1041 Permit Application Matters of State Interest	n

Fremont County Planning & Zoning 615 Macon Ave. Room #210, Cañon City, CO. 81212

1041 Permit Requirements Overview

The general purpose of these regulations is to facilitate identification, designation and administration of matters of state interest consistent with the statutory requirements and criteria set forth in §24-65.1-101, et seq., CRS.

The specific purposes of these Regulations are:

To promote the health, safety and general welfare of the citizens of, and to protect the environment of, Fremont County.

To protect the beauty of the landscape and natural scenic characteristics, to conserve natural and cultural resources including to preserve historical assets and resources, to protect and enhance wildlife habitat, air and water quality, and to conserve natural resources.

To promote safe, efficient and economic use of public resources in developing and providing needed community and area wide infrastructure, facilities and services in a manner that will not overload facilities of existing government service providers.

To ensure that new development will pay for itself to the maximum extent practicable, and to ensure that present residents of Fremont County will not have to subsidize new development through increased cost of public services and/or degradation of the quality of life.

To plan for and regulate the site selection, construction, expansion, and operation of matters of state interest to facilitate the planned and orderly use of land in accordance with their character and adaptability and as recommended by the Fremont County Master Plan.

To regulate the use of land on the basis of the financial and environmental impact thereof on the community or surrounding areas within the development area and source development area.

One (1) hard copy of the application and all attachments along with an electronic copy is required to be submitted.

An application for a Permit shall not be accepted unless it is complete and is in form and content as required by state law and these Regulations, and the appropriate fees have been paid. If the application is determined incomplete by the Administrator, the Administrator shall specify what additional information is required. When a submitted application is determined to be complete, the Administrator shall note upon the application the date it is considered complete.

Applicants shall pay all application fees to the Fremont County Treasurer's Office. Upon receipt of a complete application, a Department representative will provide the applicant with an invoice to present to the Treasurer's Office with payment.



FREMONT COUNTY

DEPARTMENT OF PLANNING AND ZONING

615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212
Telephone 719-276-7360 / Facsimile 719-276-7374
Email: Planning@fremontco.com

Cneck	Check the Applicable Application	
	1041 Permit Application	
	\$10,000.00 Deposit	
	mation to identify properties and the proposed dev	velopment.
Attach additional sheets if necessary.		
Property Address(es):		
Tax ID/Parcel Numbers(s):	Parcel size(s) in Acres:	
Tax ID/ Farcer Numbers(s).	raicei size(s) ili Acies.	
Zone District:	Proposed Land Use:	
2010 21001001		
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<u>AUTHORIZATION REPRESENTATIVE / AGENT / CONSULTANT:</u> Indicate person(s) submitting the application if different than the property owner(s). Attach additional sheets if necessary.

Name(s) (Individual or Organization):
Business of the Applicant:
Mailing Address:
Telephone:
Email Address:
RESPONSIBLE INDIVIDUAL(S) INFORMATION: Indicate person(s) responsible for constructing and operating the project.
Name(s) (Individual or Organization) and Qualifications:
Areas of Expertise and Experience:
Mailing Address:
Telephone:
Email Address:

By signing this Application, the Applicant, or the agent / representative / consultant acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of the Applicant's knowledge and belief.

Fremont County hereby advises the Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of County Commissioners may take any and all reasonable and appropriate steps to declare null and void, any actions of the Board regarding the Application.

Signing this Application is a declaration by the applicant that all plans, drawings and commitments submitted with or contained within this Application are or will be in conformance with the requirements of the Fremont County Guidelines and Regulations for Matters of State Interest.

AGENCY REFERRALS

When a complete application is filed with the County, the Administrator may send a copy of the complete application to and seek review comments from consultants or counsel and any local, state or federal agency that may have expertise in or an interest in impact that may be associated with the Project. The applicant will be responsible for any additional fees associated with reviewing this application.

Printed Name	Applicant Signature	Date
Printed Name	Owner Signature	Date

Please attach authorization of the application by the Project owner, if different than the applicant.

REQUIRED EXHIBITS

Submittals and exhibits should be clearly identified with section and/or question number located on the bottom right-hand corner, or otherwise tabbed or marked.

APPLICANTS INFORMATION – SECTION TWO	
☐ EXHIBIT 2.1	Provide a written description of the development or activity, including any capital improvements plan, facilities plan, or other planning document which the applicant has prepared for its use, covering at a minimum a period of five
	years from the date of application.
☐ EXHIBIT 2.2	Documentation of the applicant's financial and technical capability to develop and operate the Project, including a description of the applicant's
	experience developing and operating similar projects.
☐ EXHIBIT 2.3	Written qualifications of report preparers

	PROJECT DESCRIPTION – SECTION THREE
☐ EXHIBIT 3.1	Plans and specifications of the Project in sufficient detail
☐ EXHIBIT 3.2	Descriptions of alternatives to the Project considered by the applicant.
☐ EXHIBIT 3.3	Schedules for designing, permitting (including federal, state, or other local permitting), constructing and operating the Project, including the estimated life of the Project
☐ EXHIBIT 3.4	The need for the Project, including a discussion of alternatives to the Project that were considered and rejected; existing/proposed facilities that perform the same or related function; and population projections or growth trends that form the basis of demand projections justifying the Project.
☐ EXHIBIT 3.5	Description of all conservation techniques to be used in the construction and operation of the Project.
☐ EXHIBIT 3.6	List of adjacent property owners within 1,000 feet of the project and their mailing addresses
☐ EXHIBIT 3.7	Additional provisions applicable to municipal and industrial water projects. (See Guidelines and Regulations for Matters of State Interest, Chapter 7)
☐ EXHIBIT 3.8	Additional provisions applicable to major new domestic water and wastewater treatment systems and major extensions of extensions and major extensions of existing domestic water and wastewater treatment systems. (See Guidelines and Regulations for Matters of State Interest, Chapter 8)
☐ EXHIBIT 3.9	Additional provisions applicable to site selection and construction of major facilities of a public utility. (See Guidelines and Regulations for Matters of State Interest, Chapter 9)

PF	ROPERTY RIGHTS, PERMITS, AND APPROVALS – SECTION FOUR
☐ EXHIBIT 4.1	A list of all other federal, state and local permits and approvals that will be required for the Project, together with any proposal for coordinating these approvals with the County permitting process. Include copies of all permits or approvals that have been obtained, and copies of applications for all such permits or approvals that have been applied for but not yet obtained at time of this permit application.
☐ EXHIBIT 4.2	Copies of all official federal and state consultation correspondence prepared for the Project; a description of all mitigation required by federal, state and local authorities; and copies of any draft or final environmental assessments or impact statements required for the Project.
☐ EXHIBIT 4.3	Description of the water to be used by the Project and alternatives, including: the source, amount and quality of such water; the applicant's right to use the water, including adjudicated decrees and applications for decrees; proposed points of diversion and changes in the points of diversion; and the existing uses of the water. If an augmentation plan for the Project has been decreed or an application for such plan has been filed in the court, the applicant must submit a copy of that plan or application.
☐ EXHIBIT 4.4	The planned access to the project site and the means the applicant intends to use to obtain a legal right to utilize such access, including copies of any access or right-of-way agreements which have been entered into by the date of the application for such access.
□ EXHIBIT 4.5	The names and addresses of persons or entities with an interest in any real property proposed to be physically disturbed or crossed by the activity or development which is the subject of the application, excluding mineral interests but including those holding mortgages, judgments, liens, easements, contract rights, rights-of-way, reservations, exceptions or other encumbrances, at least to the extent shown in the records of the County Clerk and Recorder or of which applicant has actual knowledge.
□ EXHIBIT 4.6	If the application anticipates new surface development, it shall include written certification of compliance with the provisions of Article 65.5. of Title 24, CRS, that require examination of public records to determine the existence and identity of owners and lessees of severed mineral interests in the property covered by the application. The application shall inform the County of the results of such examination. If such examination reveals the existence of any such owners or lessees, the application shall include a complete list of the names and addresses of such persons and describe the severed mineral interests owned or leased by each. Public hearing on the application will not be held unless the applicant furnishes the County with signed certification confirming that the applicant has, at least thirty (30) days before the public hearing, transmitted to the Administrator and to the affected mineral estate owners and lessees the notices required by Article 65.5 of Title 24, CRS.

TECHNICAL AND FINANCIAL FEASIBILITY OF THE PROJECT – SECTION FIVE	
☐ EXHIBIT 5.1	The estimated construction costs and period of construction for each development
	component and the total mitigation costs for the Project.
☐ EXHIBIT 5.2	Revenues and operating expenses for the Project.
☐ EXHIBIT 5.3	The amount of any proposed debt and the method and estimated cost of debt
	service.
☐ EXHIBIT 5.4	Details of any contract or agreement for revenues or services in connection with
	the Project.
☐ EXHIBIT 5.5	Description of the persons or entity(ies) who will pay for or use the Project and/or
	services produced by the development and those who will benefit from any and all
	revenues generated by it.

	DECOMMISSIONING AND SITE RECLAMATION – SECTION SIX
☐ EXHIBIT 6.1	Identify all properties to be reclaimed in whole or in part.
☐ EXHIBIT 6.2	Estimated costs of material removal, at surface and above and below ground to a depth of 18 inches.
☐ EXHIBIT 6.3	Estimated costs of road repair, regrading, and revegetation.
☐ EXHIBIT 6.4	Provide an estimate of time that decommissioning and reclamation will take.

	SOCIOECONOMIC IMPACT ANALYSIS – SECTION SEVEN
The impact and	alysis shall be limited to the impact area and shall include the following information:
☐ EXHIBIT 7.1	Land Use.
	 A map and description of existing land uses and zoning within and adjacent to the impact area. Description of provisions from local land use plans that are applicable to the
	Project and an assessment of whether the Project will comply with those provisions.
	 Description of how the Project will utilize existing easements or rights-of- way for any associated transmission, distribution or collector networks.
	 Description of the agricultural productivity capability of the land affected by the proposal.
	 Description of impacts to and mitigation with respect to public lands.
	 Description of impacts and net effect that the Project would have on land use patterns.
☐ EXHIBIT 7.2	Local Government Services.
	 Description of existing capacity of and demand for local government services including but not limited to transportation, roads/ highways, mass transit, trails, schools, water and wastewater treatment, water supply, emergency services, health services, infrastructure, and other services necessary to accommodate development within Fremont County. Description of the impacts and net effect of the Project to the capability of local governments that are affected by the Project to provide services.

EXHIBIT 7.3	 Description of existing seasonal and permanent housing including number, condition and cost of dwelling units. Description of the impact and net effect of the Project on housing during construction and operation stages of the Project. Financial Burden on County Residents
□ EXHIBIT 7.4	 Description of the existing tax burden and fee structure for government services including but not limited to assessed valuation, mill levy, rates for water and wastewater treatment, and costs of water supply. Description of impacts and net effect of the Project on financial burdens of residents. Description of estimated county taxes and other revenue to be generated by the County resulting from the project.
☐ EXHIBIT 7.5	 Description of the local economy including but not limited to revenues generated by the different economic sectors, and the value or productivity of different lands. Description of impacts and net effect of the Project on the local economy and opportunities for economic diversification.
□ EXHIBIT 7.6	 Demographic information in the impact area Estimated current population number and density; Total employment, occupation types, and major employer locations; Family incomes; Population projections in increments, not to exceed a ten-year increment, for fifty (50) years. Data sources such as the Denver Regional Council of Governments, the U.S. Census, and the Colorado State Demographer's office should be used.
☐ EXHIBIT 7.7	Recreational Opportunities O Description of present and potential recreational uses, including but not limited to the number of recreational visitor days for different recreational uses and the revenue generated by types of recreational uses. Map depicting the location of recreational uses such as fishery stream segments, access points to recreational resources, hiking and biking trails, and wilderness areas. Description of the impacts and net effect of the Project on present and potential recreational opportunities and revenues to the local economy derived from those uses.
☐ EXHIBIT 7.8	Areas of Paleontological, Historic or Archaeological Importance O Map and/or description of all sites of paleontological, historic or archaeological interest. O Provide a state historical site survey form completed by a qualified professional acceptable to the State Historic Preservation Officer for all cultural resources affected by the Project.

	 Describe the mitigation to be undertaken to preserve designated resources that may be impacted. Provide plans and procedures for notification to the State Historical Society, State Archaeologist, and to applicable local historical societies/organizations upon discovery of historical or archaeological resources during the implementation of the Project. Description of the impacts and net effect of the Project on sites of paleontological, historic or archaeological interest.
☐ EXHIBIT 7.9	Nuisance O Description of noise, glare, dust, fumes, vibration, and odor levels caused by the Project. (See Guidelines and Regulations for Matters of State Interest, Chapters 7, 8, 9 for additional requirements).

ENVIRONMENTAL IMPACT ANALYSIS – SECTION EIGHT

Descriptions in this section shall be limited to the impact area, and shall include an analysis of existing conditions, supported with data, and a projection of the impacts of the Project in comparison to

existing conditions. ☐ EXHIBIT 8.1 Air Quality Description of the airsheds to be affected by the Project, including the seasonal pattern of air circulation and microclimates. Map and/or description of the ambient air quality and state air quality standards of the airsheds to be affected by the Project, including particulate matter and aerosols, oxides, hydrocarbons, oxidants, and other chemicals, temperature effects and atmospheric interactions. Descriptions of the impacts and net effect that the Project would have on air quality during both construction and operation, and under both average and worst-case conditions. ☐ EXHIBIT 8.2 Visual Quality Map and/or description of ground cover and vegetation, forest canopies, waterfalls and streams and other natural features. o Description of viewsheds, scenic vistas, unique landscapes or land formations. Description of any significant deterioration of existing natural aesthetics, creation of visual blight which may arise from the Project. Identify and describe any structures (including structure design and materials), excavations and embankments that may be visible from off-site. Descriptions of the impacts and net effect that the Project would have on visual quality. Visual simulations of how the completed project will look from significant locations such as populated locations, designated scenic byways, historic

districts and national historic landmarks.

Surface Water Quality ☐ EXHIBIT 8.3 Map and/or description of all surface waters to be affected by the Project, including provisions of any regional water quality management plan that applies to the Project and assessment of whether the Project would comply with those provisions. Existing data monitoring sources. Descriptions of the immediate and long-term impact and net effects that the Project would have on the quantity and quality of surface water under both average and worst-case conditions. **Groundwater Quality** ☐ EXHIBIT 8.4 Map and/or description of all groundwater, including any aquifers. At a minimum, the description should include: o Seasonal water levels in each subdivision of the aquifer affected by the Project. o Artesian pressure in aquifers. o Groundwater flow directions and levels. Existing aquifer recharge rates and methodology used to calculate recharge to the aguifer from any recharge sources. For aquifers to be used as part of a water storage system, methodology and results of tests used to determine the ability of aquifer to impound groundwater and aquifer storage capacity. Seepage losses expected at any subsurface dam and at stream-aquifer interfaces and methodology used to calculate seepage losses in the affected streams, including description and location of measuring devices. Existing groundwater quality and classification. Location of all water wells and their uses. ☐ EXHIBIT 8.5 Water Quantity Map and/or description of existing stream flows and reservoir levels. Map and/or description of existing Colorado Water Conservation Board held minimum stream flows. Descriptions of the impacts and net effect that the Project would have on water quantity. Statement of methods for efficient utilization of water to be employed in the Project ☐ EXHIBIT 8.6 Floodplains, Wetlands and Riparian Areas Map and/or description of all floodplains, wetlands, and riparian areas to be affected by the Project, including a description of the types of wetlands, species composition, and biomass. Description of the source of water interacting with the surface systems to create each wetland (i.e., side-slope runoff, over-bank flooding, groundwater seepage, etc.). Description of the impacts and net effect that the Project would have on the floodplains, wetlands and riparian areas.

☐ EXHIBIT 8.7	
	Terrestrial, Aquatic, and Avian Animals and Habitat O Map and/or description of terrestrial, aquatic, and avian animals including
	the status and relative importance of game and non-game wildlife, livestock
	and other animals; a description of stream flows and lake levels needed to
	protect the aquatic environment; description of threatened or endangered
	animal species and their habitat.
	 Map and description of critical wildlife habitat and livestock range to be
	affected by the Project including migration routes, calving areas, summer
	and winter range, and calving/spawning beds.
	 Description of the impacts and net effect that the Project would have on
	terrestrial and aquatic animals, habitat and food chain.
	 Where appropriate, surveys for bats, raptors, and general avian use shall be
	conducted.
	 The description shall indicate whether a post construction wildlife mortality
	study will be conducted and, if not, justification why such a study does not
	need to be conducted.
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☐ EXHIBIT 8.8	·
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	 Map and/or description of any flood hazard area associated with the
	Project.
	 Documentation of historical flooding activity on the parcel where the
	activity or development will be located, and on other property affected by
	the Project.
	Datail actuation of constitution and to the constitution of found
	 Detail potential, adverse impacts related to the associated flood hazard
	Detail potential, adverse impacts related to the associated flood nazard area.
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☐ EXHIBIT 8.8	 including, but not limited to, soil types, drainage areas, slopes, avalanche areas, debris fans, mud flows, rock slide areas, faults and fissures, seismic history, and wildfire hazard areas. Map and/or description of any flood hazard area associated with the Project. Documentation of historical flooding activity on the parcel where the activity or development will be located, and on other property affected by the Project.

MONITORING AND MITIGATION PLAN – SECTION NINE		
☐ EXHIBIT 9.1	Description of all mitigation that is proposed to avoid, minimize or compensate for	
	adverse impacts of the Project and to maximize positive impacts of the Project.	
☐ EXHIBIT 9.2	Describe how and when mitigation will be implemented and financed.	
☐ EXHIBIT 9.3	Describe impacts that are unavoidable that cannot be mitigated.	
☐ EXHIBIT 9.4	Description of methodology used to measure impacts of the Project and	
	effectiveness of proposed mitigation measures.	
☐ EXHIBIT 9.5	Description, location and intervals of proposed monitoring to ensure that	
	mitigation will be effective.	

MAPS – SECTION TEN

EXHIBIT 10.1

- 1. The following are general requirements for any map or plan required as part of the That application. Minimum requirements include:
 - The name of the proposed development or use and total number of acres under consideration;
 - Because all maps and plans may be used for public presentation, the map scale and size should be large enough for effective presentation and should accurately illustrate the application;
 - Name, address, and telephone number of the applicant, designer, engineer, surveyor, and any other consultants assisting in the preparation;
 - Date of preparation, revision box, written scale, graphic scale, and north arrow for each map.

1. Permit Map.

The applicant shall submit a Permit Map with the application, and a final Permit Map following approval of the Permit. The Permit Map shall constitute a part of the Permit. (Additional requirements for Site Selection and Construction of Major Facilities of a Public Utility are identified at Chapter 9).

- The map shall be delineated on reproducible material approved by the Administrator.
- The dimensions of the map shall be thirty-six (36) inches wide by twenty-four (24) inches high.
- The map shall include the legal description of the property under consideration.
- The map shall include certificates for the property owner's signature (excepting linear facilities), the Board of County Commissioners and the Clerk to the Board. The required content of the certificates shall be established by the Administrator.
- The Permit Map shall contain a Vicinity Map.
 - The exact scale of the vicinity map shall be determined at the time of the pre-application conference, taking into consideration the type and size of the Project, as well as the type and complexity of the information to be mapped.
 - 2) The vicinity map shall delineate all of the required information within a one-half-mile radius of the property (one thousand feet for linear facilities) on which the development or activity will occur.
 - 3) The following information will be shown on the vicinity map:
 - Section, township and range.
 - Scale and north arrow.
 - Outline of the perimeter of the parcel proposed for the site (for linear facilities, the proposed centerline and width of any corridor to be considered for the Project).
 - Existing land use in the impact area.
 - Locations and names of all key roads and water features (including water ditches).
 - Locations of all residences within a one-half-mile radius,
 existing and proposed accesses to the Project, any abutting

- subdivision outlines and names, and the boundaries of any adjacent municipality.
- Any other relevant information within a one-half-mile distance of the perimeter of the property as may be reasonably required by the Administrator to meet the intent and purpose of these Regulations.
- o The Permit Map shall contain a Site Plan
 - The exact scale of the site plan shall be determined at the time of the preapplication conference, taking into consideration the type and size of the Project, as well as the type and complexity of the information to be mapped.
 - 2) The Site Plan shall outline the boundaries and identify the total acreage of the parcel being considered for the Project.
 - 3) The Site Plan shall include the location and identification of all of the following items which are presently existing within a two-hundred-foot radius of the boundaries of the Project area as well as within the area itself; it shall also include the proposed features and structures of the Project:
 - All public rights-of-way of record, including names.
 - All existing and proposed structures, utilities, earthwork and site modification including electrical lines, facilities and other types of existing and proposed utility infrastructure, above and below ground.
 - All utility easements or rights-of-way for telephone, gas, electric, water and sewer lines.
 - Water ditches.
 - Adjacent property lines and respective owners' names (may be shown on vicinity map instead).
 - All hydrographic features including streams, rivers, ponds, and reservoirs (including names).
 - Topography at two-foot contour intervals or at intervals as determined appropriate by the Administrator. (Linear facilities shall include appropriate topographic data derived from USGS maps or an equivalent database.)
 - Location of areas of moderate or severe soil limitations as defined by the Natural Resources Conservation Service or by a soil survey and study prepared by a soils engineer or scientist for the uses and associated structures proposed for the parcel.
 - Location and design of storm water management devices or structures.
 - Complete traffic circulation and parking plan showing locations and sizes.
 - Location, amount, size and type of any proposed landscaping, fencing, walls, berms or other screening.
 - Location of any natural hazard area.
 - Such additional information as may be reasonably required by the Administrator or the Permit Authority in order to determine that

-	the application meets the Permit Application Approval Criteria. Location, grades, and dimensions of all temporary and permanent onsite roads.
-	Location of all lighting with lighting descriptions.
-	Location of meteorological towers and anemometers (if applicable).

ROADS / ACCESS PLAN – SECTION-ELEVEN		
Plan for ingress and egress to the project site identifying the following:		
☐ EXHIBIT 11.1	A map of the access route through the County.	
☐ EXHIBIT 11.2	 A description of the access route through the County to include: All state, County, municipal, and/or federal (USFS or other) roads An inventory of existing road conditions. Identify road surface materials. 	
☐ EXHIBIT 11.3	Dust control procedures	
☐ EXHIBIT 11.4	Road maintenance schedule or program	
☐ EXHIBIT 11.5	If new access routes, or improvements to existing access routes are proposed that would be under the authority of the Fremont County Department of Transportation (FCDOT) Regulations, the plan shall demonstrate that such routes conform to the relevant requirements identified in the FCDOT Regulations.	

Professional Qualifications.

- 1. A professional consultant may not be necessary for all applications. Only the following will require professional assistance:
 - a) Improvement plans and reports for water supply, sanitation, drainage, utilities, soils, grading, roads, structures, transportation modeling, transportation planning, transit planning, air quality planning or modeling, floods and floodplains, and other civil engineering work must be certified by a registered Colorado Professional Engineer, or other qualified professional engineer exempted from licensing requirements by state statute.
 - b) All documents containing land survey descriptions must be certified by a registered Colorado Professional Land Surveyor, or other qualified professional surveyor exempted from licensing requirements by state statute.
 - c) Geology reports shall be prepared by either a member of the American Instituteof Professional Geologists, a member of the Association of Engineering Geologists, an individual registered as a geologist by a state, or other qualified professional geologist exempted from licensing requirements by state statute.

2. All documents described in the previous section submitted for review must show the formal education and relevant experience of the individual in charge of the work.

NOTE: Additional Information as required by the Administrator or the Board because of issues specific to the Project. The Administrator may request that the applicant supply additional information related to the Project if the Permit Authority is unable to make a determination on one of the Permit Application Approval Criteria without additional information.