulations.
- X. The location of each wind energy tower and the location of all solar panel arrays.
- XI. Layout, use and dimensions of all structures and ancillary equipment within the Commercial Scale Wind and Solar Energy Facility including all applicable setbacks.
- XII. Fencing detail.
- XIII. A complete electrical layout of the Commercial Scale Wind and Solar Energy Facility including substation locations, transmission, collector and gathering lines and any ancillary facilities.
- XIV. All permanent drainage ways, irrigation canals, laterals and ditches shall be accurately located and recorded on the plan.
- XV. Location of all adjoining subdivisions by name and all un-platted land by ownership.
- XVI. If any portion of the land within the boundaries of the final plat is subject to inundation, storm flow conditions, geologic hazard or other hazard, the land so affected shall be clearly marked and noted.
- XVII. The Applicant shall note the areas of Special Flood Hazard identified by the Federal Emergency Management Agency per the Fremont County Floodplain Regulations. In those areas identified by the FEMA Flood Insurance Rate Map, the 100-year event probability lines, and the Base Flood Elevation shall be shown.

5. Minimum Design Requirements

A. General

- I. Electrical wires associated with a Commercial Scale Wind or Solar Energy Facility shall be located underground when practicable.
- II. Wind tower and turbine lighting for any Commercial Scale Wind and Solar Energy Facility must comply with FAA minimum requirements and be at the lowest intensity



allowed. No accessory lighting is permitted for any facility unless it is determined by the Board to be necessary for safety and security.

III. Impacts to Public Roads:

- a. The use of dedicated public roads shall be in accordance with and in compliance of federal, state, county and local regulations governing such activities. The Applicant shall be responsible for any degradation to or damage of dedicated public roads by any and all parties affiliated with the installation of the Commercial Scale Wind and Solar Energy Facility and will bear all costs required to return the public roads to their original or better condition prior to their use of same. The use of any dedicated public road for the purpose of transporting parts, materials and/or equipment for construction of a Commercial Scale Wind and Solar Energy Facility shall require the following prior to approval of any wind or solar energy permit:
 - i. A detailed mapping of known haul routes shall be submitted with the wind or solar energy permit application. Haul routes shall be updated as transit information becomes available. Final haul routes must be submitted at least ten (10) days prior to the start of construction;
 - ii. Completion of a pre-construction baseline survey prepared by a mutually agreed upon professional engineer to determine existing road conditions;
 - iii. An engineer's assessment of the potential for damage or impact to the roads detailed in the haul route;
 - iv. A mitigation plan and/or long-term road maintenance plan to address the impacts to the roads as determined in the assessment;
 - v. Preparation of an engineer's estimate for the total estimated cost to improve, maintain or repair the existing roads as detailed in the mitigation/maintenance plan;
 - vi. Documentation of the establishment of a bond for the repair of roads along the haul route for a wind farm or solar energy system in an amount of not less than 115 percent of the cost for infrastructure improvement or repair as determined in the engineer's estimate of cost, but in no case less than \$25,000 for the purpose of repairing any damage to public roads caused by constructing, operating or maintaining the facility. Prior to commencement of any work on

the project, the Developer/Owner shall enter into with the Board an agreement that documents the Developer/Owner's obligations for the repair and maintenance of the public roads;

- vii. Any additional information, studies, or reports as reasonably determined by the Board as necessary.

IV. Reclamation, Decommissioning and Financial Assurance Responsibility

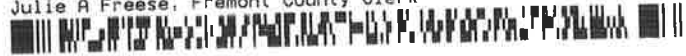
- a. Commercial Scale Wind and Solar Facilities owned or operated by a Public Utility subject to requirements of the Public Service Commission are exempt from Fremont County's and Wyoming Industrial Siting Council's decommissioning, reclamation and financial assurance requirements in accordance with W.S. 35-12-105(d) and (e). Documentation that the proposed Facility is owned or operated by a Public Utility and subject to the requirements of the Public Service Commission shall be provided with the application.
- b. Commercial Scale Wind and Solar Facilities under the jurisdiction of the Industrial Siting Council in accordance with W.S. 35-12-102(a)(vii)(E) and (F) shall submit a Facility decommissioning and reclamation plan and financial assurance that complies with the criteria of W.S. 35-12-105(d) and (e) and the Rules and Regulations of the Industrial Siting Council.
- c. For all other Commercial Scale Wind and Solar Facilities, pursuant to W.S. 35-12-102(a)(vii)(E) and (F), which are not subject to the Wyoming Industrial Siting Council, the applicant or developer shall meet the Fremont County Commercial Scale Wind and Solar Facilities Decommissioning, Reclamation and Financial Assurance Regulations as stated in these Regulations.

V. Reclamation, Decommissioning and Financial Assurance Requirements

- a. The Applicant shall provide a site and facility reclamation and decommissioning plan in accordance with these regulations and Wyoming Statute 18-5-503(a)(x). The plan shall specify and provide for the following:
 - i. Provisions describing the triggering events for decommissioning the Commercial Scale Wind or Solar Energy Facility or any portion thereof upon 18 months of continuous non-operation of the facility or of any aspect of any facility, unless by force majeure;
 - ii. Provisions for the removal of structures, debris and cabling, including those below the soil surface down to 36 inches;



- iii. Provisions for the restoration of the soil and vegetation;
- iv. An estimate of the decommissioning costs certified by a Professional Engineer to be updated every five (5) years;
- v. Financial Assurance to be secured by the Developer/Owner(s);
- vi. (s), for the purpose of adequately performing decommissioning, in an amount equal to the Professional Engineer's certified estimate of the decommissioning costs at the time the application is granted;
- vii. Identification of and procedures for County access to Financial Assurances;
- viii. A provision that the terms of the Decommissioning Plan shall be binding upon the Developer/Owner(s) and any of their successors, assigns or heirs;
- ix. A provision that the County shall have access to the site, pursuant to reasonable notice, to effect or complete decommissioning;
- x. The applicant shall provide financial assurance in one, or a combination, of the following, at the discretion of the County Commissioners:
 - a self bond,
 - a surety bond,
 - a federally insured certificate of deposit,
 - government-backed securities,
 - or cash.
- xi. Evidence of the selected form(s) of assurance of financial responsibility shall be filed with the County Commission as part of the permit application procedures and prior to the approval of Developer/Owner(s) Permit.
- xii. The County Commission may reject the proposed forms of assurance of financial responsibility if the evidence submitted does not adequately assure that funds will be available as required by these rules.
- xiii. Developer/Owner(s) shall be notified in writing within 60 days of receipt of the evidence of financial assurance of the decision to accept or reject the proposed forms of financial assurance.



- xiv. If the Permit is approved, any bond or other form of financial assurance may be canceled by the surety only after ninety (90) days written notice to the Board of County Commissioners, and upon receipt of the Board's written consent, which may be granted only when the requirements of the bond or assurance have been fulfilled.
- xv. Financial Assurance Forfeiture.
- Bond or other financial assurance forfeiture proceeding shall occur only after the Board of County Commissioners provides notice to the Developer/Owner(s) and any surety that a violation(s) exists and the Board has decided to begin forfeiture proceedings.
 - The Commissioners may expend forfeited funds to remedy and abate circumstances with respect to which financial assurance was provided. If the forfeited bond or other financial assurance instrument is inadequate to cover the costs to carry out the remedy or abatement, the County Attorney shall bring suit to recover the costs of performing the activities where recovery is deemed possible.
- xvi. Remedies to Forfeiture.
- The Developer/Owner(s) failure to materially comply with any of the above provisions shall constitute a default under these Regulations.
 - Prior to implementation of the existing County procedures for the resolution of such default(s), the appropriate County body shall first provide written notice to the Developer/Owner(s), setting forth the alleged default(s). Such written notice shall provide the Developer/Owner(s) a reasonable time period, not to exceed 60 days, for good faith negotiations to resolve the alleged default(s).
 - If the County determines in its discretion, that the parties cannot resolve the alleged default(s) within the good faith negotiation period, the existing County regulation provisions addressing the resolution of such default(s) shall govern.
 - Enforcement. The provisions of these Regulations are enforceable by all appropriate legal remedies including but not limited to injunctive relief or a writ of mandamus.



VI. Impacts to Natural and Cultural Resources:

- a. The Applicant/Developer of a Commercial Scale Wind or Solar Energy Facility shall comply with all federal, state and local requirements pertaining to natural and cultural resources.
- b. The Applicant/Developer of a Commercial Scale Wind or Solar Energy Facility shall submit written statements that the project is in full compliance with all relevant requirements at the time of the permit application submittal.
- c. The Applicant/Developer of a Commercial Scale Wind or Solar Energy Facility should make reasonable efforts to avoid siting Commercial Scale Wind or Solar Energy Facility components in a manner that will adversely impact wildlife, water, historical and/or cultural resources.

VII. Notice of Mineral Rights

- a. Applicant/Developer shall certify that notice has been provided to the record owners and claimants of mineral rights located on or under the lands where the proposed facility will be constructed. Such notice shall contain the location of proposed Commercial Scale Wind or Solar Energy Facility towers, solar arrays and underground wiring and may include notice by publication.
- b. The certification of notice shall be provided with the application. The notice shall comply with all standards and requirements adopted by the Industrial Siting Council.

B. Wind Energy Facilities.

- I. The wind tower portion of any Commercial Scale Wind and Solar Energy Facility should be of monopole construction. Other construction may be considered by the Board if monopole construction is not practicable or if new technology emerges. A wind tower must be of freestanding construction to the extent practicable. If monopole or freestanding construction is not practicable, a wind tower may be guyed upon approval of the Board.
- II. The center of the base of each wind tower shall be located no less than one hundred ten percent (110%) (hub height + rotor diameter) from adjacent unplatted nonparticipating property lines and dedicated public roads.
- III. No tower or other structure, other than underground structures, transmission lines, roadways and structures appurtenant to roadways, shall be located at a distance of less



than five and one-half (5.5) times the maximum height of the tower, but in no event less than one thousand (1,000) feet from any platted subdivision unless this restriction is waived in writing by the owners of all lands included within the distance specified in this paragraph.

- IV. The base of any tower shall not be located at a distance of less than five and one-half (5.5) times the maximum height of the tower, but in no event less than one thousand (1,000) feet from a residential dwelling or occupied structure, unless waived in writing by the person holding title to the residential dwelling or occupied structure.
- V. The base of any tower shall not be located at a distance of less than one-half (1/2) mile from the limits of any town or city.
- VI. The total height of a Commercial Scale Wind and Solar Energy Facility shall comply with all federal, state and local regulations, including FAA guidelines.
- VII. The vertical distance from ground level to the tip of a Commercial Scale Wind and Solar Energy Facility turbine blade when the blade is at its lowest point must be at least twenty-five (25) feet.
- VIII. A wind tower, including any climbing aids, must be secured against unauthorized access.
- IX. No wind turbine, tower, building, or other structure associated with a Commercial Scale Wind and Solar Energy Facility may be used to advertise or promote any product or service. No word or graphic representation other than appropriate warning signs, tower identification, and owner, land owner or manufacturer identification, may be placed on a wind turbine, tower, building, or other structure associated with a Commercial Scale Wind and Solar Energy Facility.
- X. The noise generated by the operation of a Commercial Scale Wind and Solar Energy Facility may not exceed a noise level of more than fifty (50)dB(A) as measured at any point along the common property lines between a nonparticipating property and a participating property. This level, however, may be exceeded during short term events such as utility outages, severe weather events, construction or maintenance operations. Noise levels may exceed the 50dB(A) limit along common property lines if a written Affidavit providing permission for such exceedance is granted by the adjacent nonparticipating property owner and is recorded with the Fremont County Clerk. Sound measurements shall be made five (5) feet above ground level over 10-minute measurement periods, on the basis of equivalent sound pressure levels and wind speed equal to 8 meters/second, using the procedures established by IEC 61400-11 (International Electrotechnical Commission, 2nd Edition, 2002-12.)

C. Solar Energy Facilities.

- I. Solar Energy Facilities shall not be located:



- a. Within three hundred (300) feet of an occupied structure or residence unless waived in writing by the owner of the structure or residence;
 - b. Within one hundred (100) feet of any outer boundary of the facility;
 - c. Less than two hundred (200) feet from any public road right-of-way or on other land less than one hundred (100) feet from any public road right-of-way.
- II. The Applicant/Developer shall provide an analysis from solar glare hazard analysis software for PV systems that provide a quantified assessment of when and where glare will occur throughout the year on to nearby properties and public roadways. If glare is predicted, the Applicant/Developer shall provide mitigation measures to address the impacts of solar glare. Mitigation measures may include and are not limited to textured glass, anti-reflective coatings, screening, and angling of solar PV modules in a manner that reduces glare to surrounding land uses.
- III. No solar panel(s) and/or their support structure shall exceed twenty-five (25) feet in height.

6. Access Standard

- A. The proposed development must have legal access to a public road.

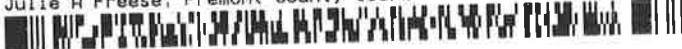
7. Signs

- A. The Applicant/Developer shall install road/street name signs at every access point to a State, County or local road and at all road intersections within the project.
- B. Signs shall be designed and constructed in accordance with the Fremont County General Road/Street Name Sign Construction and Installation Standards.
- C. The road/street name signs or stop/yield sign purchase and installation costs are the responsibility of the Applicant/Developer. Fremont County Planning shall, with the Applicant/Developer, determine the type and number of signs for the project. Fremont County Planning will order and acquire the signs and hardware and alert the Applicant/Developer when they arrive. Installation of the signs is the responsibility of the Applicant/Developer.

8. Necessary Changes to Addresses

- A. The cost for any address changes necessitated by the approval of this project shall be paid for by the Applicant/Developer.

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CHAPTER IV

PERMITTING PROCESS AND PROCEDURES

The preparation, submission, review, and approval of all Commercial Scale Wind and Solar Energy Permits shall proceed through the stages listed below and those outlined in Chapters II and III of this document.

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1. Pre-application Conference

- A. The Pre-application Conference is a mandatory meeting between the Applicant/Developer and the Planning Department. During this meeting, the Applicant/Developer will present his proposed project, and the Planning Department shall describe specific public objectives related to the proposed development.
- B. During the Pre-Application Conference, the Applicant/Developer and the Planning Department shall be responsible for the following actions:
 - I. The Applicant/Developer shall meet with the Planning Director and present a general outline of their proposal, including, but not limited to:
 - a. Sketch plans and ideas regarding land use, internal road requirements and general needs for County infrastructure for the proposed development.
 - b. Tentative proposals regarding water supply, sewage disposal, storm drainage and use of County infrastructure;
 - c. Tentative proposals regarding the following applicable subjects; natural hazard areas including flood zones, environmental problems, irrigation ditch and drainage issues, wildlife and fisheries considerations, erosion controls, vegetative cover and grading proposals, soils problems and any other considerations which are a factor in reviewing the proposed development.
 - II. The Planning Department shall provide the Subdivider:
 - a. A copy of the Commercial Scale Wind and Solar Energy Facilities Siting Application Package;



- b. A description of procedural steps, overall design conformance, compliance with existing land development regulations, Master Plans, ordinances and standards;
- C. Following the Pre-application meeting, the Planning Department shall then proceed with the following investigations and report its findings to the Subdivider:
 - I. Review the proposed development for conformance with existing land development regulations, Master Plans and ordinances;
 - II. Determine, if possible, potential problems that could affect the proposed development;

2. Submittal of Permit Application

- A. Following the Pre-application conference, the Applicant/Developer shall proceed to completing all the required items listed on the Commercial Scale Wind and Solar Energy Facilities Siting Application Checklist.
- B. Once all necessary information is compiled, it shall be submitted to the Fremont County Planning Department for review.
- C. The Planning Department shall determine if the Commercial Scale Wind and Solar Energy Facility Siting Application is complete.
 - I. If the application is determined to be complete, it shall be placed on the next scheduled Planning Commission meeting agenda for review, but no sooner than twenty-one (21) days following the determination of completeness.
 - II. If the application is determined to be incomplete, it shall be returned to the Applicant with a description of the deficiencies and a request to complete the application for review.

3. Planning Commission Review and Determination

- A. Following the determination of completeness of the Commercial Scale Wind and Solar Energy Siting Application:
 - I. The Planning Department will send copies of the Site Plan and any required attendant documents to all known utility companies, impacted irrigation companies, Fremont



County Emergency Services, Fremont County Solid Waste, airport authorities and nearby communities requesting their input on the proposed development related to adequacy of easements, road usage, water and wastewater usage, distribution plans, or any other items they believe should be further addressed prior to approval of the application.

- II. The Planning Department shall notify the adjacent and nearby landowners within a one-mile radius of the proposed development and any property owners along a privately maintained access road, via First Class Mail. The notification shall show the area of the proposed development, its relationship to their property, and the meeting date so they may attend and/or make written comment.
- B. During the Planning Commission meeting, the Planning Commission shall review the documentation provided by the Applicant/Developer and the Staff Report from the Planning Department and shall hear any comments from those in attendance at the meeting or any written correspondence.
- I. If satisfied that the plan meets all objectives and requirements of these Regulations, the Planning Commission must consider the Project relationship with the following Priority Statements from the Natural Resource Management Plan;
 - a. When conflicting with other uses, renewable energy development projects should be evaluated against those other uses to achieve a balance between future energy production.
 - b. When evaluating renewable energy development and permitting agencies should consider possible effects on neighboring land uses and resources.
 - c. Development and permitting of renewable resources should be prioritized in areas where there will be minimal, or less, impact on preexisting uses, wildlife migration corridors, migratory birds, and other resources.
 - d. Wind and solar farms should be located on lands with high energy potential and low-value habitats such as previously disturbed lands or areas where impacts on native plant or wildlife species are minimal.
- II. If the Planning Commission is satisfied that the Project meets the goals of the Natural Resource Management Plan and any other existing land development regulations and standards, the Planning Commission may recommend the approval of the plan without changes to the County Commissioners.



- III. If the plan is found to require significant changes or if the application is determined to be incomplete, the Planning Commission shall take appropriate action to table, deny, or take no action on the plan. Any new submittal of a plan for the same land area shall satisfactorily address the concerns raised during the Planning Commission meeting.
- IV. The Applicant/Developer or their authorized representative must attend the meeting of the Planning Commission when the plan is submitted for action.

4. Final Review, Public Hearing, Commissioner Findings

- A. Following the recommendation of the Planning Commission, the Planning Department shall:
 - I. Notify the County Commissioners of the recommendation of the Planning Commission for the Development and within thirty (30) days, schedule the beginning of a forty-five (45) day comment period for a Public Hearing on the proposed development.
 - II. Notify, by certified mail, adjacent property owners within one mile of the proposed development of the public hearing concerning the development. The Applicant/Developer will be billed the actual cost of this mailing by the Planning Department. If there are more than fifty (50) letters required, the Applicant/Developer shall perform the certified mailing and provide proof of mailing to the Planning Office.
 - III. Notify all cities and towns within twenty (20) miles of the proposed development.
- B. Following the recommendation of the Planning Commission, the Applicant/Developer shall:
 - I. Certify that notice of the proposed facility has been published in a newspaper of general circulation in the county at least thirty (30) days prior to the County Commissioner Public Hearing required by W.S. 18-5-506. The notice shall include a brief summary of the facility, invite the public to submit comments and identify the time and date of the hearing.
- C. Public Hearing and Public Comment:

- I. The Fremont County Board of County Commissioners shall hold a public hearing to consider public comment on the application to permit a facility no less than forty-five (45) days and not more than sixty (60) days after determining that the application is complete. Written comment on the application shall be accepted by the Commissioners for not less than forty-five (45) days after determining that the application is complete.
- D. Decision by the County Commissioners:
- I. Within forty-five (45) days from the date of completion of the hearing required by W.S.18-5-506, the Fremont County Board of Commissioners shall make complete findings, issue an opinion, render a decision upon the record either granting or denying the application and state whether or not the Applicant/Developer has met the standards required by these regulations. The decision shall be subject to the remedies provided in W.S. 18-5-508. The Fremont County Board of Commissioners shall grant a permit if it determines that the proposed facility complies with all required by these regulations.
 - II. No permit shall be granted if the application is incomplete or if all notices required by W.S.18-5-503 have not been timely given.
 - III. A copy of the Fremont County Board of Commissioners' decision shall be served upon the Applicant/Developer.

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CHAPTER V

VARIANCE FROM REGULATION

- 1) **Purpose:** Provision for variance is to allow flexibility in these regulations when application of certain standards is inappropriate for a specific use or design proposal, or when enforcement of the standard would create a hardship or practical difficulty due to exceptional obstacles associated with the land or site where a particular project is proposed.
- 2) **Applicability:** The Board may vary or adjust the strict application of any of the requirements of these regulations if it would deprive the owner of the reasonable use of the land, building, or structure involved. The Board may only vary substantive requirements of these regulations, such as design standards, application requirements, etc. The Board may not waive or vary any procedural or statutory requirements for wind and solar regulations set forth in W.S. §18-5-501 through 18-5-513.
- 3) **Procedure:** Requests for variances shall be submitted in writing to the Planning Office. The request shall explain the reasons and the manner in which findings required for granting a variance can be satisfied. The Board shall consider the variance at the request of the Applicant/Developer or at the time of Permit approval. In granting approval, the Board may require such conditions as will ensure substantial compliance with the objectives and standards of these regulations. The Commission may hear and make recommendations on variance requests if it is processed at the same time as the development proposal.
- 4) **Variance Approval Standards:** Granting of a variance by the Board shall be based on finding that all the following conditions have been met:
 - a. There are special circumstances or conditions which are peculiar to the land for which the variance is sought and do not apply generally to land in the neighborhood;
 - b. Circumstances or conditions are such that the strict application of the provisions of the regulations would deprive the Applicant/Developer of the reasonable use of the land;
 - c. Granting of the variance is necessary for the reasonable use thereof and that the variance, if granted, is the minimum variance necessary to relieve the hardship or practical difficulty;
 - d. Granting of the variance is in harmony with the general purposes and intent of the regulations and will not compromise the integrity of the Land Use Plan. It will not be

injurious to properties in the vicinity or otherwise detrimental to the public health, safety and welfare;

e. Financial hardship or inconvenience in itself shall not constitute a justification for approval of a variance.

- 5) **Conditions:** In granting a variance, the Board may impose conditions to prevent or minimize adverse effects from the proposed variance on other properties in the vicinity, and on the health, safety and welfare of residents in the County. Such conditions shall be limited to issues directly related to the impacts of the proposed use and shall be proportional to the impacts.
- 6) **Effect of Approval:** The development for which the variance was granted shall not be constructed or established until the development has secured all other approvals required by these regulations. The grant of a variance does not ensure that the development approved as a variance will receive other necessary approvals unless all the relevant requirements of these regulations are also met.
- 7) **Expiration:** A variance shall expire and become void one year following the date of approval unless construction or development is commenced prior to the expiration date and diligently pursued to completion. The Board may extend authorization for up to an additional year for good cause.

CHAPTER VI

BINDING EFFECT

1. Upon referral of a facility to the industrial siting council pursuant to W.S. 18-5-509, the facility shall not be withdrawn from the council's consideration without consent of the council. Any decision by the council shall be final except as provided in these regulations or pursuant to the remedies provided to other facilities permitted by the council.

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CHAPTER VII

REVOCATION OR SUSPENSION OF PERMIT

1. A permit may be revoked or suspended for:
 - A. Any material false statement in the application or in accompanying statements or studies required of the Applicant/Developer, if a true statement would have warranted the refusal to grant a permit;
 - B. Failure to comply with the terms or conditions of the permit after notice of the failure and reasonable opportunity to correct the failure;
 - C. Violation of these regulations, or valid orders of the Fremont County Board of County Commissioners or the Industrial Siting Council;
 - D. Failure of the proposed facility to receive a required permit from the industrial siting council pursuant to the Industrial Development Information and Siting Act, W.S. 35-12-101 through 35-12-119; or
 - E. Failure of the permitted wind energy facility to:
 - I. Transmit electricity created by wind energy for a period of two (2) consecutive years or more;
 - II. Maintain land rights necessary to operate the wind energy facility.
 - F. Failure of the permitted solar energy facility to maintain land rights necessary to operate the solar energy facility.

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CHAPTER VIII

PENALTIES FOR VIOLATION

1. No person shall:
 - A. Commence to construct a wind energy facility on or after July 1, 2010 or a solar energy facility on or after July 1, 2020 without first obtaining a permit required by these regulations;
 - B. Construct, reconstruct, operate, locate, erect, maintain, enlarge, change or use a facility, after having first obtained a permit, other than in specific compliance with the permit; or
 - C. Cause any of the acts specified in this subsection to occur.
2. Any person violating subsection (1) of this section is liable for a civil penalty of not more than ten thousand dollars (\$10,000.00) for each violation. Each day of a continuing violation constitutes a separate offense.
3. Any wind turbine tower, wind generator erected or portion thereof or any solar energy panel or facility or portion thereof erected in violation of these regulations shall subject the owner of the tower, generator or solar energy panel or facility to a penalty of seven hundred fifty dollars (\$750.00) per day for every tower, generator or solar energy panel or facility so erected.
4. Any penalties collected pursuant to this section shall be paid and credited as provided by W.S. 8-1-109.

CHAPTER IX

AMENDMENTS

1. The Board of County Commissioners may amend these regulations from time to time as necessary and appropriate. Any such amendments shall be proposed by or submitted to the Planning Commission for approval, disapproval or recommendation. Any amendment of these regulations must be accomplished by a majority vote of the Board of County Commissioners. Before final adoption of any amendment, the Board of County Commissioners shall hold a public hearing preceded by a forty-five (45) day notice to the general public in a newspaper of general circulation in the County.



CHAPTER X

SEVERABILITY

1. If any provision of these regulations is held invalid by a court or competent jurisdiction, such invalidity shall not affect other provisions which can be given effect without the invalid provisions, and to this end the provisions of these regulations are declared to be severable.

CHAPTER XI

INVESTIGATORY POWERS

1. Right to Investigate. If the Board of County Commissioners has reason to believe that a person has engaged in activity which violates any provision of these regulations, it shall make an investigation and may hold a contested case hearing, as per the Wyoming Administrative Procedure Act, W.S. 16-3-107 and, to the extent necessary, may administer oaths or affirmations and upon its own motion or upon request of any party, may subpoena witnesses, compel their attendance, adduce evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and locations of persons having knowledge or relevant facts or any other matter reasonably calculated to lead to the discovery of admissible evidence.
2. Right to Apply to District Court. Upon failure without lawful excuse to obey a subpoena or to give testimony and upon reasonable notice to all persons affected thereby, the Board of County Commissioners may apply to any District Court for an order compelling compliance.

CHAPTER XII

APPEALS

1. Any party aggrieved by the final decision of the County Commissioners may have the decision reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.
2. When the decision is issued after hearing on an application for a permit under this article, the decision is final for purposes of judicial review.

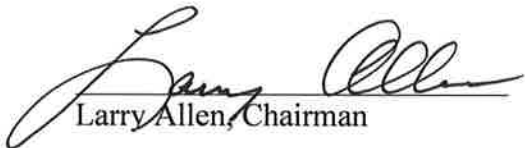
CHAPTER XIII

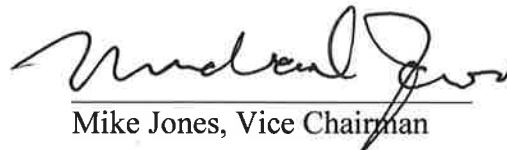
ADOPTION

This resolution setting forth various rules, regulations and development standards applying to the development of Commercial Scale Wind and Solar Energy Systems within Fremont County, Wyoming shall be in full force and effect after its adoption by the Board of County Commissioners and its proper filing with the County Clerk and Recorder in accordance with the requirements of the Wyoming Administrative Procedures Act.

APPROVED AND ADOPTED THIS 14th DAY OF Feb., 2023.

Board of County Commissioners
Fremont County, Wyoming


Larry Allen, Chairman


Mike Jones, Vice Chairman


Jennifer McCarty, Commissioner


Clarence Thomas, Commissioner


Ron Fabrizius, Commissioner

ATTEST:


Julie Freese, County Clerk



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