

2-1

RESOLUTION

WHEREAS, a public hearing was held on February 18, 1976, in the chambers of the Board of County Commissioners, Weld County, Colorado, for the purpose of hearing a petition of National Oceanic & Atmospheric Administration & National Center for Atmospheric Research, Environmental Research Laboratories, Boulder, Colorado, requesting a change of zone from "A" Agricultural District to "S" Scientific District, Planned Unit Development, and

WHEREAS, the petitioner was present, being represented by Dr. C. Gordon Little, Director of the Administration and Laboratories, and

WHEREAS, there was no opposition to the change of zone, and

WHEREAS, the Board of County Commissioners heard all the testimony and statements of those present, and

WHEREAS, the Board of County Commissioners has studied the request of petitioner and studied the recommendations of the Weld County Planning Commission as submitted, and having been fully informed;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, that the petition of National Oceanic & Atmospheric Administration & National Center for Atmospheric Research, Environmental Research Laboratories, Boulder, Colorado, for a change of zone from "A" Agricultural District to "S" Scientific District, Planned Unit Development, said area being more particularly described as follows:

Commencing at the Southwest corner of Section 16, Township 1 North, Range 68 West, of the Sixth Principal Meridian; thence North along the West line of said Section, a distance of 30.00 feet; thence East, parallel to the South line of said Section, a distance of 30.00 feet to the Point of Beginning; thence North, parallel to the West line of said Section, a distance of 5203.18 feet; thence right 89°36'50", and parallel to the North line of the Northwest Quarter of said Section, a distance of 2624.40 feet to a point on the North-South centerline of said Section; thence Left 0°0'13" and parallel to the North line of the Northeast Quarter of said Section, a distance of 995.14 feet; thence right 90°39'56", a distance of 629.88 feet; thence left 90°38'01", a distance of 332.87 feet; thence left 89°28'19", a distance of 630.05 feet, to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°26'24", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°27'16", a distance of 630.23 feet; thence left 90°25'21", a distance of 332.87 feet; thence left 89°41'00", a distance of 630.41 feet to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°39'05", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°14'36", a distance of 1291.17 feet; thence left 90°10'45", a distance of 304.09 feet to a point on the East line of the Northeast Quarter of said Section 16; thence right 90°04'25", and parallel to the East line of the Northeast Quarter of said Section 16, a distance of 1321.50 feet to a point on the East-West centerline of said Section 16; thence right 0°05'42" and parallel to the East line of the Southeast Quarter of said Section 16, a distance of 2613.12 feet; thence right 90°01'08" and parallel

PLC/90

LHP 2/21

1767053

to the South line of the Southeast Quarter of said Section 16, a distance of 2696.26 feet to a point on the North-South center-line of said Section 16; thence right 0°0'06" and parallel to the South line of the Southwest Quarter of said Section 16, a distance of 2570.38 feet to the Point of Beginning, containing 610.8994 acres, more or less, and

is hereby granted under the conditions following:

- 1. That any water and sanitation facilities to be installed shall be approved by the State Health Department.
- 2. All applicable subdivision regulations and zoning regulations shall be followed and complied with in accordance with the zoning regulations of Weld County, Colorado.
- 3. That said change of zone herein granted is conditional only for a period of twelve (12) months from date hereof, on condition that developer proceed with due diligence to begin development of the area rezoned and submit plans for such development for the approval of the Weld County Planning Commission and subsequent recording of said plans in the office of the County Clerk and Recorder of Weld County, Colorado.

Dated this 23rd day of February, A.D., 1976.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

Glenn K. Billings

W. H. ...

Ray Mason

Norman Cash

Jane X. Stearns

ATTEST: S. Lee Shibe

Weld County Clerk and Recorder
and Clerk to the Board

By Janette ...
Deputy County Clerk

APPROVED AS TO FORM:
Samuel S. ...
Special Legal Counsel

DEVELOPMENT STANDARDS

1. The Joint Meteorological Observing Facility (JMOF) shall be a 620 acre field site owned by the Federal Government for the measurement of atmospheric science parameters, and the development, testing, demonstration and calibration of new remote sensing instruments.
2. Permitted uses shall include:
 - A. A 985' (300 m) guyed tower with meteorological instrumentation mounted at seven levels and lighted according to F.A.A. recommendations. The tower will display continuously operating white strobe lights at three levels (X', Y' and Z') on each side of the tower. An elevator and carriage will be within structural guideways, and instrument booms will project ten to twelve feet from the tower at six levels (A', B', C', D', E', and F').
 - B. A 25,000 square foot research laboratory and office building to house 30 - 40 staff members of the National Center for Atmospheric Research. A site development plan shall be submitted for recommendation by the Planning Commission and for approval by the Board of County Commissioners. Such plan shall include details of construction specifications and location, traffic circulation and parking, utilities, fire protection, drainage, landscaping, etc. No development or construction shall commence until said plan is approved by the Board and appropriate permits secured.
 - C. Portable office - laboratory modules to be used prior to and during construction of the permanent NCAR building. Such modules shall meet all applicable standards of the Weld County Building Inspection Department, the Weld County Health Department, and the Dacono Fire Protection District. The modules shall be removed within 90 days of issuance of a Certificate of Occupancy for the NCAR structure.
 - D. Instruments and measurement systems located on the ground and around the perimeter of the tower and mounted on vehicles; stabilized parking surfaces with tie downs and electrical connections for such vehicles.
 - E. Weather balloon launchings and tethered balloons; occasional aircraft fly-bys for instrument calibration purposes.
 - F. Dryland cultivation and pasture.
 - G. Seeding of native, dryland grasses within a 1200 foot radius of the tower to obtain a uniform ground cover.
 - H. An eight-foot high security fence surrounding the tower base to prevent unauthorized access to the tower.
 - I. An unlighted, painted, wooden sign, six feet by four feet, installed adjacent to the access road off County Road 8 leading to the office-lab modules. Detailed plans for any other signs shall be submitted to the Planning Commission for recommendation and to the Board of County Commissioners for approval prior to erection.

- J. A stabilized parking area adjacent to the office-lab for approximately twelve vehicles. Additional parking area will be part of the site development plan for the NCAR area.
3. Four or five persons will work daily at the JMOF until the NCAR structure is completed. Additional staff and guests will be on site intermittantly.
 4. Building permits shall be secured prior to construction, and all inspections required by the Building Inspection Department shall be called for.
 5. Temporary and permanent structures shall have a minimum setback of 75 feet from any existing road right-of-way or from any proposed right-of-way included in the adopted Weld County Thoroughfare Plan.
 6. Weed and dust control shall be practiced.
 7. All county road access points shall be approved as to location and construction by the County Engineer.
 8. Landscaping shall be designed and proposed as part of the NCAR site development plan in 2B above.
 9. Utilities shall be installed underground.

A T T E N D A N C E R E C O R D

Applicant: NOAC

Time: 2:00 P.M.

Docket #
76-5

Date: February 18, 1976

Request: COZ, A to S-UD

NAME	ADDRESS
Mc. Gordon Little	NOAA - WAVE PROPAGATION LABORATORY - COMMERCE LABORATORIES Boulder, Colorado
Dr. Robert Serapin	NCAR - FOF Boulder, Colorado
ROBERT T. FROST	WAVE PROPAGATION LABORATORY COMMERCE LABORATORIES Boulder, Colorado

NOTICE
Pursuant to the public laws of the State of Colorado, a public hearing will be held in the Office of the Board of County Commissioners of Weld County, Colorado, 1516 Hospital Road, Greeley, Colorado, at the time specified. All persons in any manner interested in the following proposed Change of Zone are requested to attend and may be heard.
BE IT ALSO KNOWN that the text and maps so certified by the County Planning Commission may be examined in the Office of the Board of County Commissioners, 1516 Hospital Road, Greeley, Colorado.

Docket No. 76-5
National Oceanic and Atmospheric Administration and National Center for Atmospheric Research Environmental Research Laboratories
Boulder, Colorado 80302
Date: February 18, 1976
Time: 2:00 P.M.
Request: Change of Zone, A (Agricultural) to S-UD (Scientific Unit Development)

Commencing at the Southwest corner of Section 16, Township 1 North, Range 68 West, of the Sixth Principal Meridian; thence North along the West line of said Section, a distance of 30.00 feet; thence East, parallel to the South line of said Section, a distance of 30.00 feet to the Point of Beginning; thence North, parallel to the West line of said Section, a distance of 5203.18 feet; thence right 89°38'50", and parallel to the North line of the Northwest Quarter of said Section, a distance of 2624.40 feet to a point on the North-South centerline of said Section; thence Left 0°0'13" and parallel to the North line of the Northeast Quarter of said Section, a distance of 995.14 feet; thence right 90°39'56", a distance of 829.88 feet; thence left 90°38'01", a distance of 332.87 feet; thence left 89°28'19", a distance of 630.05 feet; to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°26'24", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°27'18", a distance of 630.23 feet; thence left 90°25'21", a distance of 332.87 feet; thence left 89°41'00", a distance of 630.41 feet to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°39'05", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°14'36", a distance of 1291.17 feet; thence left 90°10'45", a distance of 304.09 feet to a point on the East line of the Northeast Quarter of said Section 16; thence right 90°04'25", and parallel to the East line of the Northeast Quarter of said Section 16, a distance of 1321.50 feet to a point on the East-West centerline of said Section 16; thence right 0°05'42" and parallel to the East line of the Southeast Quarter of said Section 16, a distance of 2613.12 feet; thence right 90°01'08" and parallel to the South line of the Southeast Quarter of said Section 16, a distance of 2696.26 feet to a point on the North-South centerline of said Section 16; thence right 0°0'06" and parallel to the South line of the Southwest Quarter of said Section 16, a distance of 2570.36 feet to the Point of Beginning, containing 610.8994 acres, more or less.

THE BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO
BY: S. LEE SHEHEE, JR.
COUNTY CLERK AND RECORDER AND CLERK TO THE BOARD
BY: JEANNE LOU HEIMBUCK, DEPUTY

Dated: January 14, 1976
Published January 16, 1976 and February 6, 1976
Published in the Greeley Journal

NOTICE
Pursuant to the public laws of the State of Colorado, a public hearing will be held in the Office of the Board of County Commissioners of Weld County, Colorado, 1516 Hospital Road, Greeley, Colorado, at the time specified. All persons in any manner interested in the following proposed Change of Zone are requested to attend and may be heard.
BE IT ALSO KNOWN that the text and maps so certified by the County Planning Commission may be examined in the Office of the Board of County Commissioners, 1516 Hospital Road, Greeley, Colorado.

Docket No. 76-5
National Oceanic and Atmospheric Administration and National Center for Atmospheric Research Environmental Research Laboratories
Boulder, Colorado 80302
Date: February 18, 1976
Time: 2:00 P.M.
Request: Change of Zone, A (Agricultural) to S-UD (Scientific Unit Development)

Commencing at the Southwest corner of Section 16, Township 1 North, Range 68 West, of the Sixth Principal Meridian; thence North along the West line of said Section, a distance of 30.00 feet; thence East, parallel to the South line of said Section, a distance of 30.00 feet to the Point of Beginning; thence North, parallel to the West line of said Section, a distance of 5203.18 feet; thence right 89°38'50", and parallel to the North line of the Northwest Quarter of said Section, a distance of 2624.40 feet to a point on the North-South centerline of said Section; thence Left 0°0'13" and parallel to the North line of the Northeast Quarter of said Section, a distance of 995.14 feet; thence right 90°39'56", a distance of 829.88 feet; thence left 90°38'01", a distance of 332.87 feet; thence left 89°28'19", a distance of 630.05 feet; to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°26'24", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°27'18", a distance of 630.23 feet; thence left 90°25'21", a distance of 332.87 feet; thence left 89°41'00", a distance of 630.41 feet to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°39'05", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°14'36", a distance of 1291.17 feet; thence left 90°10'45", a distance of 304.09 feet to a point on the East line of the Northeast Quarter of said Section 16; thence right 90°04'25", and parallel to the East line of the Northeast Quarter of said Section 16, a distance of 1321.50 feet to a point on the East-West centerline of said Section 16; thence right 0°05'42" and parallel to the East line of the Southeast Quarter of said Section 16, a distance of 2613.12 feet; thence right 90°01'08" and parallel to the South line of the Southeast Quarter of said Section 16, a distance of 2696.26 feet to a point on the North-South centerline of said Section 16; thence right 0°0'06" and parallel to the South line of the Southwest Quarter of said Section 16, a distance of 2570.36 feet to the Point of Beginning, containing 610.8994 acres, more or less.

THE BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO
BY: S. LEE SHEHEE, JR.
COUNTY CLERK AND RECORDER AND CLERK TO THE BOARD
BY: JEANNE LOU HEIMBUCK, DEPUTY

Dated: January 14, 1976
Published January 16, 1976 and February 6, 1976
Published in the Greeley Journal

NOTICE

Pursuant to the zoning laws of the State of Colorado, a public hearing will be held in the Office of the Board of County Commissioners of Weld County, Colorado, 1516 Hospital Road, Greeley, Colorado, at the time specified. All persons in any manner interested in the following proposed Change of Zone are requested to attend and may be heard.

BE IT ALSO KNOWN that the text and maps so certified by the County Planning Commission may be examined in the Office of the Board of County Commissioners, 1516 Hospital Road, Greeley, Colorado.

Docket No. 76-5

National Oceanic and Atmospheric
Administration and
National Center for Atmospheric
Research

Date: February 18, 1976

Environmental Research Laboratories
Boulder, Colorado 80302

Time: 2:00 P.M.

Request: Change of Zone, A (Agricultural) to S-UD (Scientific Unit Development)

Approximately two and one-half miles East of Erie, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

BY: S. LEE SHEHEE, JR.
COUNTY CLERK AND RECORDER
AND CLERK TO THE BOARD

BY: Jeanne Lou Heimbuck, Deputy

Dated: January 14, 1976

Affidavit of Publication

STATE OF COLORADO,)
) ss.
County of Weld,)

Richard L. Tatman

I,of
said County of Weld, being duly sworn, say that
I am one of the publishers of

THE GREELEY JOURNAL

that the same is a weekly newspaper of general cir-
culation, published in the city of Greeley, in said
county and state, that the notice or advertisement,
of which the annexed is a true copy, has been pub-

two

lished in said weekly newspaper for
weeks; that the notice was published in
the regular and entire issue of every number of said
newspaper during the period of time of publication
of said notice, and in the newspaper proper and not
in a supplement thereof; that the first publication of
said notice was contained in the issue of said news-

16th

paper bearing date theday of

January 76

....., A.D. 19.....; and
the last publication thereof in the issue of said

6th

newspaper bearing date theday of

February 76

19.....; that the said
The Greeley Journal has been published continu-
ously and uninterrupted during the period of at
least fifty-two consecutive weeks next prior to the
first issue thereof containing said notice of adver-
tisement above referred to; that said newspaper has
been admitted to the United States mails as second-
class matter under the provisions of the Act of
March 3, 1879, or any amendment thereof, and that
said newspaper is a weekly newspaper duly qualified
for publishing legal notices and advertisements with-
in the meaning of the laws of the State of Colorado.

[Signature of Richard L. Tatman]

one of the publishers

Subscribed and sworn to before me this 13th

day of Feb, A.D. 1976

My commission expires My Commission Expires
Jan. 26, 1980

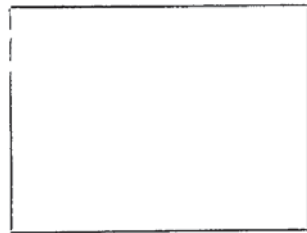
[Signature of Notary Public]

Notary Public

NOTICE
Pursuant to the zoning laws of the State of Colorado, a public hearing will be held in the City of Greeley, Colorado, on the 14th day of February, 1976, at the time specified, for the purpose of considering and possibly amending the zoning map of the City of Greeley, Colorado.
BE IT ALSO KNOWN that the zoning map and maps as changed by the County Planning Commission may be examined at the office of the Board of County Commissioners, 1676 Hospital Road, Greeley, Colorado.
Docket No. 76-5
National Oceanic and Atmospheric Administration and National Center for Environmental Research Laboratories
Boulder, Colorado 80502
Date: February 18, 1976
Time: 3:00 P.M.
Request: Change of Zone A (Agricultural) to B-UD (Scientific Unit Development)
Commencing at the Southwest corner of Section 16, Township 1 North, Range 68 West, of the Sixth Principal Meridian; thence North along the West line of said Section, a distance of 30.00 feet; thence East, parallel to the South line of said Section, a distance of 30.00 feet to the Point of Beginning; thence North, parallel to the West line of said Section, a distance of 5203.18 feet; thence right 89°56'50", and parallel to the North line of the Northwest Quarter of said Section, a distance of 2624.40 feet to a point on the North-South centerline of said Section; thence left 0°0'13", and parallel to the North line of the Northeast Quarter of said Section, a distance of 995.14 feet; thence right 89°59'56", a distance of 529.88 feet; thence left 89°58'01", a distance of 332.87 feet; thence left 89°28'19", a distance of 830.85 feet, to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°25'24", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.21 feet; thence right 90°27'16", a distance of 830.23 feet; thence left 90°25'21", a distance of 332.87 feet; thence left 89°41'00", a distance of 630.41 feet to a point 30.00 feet South of the North line of the Northwest Quarter of said Section 16; thence right 89°59'05", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°14'36", a distance of 1283.17 feet; thence left 90°10'45", a distance of 204.09 feet to a point on the East line of the Northeast Quarter of said Section 16; thence right 90°04'25", and parallel to the East line of the Northeast Quarter of said Section 16, a distance of 1321.50 feet to a point on the East-West centerline of said Section 16; thence right 0°05'42", and parallel to the East line of the Southeast Quarter of said Section 16, a distance of 2883.18 feet; thence right 90°01'08", and parallel to the South line of the Southeast Quarter of said Section 16, a distance of 2695.26 feet to a point on the North-South centerline of said Section 16; thence right 0°0'06", and parallel to the South line of the Southwest Quarter of said Section 16, a distance of 2570.38 feet to the Point of Beginning, containing 610.8994 acres, more or less.
THE BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO
BY: S. LEE SHEPHE JR.
COUNTY CLERK AND RECORDER
AND CLERK TO THE BOARD
BY: JEANNE LOU HEIMBUCK, DEPUTY
Dated: January 14, 1976
Published January 15, 1976 and February 6, 1976
Published in the Greeley Journal

Proof of Publication

(General-One Publication)



STATE OF COLORADO }
COUNTY OF BOULDER } ss.

Paste Advertisement Here

Donald F Heath, of lawful age, being first duly sworn upon oath deposes and says:

That he is the business manager of The Boulder Daily Camera and has personal knowledge of all the facts set forth in this affidavit and is a competent person to certify that the facts stated herein are accurate and he hereby certifies:

1. That The Boulder Daily Camera is a public daily newspaper of general circulation as defined by law and is printed and published wholly in the City of Boulder, County of Boulder and State of Colorado.

2. That The Boulder Daily Camera has been admitted to the United States mails as second class matter under the provisions of the Act of Congress of March 3, 1879, and amendments thereto.

3. That The Boulder Daily Camera is a legal newspaper duly qualified to publish any and all legal notices of advertisement which are required to be published in said City of Boulder and said County of Boulder or both.

4. That The Boulder Daily Camera is duly qualified to publish the annexed notice, which is a full, true and correct copy of the original thereof, and the same was published in The Boulder Daily Camera on the 24th day of December, 1975

Further affiant sayeth not.

Donald F Heath

Subscribed and sworn to before me this 24th day of December, A. D. 1975

My commission expires January 10, 1980

Witness my hand and official seal
Margie Craven
Notary Public

NOTICE OF PUBLIC MEETING
The Weld County Planning Commission will receive a request from the National Geographic and Oceanic Research Center and the National Center for Atmospheric Research, United States Department of Commerce, for a lease change from agricultural to Scientific Unit Development in 30 acres in part of Section 34, Township 1 North, Range 66 West, T1N, R66W, Weld County, Colorado. The meeting will be held on Monday, January 6, 1976, in the County Commissioner's Meeting Room, Weld County Public Health Building, 1000 Spruce Road, Greeley, Colorado, 80639. All comments or objections must be submitted in writing to the Planning Commission Office, 1000 Spruce Road, Greeley, Colorado, before the above date. Copies of application are available for public inspection in the Planning Commission Office, 355-2212, ext. 227. Pub. Dec. 24, 1975, in the Daily Camera.



*pd 2/19/76
Daily Camera
\$6.00
ZM*

Publication fee \$ 6.00

*Weld Co Planning Comm
POP 7752
1/31*

No. 288786

RECEIPT FOR CERTIFIED MAIL

SENT TO
NOAC

STREET AND NO.
P.O. Box 3000

P.O., STATE AND ZIP CODE
Boulder, CO

OPTIONAL SERVICES
 1. Shows to whom delivered
 2. Shows to whom delivered
 DELIVER TO ADDRESSEE ONLY
 SPECIAL DELIVERY (extra fee required)

PS Form 3811, Jan. 1975

1. The following service is requested (check one).
 Show to whom and date delivered... 15¢
 Show to whom, date, & address of delivery... 35¢
 RESTRICTED DELIVERY
 Show to whom and date delivered... 65¢
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
NOAC
P.O. Box 3000
Boulder, CO 80303

3. ARTICLE DESCRIPTION: REGISTERED NO. 288786 CERTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent)
 I have received the article described above.
 SIGNATURE Addressee Authorized agent
Frederick Dickson
 DATE OF DELIVERY

4. POSTMARK
BOULDER CO HIGH-MAR 5 1978

5. ADDRESS (Complete only if return receipt is required)

6. UNABLE TO DELIVER REASON
CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL


PS Form 3800 Apr. 1971 NO INSURANCE COVERAGE PROVIDED— (See other side) NOT FOR INTERNATIONAL MAIL GPO: 1972 O-460-743

2/23

Copy of Resolution granting COZ w/conditions

February 18, 1976

I hereby certify that pursuant to a notice dated January 14, 1976, duly published January 16, 1976 and February 6, 1976, in the Greeley Journal, a public hearing was held on the request for a Change of Zone, A to S-UD, by National Oceanic and Atmospheric Administration and National Center for Environmental Research, at the time and place specified in said notice. A motion was made by Commissioner Moser and seconded by Commissioner Carlson to approve said request. Motion carried unanimously.



CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST: 

COUNTY CLERK AND RECORDER
AND CLERK TO THE BOARD

BY: 
Deputy County Clerk

Tape #76-27

L.M. 277

January 16, 1976

Publisher:

Please insert the enclosed notice in your issue the week of
February 2, 1976 one time only. Regarding payment, complete
the enclosed voucher and forward it to us. When returning the
voucher, please include an affidavit of publication so we may
complete our files.

Thank you for your cooperation.

Sincerely,

THE BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

BY: S. Lee Shehee, Jr.
County Clerk and Recorder
and Clerk to the Board

By: *Janet Lou Heimback*
Deputy County Clerk

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO Farmer & Miner	POSTMARK OR DATE
STREET AND NO. Box 158	
P.O., STATE AND ZIP CODE Frederick, CO 80530	
OPTIONAL SERVICES FOR ADDITIONAL FEES	
RETURN RECEIPT SERVICES	1. Shows to whom and date delivered 15¢ With delivery to addressee only 65¢
DELIVER TO ADDRESSEE ONLY	2. Shows to whom, date and where delivered .. 35¢ With delivery to addressee only 85¢
SPECIAL DELIVERY (extra fee required)	50¢

No. 288768

PS Form 3800 NO INSURANCE COVERAGE PROVIDED— (See other side)
Apr. 1971 NOT FOR INTERNATIONAL MAIL * GPO : 1972 O - 460-743

RETURN RECEIPT PS Form 3811, Jan. 1975

1. The following service is requested (check one):
 Show to whom and date delivered 15¢
 Show to whom, date, & address of delivery 35¢
 RESTRICTED DELIVERY.
 Show to whom and date delivered 65¢
 RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Farmer & Miner
Box 158
Frederick, CO 80530

3. ARTICLE DESCRIPTION:
REGISTERED NO. 288768 CERTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent)
 I have received the article described above:
 Addressee Authorized agent
Janet Lou Heimback
 DATE OF DELIVERY 11-17-76
 ADDRESS (Complete only if requested) _____
 UNABLE TO DELIVER BECAUSE: _____

DOC 76-5

POSTMARK: JAN 17 1976 PM
 JAN 17 1976
 1976
 1976

* GPO : 1975 O - 588-047

NOTICE

3/11/76
File 76

Pursuant to the zoning laws of the State of Colorado, a public hearing will be held in the Office of the Board of County Commissioners of Weld County, Colorado, 1516 Hospital Road, Greeley, Colorado, at the time specified. All persons in any manner interested in the following proposed Change of Zone are requested to attend and may be heard.

BE IT ALSO KNOWN that the text and maps so certified by the County Planning Commission may be examined in the Office of the Board of County Commissioners, 1516 Hospital Road, Greeley, Colorado.

Docket No. 76-5 National Oceanic and Atmospheric Administration and National Center for Atmospheric Research
Date: February 18, 1976 Environmental Research Laboratories Boulder, Colorado 80302
Time: 2:00 P.M.

Request: Change of Zone, A (Agricultural) to S-UD (Scientific Unit Development)

Commencing at the Southwest corner of Section 16, Township 1 North, Range 68 West, of the Sixth Principal Meridian; thence North along the West line of said Section, a distance of 30.00 feet; thence East, parallel to the South line of said Section, a distance of 30.00 feet to the Point of Beginning; thence North, parallel to the West line of said Section, a distance of 5203.18 feet; thence right 89°36'50", and parallel to the North line of the Northwest Quarter of said Section, a distance of 2624.40 feet to a point on the North-South center-line of said Section; thence Left 0°0'13" and parallel to the North line of the Northeast Quarter of said Section, a distance of 995.14 feet; thence right 90°39'56", a distance of 629.88 feet; thence left 90°38'01", a distance of 332.87 feet; thence left 89°28'19", a distance of 630.05 feet, to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°26'24", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°27'16", a distance of 630.23 feet; thence left 90°25'21", a distance of 332.87 feet; thence left 89°41'00", a distance of 630.41 feet to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89°39'05", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90°14'36", a distance of 1291.17 feet; thence left 90°10'45", a distance of 304.09 feet

C.C. Legal Advertising
pcd
BB
Walthy
Ads. Handcarriers

to a point on the East line of the Northeast Quarter of said Section 16; thence right 90°04'25", and parallel to the East line of the Northeast Quarter of said Section 16, a distance of 1321.50 feet to a point on the East-West centerline of said Section 16; thence right 0°05'42" and parallel to the East line of the Southeast Quarter of said Section 16, a distance of 2613.12 feet; thence right 90°01'08" and parallel to the South line of the Southeast Quarter of said Section 16, a distance of 2696.26 feet to a point on the North-South centerline of said Section 16; thence right 0°0'06" and parallel to the South line of the Southwest Quarter of said Section 16, a distance of ~~2570.38~~ feet to the Point of Beginning, containing 610.8994 acres, more or less.

THE BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

BY: S. LEE SHEHEE, JR.
COUNTY CLERK AND RECORDER
AND CLERK TO THE BOARD

BY: Jeanne Lou Heimbeck, Deputy

Dated: January 14, 1976

Published: January 16, 1976 and February 6, 1976
in the Greeley Journal

2
4 conduct a study to evaluate the need for and feasibility of
accel/decel lanes at the FOF entrance on County Road 8. If
such lanes are necessary, NOAA/NCAR shall provide them;
3) that any use of the Scientific - Unit Development other than
those permitted in the Development Standards or any addition
to the height of the tower (985 feet) not be allowed until the
S-UD is sufficiently amended by change of zone procedure to
allow such uses and/or additions; and 4) that all requirements
of the Dacono Area Fire Protection District be met.

Z-269: NOAA/NCAR
Resolution
January 8, 1976

DATE: January 8, 1976

TO: The Board of County Commissioners
Weld County, Colorado

FROM: Clerk to the Board Office

Commissioners:

If you have no objections, we have tentatively set the following hearing for the 18th of February, 1976, 2:00 P.M.:

National Oceanic and Atmospheric Administration and
National Center for Atmospheric Research, Change of Zone

OFFICE OF THE CLERK TO THE BOARD

By: Jeanette L. Helmreich Deputy

The above mentioned hearing date and hearing time may be scheduled on the agenda as stated above:

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

Allen K. Billings
Boyd H. Auer
John J. DeLoe
Norman Carlson
Gene X. Stummick

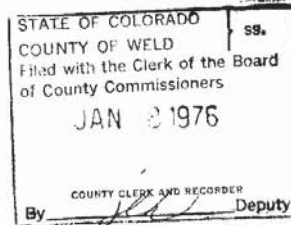
BEFORE THE WELD COUNTY, COLORADO PLANNING COMMISSION
RESOLUTION OF RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

Case No. Z-269 Date 1/8/76
APPLICATION OF National Oceanic and Atmospheric Administration and
National Center for Atmospheric Research
ADDRESS Environmental Research Laboratories, Boulder, CO 80302

Moved by C. Carlson that the following resolution be introduced for passage by the Weld County Planning Commission:

Be it Resolved by the Weld County Planning Commission that the application for rezoning from A (Agricultural District) to S-UD (Scientific Units District) covering the following described property in Weld County, Colorado, to-wit:

see attached



be recommended (favorably) (~~unfavorably~~) to the Board of County Commissioners for the following reasons:

The proposal complies with the overall intent of the Comprehensive Plan and does not conflict with the land use policies of the Plan. The applicant has demonstrated that the tower and its support FOF cannot reasonably be located in or adjacent to an existing municipality. That part of Erie Comprehensive Plan area that is contiguous to the proposed Scientific-Unit Development is classified "Open," and the proposed JMOF will not conflict with such a land use designation. Conditions:
1) that the Scientific-Unit Development be limited to the plans submitted and governed by the Development Standards proposed by staff and approved by NOAA/NCAR; 2) that the County Engineer (continued...)

Motion seconded by H. Ashley

Vote: For Passage H. Ashley Against Passage _____
J. Graham _____
J. Ben Nix _____
Marge Yost _____
Dean Severin _____
C. Carlson _____

The Chairman declared the Resolution passed and ordered that a certified copy be forwarded with the file of this case to the Board of County Commissioners for further proceedings.

LEGAL DESCRIPTION

Commencing at the Southwest corner of Section 16, Township 1 North, Range 68 West, of the Sixth Principal Meridian; thence North along the West line of said Section, a distance of 30.00 feet; thence East, parallel to the South line of said Section, a distance of 30.00 feet to the Point of Beginning; thence North, parallel to the West line of said Section, a distance of 5203.18 feet; thence right 89° 36' 50", and parallel to the North line of the Northwest Quarter of said Section, a distance of 2624.40 feet to a point on the North-South centerline of said Section; thence Left 0° 0' 13" and parallel to the North line of the Northeast Quarter of said Section, a distance of 995.14 feet; thence right 90° 39' 56", a distance of 629.88 feet; thence left 90° 38' 07", a distance of 332.87 feet; thence left 89° 28' 19", a distance of 630.05 feet, to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89° 26' 24", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90° 27' 16", a distance of 630.23 feet; thence left 90° 25' 21", a distance of 332.87 feet; thence left 89° 41' 00", a distance of 630.41 feet to a point 30.00 feet South of the North line of the Northeast Quarter of Said Section 16; thence right 89° 39' 05", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90° 14' 36", a distance of 1291.17 feet; thence left 90° 10' 45", a distance of 304.09 feet to a point on the East line of the Northeast Quarter of said Section 16; thence right 90° 04' 25", and parallel to the East line of the Northeast Quarter of said Section 16, a distance of 321.50 feet to a point on the East-West centerline of said Section 16; thence right 0° 05' 42" and parallel to the East line of the Southeast Quarter of said Section 16, a distance of 2613.12 feet; thence right 90° 01' 08" and parallel to the South line of the Southeast Quarter of said Section 16, a distance of 2696.26 feet to a point on the North-South centerline of said Section 16; thence right 0° 0' 06" and parallel to the South line of the Southwest Quarter of Said Section 16, a distance of 2570.38 feet to the Point of Beginning, containing 610.8994 acres, more or less.

App'd
OK
W. J. ...

CERTIFICATION OF COPY

I, Janna Morrow, Recording Secretary of Weld County Planning Commission, do hereby certify that the above and foregoing Resolution is a true copy of Resolution of Planning Commission of Weld County, Colorado, adopted on January 6, 1976, and recorded in Book No. Y, Page No. _____, of the proceedings of said Planning Commission.

Dated this 8th day of January, 1976.


Recording Secretary, Weld County Planning Commission

STAFF COMMENTS

Z-269

While the Comprehensive Plan does not address itself directly to governmental research facilities such as the proposed Joint Meteorological Observing Facility (JMOF) of the National Oceanic and Atmospheric Administration (NOAA, U.S. Department of Commerce) and the National Center for Atmospheric Research (NCAR, a private, non-profit corporation funded primarily by the National Science Foundation), some of the policies concerning industrial development are applicable.

"Zoning for industrial use in areas outside the areas covered by the comprehensive plans of the existing municipalities shall be encouraged only for low employee concentration, agriculturally related industries or other industries that can show they cannot reasonably be accommodated within the areas covered by the municipalities' comprehensive plans."

The NOAA/NCAR JMOF is not within a comprehensive plan area of an existing municipality. However, several of the agencies' site selection criteria and aspects of the proposal preclude a location within or adjacent to an existing municipality. For example, site selection criteria included that the site be large to buffer the 985 foot tower from surrounding land uses and vice-versa, that the site be relatively flat so that the surface beneath the tower be uniform topographically, that the site be a sufficient distance from the Front Range so that the atmospheric effects of a location on the lee side of a major mountain chain be minimized yet be located so as not to interfere with any public airports and so as to be within reasonable travel time from Boulder and the NOAA facilities there, and that the site be preferably non-irrigated land so that irrigated cropland not be taken out of production. Because the above criteria established the desirability of a site in the Erie area, undermining and subsidence hazard became additional considerations. Those aspects of the proposed JMOF that are not conducive to a location in or near a municipality are as follows:

1. The data collection to be done on site requires a large ground surface clear of structures and significant topographic features; and additionally, the height of the tower requires a buffer area for safety purposes.
2. The occasional aircraft flyby's associated with the JMOF can not be conducted in an urban or congested area.

The 30 to 40 persons scheduled to occupy the NCAR Field Observing Facility (FOF) are a significant number for a single building, but represent a low employee concentration when the entire 611 acres of the JMOF is taken into

consideration. NOAA/NCAR have stated that the FOF is primarily a tower-dependent lab and office complex to house data monitoring and processing equipment and to supply the JMOF researchers with on-site, support lab facilities. The JMOF has been conceived and is designed to combine the instrument for data collection and the reference for calibration (i.e., the tower) with the necessary on-site, support services related to the experiments to be conducted and to the new remote sensing equipment to be developed.

The second policy in the Comprehensive Plan regarding industrial development states that "highly productive, irrigated, agricultural lands shall not normally be rezoned for industrial use." NOAA/NCAR have, in effect, used the above policy as one of several site selection criteria. The proposed 611 acre site is presently used for dryland cultivation and pasture. Only a small area will be taken out of cultivation to establish the open area under the tower when compared with the total acreage.

The Comprehensive Plan states that the County's water resource shall be managed so that "in all land use decisions, the broad effect of transfers of water usage which may result from the proposals at hand shall be taken into account." The NOAA/NCAR proposal involves only minimal use of water resources in that domestic water is needed for the FOF and will be supplied by a tap from the Left Hand Water Supply Company.

Environmental impacts of the proposed JMOF have been detailed by NOAA/NCAR. As regards air space, a "Determination of No Hazard to Air Navigation" has been issued by the Federal Aviation Administration. The F.A.A. requires continuously operating strobe lights at three levels on the tower. Such strobe systems are designed to maximize warning to aircraft while minimizing the visual impact on the ground. The tower and FOF are proposed at locations that have been deemed free from undermining and subsidence hazard (see Amuedo and Ivey Study, 12-8-75, and the letter from Colorado Geologic Survey, 12-26-75). However, the majority of remaining acreage is undermined and the proposed land uses of the Scientific-Unit Development are compatible with such a geologic constraint and, in fact, will keep such undermined areas open and clear of structures or other intensive uses. The proposed use should constitute no deterioration of water or air quality; domestic water will be supplied by a tap from the Left Hand Water Supply Company and the sewage disposal system shall meet all requirements of the Weld County Environmental Health Services.

The Weld County Planning Commission staff has paid particular attention to the letter received on December 26, 1975, from the Boulder County Planning Department. The first concern of the Boulder County Planning Commission has been answered by the F. A. A.'s "Determination of No Hazard to Air Navigation." The second concern regarding a "potential visual problem" has been addressed by the proposed lighting system which is designed to minimize visual impacts on the ground. The third concern has been answered by Elmer Reynolds, the Weld County Communication Director. The tower will not interfere with any existing regional or local communication facilities and could, in fact, potentially become a part of such facilities.

The Planning Commission staff wishes to pose a question to the applicant at this point. Concerning the "Rationale for the JMOF" from C. Gordon Little and R. T. Frost, Wave Propagation Laboratory, to John W. Connally, NOAA Headquarters, dated September 22, 1975, the staff requests clarification of the second reason cited for a 500 meter tower in light of the fact that the requested zone change provides for only a 300 meter tower. Note that one concern of staff is the inability of the proposed site and tower location to accommodate a 500 meter tower failure.

The Weld County Planning Commission staff recommends approval because the proposal complies with the overall intent of the Comprehensive Plan and does not conflict with the land use policies of the Plan. The applicant has demonstrated that the tower and its support FOF cannot reasonably be located in or adjacent to an existing municipality. That part of the Erie Comprehensive Plan area that is contiguous to the proposed Scientific-Unit Development is classified "Open," and the proposed JMOF will not conflict with such a land use designation.

Conditions:

1. That the Scientific-Unit Development be limited to the plans submitted and governed by the Development Standards proposed by staff and approved by NOAA/NCAR.
2. That the County Engineer conduct a study to evaluate the need for and feasibility of accel/decel lanes at the FOF entrance on County Road 8. If such lanes are necessary, NOAA/NCAR shall provide them.
3. That any use of the Scientific-Unit Development other than those permitted in the Development Standards or any addition to the height of the tower (985 feet) not be allowed until the S-UD is sufficiently amended by change of zone procedure to allow such uses and/or additions.

ZONING APPLICATION

Weld County Planning Department

Services Building, Greeley, Colo.

FOR PLANNING DEPARTMENT USE ONLY:

CASE NUMBER: Z-269

PC HEARING DATE: _____

CC HEARING DATE: _____

SEC: _____ TWP _____ RANGE: _____

LAND CODE: _____

T: _____ S: _____ 1/4: _____ KEY: _____

SUB/DIV CODE: _____

SUB: _____ BLK: _____ LOT: _____ KEY: _____

REFER TO:

- 1) See attached Date: 12-4-75
- 2) _____ Date: _____
- 3) _____ Date: _____
- 4) _____ Date: _____

REZONING FEE: _____

APP. CHECKED BY: RAM 12-2-75

REC. NO.: _____

LEGAL DESC. APPROVAL X

TO BE COMPLETED BY APPLICANT IN ACCORDANCE WITH PROCEDURAL GUIDE REQUIREMENTS: Print or type only, except for necessary signatures.

I (we), the undersigned, hereby request a hearing before the Weld County Planning Commission concerning proposed rezoning of the following described unincorporated area of Weld County: LEGAL DESCRIPTION: See part A 2 i of P. U. D. Plan for complete legal description which may otherwise be identified as all of Section 16 T1N R63W excluding those subtracts situated in the NE quarter identified as NE1, NE1A, NE3, NE5, NE 16, and NE 16A.

See Attached
12/2/75

(If additional space is required, attach an additional sheet of this same size)

STREET LOCATION: Access to site planned 1/2 mile east of County Rd #5 off of County Rd #8

PRESENT ZONE Agriculture PROPOSED ZONE Scientific P.U.D APPROX AREA: 620 a

PURPOSE: Atmospheric Science Research and Technology development

IS THIS AREA PLATTED: YES () NO (x). IF PLATTED, NAME OF PLAT: _____

IS THIS AREA TO BE PLATTED: YES () NO (x). IF ANSWER IS YES, HAS PLAT BEEN SUBMITTED: YES () NO ().

FEE OWNERS OF AREA PROPOSED FOR REZONING:

NAME: Roy H. and Beverly J. Carlson ADDRESS: 11644 Grant, Denver 80233 TEL: 452-7255

NAME: State of Colorado-State Land Board ADDRESS: 1845 Sherman St, Denver 80202 TEL: 892-3451

NAME: _____ ADDRESS: _____ TEL: _____

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

COUNTY OF WELD
STATE OF COLORADO

Robert J Frost
Signature: Owner or Authorized Agent

Subscribed and sworn to before me this 2nd day of December, 1975.

SEAL

[Signature]
NOTARY PUBLIC

My commission expires: _____

APPLICANT: NCAA / NCI REQUEST: A to UD

	DATE	INITIALS	TIME SPENT	
APPLICATION RECEIVED	12/2/75	ALM	1 1/2	
FILING FEE				
RECORDING FEE				
APPLICATION REVIEWED	12/2	ALM	2 1/2	all sent in
APPLICATION <u>INCOMPLETE</u> /COMPLETE	12/17	ALM		
P. C. HEARING DATE <u>1-6-76</u>	12/2	ALM		
APPLICANT NOTIFIED <u>various phone calls</u>				
REFERRALS LISTED	12-2	ALM	1 1/2	
SENT TO EXECUTIVE SECRETARY	12-4	TEH		
FILE ASSEMBLED/REFERRALS MAILED <u>also 12/17</u>	12-4	SM/pr	1 1/2	
PUBLICATION NOTICES	12/15	gm	1/2	
SENT TO DRAFTING DEPARTMENT	12-16	ALM		
SIGN FOR P.C. MEETING PREPARED	12-22	MB	1/2 hr	
SURROUNDING PROPERTY OWNERS	12-23	CAC	2 hr	
AIRPHOTO/VICINITY MAP	12-24	CAC	4 hr	
SENT TO COUNTY ATTORNEY	12-24	ALM	1 1/2	
APPROVAL OF COUNTY ATTORNEY	12/27			
PUBLICATION BY: <u>12-29-75</u>				
SIGN POSTED BY: <u>12-24-75</u> Posted:	12/23	KM	3/4	
SURROUNDING PROPERTY OWNERS NOTIFIED BY: <u>12-29-75</u>	12-26	CAC	1 1/2	
FIELD CHECK AND REPORT	1/5	ALM	1/2	
REFERRALS: COMPLETE/INCOMPLETE		ALM		
COMMENTS <u>all sent in</u>		ALM		
PRELIMINARY STAFF COMMENTS	1/6	ALM	1 1/2	
STAFF CONFERENCE	1/7	ALM	1	
STAFF COMMENTS	1/8	ALM	1/2	
P.C. HEARING ACTION: <u>12-29-75</u>	1/9	ALM	1 1/2	
P.C. RESOLUTION	1/8	gm	1/2	
CASE SENT TO CLERK TO BOARD	1/8	ALM		
SIGN POSTED				
C.C. HEARING ACTION				
C.C. RESOLUTION RECEIVED				
HISTORY CARD COMPLETE				
C.C. RESOLUTION SENT TO DRAFTING				
DRAFTED ON MYLAR				
DOCUMENT SENT TO CLERK & RECORDER				
P.C. MINUTES				
CASE/FILE COMPLETE				

Adams, Robert D. & Myr
RT 1
Erie, CO

Erie Road Joint Venture
% Chicago Title
1225 W. 84th Ave.
Denver, CO. 80200

15

LEGAL DESCRIPTION

Commencing at the Southwest corner of Section 16, Township 1 North, Range 68 West, of the Sixth Principal Meridian; thence North along the West line of said Section, a distance of 30.00 feet; thence East, parallel to the South line of said Section, a distance of 30.00 feet to the Point of Beginning; thence North, parallel to the West line of said Section, a distance of 5203.18 feet; thence right 89° 36' 50", and parallel to the North line of the Northeast Quarter of said Section, a distance of 2624.40 feet to a point on the North-South centerline of said Section; thence Left 0° 0' 13" and parallel to the North line of the Northeast Quarter of said Section, a distance of 995.14 feet; thence right 90° 39' 56", a distance of 629.88 feet; thence left 90° 38' 01", a distance of 332.87 feet; thence left 89° 28' 19", a distance of 630.05 feet, to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89° 26' 24", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90° 27' 16", a distance of 630.23 feet; thence left 90° 25' 21", a distance of 332.87 feet; thence left 89° 41' 00", a distance of 630.41 feet to a point 30.00 feet South of the North line of the Northeast Quarter of said Section 16; thence right 89° 39' 05", and parallel to the North line of the Northeast Quarter of said Section 16, a distance of 331.71 feet; thence right 90° 14' 36", a distance of 1291.17 feet; thence left 90° 10' 45", a distance of 364.09 feet to a point on the East line of the Northeast Quarter of said Section 16; thence right 90° 04' 25", and parallel to the East line of the Northeast Quarter of said Section 16, a distance of 321.50 feet to a point on the East-West centerline of said Section 16; thence right 0° 05' 42" and parallel to the East line of the Southeast Quarter of said Section 16, a distance of 2613.12 feet; thence right 90° 01' 08" and parallel to the South line of the Southeast Quarter of said Section 16, a distance of 2696.26 feet to a point on the North-South centerline of said Section 16; thence right 0° 0' 06" and parallel to the South line of the Southwest Quarter of said Section 16, a distance of 2570.38 feet to the Point of Beginning, containing 610.8994 acres, more or less.

Approved
OK
[Signature]

CERTIFICATE OF SURVEY

I, Clifford R. Pallesen, a Registered Engineer and Land Surveyor in the State of Colorado do hereby certify that a survey was made of the tracts of land hereon shown and that this plat is a true representation of said survey.

Mailing List

Z-269

NOAA/NCAR

Union Pacific Land Resource Corp.
c/o Upland Industries Corp.
Suite 1620 Prudential Plaza
1050 17th Street
Denver, Colorado 80202
Attn: E.E. Dodrill

Helene Reynolds, etal.
Box 675
Longmont, Colorado 80501

Daniel R. Horst
% Yeager Realty, Inc.
3200 W. 72nd Avenue
Westminister, CO 80030

Patricia S. Ackard
% Ackard Land Company
729 E. 17th Avenue
Denver, Colorado 80203

Pearl Kirby
2926 15th Street
Boulder, Colorado 80303

Farmers Res. & Irrigation Co.
Rt. 1
Erie, Colorado 80516

Earl Armeson
Rt. 1
Erie, Colorado 80516

Public Service of Colorado?

Erie Road Joint Venture
% Chicago Title *Returned*
1225 W. 34th Avenue
Denver, Colorado 80200

Roy Carlson
11176 Pearl Street
Denver, Colorado 80233

Stephen Hamilton, Jr.
Rt. 1
Erie, Colorado 80516

Donald McGee
2091 Co. Rd. 10
Erie, Colorado 80516

John Stan
Rt. 1, Box 180A
Erie, Colorado 80516

Leo Torrez
Rd. 10, Rt. 1
Erie, Colorado 80516

Richard Seith
Rt. 1, Box 179
Erie, Colorado 80516

Fred Webb
Rt. 1, Box 178A
Erie, Colorado 80516

Carl Neuber
Rt. 1, Box 178
Erie, Colorado 80516

Mallace Carter
1196 S. Quebec Way
Denver, Colorado 80231

Dennis R. Murphy
Rt. 1, Box 176
Erie, Colorado 80516

Greenacres Camp for Girls
& Boys, Inc.
3154 Columbine Street
Denver, CO 80202

Edward Penmeyer
Rt. 1, Box 48
Ft. Lupton, CO 80621

Dottie Redington
2205 Dartmouth Avenue
Boulder, CO 80303

Rupert Padilla
2007 E. 15th Pl.
Denver, CO 80233

Donald Shultz *returned*
995 S. Eaton
Lakewood, Colorado 80215

Ralph Hall
98 No. Turner #15
Fairbanks, Alaska 99701

Mailing List
Continued

Duane Eikenberg
Rt. 1.
Erie, Colorado 80516

Wayne Flagerstone
Rt. 1, Box 177
Erie, Colorado 80516

Dennis Knox
Rt. 1, Box 132A
Erie, Colorado 80516

Robert D. Adams
Rt. 1
Erie, Colorado 80516

Lloyd Johnson
3893 Co. Rd. #7
Erie, Colorado 80516

Marylyn Healer
% Richard Miller
Rt. 1
Erie, Colorado 80516

Lewis Healer
% Russell Godwin
Rt. 1
Erie, Colorado 80516



MEMORANDUM

Copy 1
Agenda

To Glenn Billings, Chairman Date October 1, 1976
Board of County Commissioners

From R. Russell Anson, Assistant County Attorney

Subject: Requirement of Building Permits and Fees on a Federal Agency.

QUESTION: As I understand your question, it is, "Can the Weld County Building Department require an agency of the Federal Government to obtain a building permit and pay the required fees?"

ANSWER: There is no definitive law on this specific question. I have been unable to find any specific statute to cover the matter, and the case law is scant.

DISCUSSION: The National Oceanic and Atmospheric Administration has taken the position that a building permit and fee cannot be required of a Federal Governmental Agency. In a recent telephone conversation I had with N. W. Stiewig of that office, I was informed by Mr. Stiewig that he had been advised pursuant to an opinion by the Comptroller General that an agency of the Federal Government is not liable for the payment of a building permit fee. I asked Mr. Stiewig for a copy of that opinion, and I received a copy a few days later. The two separate opinions involved were dated 1947 and 1950. Nearly all the cases cited in that opinion were dated in the early 1940's. Several of the cases involved the Federal Lanham Act for Emergency Construction of Public Housing, and the Act expressly provided, "That where land is acquired under the Act by contract or otherwise, no regard is to be had for any Federal, State or Municipal law, ordinance, rule or regulation."

In attempting to find some case law specifically covering the point of issuance of building permits, I was unable to find anything substantial either for or against the requirement that a Federal agency obtain a building permit and pay the required fee.

There are two cases, however, that I was able to find that seemed very relevant. The first case, Public Housing Administration v. Bristol Township, 146 Fed. Sup. 859 (E.D. PA. 1956), involved the reconditioning of a Federal Housing project erected under the Lanham Act in October of 1940. The Public Housing Administration contracted with a local electrical contractor to provide electrical work on the project. The electrical contractor failed to secure any building permits prior to doing electrical work under the contract. The building officer of Bristol Township issued

a stop work order to the contractor. The Public Housing Administration brought this action to seek to enjoin Bristol Township from enforcing the stop work order. The Federal District Court denied the injunction stating:

The United States Supreme Court has consistently held that Congress, in enacting legislation within its constitutional authority, will not be deemed to have intended to invalidate state or local rules for protection of the public safety unless its purpose to do so is clearly stated.

Another case, DeKalb County, Georgia v. Henry C. Beck Co., 382 Fed.2d 92 (5th Circuit 1967) involved an action by a Georgia County against a contractor engaged in construction of a governmental hospital for a building permit fee. In the lower court, the contractor made a motion for summary judgment. The motion was granted, but no reasons for the granting of the motion were given. The Court of Appeals indicated that summary judgments should not have been granted and reversed and remanded the case to the lower court to receive additional facts. The Court of Appeals stated that there was not sufficient information made available to the court in order to balance the interest and policies of the Federal Government with those of the local government. Also no information was presented in regard to Federal policy as to building standards, nor any information as to what, if anything, the court has done in the case except try to collect money for the treasury.

In summary, there does not seem to be any definitive law on the exact point as to whether or not a local governmental body can require a Federal agency to pay a building permit fee.

Since there is no specific law on this point, the presumption could be made that a building permit and fee is required. If the Federal agency refuses to pay the fee, and construction is begun on the project, a stop order could be given to the contractor and the contractor could be required to pay the fee. Section 301(a) of the Building Code states:

No person, firm or corporation shall erect, construct, or reconstruct without first obtaining a separate building permit for each such building or structure from the Building Official.

It appears that this section could require either the owner or lessee of the property or the contractor to obtain the permit.

Glenn Billings
October 1, 1976
Page 3

R. Russell Anson 10/4/76
R. Russell Anson, Assistant
County Attorney

APPROVED:

J. E. Jarvis
County Attorney

RRA:cc
cc: J. E. Jarvis



DEPARTMENT OF TRANSPORTATION
 FEDERAL AVIATION ADMINISTRATION
 Rocky Mountain Region
 Air Traffic Division
 Park Hill Station, P. O. Box 7213
 Denver, Colorado 80207

IN REPLY REFER TO
 AERONAUTICAL STUDY
 NO. 75-RM-128-OE

DETERMINATION OF NO HAZARD TO AIR NAVIGATION

SPONSOR	U. S. Department of Commerce National Oceanic & Atmospheric Administration 325 Broadway Boulder, CO 80302		CONSTRUCTION LOCATION	
			PLACE NAME Erie, Colorado	
			LATITUDE 40°02'54"	LONGITUDE 105°00'12"
CONSTRUCTION PROPOSED	DESCRIPTION Guyed Meteorological Tower	HEIGHT (IN FEET)		
		ABOVE GROUND 985'	ABOVE MSL 6165'	

An aeronautical study of the proposed construction described above has been completed under the provisions of Part 77 of the Federal Aviation Regulations. Based on the study it is found that the construction would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the construction would not be a hazard to air navigation provided the following conditions are met:

- Conditions: 1. The structure is obstruction lighted day and night with high intensity white obstruction lights in accordance with FAA Obstruction Marking and Lighting Advisory Circular 70/7460-1D, Chapter 6.

Supplemental notice of construction is required any time the project is abandoned (use the enclosed FAA form), or

- (X) At least 48 hours before the start of construction (use the enclosed FAA form).
- (X) Within five days after the construction reaches its greatest height (use the enclosed FAA form).
- () Not required.

This determination expires on July 7, 1977 unless:

- (a) extended, revised or terminated by the issuing office;
- (b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.

This determination is subject to review if an interested party files a petition on or before December 28, 1975. In the event a petition for review is filed, it should be submitted in triplicate to the Chief, Airspace Obstruction and Airports Branch, AT-240, Federal Aviation Administration, Washington, D.C. 20590, and contain a full statement of the basis upon which it is made.

This determination becomes final on January 7, 1976 unless a petition for review is timely filed, in which case the determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

An account of the study findings, aeronautical objections, if any, registered with the FAA during the study, and the basis for the FAA's decision in this matter will be found on the following page(s).

If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.

SIGNED L. R. Robison TITLE Chief, Air Traffic Division

ISSUED IN Aurora, Colorado ON November 28, 1975

L.R. Robison 387

On June 20, 1975, the FAA circularized a Public Notice soliciting written comments in regard to the effect of a proposed 985' AGL/6165' AMSL tower, to be located near Erie, Colorado, on the safe and efficient use of airspace by aircraft.

In response thereto, objections were received from the Aircraft Owners and Pilots Association (AOPA) and the Jefferson County Colorado Airport Manager. Basically, the AOPA and the airport manager contended that the proposed structure would have an adverse effect on visual flight rule operations and pose a hazard for air navigation.

The aeronautical study disclosed, as proposed, the meteorological tower would exceed the obstruction standards of the Federal Aviation Regulations Part 77, as follows:

Section 77.23(a)(1) by 485 feet, that height above 500 feet above ground level. (AGL)

Section 77.23(a)(3) in that it would raise the minimum radar vectoring altitude (MVA) from 6700 feet to 7200 feet mean sea level (MSL) within a three nautical mile radius of the proposed structure.

The study also disclosed:

1. That raising the minimum radar vectoring altitude from 6,700 feet to 7,200 feet (MSL) within a three nautical mile radius of the proposed structure would have no substantial adverse effect on instrument flight rule (IFR) operations at the Stapleton International or Jefferson County airports. Aircraft are normally vectored no lower than 7,000 feet MSL in the vicinity of the proposed site. Therefore, a change in the minimum radar vectoring altitude within a three nautical mile radius of the structure can be accomplished without having a substantial adverse effect on IFR aeronautical operations.

The proposed 985' AGL/6165' AMSL meteorological tower would not require an increase in any other instrument minimum flight altitude, minimum obstacle clearance altitude, altitudes associated with over-lying Federal airways or change any instrument approach procedures at Stapleton International or Jefferson County Airports.

2. The proposed structure would be located approximately 1-1/2 statute miles west of Interstate 25 and would

penetrate airspace occasionally used by pilots conducting VFR flight beneath low ceiling conditions using Interstate 25 as a visual navigational reference between Denver, Colorado and Cheyenne, Wyoming.

The installation of high intensity white obstruction lights on the proposed structure would assure its conspicuity, thus enabling pilots to observe and avoid the structure.

Based on the foregoing, the FAA has concluded that existing procedures can be modified to accommodate a 985' AGL/6165' AMSL structure with no substantial adverse effect on the safe and efficient use of airspace.



AERONAUTICAL STUDY OF PROPOSED CONSTRUCTION OR ALTERATION

SPONSOR	US Department of Commerce National Oceanic & Atmospheric Administration 325 Broadway Boulder, Colorado 80302		CONSTRUCTION LOCATION	
			PLACE NAME Erie, Colorado	
			LATITUDE 40°02'54"	LONGITUDE 105°00'12"
CONSTRUCTION PROPOSED	DESCRIPTION Guyed Meteorological Tower	HEIGHT (IN FEET)		
		ABOVE GROUND 985'	ABOVE M.S.L. 6165'	

A notice has been filed with the Federal Aviation Administration that the above described structure is proposed for construction. As proposed the structure would exceed the standards of Subpart C of Part 77 of the Federal Aviation Regulations and would be identified as an obstruction to air navigation. Accordingly, the FAA is conducting an aeronautical study of the proposal to determine its effect upon the safe and efficient use of the navigable airspace by aircraft and on the operation of air navigation facilities.

In the study, consideration will be given to all facts relevant to the effect of the proposal on existing and planned airspace use; air navigation facilities; airports; aircraft operations, procedures and minimum flight altitudes; and the air traffic control system. However, only those plans on file with the FAA, on the date the notice concerning the above described proposed construction was received, will be considered.

Interested persons are invited to participate in the aeronautical study by submitting comments to the FAA office issuing this notice. To be eligible for consideration, comments must be relevant to the effect the proposed construction would have on aviation, provide sufficient detail to permit a clear understanding, and be received on or before July 18, 1975. Please refer to the aeronautical study number printed in the upper right hand corner of this notice.

This notice may be reproduced and recirculated by any interested person.

The proposed structure would exceed the obstruction standards of Part 77 of the Federal Aviation Regulations as follows:

1. Section 77.23(a)(1) by 485 feet.

(cont'd on page 2)

Oran K. Haggblom

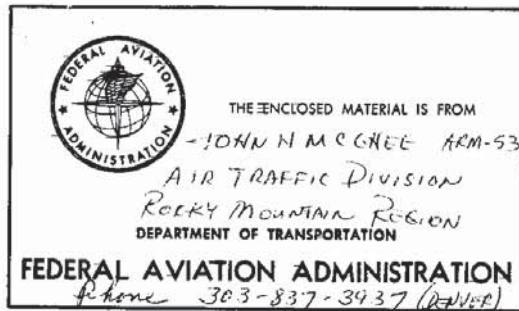
SIGNED ORAN K. HAGGBLOM TITLE Chief, Operations, Procedures & Airspace Br

ISSUED IN Aurora, Colorado ON June 20, 1975

The study also disclosed that the proposed tower would not require an increase in any established minimum instrument flight altitude or minimum instrument obstacle clearance altitude. (Please see enclosed map). The sponsor has advised they plan to install High Intensity White Obstruction lights on the tower to preclude marking the structure with orange and white paint.

Enclosure
Map

FAA Form 1960-16 (3-68)





SI 116

116

75-RM-128-OE



PRESENTATION BY C. G. LITTLE TO
WELD COUNTY PLANNING COMMISSION

TUESDAY, JANUARY 6, 1976

I AM HAPPY TO HAVE THIS OPPORTUNITY OF SPEAKING IN SUPPORT OF OUR REQUEST FOR THE REZONING OF APPROXIMATELY 611 ACRES OF LAND, LOCATED SOME 2 MILES EAST OF ERIE, FROM AGRICULTURE TO SCIENTIFIC PLANNED UNIT DEVELOPMENT.

IN MY BRIEF PRESENTATION THIS AFTERNOON I WANT TO COVER SIX TOPICS. I WILL

1. INDICATE WHO THE APPLICANT AGENCIES ARE,
2. INDICATE WHY WE SELECTED THIS PARTICULAR SITE
IN WELD COUNTY,
3. IDENTIFY THE NATURE OF THE FACILITIES AND USES
WE PROPOSE FOR THE SITE,
4. INDICATE THE CONTACTS WE HAVE MADE WITH LOCAL
INDIVIDUALS, ORGANIZATIONS AND AUTHORITIES
TO CONFIRM THAT WE WILL BE CREATING MINIMUM
ADVERSE IMPACT ON THE NEIGHBORHOOD,
5. IDENTIFY THE PROS AND CONS OF THIS PROPOSAL,
ESPECIALLY FROM THE POINT OF VIEW OF LOCAL
INHABITANTS, AND WELD COUNTY,
6. REQUEST YOUR APPROVAL AND SUPPORT FOR THE
PROPOSED REZONING.



FIRST OF ALL, TWO APPLICANTS JOIN IN THIS REQUEST:
THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION,
(NOAA) OF THE U. S. DEPARTMENT OF COMMERCE, AND THE NATIONAL
CENTER FOR ATMOSPHERIC RESEARCH (NCAR). NOAA IS THE CIVILIAN
AGENCY OF THE U. S. GOVERNMENT CONCERNED WITH THE ATMOSPHERE
AND THE OCEANS; AS SUCH IT INCLUDES THE NATIONAL WEATHER
SERVICE, WHICH PROVIDES OUR DAILY WEATHER FORECASTS. NOAA
HAS PLACED ITS RESEARCH ARM, THE ENVIRONMENTAL RESEARCH
LABORATORIES, IN BOULDER; I HEAD ONE OF THE FOUR ERL ATMO-
SPHERIC RESEARCH LABORATORIES LOCATED THERE.

NCAR IS THE NATIONAL FOCAL POINT FOR ATMOSPHERIC RESEARCH
IN THE UNIVERSITIES OF THE COUNTRY. IT IS A RESEARCH CENTER,
FUNDED BY THE NATIONAL SCIENCE FOUNDATION ON FUNDS PROVIDED
BY THE U. S. CONGRESS, AND IS OPERATED BY THE NCAR STAFF ON
BEHALF OF SOME 45 UNIVERSITIES ACROSS THE COUNTRY.

THUS WE SEE THAT THIS AREA OF COLORADO PROVIDES THE
HEADQUARTERS FOR MOST OF THE U.S. GOVERNMENT'S RESEARCH ON
THE ATMOSPHERE, AND ALSO SERVES AS FOCAL POINT FOR MUCH OF
THE UNIVERSITY RESEARCH ON THE ATMOSPHERE.

AS SUCH, WE, AS COLORADOANS, SHOULD FEEL PROUD OF THE
DOMINANT ROLE NORTHEASTERN COLORADO PLAYS IN ATMOSPHERIC
RESEARCH ACROSS THE COUNTRY. THERE IS NO EQUIVALENT CON-
CENTRATION OF ATMOSPHERIC RESEARCH ANYWHERE ELSE IN THE U.S.,
OR EVEN IN THE WORLD.



WHY DID WE SELECT THIS SITE IN WELD COUNTY?

THE CRITICAL PROBLEM IN BOTH ATMOSPHERIC RESEARCH, AND IN ATMOSPHERIC SERVICES, IS HOW TO OBTAIN THE RIGHT SET OF ATMOSPHERIC OBSERVATIONS. THE RESEARCH WE PERFORM, THE FORECASTS WE MAKE, CAN ONLY BE AS GOOD AS THE OBSERVATIONS ON WHICH THEY ARE BASED. WITH THE RIGHT SET OF OBSERVATIONS, RESEARCH CAN MAKE RAPID PROGRESS, AND FORECASTS CAN BE ACCURATE AND TIMELY. WITHOUT THE RIGHT DATA SET, OUR RESEARCH IS HAMSTRUNG, AND OUR SERVICES INADEQUATE.

THEREFORE, FOR SEVERAL YEARS, NOAA AND NCAR HAVE DEVOTED CONSIDERABLE EFFORTS TO DEVELOPING NEW AND MUCH MORE EFFICIENT METHODS OF OBSERVING THE ATMOSPHERE. TYPICALLY, THESE METHODS INVOLVE THE USE OF RADIO, OPTICAL OR ACOUSTIC WAVES TO MEASURE THE ATMOSPHERE AT A DISTANCE -- THE SO-CALLED REMOTE SENSING METHODS. EXAMPLES INCLUDE THIS NEW ULTRA SENSITIVE RADAR (FIGURE 1) WHICH CAN MEASURE THE WIND SPEED USING ECHOES FROM CLEAR AIR, OR THIS (FIGURE 2) OPTICAL RADAR WHICH CAN MEASURE THE PARAMETERS OF CLOUDS, OR THIS ACOUSTIC ECHOSOUNDING SYSTEM, (FIGURE 3) WHICH IS BEING DEVELOPED TO MEASURE WIND SHEAR AT AIRPORTS, SUCH AS THAT WHICH CAUSED THE CONTINENTAL AIRLINE CRASH IN DENVER A FEW MONTHS AGO, OR THE EVEN MORE DISASTROUS EASTERN AIRLINES CRASH AT KENNEDY AIRPORT IN NEW YORK IN WHICH 114 PERSONS WERE KILLED.

RECENTLY, WE IN NOAA AND NCAR HAVE COME TO THE REALIZATION THAT THIS INSTRUMENTATION DEVELOPMENT WORK CAN BE DONE MUCH MORE EFFICIENTLY, ECONOMICALLY AND RAPIDLY IF WE JOIN OUR RESOURCES TOGETHER AND CREATE THE PROPOSED NEW JOINT METEOROLOGICAL OBSERVING FACILITY NEAR ERIE.

THIS JOINTLY CREATED AND OPERATED FACILITY WILL BE USED PRIMARILY FOR THE TESTING, EVALUATION, CALIBRATION AND DEMONSTRATION OF THE NEW MEASUREMENT SYSTEMS BEING BUILT BY NOAA AND NCAR. SECONDLY, IT WILL BE USED AS A UNIQUELY INSTRUMENTED CUBIC KILOMETER OF THE ATMOSPHERE FOR THE CONDUCT OF NEW RESEARCH STUDIES OF ATMOSPHERIC PROCESSES SUCH AS CONVECTION, CLOUD FORMATION, PRECIPITATION, EVAPORATION, THE CREATION AND DISSIPATION OF TURBULENCE AND LOW LEVEL WIND SHEAR, THE TRANSPORT AND DIFFUSION OF POLLUTANTS, ETC.

THE CRITERIA USED IN IDENTIFYING THIS PARTICULAR SITE ARE, OF COURSE, MANY. THE MAIN ONES WERE:

- A. ACCESSIBILITY OF THE SITE, ON A DAILY BASIS, TO THE MAIN ERL AND NCAR BUILDINGS.
- B. APPROXIMATELY ONE SQUARE MILE OF RELATIVELY FLAT, UNDEVELOPED LAND, AVAILABLE FOR LEASE OR PURCHASE, SUFFICIENTLY REMOTE FROM AIRPORTS THAT A 300 M (EVENTUALLY PERHAPS A 500 M) HIGH METEOROLOGICAL TOWER ESSENTIAL TO THE FACILITY COULD BE ERECTED THERE.

- C. AREA SHOULD BE SUFFICIENTLY REMOTE FROM THE MOUNTAINS TO REDUCE CHINOOK WIND EFFECTS UPON THE INSTRUMENTATION, BUT CLOSE ENOUGH TO PERMIT STUDY OF MOUNTAIN LEE WAVE EFFECTS.
- D. MINIMUM ADVERSE IMPACT ON OTHER USES OF THE LAND OR AIRSPACE ABOVE IT, E.G., ON AGRICULTURE, MINING, HOUSING DEVELOPMENT, AVIATION, ETC.

WE HAVE SPENT APPROXIMATELY TWO YEARS AND \$100,000 ON THE SEARCH FOR AN OPTIMUM SITE MEETING THESE AND OTHER REQUIREMENTS, AND BELIEVE THAT THE SITE WE HAVE SELECTED DOES, IN FACT, SUCCESSFULLY MEET THESE CRITERIA.

THE NEXT FIGURE (FIGURE 4) SHOWS 15 SITES WHICH WE IDENTIFIED FROM A PRELIMINARY STUDY OF MAPS AND BY FLYING OVER THE TERRAIN. THE THREE SITES EAST OF U.S. 85 WERE RAPIDLY ELIMINATED AS TOO FAR FROM OUR BOULDER HEADQUARTERS, AND ATTENTION WAS FOCUSED ON THE SITES IN THE GENERAL LINE LAFAYETTE TO FREDERICK.

THE NEXT FIGURE (FIGURE 5) SHOWS THAT THIS AREA OVERLIES THE BOULDER-WELD COUNTY COAL FIELD -- WHICH MIGHT MEAN MAJOR PROBLEMS WITH POSSIBLE SUBSIDENCE. CLOSE EXAMINATION OF MINING MAPS FOR THE PREFERRED AREA EAST OF ERIE SHOWED MUCH MINING ACTIVITY, WITH A SIGNIFICANT UNMINED STRIP OF LAND, SOME 1500 TO 2000 FT. WIDE, RUNNING THROUGH IT (FIGURE 6).

CONSULTATION WITH GEOLOGISTS INDICATED THAT THIS WAS A GEOLOGIC FEATURE WHICH MIGHT PERMIT SAFE ERECTION OF THE TOWER. AFTER CAREFUL CONSIDERATION OF ALL ALTERNATIVES, IT WAS DECIDED THAT THIS SITE OFFERED SO MANY POTENTIAL ADVANTAGES THAT WE SHOULD EXPLORE IT FURTHER, AND THIS PAST SUMMER TEST DRILLINGS TO DEPTHS OF AS MUCH AS 358 FT WERE MADE. THESE HAVE CONFIRMED EARLIER PREDICTIONS THAT THE SITE WOULD BE SUITABLE FOR THE TOWER -- AS SHOWN IN FIGURE 7, WHICH SHOWS THE PROPOSED LOCATION OF THE TOWER AND OUTLYING GUY ANCHOR POINTS, AND FIGURE 8, WHICH SHOWS THE UNDERLYING GEOLOGY REVEALED BY OUR TEST BORES.

THIS STUDY HAS SHOWN THEN THAT WE HAVE SUCCESSFULLY LOCATED APPROXIMATELY ONE SQUARE MILE OF LEVEL LAND, LOCATED WITHIN 17 MILES OF THE ERL HQ BUILDING IN BOULDER, AND APPROXIMATELY 12 MILES FROM THE BOULDER, LONGMONT AND JEFFERSON COUNTY AIRPORTS AND 20 MILES FROM STAPLETON. IN EFFECT, THIS LAND IS A UNIQUE GEOLOGICAL ISLAND, SURROUNDED BY MANY SQUARE MILES OF COAL MINES, THAT IS, BY AN AREA WHICH IS UNLIKELY TO UNDERGO RAPID DEVELOPMENT FOR HOUSING OR INDUSTRY. FIGURE 9 AND FIGURE 10 ARE PHOTOGRAPHS OF THE SITE FROM THE AIR AND THE GROUND, RESPECTIVELY.

AS I HAVE INDICATED, THE PRIMARY USE OF THE SITE WILL BE AS A WELL-INSTRUMENTED SITE FOR THE TESTING AND EVALUATION OF THE NEW REMOTE SENSING INSTRUMENTATION SO IMPORTANT TO THE FUTURE OF ATMOSPHERIC RESEARCH AND SERVICES IN THE U.S. THE

KEY FACILITY AT THE SITE WILL BE THE 300 M (985 FT.) HIGH METEOROLOGICAL TOWER WHICH WILL CARRY INSTRUMENTS AGAINST WHICH WE CAN CHECK THE PERFORMANCE OF OUR REMOTE SENSING SYSTEMS. FIGURES 11 AND 12 ARE PHOTOGRAPHS OF SUCH A TOWER, FROM THE AIR AND FROM THE GROUND.

THE SECOND USE OF THIS UNIQUE FACILITY, AND ITS REMOTE SENSING INSTRUMENTATION, WILL BE AS A UNIQUE SITE FOR STUDIES OF LOWER ATMOSPHERE PROCESSES, INCLUDING EVAPORATION, PRECIPITATION, TURBULENCE, POLLUTION, ETC.

THE THIRD MAIN USE WILL BE AS THE HQ FOR NCAR'S FIELD OBSERVING FACILITY. NCAR PLANS TO BUILD A 25,000 SQUARE FOOT RESEARCH LABORATORY BUILDING ON THE SITE, WHICH WILL BE SHARED BY NOAA STAFF. IN THIS WAY WE EXPECT RAPID INTERCHANGE OF IDEAS AND CAPABILITIES, AND MAJOR STRENGTHENING OF THE COMMUNICATIONS BETWEEN ERL, NCAR AND THE UNIVERSITIES, WITH VERY MAJOR BENEFITS TO ALL CONCERNED, INCLUDING THE U.S. TAXPAYER.

THE FOURTH USE, WHICH ERL IS JUST BEGINNING TO PLAN, IS AS THE LOCATION FOR A MAJOR NEW RESEARCH PROGRAM AIMED AT DEVELOPMENT OF NEW CAPABILITIES FOR IMPROVED FORECASTS OF LOCAL WEATHER. INITIALLY THESE WILL BE JUST FOR THE AREA ADJACENT TO THE SITE: AS RAPIDLY AS POSSIBLE WE HOPE TO EXPAND THE RESEARCH TO COVER NEW METHODS OF FORECASTING OF

WEATHER FOR THE DENVER REGION, OUT TO PERHAPS 50 OR 60 MILES FROM DENVER. A FINAL USE, WHICH IS JUST BEGINNING TO BE SUGGESTED, IS AS A CENTRAL LOCATION FOR THE STUDY OF THE PROPAGATION OF LIGHT WAVES THROUGH A WELL-INSTRUMENTED ATMOSPHERE, FOR COMMUNICATION AND OTHER PURPOSES.

SO YOU SEE THAT IT IS PLANNED THAT THIS SITE WILL BE THE FOCAL POINT OF MUCH OF THE ATMOSPHERIC RESEARCH AND DEVELOPMENT OF THE COUNTRY. IT IS ALSO DESIGNED TO FACILITATE COMMUNICATIONS AND RAPID TRANSFER OF IDEAS AND TECHNOLOGY BETWEEN NOAA, NCAR, AND THE UNIVERSITIES. ITS CREATION WILL HELP AVOID UNNECESSARY DUPLICATION OF FACILITIES OR PROGRAMS BY NOAA AND NCAR, AND WILL MARKEDLY INCREASE THE EFFICIENCY OF USE OF NOAA AND NCAR RESOURCES.

CONTACTS WITH OTHER INTERESTED PARTIES

WE HAVE MADE A MAJOR EFFORT TO INFORM THE PUBLIC, AND POTENTIALLY INTERESTED INDIVIDUALS AND ORGANIZATIONS, OF OUR PLANS. OUR EFFORTS IN THIS AREA ARE SUMMARIZED IN TABLES 1 THROUGH 5, WHICH SHOW RESPECTIVELY THE CONTACTS WE HAVE MADE WITH PUBLIC MEDIA, PRIVATE PERSONS, ENVIRONMENTAL AND SPECIAL INTEREST GROUPS, PUBLIC OFFICIALS, AND PUBLIC MEETINGS AND HEARINGS.

OUR CONTACTS WITH THESE INDIVIDUALS AND GROUPS HAVE, IN ALMOST EVERY CASE, BEEN FAVORABLE, WITH THE PARTIES CONCERNED

EXPRESSING APPRECIATION OF THE EFFORTS WE HAVE MADE TO CONTACT THEM, AND A NEUTRAL OR FAVORABLE ATTITUDE TO THE PROJECT. IN ONE SIGNIFICANT CASE WHERE LOCAL LANDOWNERS LODGED A REQUEST THAT WE MODIFY OUR PLANS TO MOVE THE PROPOSED LOCATION OF THE NCAR BUILDING FURTHER FROM THEIR PROPERTY, WE WERE HAPPY TO BE ABLE TO RESPOND FAVORABLY TO THEIR REQUEST.

PROS AND CONS

I HAVE INDICATED SOME OF THE USES AND BENEFITS WE EXPECT TO DERIVE FROM USE OF THE SITE.

WHAT ARE THE PRINCIPAL NEGATIVE ASPECTS OF THE PROPOSAL?

1. AVIATION

WE HAVE, OF COURSE, BEEN VERY MUCH AWARE OF THE POSSIBLE ADVERSE IMPACT OF THE HIGH TOWER ON AVIATION, ESPECIALLY AS A POSSIBLE HAZARD TO SMALL AIRCRAFT. WE HAVE SOUGHT TO MINIMIZE THIS BY THE LOCATION OF THE SITE AS FAR AS PRACTICABLE FROM LOCAL AIRPORTS (ESPECIALLY STAPLETON) AND BY PROVIDING THE LATEST TYPES OF LIGHTING ON THE TOWER. THE FAA HAS RULED THAT THE TOWER DOES NOT REPRESENT A HAZARD TO AIR NAVIGATION. IT IS IMPORTANT TO NOTE THAT THE AIRCRAFT OWNERS AND PILOTS ASSOCIATION, A VERY ACTIVE ORGANIZATION VIGOROUSLY REPRESENTING THE INTERESTS OF SOME 90,000 PILOTS AND OWNERS ACROSS THE COUNTRY, LODGED AN INITIAL PROTEST, BUT

ON LEARNING OF THE PROPOSED USES OF THE SITE, INCLUDING ESPECIALLY THOSE IN SUPPORT OF AVIATION SAFETY, HAS WITHDRAWN THEIR OBJECTION.

I WILL BE GLAD TO COMMENT FURTHER ON THIS IF YOU WISH, BUT LET ME POINT OUT THAT AT YOUR LAST MEETING, AN EX-AIRLINE PILOT, AND MEMBER OF THE AIRPARK GROUP TO BE LOCATED APPROXIMATELY 1½ - 2 MILES FROM THE TOWER, STATED THAT THESE TWO ADJACENT USES OF THE AIRSPACE WERE INDEED FULLY COMPATIBLE.

2. LIGHTING

THE FAA REQUIRES THAT WE INSTALL THE NEW HIGH INTENSITY WHITE LIGHTS ON THE TOWER. THESE WILL BE VISIBLE FOR MANY MILES AT NIGHT, BUT RECENT DEVELOPMENTS OF LAMPS WITH LOUVERS TO LIMIT THE AMOUNT OF LIGHT WHICH IS DIRECTED DOWNWARDS GREATLY REDUCES THEIR BRIGHTNESS AS VIEWED FROM THE GROUND. THE LATEST INFORMATION WE HAVE IS FROM A LETTER FROM THE MANUFACTURERS (AND I QUOTE) "TO OUR KNOWLEDGE, NO COMPLAINTS OF EXCESSIVE GROUND LIGHT LEVEL HAVE EVER BEEN RECEIVED FROM PEOPLE IN THE AREA" (CLOSE QUOTE) - EVEN WITH LIGHTS AS LOW AS 250 FT. ABOVE GROUND LEVEL IN DENSELY POPULATED URBAN AREAS. WE

WILL PLAN TO REDUCE THE LIGHT LEVEL AT THE GROUND BY THE USE OF LOUVERS, AND BY TILTING THE BEAM UPWARDS TO THE MAXIMUM EXTENT ALLOWED BY THE FAA.

3. TRAFFIC

THE INCREASE IN VEHICLES TO AND FROM THE SITE IS THOUGHT TO BE NEGLIGIBLE. THIS IS ESTIMATED AT 15 TO 30 VEHICLES PER DAY TO THE SITE, ONCE THE NCAR BUILDING HAS BEEN ERECTED.

4. AIRCRAFT FLIGHTS

ONE USE OF THE TOWER WILL BE TO CHECK AND CALIBRATE NCAR'S INSTRUMENTED AIRCRAFT. THIS WILL INVOLVE OCCASIONAL DAYS, AN AVERAGE OF PERHAPS ONE PER MONTH, COORDINATED WITH THE FAA, WHEN AN AIRCRAFT WILL FLY REPEATEDLY PAST THE TOWER (AT TOWER TOP HEIGHTS) AT INTERVALS OF PERHAPS 15 MINUTES. WE BELIEVE THAT SUCH FLIGHTS WILL BE LIMITED TO A FEW HOURS ON ABOUT 10 DAYS PER YEAR.

IN ADDITION, DURING MAJOR ATMOSPHERIC RESEARCH EXPERIMENTS, THE AIRCRAFT MAY FLY PATTERNS WHICH INCLUDE SEVERAL PASSES BY THE TOWER ON PERHAPS 25 DAYS PER YEAR. THESE WILL INCLUDE SOME AT TOWER HEIGHTS, AND ALSO OTHERS AT GREATER HEIGHTS.

SOME ADDITIONAL BENEFITS:

I HAVE SPOKEN OF THE VERY IMPORTANT BENEFITS WHICH WILL ACCRUE TO ATMOSPHERIC RESEARCH AND THE U.S. TAXPAYER AS A RESULT OF FASTER, MORE EFFECTIVE RESEARCH LEADING TO IMPROVEMENTS IN WEATHER MONITORING AND FORECASTING, AND AVIATION SAFETY -- BUT WHAT ARE SOME OF THE BENEFITS TO WELD COUNTY AND COLORADO? WE BELIEVE THAT WELD COUNTY AND COLORADO WILL GAIN A NUMBER OF BENEFITS IF WE ARE ALLOWED TO GO AHEAD AS PLANNED. THESE INCLUDE:

- SOME ADDITIONAL JOBS, ESPECIALLY DURING THE CONSTRUCTION PHASE,
- STRENGTHENING OF THE ALREADY STRONG ROLE OF COLORADO IN ATMOSPHERIC R&D,
- CONTINUOUS AVAILABILITY OF REAL-TIME METEOROLOGICAL DATA FROM THE TOWER AND OTHER INSTRUMENTATION TO INTERESTED PARTIES. THIS WILL BE OF PARTICULAR INTEREST AND BENEFIT TO GENERAL AVIATION, AND TO AIR POLLUTION AUTHORITIES.
- LOCATION OF RESEARCH WEATHER FORECASTING PROGRAM IN DENVER AREA, HOPEFULLY LEADING TO EASTERN COLORADO BEING FIRST WITH NEW AND IMPROVED WEATHER FORECASTS.
- IMPROVED TRAINING OPPORTUNITIES FOR COLORADO STUDENTS AND UNIVERSITIES

— IMPROVED MANUFACTURING OPPORTUNITIES FOR COLORADO
INDUSTRY INTERESTED IN BUILDING REMOTE SENSING
INSTRUMENTATION.

WE RESPECTFULLY REQUEST YOUR SUPPORT OF THE NECESSARY
REZONING OF THE LAND.

I WILL BE GLAD TO TRY TO ANSWER ANY QUERIES YOU MAY HAVE.

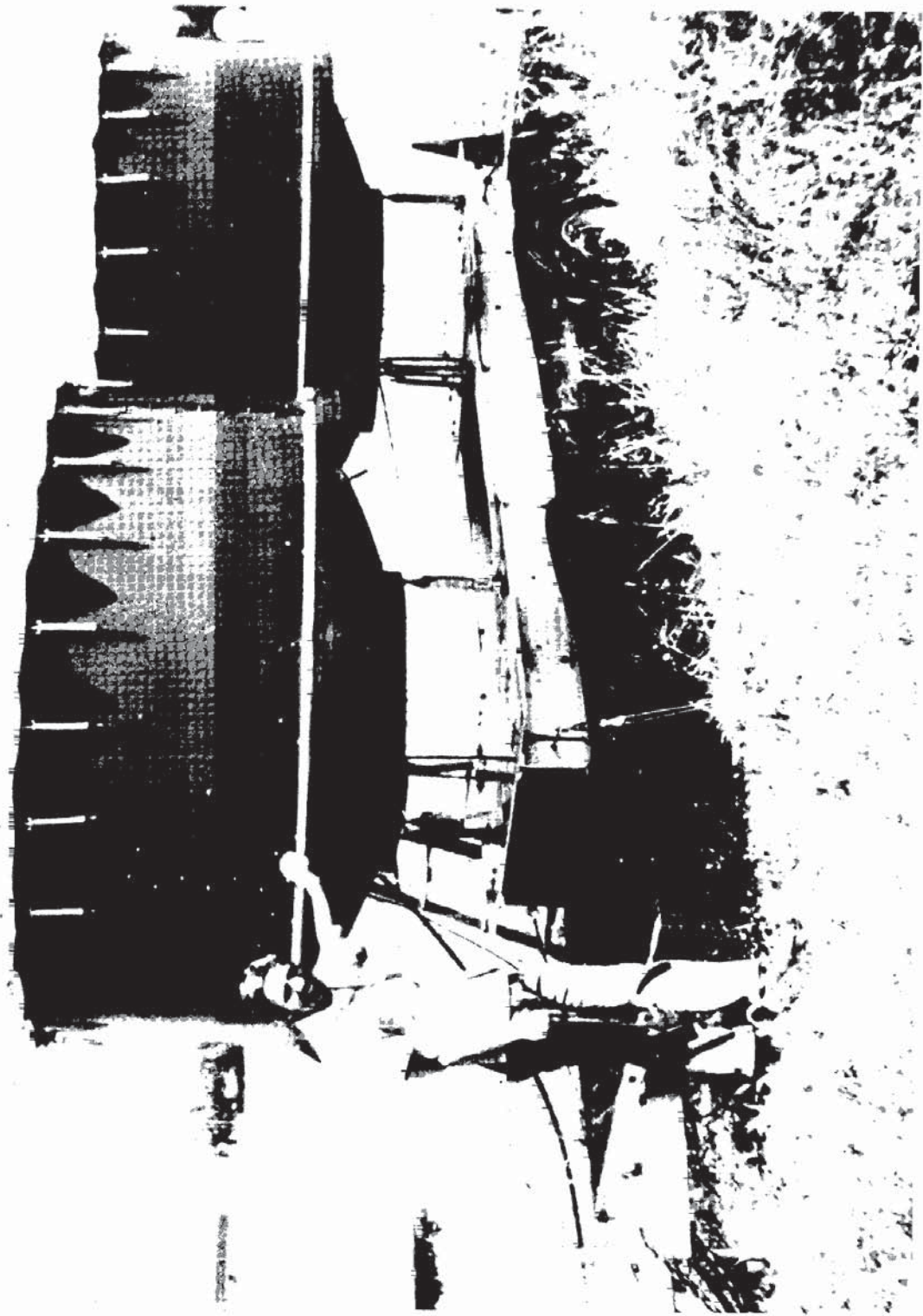


Figure 1

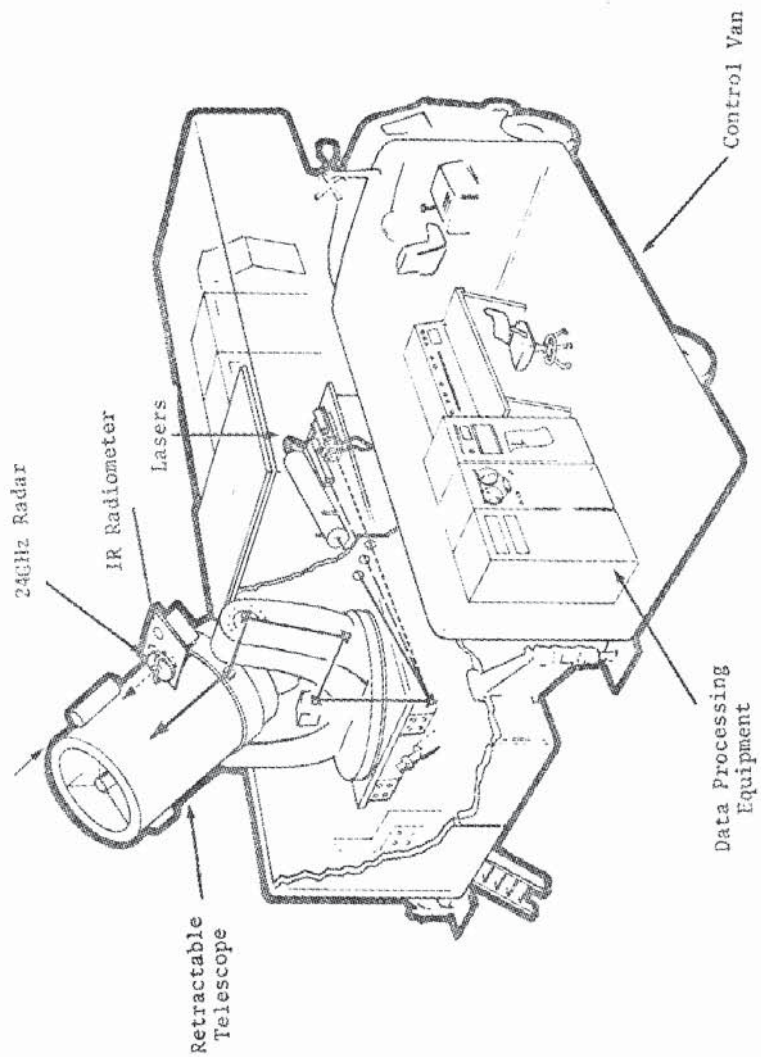


Figure 2

70X432

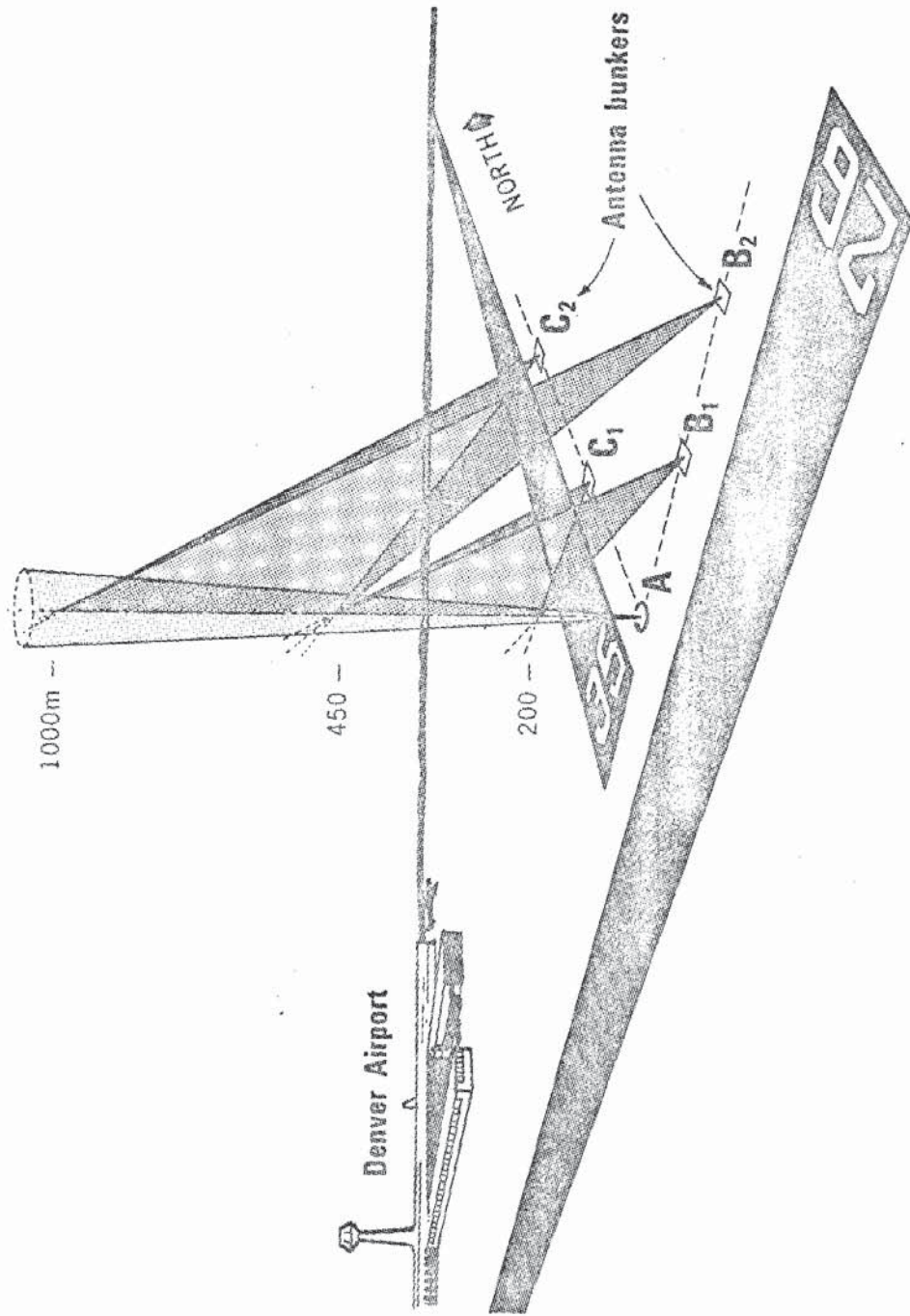
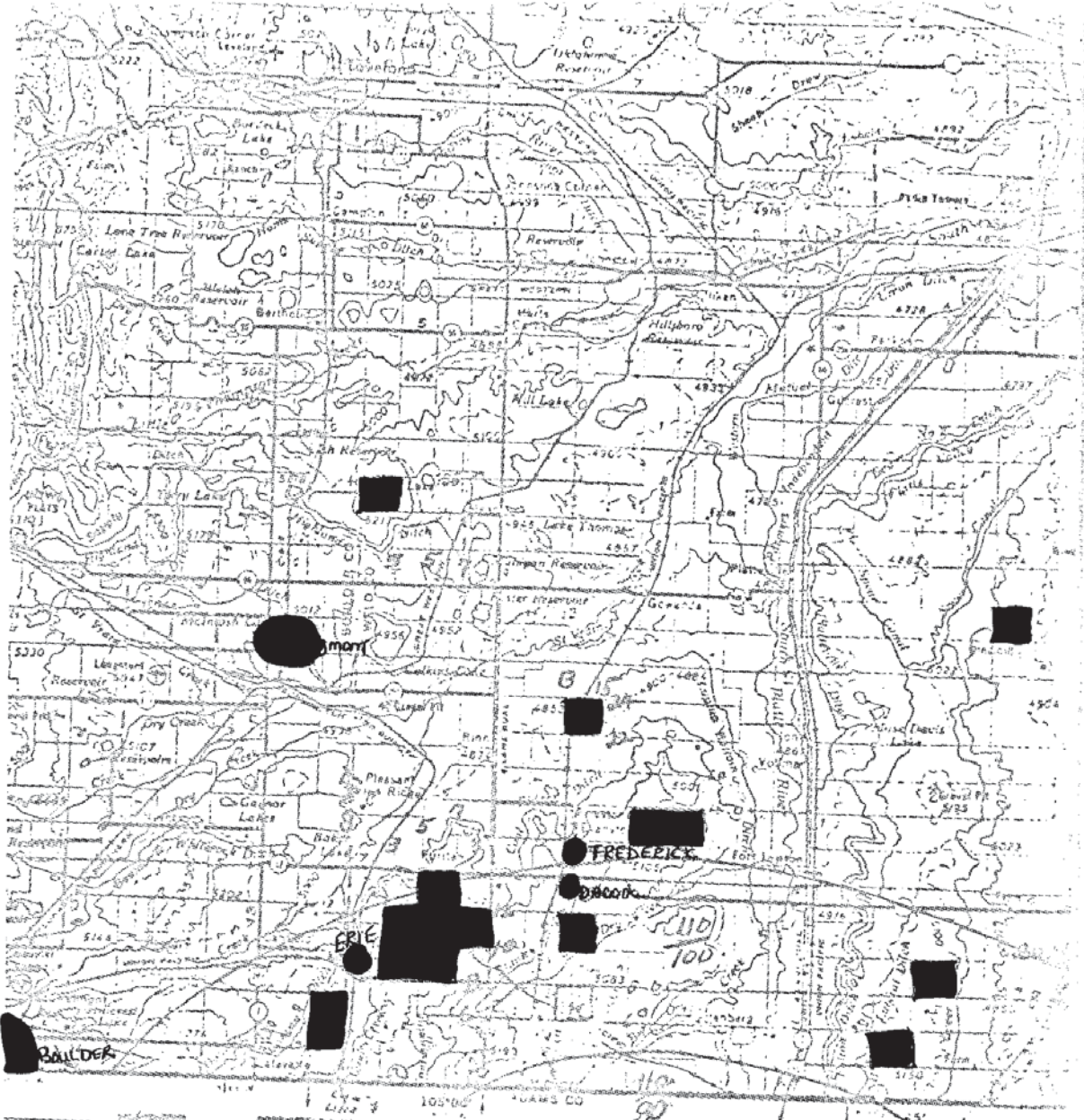


Figure 3



Scale 1:250,000
 5 10 15 20 Statute Miles
 5 10 15 20 Kilometers
 15 Nautical Miles
 CONTOUR INTERVAL 20 FEET
 SUPPLEMENTARY CONTOURS AT 100 FOOT INTERVALS
 TRANSVERSE MERCATOR PROJECTION
 Figure 4.

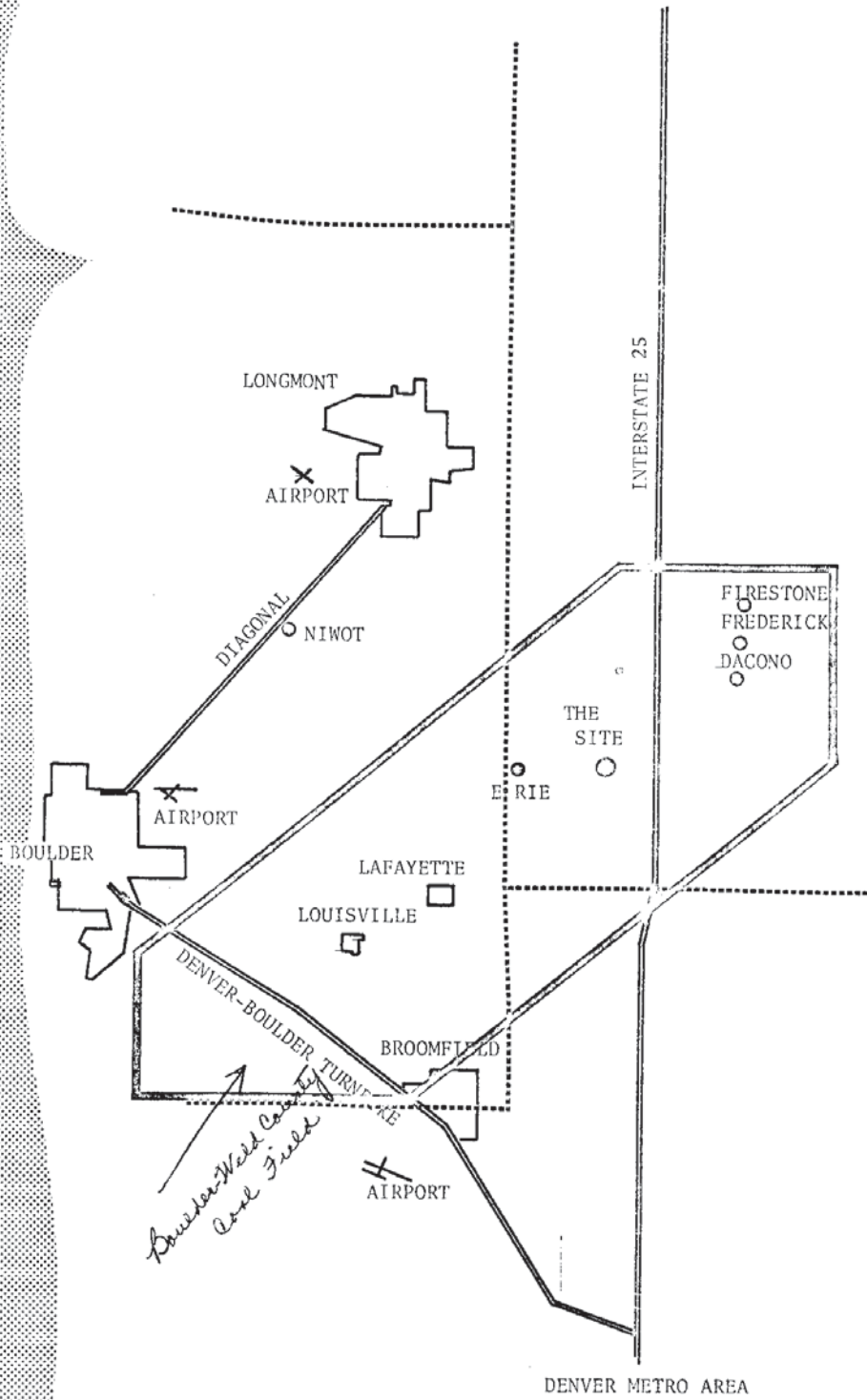


Figure 5

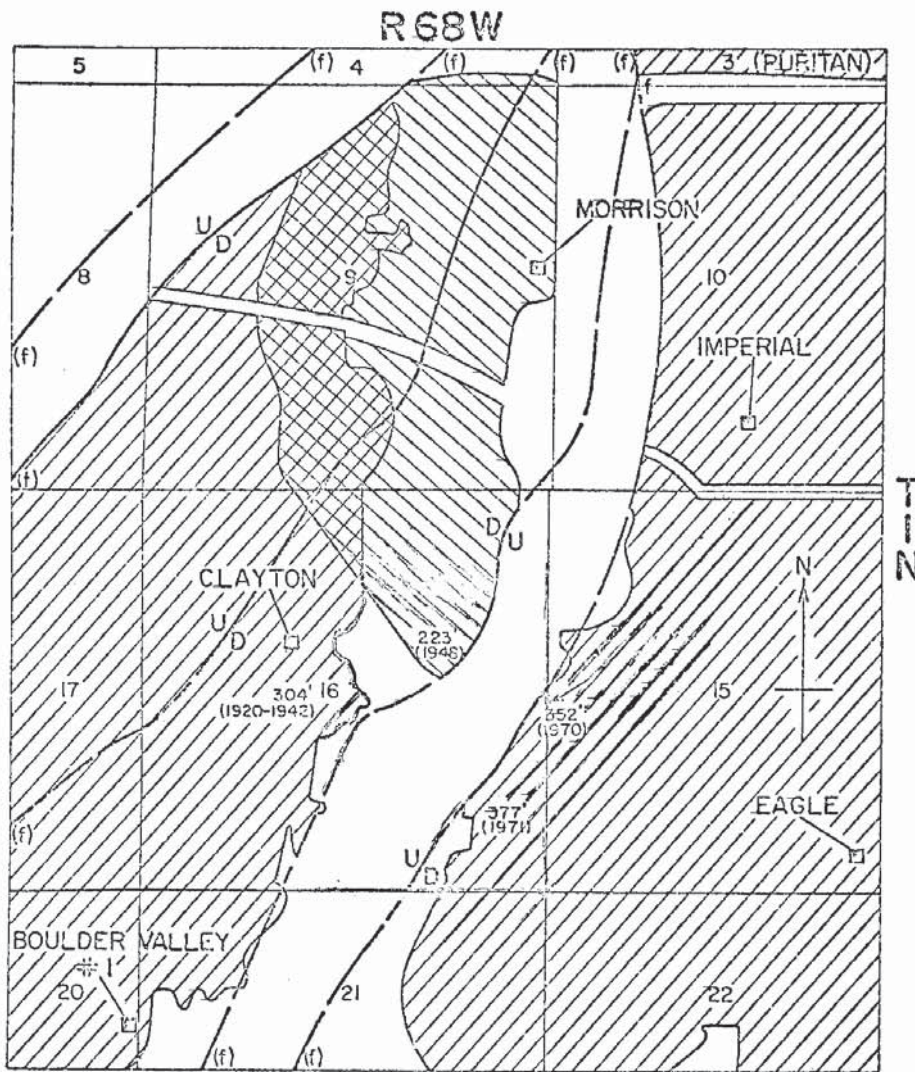







Figure 6
Map Showing Faults and Extent of Mining
in Vicinity of Site (Scale 1:24000)

-  Extent of mining in Coalbed No. 6
-  Extent of mining in Coalbed No. 3
-  Mine shaft
-  Core hole number  352' Depth to mining near core hole
(1970) Date of mining near core hole

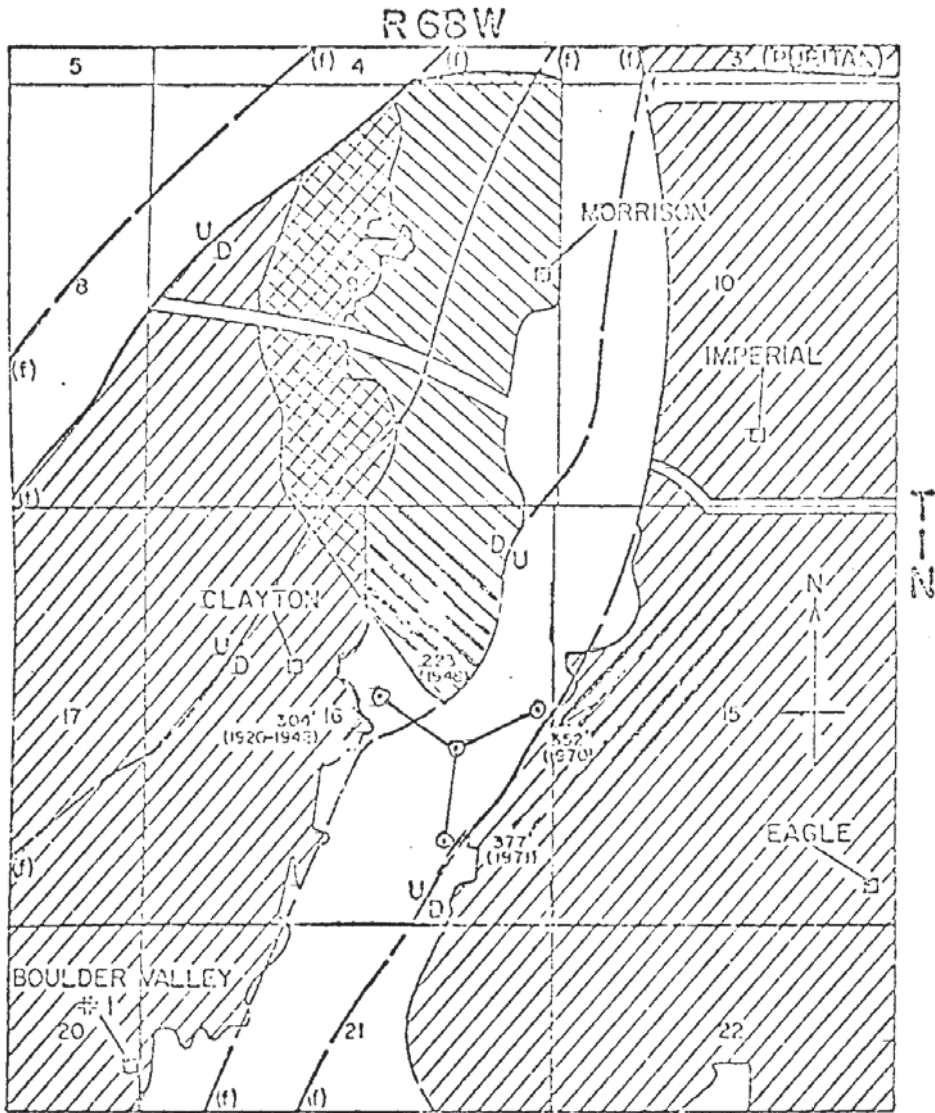


Figure 7.

Map Showing Faults and Extent of Mining
in Vicinity of Site (Scale 1:24000)



Extent of mining in Coalbed No. 6



Extent of mining in Coalbed No. 3

□ Mine shaft



Core hole
number

352' Depth to mining near core hole
(1970) Date of mining near core hole

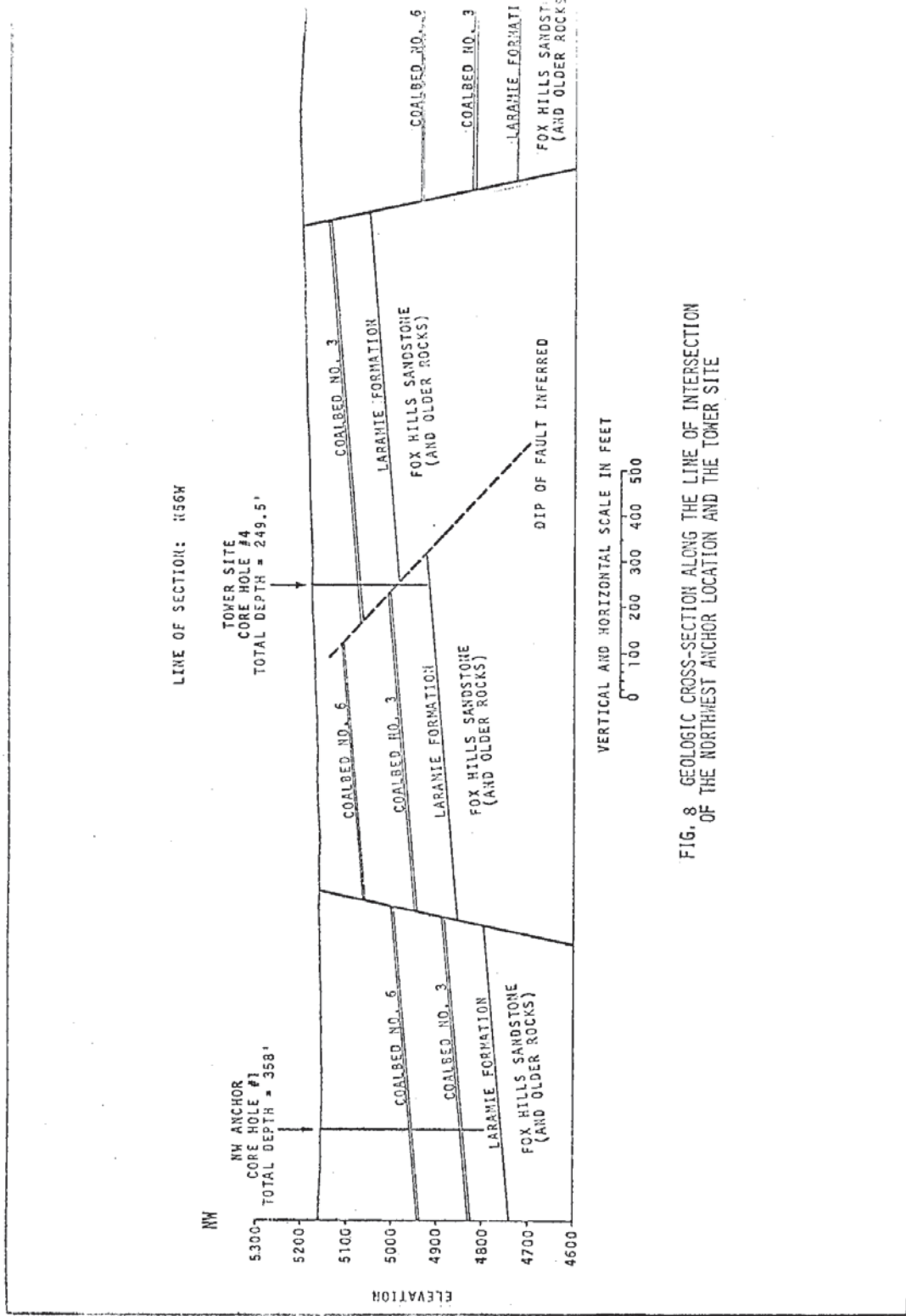


FIG. 8 GEOLOGIC CROSS-SECTION ALONG THE LINE OF INTERSECTION OF THE NORTHWEST ANCHOR LOCATION AND THE TOWER SITE



Figure 9

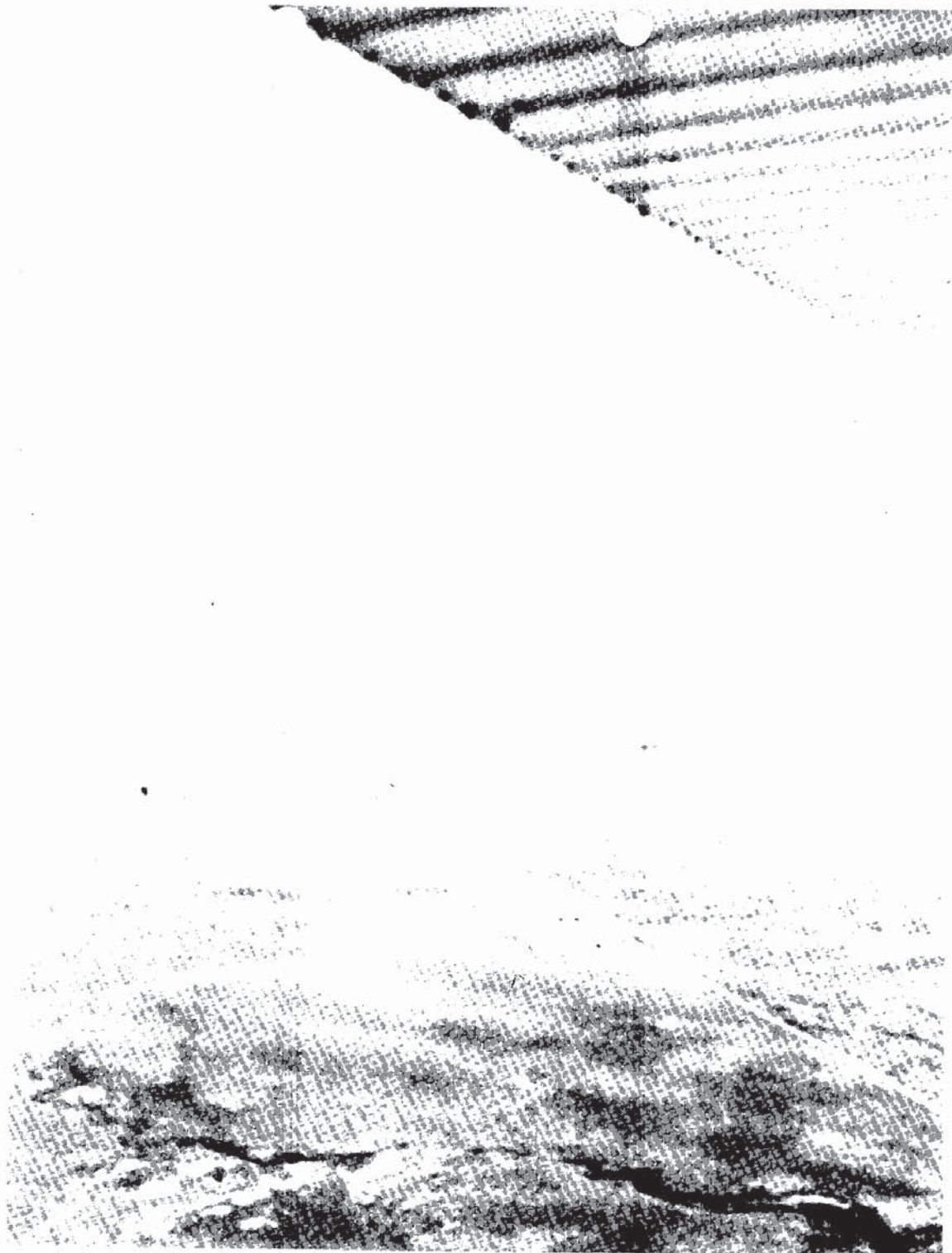


Figure 11

ISOMM - ERL

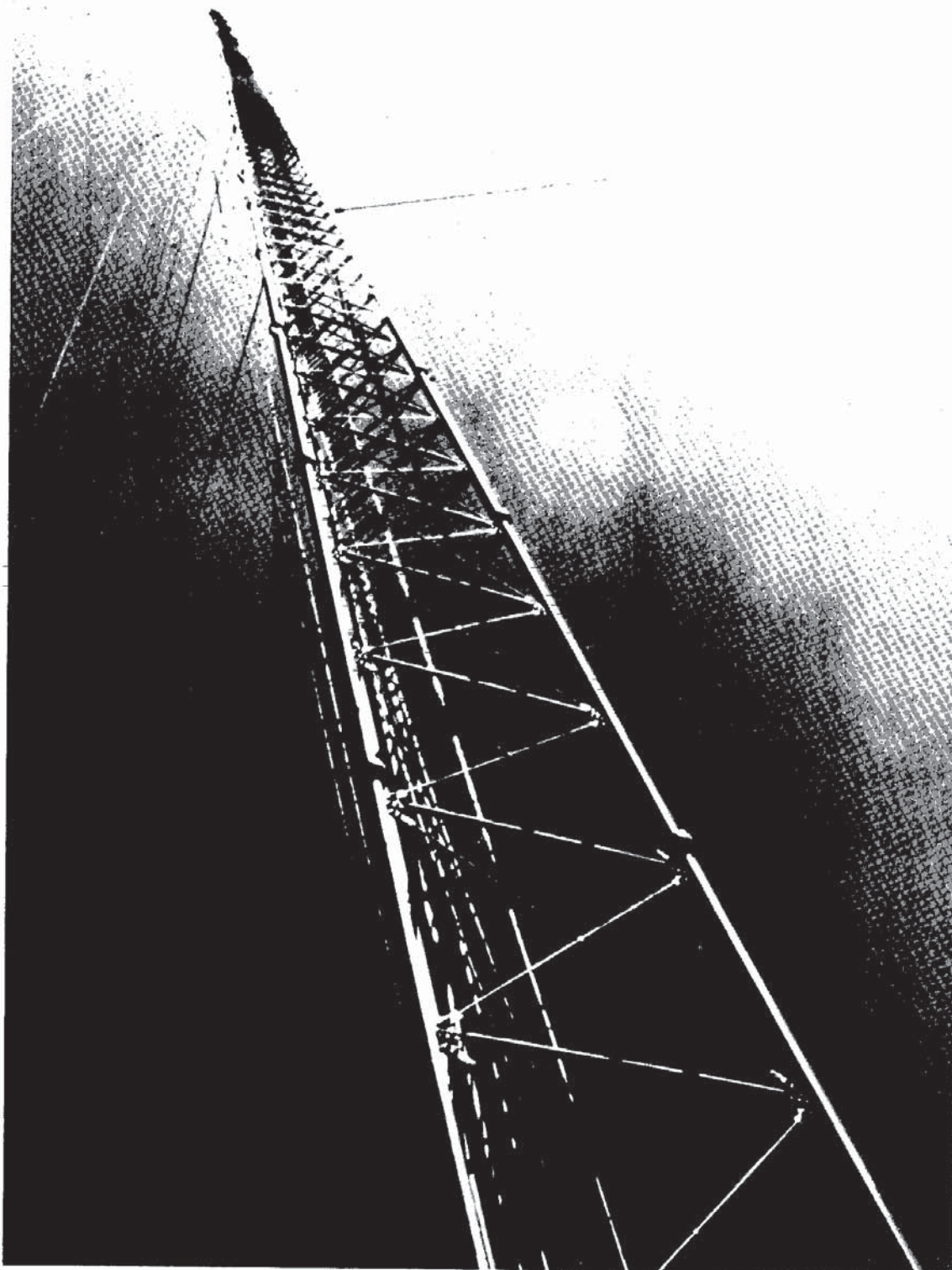


Figure 12

JMOF - ENVIRONMENTAL IMPACT STUDY

PUBLIC MEDIA CONTACTED

NEWS PAPER

- BOULDER DAILY CAMERA
- TOWN & COUNTRY REVIEW
- DENVER POST
- ROCKY MOUNTAIN NEWS
- ADAMS COUNTY ALMANAC/DISPATCH SENTINEL/JOURNAL SENTINEL
- BERTHOUD BULLETIN
- LAKEWOOD SENTINEL/WHEAT RIDGE SENTINEL
- LOUISVILLE TIMES
- LEADER (BROOMFIELD)
- ARVADA CITIZEN
- ADAMS COUNTY STANDARD
- BRIGHTON BLADE
- BROOMFIELD STAR
- FREDERICK FARMER & MINER
- LONGMONT SCENE
- LONGMONT TIMES CALL
- GREELEY BOOSTER
- PLATTEVILLE HERALD
- JOHNSTOWN BREEZE
- LOVELAND REPORTER-HERALD
- GREELEY TRIBUNE & REPUBLICAN
- GREELEY JOURNAL

TELEVISION

- KOA - CHANNEL 4
- KMGH - CHANNEL 7
- KBTV - CHANNEL 9
- KWGN - CHANNEL 2

RADIO

- KBOL
- KADE

Table 2.

JMOF - ENVIRONMENTAL IMPACT STUDY

PUBLIC MEETINGS AND HEARINGS

PLAN BOULDER COUNTY -

TOWN COUNCIL, ERIE, COLORADO

JMOF PROGRAM PLAN - ERIE HIGH SCHOOL

AIR FORCE ASSOCIATION

PUBLIC OFFICIALS CONTACTED

FEDERAL AVIATION ADMINISTRATION

SENATOR FLOYD HASKELL

STATE REPRESENTATIVE WILLIAM HILSMEIER

ED TEPE - BOULDER COUNTY PLANNING DIRECTOR
BABETTE SMITH - BOULDER CITY PLANNING OFFICE
RUTH CORRELL - BOULDER CITY COUNCIL
PHILLIP STERN - OFFICE OF THE DISTRICT ATTORNEY
ROBERT FLEMING - ADAMS COUNTY PLANNING DIRECTOR
HARLAN BROCK - MAYOR, ERIE, COLORADO
VIRGIAL PURYEAR - DIRECTOR, COLORADO STATE
COMMUNICATIONS DIVISION
HARVEY MILLER - REGIONAL OFFICE,
FISH AND WILDLIFE SERVICE
DEPARTMENT OF THE INTERIOR
JOSEPH FUSS - CHIEF, DACONA FIRE DISTRICT
THOMAS FISHER - FARMERS RESERVOIR AND IRRIGATION
COMPANY

JMOF - ENVIRONMENTAL IMPACT STUDY

ENVIRONMENTAL AND SPECIAL INTEREST GROUPS CONTACTED

AIRCRAFT OWNERS AND PILOTS ASSOCIATION

COUNCIL ON ENVIRONMENTAL QUALITY

AUDUBON CLUB

PEOPLE UNITED TO RECLAIM THE ENVIRONMENT

COLORADO COUNCIL FOR ENVIRONMENTAL INFORMATION

SIERRA CLUB

COLORADO OPEN SPACE COUNCIL

ROCKY MOUNTAIN CENTER ON THE ENVIRONMENT

COLORADO PUBLIC INTEREST RESEARCH GROUP

JMOF - ENVIRONMENTAL IMPACT STUDY

PRIVATE PERSONS CONTACTED

ALL PROPERTY OWNERS WITHIN 500 FEET OF SECTION 16 T1N R68W

MARTHA WEISER	--	LIGHTS AND GENERAL AVIATION
JAMES HUTCHINSON	--	AIRPORT OPERATOR
EARL BOLTON	--	PILOT, BOULDER AVIATION ADVISOR TO COUNCIL OF GOVERNMENTS
BEN LOWELL	--	PILOT, CHAIRMAN BOULDER CHAMBER OF COMMERCE AVIATION SUBCOMMITTEE

Joint Meteorological Observing Facility
of
National Oceanic and Atmospheric Administration
and
National Center for Atmospheric Research

A3 Development Criteria

The JMOF is proposed to be a 620 acre field site owned by the Federal Government for the measurement of atmospheric science parameters, and the development, testing, demonstration and calibration of new remote sensing instruments capable of measuring these parameters. A 985' (300 m) guyed tower is proposed for the site. Meteorological instrumentation will be mounted at seven levels on the tower. The tower will have a ten-foot cross-section, an internal man-rated elevator and an external carriage on which mounted instruments will traverse the height of the tower.

At the JMOF, the National Center for Atmospheric Research plans to erect a 25,000 square foot research laboratory and office building to house 30 to 40 staff.

The site for the planned JMOF was selected after a thorough survey considering fifteen alternate sections of land in Weld County. The section selected has been extensively undermined by activity of the Morrison, Clayton and Eagle mines. The tower and permanent buildings are to be sited on a natural geological fault. Soils examination and

deep geological corings in the fault zone have been accomplished at the site of the tower. The tower site has been proved safe from any risk of subsidence. Much of the surrounding land has been classified as unsafe or subject to severe risk from subsidence for any surface use other than agriculture. These findings are contained in the study, Coal Mine Subsidence and Land Use in the Boulder-Weld Coalfield issued by Amuedo and Ivey, Consulting Geologists, for the State of Colorado, Boulder and Weld Counties.

It is believed the JMOF represents a careful attempt to provide optimum land use for the proposed site.

a. Permitted Uses

Tower instruments will operate continuously to measure temperature, pressure, wind velocity and direction, and humidity.

A variety of instruments and measurement systems will be located on the ground and around the perimeter of the tower. These instruments will operate at acoustic, optical and radio frequencies. Initially, instruments mounted on vehicles will utilize the site for measurement and calibration purposes. Eventually, a few locations for such vehicles will be prepared to include a stabilized parking surface, tie downs, electrical power connections.

Standard weather balloons will be launched from the site. Tethered balloons will be flown from time to time during field experiments. Aircraft will occasionally fly-by the upper levels of the tower for instrument calibration purposes.

The proposed permanent building will house offices, electronic and mechanical laboratories of NCAR's Field Observing Facility. Pending erection of the permanent building, portable office-laboratory modules will be situated near the proposed building site. Approximately 2400 square feet of space will be provided to include sanitary facilities designed to meet Weld County Health Department Standards.

Until the permanent building is erected only 4 or 5 persons will work daily at the JMOF. They will be joined by other NOAA and NCAR research staff and guest researchers on intermittent visits. During large field measurement experiments twelve to fifteen persons may be on site daily for one to three week periods.

- b. Residential Density - Not Applicable.
- c. Commercial Floor Area and uses - Not Applicable.
- d. Interim Land Use.

Prior to land purchase NOAA proposes to lease from present owners three parcels of land. The first will be an area defined as a circle with a

radius of 1200' where the center represents the tower location. This area will be seeded into native dry land grasses. The objective is to obtain a uniform ground cover around the tower site.

The second lease parcel will include the balance of the 120 acres in the NE quarter of Section 16 owned by Roy and Beverly Carlson.

The third lease parcel will include an initial 5 acres to be developed for the temporary space and support facilities situated in the SE quarter of Section 16.

Most of the 620 acres of land should continue in dry land cultivation as has been the practice. Separate agreements with the present lessee and owners pending land purchase will accommodate field experimental needs on a mutually agreed interference and cost basis.

e. Site preparation.

Weed and dust control will be practiced on all land controlled by NOAA-NCAR.

f. Dedicated or reserved school lands - Not Applicable.

g. Lighting

The JMOF tower will display flashing white strobe lights at three levels on each side. These FAA preferred warning lights will operate continuously

24 hours a day. There will be emergency electrical power source available. Standard mercury vapor lights will be installed on the tower to illuminate the immediate ground area. Similar outside lights on the office-lab modules will light the parking area and walkways to the modules.

h. Street Standards - Not Applicable.

i. Structures adjacent to streets.

Temporary and permanent structures will have a minimum set-back of 75' from any right-of-way.

j. Visual Considerations.

The tower will appear as a slender shaft of uniform cross-section for the entire height. It will be triangular in shape. The three principal members and cross supports are tubular shapes. The elevator and carriage will operate within structural guideways. Instrument booms will project from the tower at six levels out to distances of ten to twelve feet. The booms are to be extendable from either of two sides of the tower. Normally, all booms will be extended on the same side at a given time. Instruments mounted on the booms are small. With the exception of cup-type anemometers and the carriage there will be no continuous movements on the tower.

The tower will be guyed with fifteen pre-stretched steel cables connected to six anchors situated at distances of 500' and 900' from the tower. Each concrete and steel anchor extends about four feet above ground with a large structural mass below ground. The tower will be galvanized and will appear a uniform dull grey after weathering.

The strobe light fixtures are designed to screen most light from direct view from the ground out to a radius of approximately 2.2 miles from the tower. At night, within this distance on the ground, there will be an awareness that there are lights on the tower. However, the brightness of the lights will only be slightly perceived. At distances beyond two miles the lower level of lights may begin to be seen directly. The brightness continues to be greatly diminished since the main beam of the light is still focused upward at an angle of 2°. At the distance of approximately 16 miles and an elevation of 6800' the main beam of the middle and upper level lights intersects the ground. The light intensity has been reduced by the atmosphere to a point that will be perceived only as a bright planet Venus at two levels.

- k. Non-residential uses - Not Applicable.
 - l. Lot standards - Not Applicable.
 - m. Architectural and Building Standards.
-

The design and installation of any temporary or permanent structures for human occupancy will conform to Weld County Building Codes. Building permits will be obtained as appropriate. The tower has been designed to meet or exceed engineering standards for this type structure. All plans and specifications have been developed with the guidance of Minasian Associates, consulting engineers and tall tower specialists.

n. Parking.

On site parking is planned for all vehicular traffic. Initially, stabilized parking for approximately twelve vehicles will be provided adjacent to the office-lab modules. Additional parking facilities will be part of the plan for the permanent FOF facility.

o. Landscaping.

Landscaping will be designed and proposed later as part of the permanent FOF facility.

p. Signs.

An initial, unlighted, painted, wooden sign 6' x 4' will be installed adjacent to the access road off County Road 8 leading to the office-lab modules.

q. Common Open Space - Not Applicable.

r. Utility design standards and maintenance.

Extensions of utility services to on-site meters will be accomplished by suppliers or as appropriate by NOAA in accordance with suppliers specifications. All on-site distributions will conform to uniform electrical and mechanical codes. All on-site installations and maintenance downstream from meters will be the responsibility of NOAA-NCAR.

t. Access limitations.

Principal vehicular access to the JMOF will be off County Road No. 8 at a point agreed to by the County. Secondary access to interior pads for the occasional use by trucks towing or mounting measurement systems will be planned at one or more safe points to be arranged with the county. An 8' high security fence will surround the tower base to prevent unauthorized access to the tower.

u. All other covenants, grants of easements or restrictions to be imposed upon the use of land, building and structures.

The Federal Aviation Administration issued on November 26 a determination that a tower height of 985' (6165' above mean sea level) is not a hazard to aviation. This determination was made to Aeronautical Study No. 75-RM-128-OE dated June 20, 1975 for construction of a proposed 300 m (985') tall tower at the JMOF site.

The height of the JMOF tower is extremely relevant to the quantity and quality of atmospheric science research at the JMOF. If experience with the 985' tall tower provides clear evidence the effectiveness of the research program is hampered due to a less than optimum tower height, NOAA-NCAR may propose at such time in the future to increase the height of the tower.



B. Written Material - Supporting Documents.

1. The National Oceanic and Atmospheric Administration has been appointed by the following land owners to act as their attorney-in-fact in the matter of applying for rezoning for scientific planned unit development for their land situated in Section 16 T1N R68W. Pertinent documents are attached from:

-Ray H. and Beverly J. Carlson

-Raymond H. Simpson

for State of Colorado State Board of Land Commissioners.

2. Summary statement of application.

a. Total development area.

The proposed area for the JMOF is the entire Section 16, T1N R68W excluding only those subtracts in the NE quarter, specifically NE1, NE1A, NE3, and NE5. The area proposed for rezoning totals 620 acres more or less.

b. Total number of proposed dwelling units.

None.

- c. Total number of square feet of non-residential floor space.

25,000 square feet in the permanent FOF office-laboratory building are planned.

- d. An initial off street parking area for twelve vehicles is planned. Additional parking is contemplated as part of the eventual permanent FOF facility plan.

- e. Estimated total number of gallons per day of water system requirements where a distribution system is proposed.

Not Applicable.

- f. Water Supply Source.

The Left Hand Water Supply Company, Niwot, Colorado has agreed to furnish domestic water to the JMOF where points of use are in the east half of Section 16.

- g. Type of sewage disposal system.

An individual sewage disposal system will be designed and installed to meet Weld County standards. A septic tank with absorption field system is contemplated for the initial

system serving the office-laboratory modules. The eventual system for the expanded need will be designed to meet this need.

- h. Not Applicable.
- i. Uses to be developed in the area and the proposed density of development.

Principal uses include an 985' tall instrumented meteorological tower, laboratory and office space, and associated parking area. Remaining land area to continue as open space under dry land cultivation or dry land pasturage. A variety of meteorological measurement instruments or systems will be located around the tower on the ground and at different points on the development.

- j. General time schedule of expected completion dates of various elements of the plan.

March 1976 - First leases for land in East 1/2 of Section 16.

April-May 1976. - Dry land grasses seeded into tower area.

March 1977 - Office-laboratory modules started, sanitary facility installed.

June 1977 - Tower erection commences.

August 1977 - Tower erection completed.

October 1977 - Design of FOF building commences.

January 1978 - Possible land purchase.

February 1978 - Weld County review of FOF plan.

June 1978 - Construction of FOF building begins.

December 1978 - FOF building completed.



- k. Explanation of how open space will be preserved and maintained.

Prior to purchase, land in the vicinity of the tower and the interim office-lab modules will be planted and maintained in dry land natural grasses. The remaining land of the development will continue in existing pasture or dryland farming. After purchase and based on experience with the meteorology over the strip-cultivated land around the tower site, a decision will be made either to continue the farming practice or to plant the remaining cultivated land in natural dry land grasses. All lands under the control of NOAA-NCAR will be maintained as free of weeds as good land management practices permit.

- l. Size and scope of shopping facilities, if any - Not Applicable.
- m. Size and scope of other community facilities - Not Applicable.
- n. Financial plan.

All outlays will be from appropriated funds of the U. S. Government.



NATIONAL CENTER FOR ATMOSPHERIC RESEARCH

ATMOSPHERIC TECHNOLOGY DIVISION

P. O. Box 3000 • Boulder, Colorado 80303

Telephone: (303) 494-5151 • TWX: 910-940-3245 • Telex: 045 694

31 December 1975

Mrs. Ann Moore
Deputy County Planner
1516 Hospital Road
Greeley, Colorado 80631

Dear Mrs. Moore:

It may be helpful to place in formal context the reasons why the Field Observing Facility (FOF) of NCAR should be contiguous to the JMOF meteorological tower proposed for Section 16, just east of Erie. The reasons arise from the technical, operational and economic aspects of the situation as follows:

1. The FOF is charged with the development, modification, calibration, and operation of instrumentation to gather meteorological data for research purposes. It is clear that, once operational, the JMOF tower will become a focus and integral part of nearly all FOF data acquisition and calibration activities in the local area for the foreseeable future. Thus, FOF personnel and laboratories need to be contiguous to the tower to permit ready access for maximum effectiveness.
2. A requirement exists for a control, data acquisition and recording, and preliminary data processing capability at the tower site. This will be housed in the NCAR laboratory and office building. FOF technical personnel will be active in its routine operation. During peak workloads additional FOF staff will be diverted to carry the additional responsibilities.
3. Scientists and engineers, both visiting and Boulder based, utilizing the tower will have need for electronic, instrument, and mechanical laboratories at the site in order to accomplish modifications, repair and testing in a timely fashion at the site while utilizing the tower. The NCAR facility on-site will contain its own and special JMOF laboratories for such joint usage.
4. Intragroup cooperation, team efforts and managerial control are enhanced when various elements of the same organization are in proximity. FOF personnel will be assigned to the JMOF for operations, many FOF functions, as described earlier, will tend to focus on the tower. Co-location of all participant personnel with the tower will increase operational efficiency.

*The National Center for Atmospheric Research is Operated by the University Corporation
for Atmospheric Research under sponsorship of the National Science Foundation.*



Mrs. Ann Moore

-2-

31 December 1975

5. Joint usage of the site by NOAA and FOF/NCAR will result in less ultimate cost to the taxpayer than if FOF were to locate and operate a separate site.

I hope that the foregoing provides a useful exposition of our reasoning. Either I or Robert Serafin, the FOF Manager, will be pleased to respond to any questions you may have.

Sincerely,



Nelder Medrud, Jr.
Field Observing Facility



Date : September 22, 1975
To : John W. Connolly
NOAA HQ
From : C. Gordon Little, R. T. Frost *CL*
Wave Propagation Laboratory
Subject :

RATIONALE FOR
THE JOINT METEOROLOGICAL OBSERVING FACILITY

THE PROPOSAL:

The JMOF is proposed to be a 620-acre field site for the measurement of atmospheric science parameters, and the development, testing, demonstration and calibration of new remote sensing instruments capable of measuring these parameters. The proposed site is located on Section 16, T1N R68W, situated 2 miles east of the town of Erie, Colorado, in Weld County and 1 mile west of I-25. A 500 m (1640') guyed tower is proposed for the site; meteorological instrumentation will be mounted at 10 levels on the tower. The tower will have a 10-foot cross-section, an internal man-rated elevator and an external carriage on which mounted instruments will traverse the height of the tower. The tower will be equipped at five levels with the latest FAA preferred strobe lights.

The top of the proposed 500 m (1640') tower will be at an elevation of 6,714' (2046 m) above sea level. The tower is situated 12 miles from the Jeffco, Longmont, and Boulder airports and 21.6 miles from Stapleton International Airport.

At the JMOF, the National Center for Atmospheric Research proposes to erect a 21,000 square foot research lab and office building to house 30 to 40 staff.

REASONS FOR THE PROPOSED LOCATION:

1. With both ERL and NCAR in Boulder, the JMOF will be used on a daily basis by the largest concentration of atmospheric researchers in the nation, to advance both atmospheric technology and atmospheric science. U. S. universities will obtain access to JMOF through NCAR; other Federal agencies will obtain access through ERL.

The JMOF must be close to Boulder to obtain these benefits. It will greatly enhance the productivity of ERL's and NOAA's instrumentation programs, and will have major impact on the atmospheric research conducted by the two agencies.



2. The proposed site is sufficiently distant from the foothills of the Rockies to minimize the effects of the mountains. This requirement is necessary in order to simplify the meteorology of the site.

3. The selected site is relatively smooth, horizontal and uniform, with minimum vegetation and terrain features.

4. Best site for land utilization. Tower and building have been sited at locations proved safe by deep geological drilling. The sites are surrounded by mined-out coal fields where subsidence poses a high risk to any land use other than agriculture. This fact ensures reasonable protection of the regional environment from man-made activity that might interfere with measurements at the site in the future.

*Not on 2/1
2/1/80
man-made activity*

Note that the loss of agricultural potential is minimal, since it is currently used only for dry land farming.

5. Best availability of the land. Three-fourths of the section is owned by the Colorado State Land Board. A friendly condemnation action will permit ownership of the site at reasonable cost. The balance of the 140 acres available is owned by one person interested in a land trade now for part of his land and lease/sale of the balance. Conclusion of a land trade will provide NCAR the owned site required for the proposed building.

6. Acceptable impact on the environment. Reception of the proposal by immediately affected property owners has been supportive or neutral.

7. The site is as remote as practicable from airports (over 20 miles from Stapleton, over 10 miles from each of the three local general aviation airports). Sites significantly further east would not be acceptable to NCAR, and would result in the breakdown of the JMOP agreement. Such sites would also significantly reduce the ease with which ERL could use the facility, and hence its usefulness to ERL.

REASONS FOR THE 500 M HEIGHT TOWER:

1. Experience over the last eight years has shown that a tall meteorological tower in close proximity to Boulder is essential if NOAA's \$2.5 million per year remote sensing program is to proceed efficiently. It will greatly aid similar instrumentation programs in NCAR, and will also serve as an essential component of major future joint research experiments on the atmospheric boundary layer.

2. 500 meters is the optimum height of an instrumented tower for these observations. Any less height diminishes rapidly the quantity, quality, and range of the results which will be obtained by the scientists and engineers conducting their programs at the JMOP.

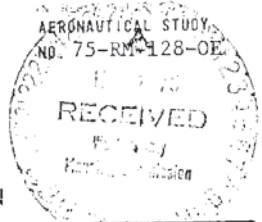
*✓ 500 meters is the optimum height for these observations
idea from an ERL
2/1/80*



3. Remote sensing instruments on the ground will observe the same phenomena as the instruments on the tower. With the full profile of absolute measurements made possible from the 500 meter tower, the quantities measured by remote sensors can be verified and interpreted. As a result of this program, it is expected that ground-based remote sensing instruments will eventually replace the need for meteorological towers.

4. Measurements taken by the Colorado State Pollution Board show that 80% of the time the entire depth of the pollution layer over the Denver Metropolitan region could be observed by a 500 meter tower. This total profile would be invaluable in measuring the interaction of pollutant aerosols with meteorological parameters that increase or diminish their concentration near the earth's surface.

5. Existence of the 500 meter tower will speed the development and applied use of remote sensing devices. Such applications will be most beneficial in monitoring airport environments, including hazards such as wind shear and clear air turbulence near the ground.



DETERMINATION OF NO HAZARD TO AIR NAVIGATION

SPONSOR	U. S. Department of Commerce National Oceanic & Atmospheric Administration 325 Broadway Boulder, CO 80302	CONSTRUCTION LOCATION	
		PLACE NAME Erie, Colorado	
		LATITUDE 40°02'54"	LONGITUDE 105°00'12"
CONSTRUCTION PROPOSED	DESCRIPTION Guyed Meteorological Tower	HEIGHT (IN FEET)	
		ABOVE GROUND 985'	ABOVE MSL 6165'

An aeronautical study of the proposed construction described above has been completed under the provisions of Part 77 of the Federal Aviation Regulations. Based on the study it is found that the construction would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the construction would not be a hazard to air navigation provided the following conditions are met:

- Conditions: 1. The structure is obstruction lighted day and night with high intensity white obstruction lights in accordance with FAA Obstruction Marking and Lighting Advisory Circular 70/7460-1D, Chapter 6.

Supplemental notice of construction is required any time the project is abandoned (use the enclosed FAA form), or

- (X) At least 48 hours before the start of construction (use the enclosed FAA form).
- (X) Within five days after the construction reaches its greatest height (use the enclosed FAA form).
- () Not required.

This determination expires on July 7, 1977 unless:

- (a) extended, revised or terminated by the issuing office;
- (b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.

This determination is subject to review if an interested party files a petition on or before December 28, 1975. In the event a petition for review is filed, it should be submitted in triplicate to the Chief, Airspace Obstruction and Airports Branch, AF-210, Federal Aviation Administration, Washington, D.C. 20590, and contain a full statement of the basis upon which it is made.

This determination becomes final on January 7, 1976 unless a petition for review is timely filed, in which case the determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

An account of the study findings, aeronautical objections, if any, registered with the FAA during the study, and the basis for the FAA's decision in this matter will be found on the following page(s).

If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.

L. R. Robison
 ISSUED BY L. R. ROBISON TITLE Chief, Air Traffic Division

ISSUED AT Aurora, Colorado ON November 28, 1975

On June 20, 1975, the FAA circularized a Public Notice soliciting written comments in regard to the effect of a proposed 985' AGL/6165' AMSL tower, to be located near Erie, Colorado, on the safe and efficient use of airspace by aircraft.

In response thereto, objections were received from the Aircraft Owners and Pilots Association (AOPA) and the Jefferson County Colorado Airport Manager. Basically, the AOPA and the airport manager contended that the proposed structure would have an adverse effect on visual flight rule operations and pose a hazard for air navigation.

The aeronautical study disclosed, as proposed, the meteorological tower would exceed the obstruction standards of the Federal Aviation Regulations Part 77, as follows:

Section 77.23(a)(1) by 485 feet, that height above 500 feet above ground level. (AGL)

Section 77.23(a)(3) in that it would raise the minimum radar vectoring altitude (MVA) from 6700 feet to 7200 feet mean sea level (MSL) within a three nautical mile radius of the proposed structure.

The study also disclosed:

1. That raising the minimum radar vectoring altitude from 6,700 feet to 7,200 feet (MSL) within a three nautical mile radius of the proposed structure would have no substantial adverse effect on instrument flight rule (IFR) operations at the Stapleton International or Jefferson County airports. Aircraft are normally vectored no lower than 7,000 feet MSL in the vicinity of the proposed site. Therefore, a change in the minimum radar vectoring altitude within a three nautical mile radius of the structure can be accomplished without having a substantial adverse effect on IFR aeronautical operations.

The proposed 985' AGL/6165' AMSL meteorological tower would not require an increase in any other instrument minimum flight altitude, minimum obstacle clearance altitude, altitudes associated with over-lying Federal airways or change any instrument approach procedures at Stapleton International or Jefferson County Airports.

2. The proposed structure would be located approximately 1-1/2 statute miles west of Interstate 25 and would

penetrate airspace occasionally used by pilots conducting VFR flight beneath low ceiling conditions using Interstate 25 as a visual navigational reference between Denver, Colorado and Cheyenne, Wyoming.

The installation of high intensity white obstruction lights on the proposed structure would assure its conspicuity, thus enabling pilots to observe and avoid the structure.

Based on the foregoing, the FAA has concluded that existing procedures can be modified to accommodate a 985' AGL/6165' AMSL structure with no substantial adverse effect on the safe and efficient use of airspace.



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
ENVIRONMENTAL RESEARCH LABORATORIES
Boulder, Colorado 80302

R45

December 15, 1975

Weld County Planning Office
1516 Hospital Road
Greeley, Colorado

ATTN: Ann Moore

Greetings:

The Scientific Planned Unit Development for the Joint Meteorological Observing Facility identifies a 1200' radius circle to be specially seeded into dryland native grasses. The meteorological tower will be at the center of the circle. We have contacted staff at the Agronomy Department, Colorado State University to obtain expert advice on the planting project.

Dr. Robert Heil is a soils specialist. He will oversee soils testing, and will advise on any necessary treatment. Dr. William Berg will advise us on the planting.

Best regards.

Sincerely,

Robert T. Frost
NOAA-JMOF Spokesperson



LEFT HAND WATER SUPPLY COMPANY

Box 146

Niwot, Colorado 80544

Phone 776-0242

August 28, 1975

Action Info

Mr. R. T. Frost
Wave Propagation Laboratory
Commerce Laboratories
Boulder, Co. 80302

Mr. Frost:

Your tap request for water service on the 160 acres in Sec. 16, T1N. R68W was approved by our Engineer, but the legal on the request doesn't show your property bordering Weld County Road #7. In this case, we don't have a line for this property.

You listed the description as:

- (a) The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 16, T1N, R68W
- (b) The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 16, T1N, R68W

which indicates to us the land is one-eighth of a mile from our main.

If you can clarify or check this legal description, which when we talked on the phone you said bordered County Rd #7, and it borders our main, water service can be made available.

Thank you,

David F. Coleson

David F. Coleson, Manager
LEFT HAND WATER SUPPLY COMPANY

DFC:Mc

LEFT HAND WATER SUPPLY COMPANY

Box 146

Niwot, Colorado 80544

Phone 776-0242

March 11, 1975

Mr. J. C. [unclear]
1018 East of 11th St. OFFICE
1510 [unclear] Blvd.
Greeley, Colorado 80634



Dear Sir:

The Joint Water Right 11 and Unit 11 [unclear] application with Left Hand Water Supply Company [unclear] facilities located in Section 16 T4N R2E, [unclear] for service to our Company [unclear].

The service [unclear] will be [unclear] and [unclear]. The size of the [unclear] has not yet been established, but we will [unclear] all [unclear] regarding the future facilities.

If there are any questions on your part, please advise.

Respectfully,

David [unclear]
[unclear]

WPC: [unclear]

cc: Robert Fox





U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
ENVIRONMENTAL RESEARCH LABORATORIES
Boulder, Colorado 80302

R45

December 16, 1975

Weld County Planning Office
1516 Hospital Road
Greeley, Colorado

ATTN: Ann Moore

Greetings:

Attached are additional supporting documents relevant to our submission of the Scientific PUD for the Joint Meteorological Observing Facility. They include:

1. Extended power of attorney from Roy and Beverly Carlson.
2. Specifications for the tall Meteorological Tower.
3. Soils Analysis and Foundation Investigation.
4. Engineering Geology Investigations for tower and anchor sites.
5. Letter describing contacts with the CSU Dept. of Agronomy regarding planting of native grasses.
6. Revised PUD showing proper certification statements and the siting of the proposed NCAR facilities.

The warning lights on the tower will be placed at heights of 100 m (328') 200 m (656') and 300 m (985') on all three sides.

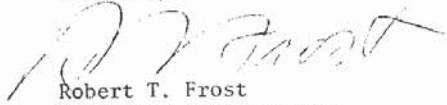
Relative to the modular office-laboratory units for temporary use, we have not decided whether to build or lease these units. Any units procured will meet uniform building code requirements. When we propose to proceed, construction plans and specifications will be submitted to your office for approval in advance of application for a building permit.



Our disbursement for the filing fee will come to you from the Denver Treasury Office. I am concerned about any delay that would affect our scheduled January 6 hearing date. Please reassure me your processing will not be held up waiting for this check to arrive.

Best regards.

Sincerely,



Robert T. Frost
NOAA-JMOF Spokesperson



<i>Rec'd</i>	Sent	
<i>Showered McBlair 12/29</i>	12-4-75	1. Federal Aviation Administration Air Traffic Division; attn: John H. McGhee
<i>12/26</i>	12-4-75	2. Boulder County Planning Commission
<i>Showered 12/29</i>	12-4-75	3. Town of Erie Planning Commission
<i>12/23</i>	12-4-75	4. Dacono Fire District
<i>Showered 12/29</i>	12-4-75	5. Community Ditch % Akolt, Dick, and Akolt <i>referred to Farmers & I</i> 1510 Lincoln Center Bldg. <i>452-5566</i> 1660 Lincoln Street <i>892-5664</i> Denver, CO 80203
<i>12/14</i>	12-4-75	6. Elmer "Bud" Reynolds, County Communications, Director
<i>12/15</i>	12-17-75	7. Richard Straub, County Engineer
	12-17-75	8. Soil Conservation Service, Longmont
<i>12/15</i>	12-4-75	9. Glen Paul, Director County Environmental Health Services
	12-4-75	10. Richard Shockley, Under-Sheriff
	12-17-75	11. Joseph Jarvis, Director County Building Inspection Department
<i>Showered 12/29 letter in mail</i>	12-17-75	12. Colorado Geologic Survey Attn: David Shelton
<i>N/A</i>	<i>12/26/75</i>	13. Mr. Graham

Notes:

1. Richard Straub sent copies of
 - a. Solicitation of contract for construction
 - b. Amuedo and Ivey: "Engineering Geology Investigations"
 - c. Robert W. Thompson, Inc.: "Soils Analysis and Foundation Investigation"



2. CGS sent copy of Amuedo and Ivey study
3. Joseph Jarvis sent copies a, b, & c as in #1 above
4. SCS sent copies of Frost letter concerning vegetation and Robert W. Thompson, Inc. study



STATE OF COLORADO



RICHARD D. LAMM
GOVERNOR

JOHN W. ROLD
Director

COLORADO GEOLOGICAL SURVEY
DEPARTMENT OF NATURAL RESOURCES
254 COLUMBINE BUILDING - 1845 SHERMAN STREET
DENVER, COLORADO 80203 PHONE 892-2611

December 26, 1975



Weld County Planning Commission
1516 Hospital Road
Greeley, Colorado 80631

Gentlemen:

RE: NOAA/NCAR, REZONING

We have reviewed the plat and supporting documents for the proposed rezoning from agricultural to scientific PUD. The engineering geologic investigation by Amuedo and Ivey thoroughly discusses the geologic constraints which might affect this proposed tower and supporting facilities. We concur with the geologic investigation that the critical factors that could have affected the suitability of the site were 1) ground subsidence over the coal mines and 2) recent movement along the nearby faults. Both of these factors were investigated in detail by Mr. Ivey and his staff for the area in question. This included a general evaluation for the entire property as well as specific analysis of the tower location and the anchor points. The investigation included surface mapping, core logging, geophysical logging, resistivity profiling, and analysis of the data. We believe that this investigation has been adequate to demonstrate the feasibility of the proposed project.

In conclusion, we believe that there is no geologic reason why this rezoning should not be approved based on the data collected and the analysis performed by Mr. Ivey and his staff.

If we can be of any further assistance, please contact our office.

Sincerely,

David C. Shelton
Engineering Geologist

cc: Amuedo and Ivey
Robert W. Thompson, Inc.
Land Use Commission

GEOLOGY
STORY OF THE PAST . . . KEY TO THE FUTURE





December 29, 1975

Mrs. Anne Moore, Assistant Zoning Administrator
Weld County Planning Commission
1516 Hospital Road
Greeley, Colorado 80631

RE: NOAA/NCAR Zone Chance

Dear Mrs. Moore:

We have reviewed the above mentioned application and offer the following comments:

1. The soils report and plans for maintaining cover appear adequate. Some provisions for enforcing these plans need to be made a part of any building permit however. ✓
2. The overall terrain is relatively flat and if the agricultural use is maintained on the surrounding area, water runoff should not pose a problem.
3. We see no real conflict with our interests in the Soil and Water Conservation movement, except that it probably will remove the land from the tax roles.

Sincerely,

Irving Nelson
President

IN:R



FRANKLIN D. YODER, MD, MPH
DIRECTOR

Weld County Health Department
1516 HOSPITAL ROAD
GREELEY, COLORADO 80631
(303) 353-0540

BOARD OF HEALTH
CATHERINE BENSON, AULT
RALPH AAB, GREELEY
WILLIAM BLICK, ROGGEN
CLARENCE SITZMAN, GREELEY
DAVID WERNING, DDS, GREELEY

December 15, 1975

TO: Gary Fortner, Director of Planning-Weld County Planning Commission
FROM: Glen E. Paul, Director - Environmental Health Services
SUBJECT: NOAA/NCAR Zone Change

We recommend approval of NOAA/NCAR Zone change. A permit for the individual sewage disposal system is required for installation and designed to meet the Weld County Health Department requirements.

GEP/hv



MEMORANDUM

To Tom Honn Date December 15, 1975
From _____
Subject: Application from NOAA/NCAR for Zone Change from A to
Scientific P.U.D.

We have reviewed the above application and have the following comments to make.

1. The tower should be designed to withstand heavy wind pressure.
2. The tower should be located in a position that if failure would occur the traveling public on the county road would not be affected by the falling tower. ✓

Richard L. Straub
RLS/mm

MEMORANDUM

TO: Thomas Horn

DATE: Dec. 4, 1975

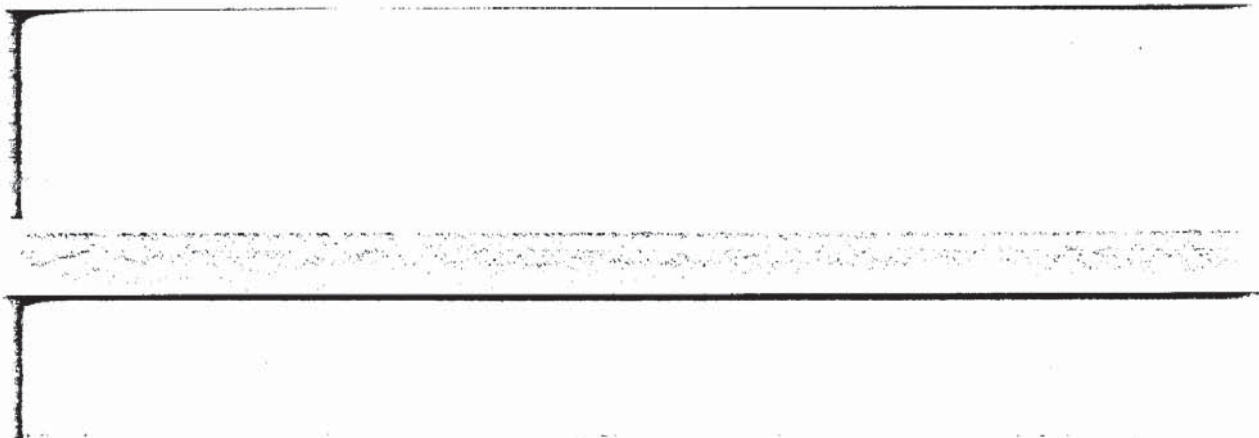
FROM: Bud Reynolds, Communications Department

SUBJECT: Zone Change Application from NOAA/NCAR

I have reviewed the above mentioned zone change application. I wish to reserve comment until a future date. If I may, I would like to attend the zoning hearing at which this application will be discussed and if possible ask a few questions of the applicants at that time. ✓

If you have any questions or if my attendance at the hearing is not possible please contact me.

Bud Reynolds
Bud Reynolds





Dacono Area Fire Protection District

cont:

Our final question is about the possibility of needing
insurance coverage for fire protection during the night time
hours, include the forest areas. Will there be coverage of
the fire 24 hours a day etc.

If you can help us on any of these questions, please
let us know by the way, it will be very much appreciated.

I would also very much like to be invited to the date
of the hearing on this proposal so that I may be able to
of the members. I would attend the hearing if at all
possible.

Let us please see what we can do to get ahead in this
proposal in any way and believe that we can work out a
solution to the questions I have submitted.

Joseph W. Tuss

Joseph W. Tuss
Fireman
Dacono Area Fire Protection District
Dacono, Colorado 80514
P.O. BOX 151

DACONO, COLORADO 80514



31 December 1975

Mr. Joseph W. Fuss, Fire Chief
Box 151
Dacona, Colorado 80514

Dear Mr. Fuss,

In confirmation of our conversation this morning, let me reiterate that Mr. Frost and I will seek to meet with you during the coming week to discuss fire safety and service requirements for the NOAA/NCAR Joint Meteorological Facility proposed for Section 16, just east of Erie. I'm very sorry to have had to cancel our meeting this morning but the roads were so treacherous with the heavy, new-fallen snow that we were hesitant to travel. I also appreciate your courtesy in offering to call at our office when business takes you to Boulder. Please be assured that we will try to cooperate in every way to see that fire protection at the site is adequate and that your own problems of arrangement are minimized. I will again phone you to arrange a meeting. In the meantime should it be useful to you to contact me, I can be reached at 494-5151, ext. 754. ✓

Sincerely,



Nelder Medrud, Jr.

Planning department

13th and Spruce St Boulder, Colo. 80302 442-4100



December 23, 1975

edward a tepe
planning director

Weld County Planning Commission
1516 Hospital Road
Greeley, Colorado 80631
ATTN: Mr. Thomas E. Hann
Zoning Administrator

RE: Request: Zoning change from Agricultural to Scientific PUD
Applicants: National Oceanic and Atmospheric Administration (NOAA)
National Center for Atmospheric Research (NCAR)
Location: Approximately 620 acres located two miles east of the
Town of Erie in Section 16, T1N, R68W
Purpose: To accommodate a joint meteorological observatory
facility (JMOF) for NCAR and NOAA. The facility
will consist of a 985 foot guyed tower and a
25,000 square foot research laboratory and office
building to house a staff of 30-40 persons

Dear Mr. Hann:

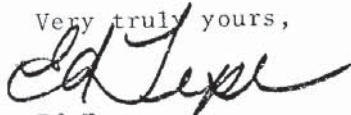
The purpose of this correspondence is to inform you of those concerns which were expressed by the Boulder County Planning Commission at their regular meeting on Wednesday, December 17, 1975 as a general discussion topic, not by a public hearing. The Boulder County Planning Commission expressed opposition to the location of the request based on information which was received through the referral process without the benefit of a full presentation by representatives of NCAR or NOAA. Their concerns are as follows:

1. The proposed height of the tower at the specific location raises the question of the facility constituting a serious hazard for aircraft traffic in the area.
2. Although the proposed tower will not be located in Boulder County, the height and the lighting of the facility will make it visible from many parts of the plains of Boulder County. It is our understanding that the tower will be lighted in three places on three sides and could be a potential visual problem.
3. The question was raised as to whether or not the facility would interfere with any existing regional or local communication facilities.

After the Planning Commission considered this referral, the Boulder County Planning Department met with representatives of NOAA and NCAR and would like to make the record clear that the Planning Commission did not question the value of this project to the people, but they were concerned with the specific location of the facility. Hopefully the public hearing process before the Weld County Planning Commission will bring forth testimony to answer the concerns expressed by the Boulder County Planning Commission. If, however, you do not feel that the answers have been given and would like further information from the Boulder County Planning Commission, we would be glad to hold a public hearing concerning this application and allow further testimony to be submitted for reconsideration by the Boulder County Planning Commission.

Thank you for the opportunity to review this request. If you have any questions concerning this letter please feel free to contact me at the Planning Office, 442-1100.

Very truly yours,



Ed Tepe
Planning Director

ET:fec

xc: Mr. Medrude, N.C.A.R.
Mr. Frost, N.O.A.A.



planning department

p.o. box 471 13th and spruce st. boulder, color. 80302 442-1100



edward a. tepe
planning director

October 8, 1975

Board of County Commissioners
Weld County
1516 Hospital Road
Greeley, Colorado 80631

Dear Board Members:

It is our understanding that a communication facility in the form of a tower is proposed for construction in Weld County. The facility is to be located near Erie and will be visible from a large portion of Boulder County.

The purpose of this letter is to formally request that you send Boulder County a referral on the request in order to determine the impact on Boulder County. Our review of the request can then be returned to you for your review prior to making the final decision on the request.

Very truly yours,

Ed Tepe
Planning Director

ET:fec
xc: Board of County Commissioners, Boulder County



October 29, 1975

Mr. Ed Tiepe
Boulder County Planner
County Courthouse Annex
Boulder, Colorado 80302

Dear Ed:

You may be aware from earlier correspondence that NOAA and NCAR are planning the creation of a Joint Meteorological Observing Facility (JMOP) at a site east of Erie. For a period of time we were considering an alternate site near Platteville, but that site is no longer under deliberation.

I called Ann Moore at the Weld County Planning Office late last week to advise her of our continued interest in the Erie site. Ann indicated your office had requested a referral of our application for rezoning. At this time, I anticipate we will be submitting our rezoning application to Weld County the first week of January. Representatives of NOAA/NCAR will be most happy to meet with representatives of the Boulder County Planning Office and/or the Planning Commission for discussion on the proposed JMOP. Although the proposed site is in Weld County, we fully appreciate the unique impact this planned research facility (including its tall tower) will have on atmospheric science research and technology based in Boulder, and to the residents of eastern Boulder County.

Please let me know when we can meet with you and others in your office who would like to know more about the JMOP. It is important to learn in advance of possible problems or situations that might affect our ongoing planning.

Sincerely,

Robert T. Frost

Robert T. Frost
NOAA JMOP Spokesperson

bcc: Little
Medrud
Hall

December 27, 1975



Weld County Planning Commission
Atten: Mr. Thomas E. Horn
Zoning Administrator

We are protesting the requested zone change from Agricultural to Scientific Unit Development on property described as follows: Pt. Sec. 16 T1N R68W.

We received a letter on December 27, 1975 on the requested zone change for December 30, 1975 and feel we have not had enough time to adequately study the requested zone change. Until now we have been totally unaware of any zone change as it has not been posted.

Our main objection is the fact that we are a farming community and would like to continue raising our animals and keep our country atmosphere and we do not understand what a Scientific Unit Development zone is or what it would do to us as property owners.

Also please find enclosed letters from Mr. Robert T Frost dated September 12, 1975, a letter and map from all property owners in section 16, dated September 22, 1975 and a copy of a letter received from Senator Haskell's office dated October 5, 1975, for your consideration.

Since some of our neighbors are away on holiday and will not be aware of this requested zone change we would also like to have an extension of time.

Thank you.

R L Goodwin





R45

October 5, 1975

RECEIVED

OCT 9 1975

Honorable Floyd K. Haskell
United States Senator
Denver Federal Building
1961 Stout Street
Denver, Colorado 80202

ATTN: Fay Strauss

Dear Senator Haskell:

We appreciate receiving from you the statement of protest from the residents whose property joins the proposed site for a Joint Meteorological Observing Facility near Erie, Colorado. The public meeting held at Erie, on September 18, was intended to inform people (including the persons signing the protest sent to your office) in advance of any commitments, of plans that would affect their environment. This was done in order that any objections could be made known and means of accommodations sought, where at all possible.

As you are aware, land on which permanent building construction is to be undertaken by the government must be owned by the government. From this standpoint, Site A for the proposed NCAR building has been given first preference in our planning because Mr. Roy Carlson, the land owner, has expressed interest in an early land trade through GSA. Such a trade would provide the required "owned" site for the NCAR facility in advance of the specific appropriation to erect the building. We have expected to acquire the remaining 3/4 section through lease from the State of Colorado prior to its purchase.

In light of the concern expressed by the adjacent property owners, we will immediately shift our emphasis to Site B. We will now determine if the State Land Board will negotiate for a similar trade. If so, it is very possible the concerns expressed by the nearby residents can be resolved.

We look forward to working out a satisfactory solution to the problem.

Sincerely,

Clyde Little, Acting Director

for

Wilmot N. Hess, Director
Environmental Research Laboratories



September 22, 1975

To us property owners wish to protect the joint venture of the Meteorological Observing Facility (JTOF) the National Oceanic and Atmospheric Administration (NOAA) and the National Center for Atmospheric Research (NCAR).

The proposed site for this research and engineering facility is on section sixteen of which we are property owners.

Our objection is only to their office and research building in their proposed Site A, located on the north east corner adjacent to our properties.

We strongly feel that a building with a parking lot to accommodate forty personal and their atmospheric research equipment which are mobile and mounted on semitrailers and such, would seriously damage our property value and scenic country atmosphere. Also with the added traffic would be a traffic hazard to our children.

JTOF, NOAA and NCAR also have an alternative Site B of which we would have no objection to. One of their dominant selection factors was "Travel time from Boulder", Site B would be three miles a day closer. Their objection to Site B was the added expense of running water and gas lines approximately an extra half mile. Also it is our understanding that they are not able to obtain a property deed from the state of Colorado for Site B. We were told by Mr. Frost that they would eventually purchase all of this section and therefore we do not understand why they cannot obtain a deed.

We, the property owners, feel that the added expense to JTOF, NOAA and NCAR would be nominal compared to our losses to property value and environment. We feel that something should be worked out to be agreeable to everyone concerned.

Russell L. Goodwin
June Goodwin
Richard S. Muller
Barbara L. Muller
Lloyd Johnson
Patricia E. Johnson
Margaret R. Knox
Vernon R. Stey
Cindy M. Hultz
Stephen J. Argente





R45

September 12, 1975

494-5151

Ex. 740

R.L.
~~Mr.~~ H. Goodwin
 Rte 1
 Erie, CO 80516

*First 944-1000
 Ex 6261*

GREETINGS:

I discussed with you by phone, plans for a Joint Meteorological Observing Facility (JMDF) to be developed by the National Oceanic and Atmospheric Administration (NOAA) and the National Center for Atmospheric Research (NCAR).

The proposed site for this research and engineering facility is 2 miles east of the town of Erie on a section of land owned by the State of Colorado, and others.

The purpose of this proposed facility is to serve as an engineering, calibration and test center for new remote sensing instruments. Remote sensing instruments utilizing optical, radio, and acoustic techniques are capable of measuring meteorological characteristics and properties of the atmosphere. Increased use of remote sensing techniques is expected to improve NOAA's forecast and prediction services.

The facility will also support atmospheric science research conducted by NOAA, NCAR and other Federal and University research interests with a wide range of objectives. NOAA and NCAR propose to construct two principal facilities. NOAA will erect a tall meteorological research tower on which instruments will be mounted at several levels to measure temperature, wind speed and direction, humidity, and other atmospheric parameters. The height of the tower is proposed for 300 meters (987'), but will be designed to be extendable to an ultimate height of 500 m (1646'). Other instruments will be located on the ground around the tower. On occasion, aircraft will fly by near the upper levels of the tower to calibrate meteorological instruments.

NCAR proposes to erect on the site a permanent structure of approximately 21,000 square feet. This facility will house electronics and mechanical laboratories, a computerized operations center, and offices. Eventually, 50 to 40 persons will work at the site once permanent facilities are constructed.



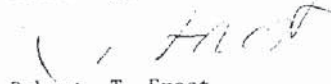
The proposed site has been selected after an intensive site survey. These selection factors were dominant.

- Meteorology over the site and minimum distance of 15 miles from the Continental Divide.
- Travel time from Boulder.
- Best land use and cost.
- Acceptable impact on the environment.
- Acceptable impact on air space.

Most of the proposed section is now utilized in dry land wheat farming. Dry land grasses are planned for the area surrounding the tower. Most of the site is undermined. Much of the land has been classified by a State study on coal mine subsidence as high risk for uses other than agriculture. JMOF facilities would be located on areas never mined. Geological studies have been conducted over recent weeks to verify the absence of mining at the proposed sites.

A public meeting is scheduled for 7:30 p.m. on Thursday, September 18, at the Erie High School. Representatives of NOAA and NCAR will discuss the proposed facility and program and answer your questions. You are cordially invited to attend.

Sincerely,



Robert. T. Frost
NOAA-JMOF
Spokesperson



Dear Mrs. Thomas E. Henn
Zoning administrator

You asked to be notified in writing. If we had any suggestions or objections by Dec. 30. 75 we received this letter on Dec 27-75 Sat. which only gives 4 days in which to Reply. The very same thing happened at our Erie Town meeting. The people at the town meeting did not see anything in the paper about this, only the people that supported the tower saw it in the paper. We did bring this to their attention, nobody liked the way in which they went about this at all. We are being ram-rodded by the Federal Government with very little time to Re-act. These actions should be Reviewed as to their equability.

Sonia Jean Torres
Lee Terry



Dec 27-75

To Thomas E. Horn



My thoughts concerning the Scientific tower are as follows.

1. If the zoning change, causes my Agricultural zone to be changed? I'm bitterly against it!
2. I understand that they can restrict any further building with in 200 feet of center of road, if so "I'm bitterly against it!"
3. Since news of this tower reached us, three neighboring Farms have been put on the market for sale! why the panice?
4. With world food famine pending in the near future should the Federal Gov. cause any loss of farm land?

Leo J. Toney
Sonia Jean Toney