

**ADMINISTRATIVELY APPROVED PERMIT  
ISSUED TO CONDUCT A  
DESIGNATED ACTIVITY OF STATE INTEREST  
OR  
TO ENGAGE IN DEVELOPMENT IN A  
DESIGNATED AREA OF STATE INTEREST  
IN  
EL PASO COUNTY, COLORADO**

Pursuant to Guidelines and Regulations for Areas and Activities of State Interest of El Paso County (the "Regulations") heretofore adopted by the Board of County Commissioners, the Executive Director of the Planning and Community Development Department (the "Director"), acting pursuant to Section 2.202 of the Regulations, and on behalf of the Board of County Commissioners, has received an application from **Grazing Yak, LLC**, as co-applicant, (hereinafter "Developer"), as owners and applicants (hereinafter "Owner", "Applicant", and "Developer" for an Administratively Approved Permit to conduct the following matter(s) of state interest:

**Site Selection and Construction of Major Facilities of a Public Utility**

and has approved that application (AASI-19-003).

This Administratively Approved Permit authorizes the Applicant to conduct the following activity/development:

**Construction of the Grazing Yak Solar Array Project.**

On the tracts of land described in Exhibit A (attached).

For the following period: five (5) years expiring June 12, 2024.

In accordance with the plans and/or specifications approved by the Director on June 12, 2019, as well as the guidelines for administration adopted by the County for:

**Site Selection and Construction of Major Facilities of a Public Utility**

On the condition that the Applicant proceeds in conformity with all applicable federal and state statutes, regulations and permits as well as all applicable local land use controls including, but not limited to, applicable comprehensive or master plans, subdivision regulations, zoning and building codes.

And on the following additional conditions:

1. Prior to excavation or construction, approval of a site development plan by El Paso County Planning and Community Development (PCD) for the solar array facility is required. The site development plan application shall include, but may not be limited to the following information:
  - a. Site development plan drawings;
  - b. Final drainage report;
  - c. Stormwater Management Plan and Report (SWMPR);
  - d. Erosion and Stormwater Quality Control Permit (ESQCP);
  - e. Any permits required by the Colorado Department of Public Health and Environment, if needed;
  - f. Detailed reseeding plan;

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  - e. Any permits required by the Colorado Department of Public Health and Environment, if needed;
  - f. Detailed reseeding plan;
  - g. Lighting plans and detailed specifications, including plans and specifications for temporary lighting, as applicable;
  - h. Sign plans, if signage is proposed;
  - i. Elevations of any above ground structures;
  - j. Emergency response plan, to be prepared in coordination with and acceptable to the El Paso County Office of Emergency Management;
  - k. Noxious weed management plan, to be prepared in coordination with and acceptable to El Paso County Environmental Services; and
  - l. Colorado Department of Health and Environment (CDPHE)-accepted surface and groundwater quality monitoring plans, if required.
2. The activity shall be conducted in accordance with the regulations of El Paso County and the accompanying documents/reports in the Planning and Community Development file for the matter of state interest permit application (AASI-19-003).
  3. The Applicant shall provide copies of all required state and County air quality permits prior to approval of a site development plan application.
  4. The Applicant shall comply with all applicable local, State, and Federal laws and regulations regarding the use, disposal, storage, and transportation of solid and/or hazardous materials on and off site.
  5. Any signage must be approved by the El Paso County Planning and Community Development Department in accordance with Chapter 6 of the El Paso County Land Development Code pursuant to submittal of a separate application for a sign permit.
  6. Site lighting, including temporary lighting, will be limited to that shown on the site development plan. All light fixtures shall be directional and positioned so that the light sources are concealed and fully shielded from adjacent properties and public roadways.
  7. Operations shall comply with the County Noise Ordinance. If complaints occur, the County may require that the Applicant conduct additional testing to determine noise levels associated with construction or vehicle traffic noise levels. The County may require changes to the hours of operation or require installation of noise controls to achieve acceptable levels as defined in the County Noise Ordinance.
  8. The applicant shall comply with federal and state laws, regulations, ordinances, review and permit requirements of applicable agencies including, but not limited to: Colorado Division of Wildlife, Colorado Department of Transportation, Colorado Department of Public Health and Environment, State Engineer's Office, United States Army Corps of Engineers (USACOE), Environmental Protection Agency, FEMA, and the United States Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
  9. Any coordination and/or action required by the United States Fish and Wildlife Service or Colorado Parks and Wildlife which may be necessary to address the avoidance or mitigation of impacts of any current or future federally listed or locally sensitive species shall be considered binding. Copies and/or written notice of all documented coordination

and/or required action shall be provided to the Planning and Community Development Department within 30 days of receipt by the applicant.

10. The hours of operation during the construction and long term maintenance of the project shall be limited to seasonal day time hours unless otherwise authorized by the Planning and Community Development Department Director prior to the proposed construction and/or maintenance. Requests to conduct nighttime construction activities shall be submitted to the PCD Director at least two business days prior to the time of the proposed construction. Any failure by the PCD Director to respond to the requests within two business days shall be interpreted as an approval of the request.
11. Within the first twelve months of operation, any complaints received by the County or the Developer, related to hazard or safety concerns pertaining to glare from the solar array shall be forwarded to the Developer. It shall be Developer's responsibility to resolve such complaints. The Developer shall have 30 days to assess the complaint and, if the occurrence of a hazard or safety concern is confirmed, then Developer shall propose a remedial plan to the County for review and approval by the PCD Director. If the Developer has not addressed glare complaints to the satisfaction of the PCD Director, the Board of County Commissioners, at an open and public hearing, shall have the authority to review the complaint and may require additional and reasonable mitigation or remedial actions. Such mitigation or remedial actions shall be based on the available evidence including a study, commissioned by the County, completed by an independent evaluator approved by mutual consent of the Parties, at the expense of the Developer, and/or a glare analysis provided by the Developer.
12. At least six (6) months prior to the initiation of decommissioning activities, Developer shall prepare a Project Decommissioning and Site Restoration Plan ("PDSRP") prepared in sufficient detail to identify, evaluate, and resolve all major deconstruction, environmental, hauling, and public health and safety issues reasonably anticipated by the Developer on the date thereof and submit the same to the County for review and approval. The PDSRP shall describe the process that will be used to evaluate the options and select the measures that will be taken to restore, reclaim, or preserve the project site and to otherwise ensure the protection of the public against risks or dangers resulting from the project decommissioning. The PDSRP shall address provision for funding or bonding arrangements to meet the project site restoration or management costs and it shall include an estimate of market value of the equipment and salvage value of all other equipment and materials that do not have value at resale.
13. The Applications, their successors or assigns, as the case may be, shall provide financial assurances sufficient for decommissioning costs in the form of a performance bond, guaranty or letter of credit, or cash to ensure the availability of funds for such costs to El Paso County no later than five (5) years prior to the termination of the delivery of power as identified in the power purchase agreement. An updated engineering estimate of the amount of the decommissioning costs shall be provided by the Developer to the County at least sixty (60) days and no sooner than ninety days prior to providing financial assurances to the County. If decommissioning should occur prior to the termination of delivery of power identified in the power purchase agreement, an updated engineering estimate of the amount of the decommissioning costs shall be provided by the Applicants to the County at least 60 days and no sooner than 90 days prior to the start of decommissioning activities.

14. Applicant shall provide notice to the Planning and Community Development Department of the date of initial delivery of power to the existing utility distribution system within 30 days following such date.
15. Issuance of this Permit is only valid with the approval of the approved Wind and/or Solar Energy General Plan Overlay (WSE-O-18-002) District rezoning request. Approval of this Permit is limited as depicted on the WSE-O plan.
16. Approval of this Permit is limited as depicted on the 1041 site plan map attached as Exhibit B.
17. No expansion, enlargement, or modification of the activity shall be allowed, except that the Applicant shall be authorized to install technological upgrades to the existing facilities, which may result in an increase to the maximum energy generating capacity of 35 MW. Under no circumstances shall such technological upgrades result in an increase in the area or height of development nor shall any upgrade result in a reduction in the facility setbacks as depicted on the WSE-O plan.

This Administratively Approved Permit is valid for use only by the Applicant and may not be transferred unless consent is given by the County pursuant to Section 2.506 of the El Paso County Guidelines and Regulations for Areas and Activities of State Interest. In the event that the Applicant fails to take substantial steps to initiate the above development or activity within twelve (12) months from the date of this permit or, if such steps are taken, in the event the Applicant fails to complete the development or activity with reasonable diligence, this Administratively Approved Permit may be revoked by the Planning and Community Development Director.

Date: June 12, 2019

File: AASI-19-003

EL PASO COUNTY PERMIT AUTHORITY,  
ACTING THROUGH THE EXECUTIVE  
DIRECTOR OF THE PLANNING AND  
COMMUNITY DEVELOPMENT DEPARTMENT

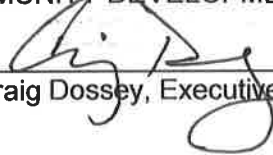
  
By: Craig Dossey, Executive Director

EXHIBIT A

GRAZING YAK 1041 LEGAL DESCRIPTION

**PARCEL CONTAINING THE SOLAR ARRAY:**

TAX ASSESSOR SCHEDULE NO. 1200000040

A PARCEL OF LAND BEING THE WEST HALF OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 61 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, LESS AND EXCEPT ANY EXISTING RIGHTS OF WAY AND ALSO EXCLUDING THE FOLLOWING PARCEL OF LAND:

THE NORTH 820 FEET OF THE WEST 2450 FEET OF THE WEST HALF OF SAID SECTION 29.

CONTAINING 271.850 ACRES, MORE OR LESS

**PARCELS CONTAINING UNDERGROUND COLLECTION LINE:**

TAX ASSESSOR SCHEDULE NO. 1200000040, 1200000388, 1200000387, 1200000276, 1200000056

A PARCEL OF LAND LYING WITHIN SECTION 20 AND THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 61 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, LESS AND EXCEPT ANY EXISTING RIGHTS OF WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS FOR THIS DESCRIPTION ARE BASED UPON THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 61 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, BEING ASSUMED TO BEAR N 00°29'26" W, FROM THE SOUTH QUARTER CORNER OF SAID SECTION 20, BEING MONUMENTED BY A REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 38222, TO THE CENTER QUARTER CORNER OF SAID SECTION 20, BEING MONUMENTED BY A REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 38222, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 20, THENCE S 00°30'49" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 61 WEST, A DISTANCE OF 820.28 FEET;  
THENCE S 89°27'20" W, A DISTANCE OF 300.00 FEET;  
THENCE N 00°30'49" W, ALONG A LINE BEING 300.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 820.00 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20;  
THENCE N 00°29'26" W, ALONG A LINE BEING 300.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 2,300.49 FEET;  
THENCE N 67°10'11" E, A DISTANCE OF 324.12 FEET;  
THENCE S 00°29'19" E, A DISTANCE OF 31.13 FEET;  
THENCE N 89°34'13" E, A DISTANCE OF 225.00 FEET;  
THENCE N 00°29'19" W, A DISTANCE OF 225.00 FEET;  
THENCE S 89°34'13" W, A DISTANCE OF 40.41 FEET TO A POINT OF NON-TANGENT CURVATURE;  
THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 215.00 FEET, A CENTRAL ANGLE OF 07°34'33" AND AN ARC LENGTH OF 28.43 FEET, THE CHORD OF WHICH BEARS N 02°55'53"E, A DISTANCE OF 28.41 FEET;  
THENCE N 00°51'23" W, A DISTANCE OF 1,640.33 FEET TO A POINT OF CURVATURE;  
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 215.00 FEET, A CENTRAL ANGLE OF 54°24'57" AND AN ARC LENGTH OF 204.19 FEET;  
THENCE N 00°41'08" W, A DISTANCE OF 429.86 FEET;  
THENCE S 89°18'52" W, A DISTANCE OF 150.74 FEET;  
THENCE N 00°21'17" W, A DISTANCE OF 246.93 FEET;  
THENCE N 90°00'00" E, A DISTANCE OF 449.34 FEET;  
THENCE S 00°41'08"E, A DISTANCE OF 546.38 FEET;  
THENCE S 28°46'27"E, A DISTANCE OF 191.20 FEET;

THENCE S 00°51'23"E, A DISTANCE OF 1,770.37 FEET;  
THENCE S 52°25'08"E, A DISTANCE OF 49.18 FEET;  
THENCE S 00°29'19"E, A DISTANCE OF 525.31 FEET;  
THENCE S 89°34'13"W, A DISTANCE OF 524.78 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20;  
THENCE S 00°29'26"E, ALONG SAID EAST LINE, A DISTANCE OF 2,091.99 FEET TO THE POINT OF BEGINNING.  
CONTAINING 1,980,529 SQUARE FEET OR 45.467 ACRES, MORE OR LESS.

**PARCEL CONTAINING LAYDOWN YARD 1:**

TAX ASSESSOR SCHEDULE NO. 1200000339

A PARCEL OF LAND BEING APPROXIMATELY 40 ACRES LYING WITHIN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 61 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, LESS AND EXCEPT THE FOLLOWING PARCELS OF LAND:

- GOLDEN WEST SUBSTATION

THE GOLDEN WEST SUBSTATION BEING 270.00 FEET BY 170.00 FEET, LOCATED 77 FEET SOUTH OF AND 50 FEET WEST OF THE NORTH QUARTER CORNER OF SAID SECTION 20 (CONTAINING APPROXIMATELY 1.054 ACRES)

- OPERATIONS AND MAINTENANCE BUILDING

THE OPERATIONS AND MAINTENANCE BUILDING (O & M BUILDING) BEING 100.00 FEET BY 50.00 FEET, LOCATED 150 FEET SOUTH OF AND 506 FEET WEST OF THE NORTH QUARTER CORNER OF SAID SECTION 20 (CONTAINING APPROXIMATELY 0.115 ACRES).

THE NET AREA OF LAYDOWN YARD 1 IS APPROXIMATELY 38.831 ACRES, MORE OR LESS.

**PARCEL CONTAINING LAYDOWN YARD 2:**

TAX ASSESSOR SCHEDULE NO. 1200000387

A PARCEL OF LAND LOCATED WITHIN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 12 SOUTH RANGE 61 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS FOR THIS DESCRIPTION ARE BASED UPON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING ASSUMED TO BEAR S 00°22'13" E, FROM THE NORTHEAST CORNER OF SAID SECTION 30 BEING MONUMENTED BY A NO. 6 REBAR WITH NO CAP, TO THE EAST QUARTER CORNER OF SAID SECTION 30, BEING MONUMENTED BY A 2 INCH ALUMINUM CAP STAMPED PLS 38222, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30, THENCE S 00°22'13" E, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF WASHINGTON ROAD RIGHT OF WAY AND THE POINT OF BEGINNING;  
THENCE S 00°22'13" E, ALONG SAID EAST LINE, A DISTANCE OF 1625.01 FEET;  
THENCE S 89°37'47" W, A DISTANCE OF 1044.00 FEET;  
THENCE N 00°22'13" W, ALONG A LINE BEING 1044.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 830.98 FEET;  
THENCE N 89°37'47" E, A DISTANCE OF 1024.00 FEET;  
THENCE N 00°22'13" W, ALONG A LINE BEING 20.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 794.17 FEET TO A POINT ON THE SOUTH LINE OF SAID WASHINGTON ROAD RIGHT OF WAY;  
THENCE N 90°00'00" E, ALONG SAID SOUTH LINE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.  
CONTAINING AN AREA OF 883,425 SQUARE FEET OR 20.281 ACRES, MORE OR LESS

**PARCEL CONTAINING GOLDEN WEST SUBSTATION:**

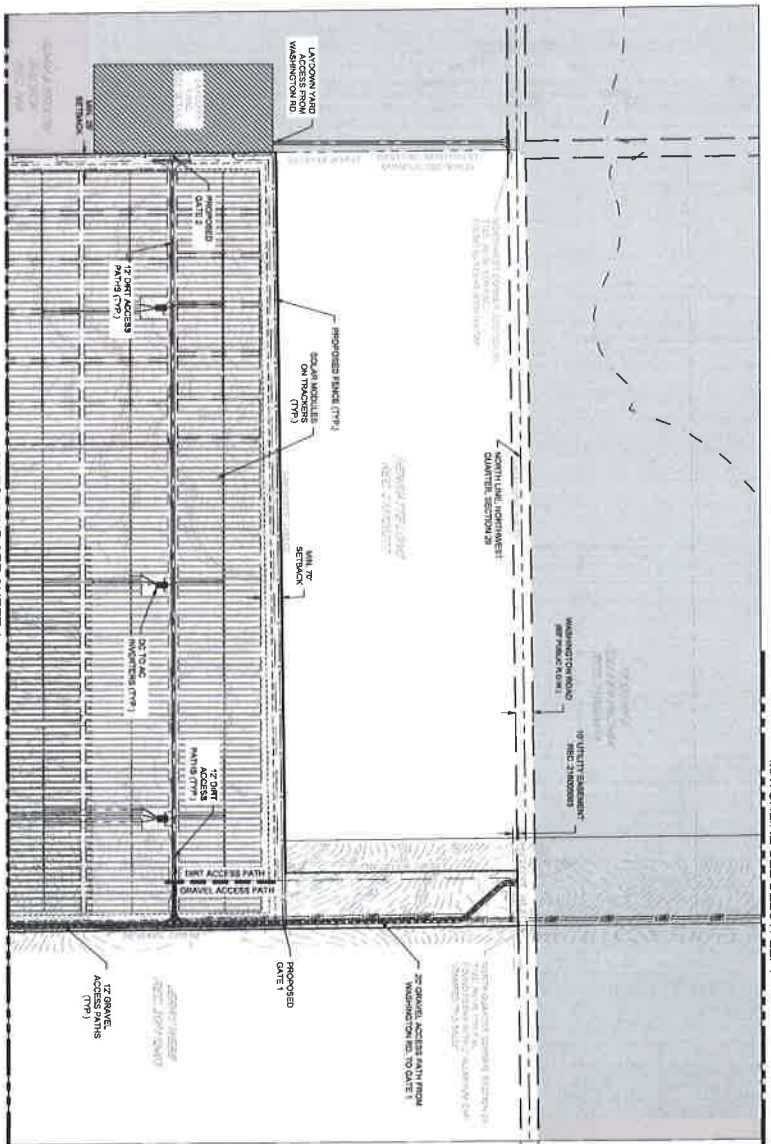
TAX ASSESSOR SCHEDULE NO. 1200000339

A PARCEL OF LAND BEING THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 61 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

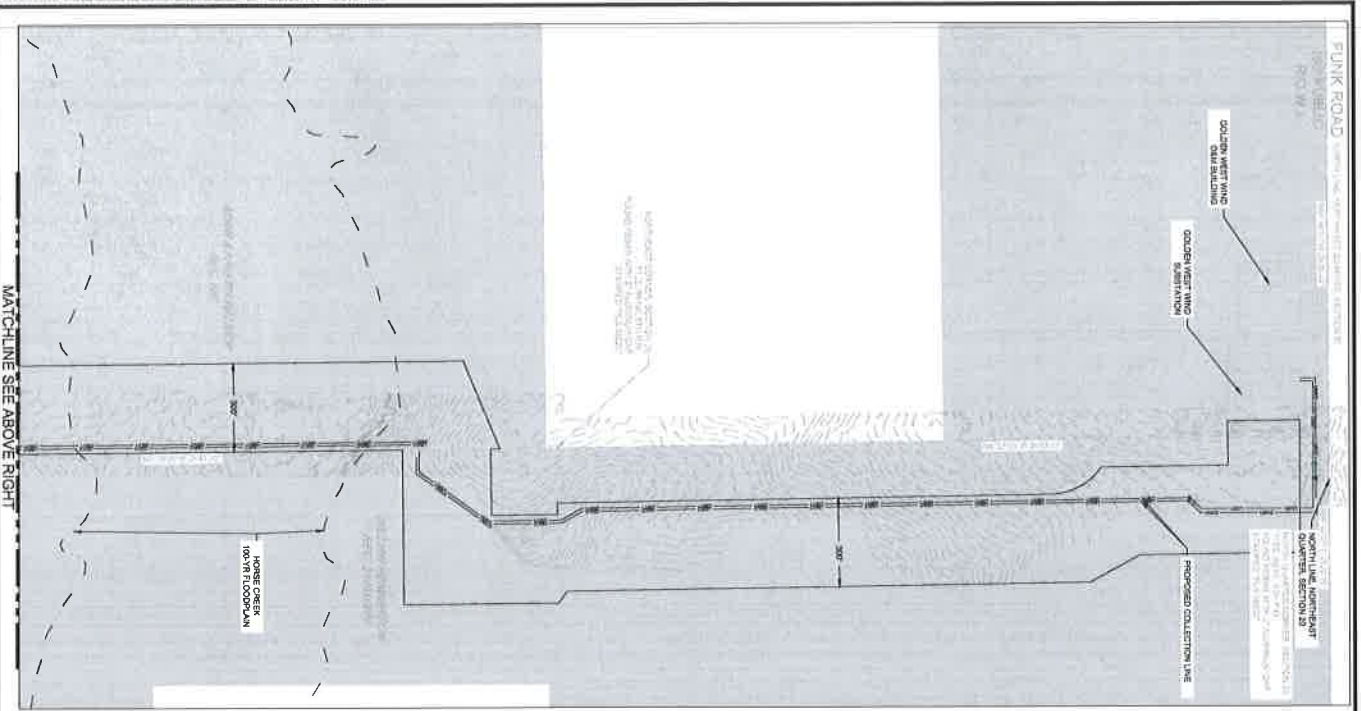
BEARINGS FOR THIS DESCRIPTION ARE BASED UPON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, BEING ASSUMED TO BEAR S 00°53'03" E, FROM THE NORTH QUARTER CORNER OF SAID SECTION 20, BEING MONUMENTED BY A REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 38222, TO THE CENTER QUARTER CORNER OF SAID SECTION 20, BEING MONUMENTED BY A REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 38222, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 20, THENCE S 32°03'35" W TO THE NORTHEAST CORNER OF THE SUBSTATION AND THE POINT OF BEGINNING;  
THENCE S 00°21'17" E, A DISTANCE OF 270.00 FEET;  
THENCE S 89°38'43" W, A DISTANCE OF 170.00 FEET;  
THENCE N 00°21'17" W, A DISTANCE OF 270.00 FEET;  
THENCE N 89°38'43" E, A DISTANCE OF 170.00 FEET TO THE POINT OF BEGINNING.  
CONTAINING AN AREA OF 45,900 SQUARE FEET OR 1.054 ACRES, MORE OR LESS

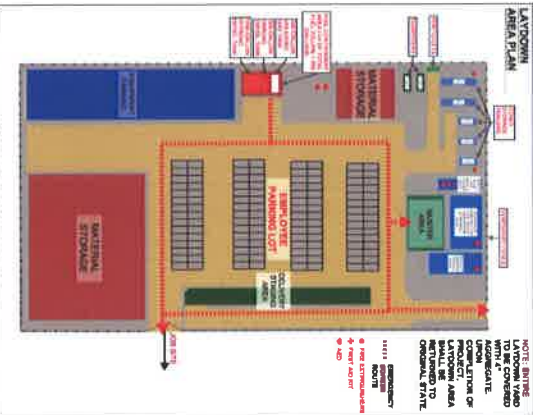
**Total Acres of 1041 Area: 377 acres.**



MATCHLINE SEE SHEET 1



MATCHLINE SEE ABOVE RIGHT



**NOTE:**  
NO PERSONNEL ALLOWED TO STAY ONSITE OVERNIGHT. ONLY SECURITY PERSONNEL ALLOWED ONSITE 24-HOURS A DAY.



**LEGEND**

- EXISTING FENCE
- PROPOSED FENCE
- EXISTING MAJOR CONTOUR
- SECTION LINE
- GRAVEL ACCESS ROAD
- DIRT ACCESS PATH
- SECTION CORNER
- INVERTER
- TRACK AREA
- DIRT ACCESS PATH
- DIRT ACCESS PATH

**NOTE:**  
DIRT ACCESS PATHS SHALL BE CONSTRUCTED OF RECOMPACTED BARTH.

PCD FILE NO. AASH-19-003

#	REVISION DESCRIPTION	DATE	BY	CHK
1	ISS SUBMITTAL	11/15/23	MM	MM
2	2ND SUBMITTAL	11/15/23	MM	MM
3	3RD SUBMITTAL	11/15/23	MM	MM
4	4TH SUBMITTAL	11/15/23	MM	MM

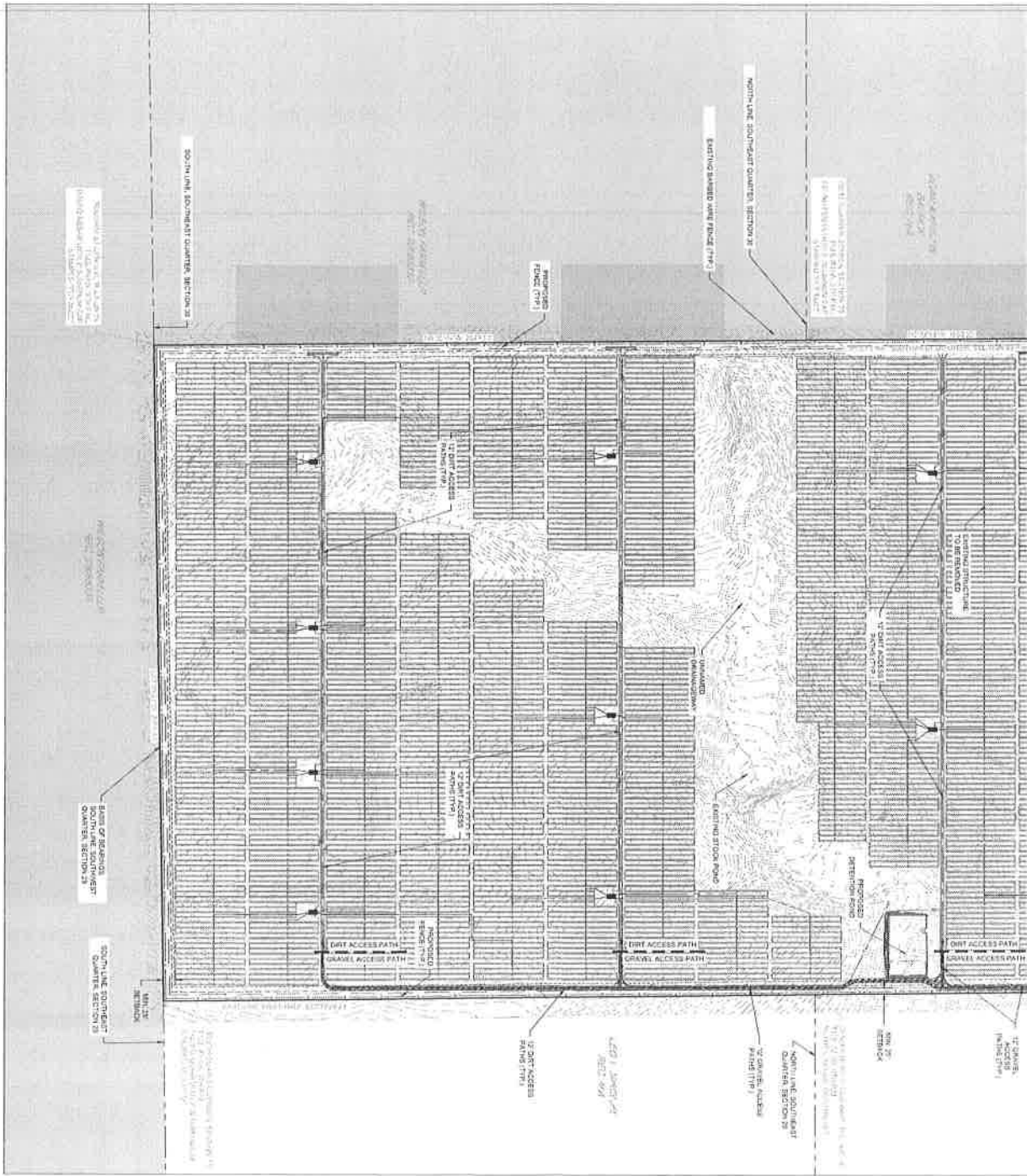
**811**  
CALL 811 BEFORE ANY EXCAVATION, DRILLING, OR DIGGING TO AVOID DAMAGE TO UNDERGROUND UTILITIES. THIS SERVICE IS PROVIDED BY THE STATE OF COLORADO AND IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES BEFORE ANY EXCAVATION, DRILLING, OR DIGGING. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES BEFORE ANY EXCAVATION, DRILLING, OR DIGGING. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES BEFORE ANY EXCAVATION, DRILLING, OR DIGGING.



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Littleton, CO 80120



MATCHLINE SEE SHEET 2



NOTE  
DIRT ACCESS PATHS SHALL BE  
CONSTRUCTED OF RECOMPACTED EARTH

LEGEND

- EXISTING FENCE
- EXISTING BOUNDARY
- EXISTING MAJOR CONTOUR
- SECTION LINE
- GRAVEL ACCESS ROAD
- DIRT ACCESS PATH
- SECTION CORNER
- INVERTER
- THATCH MOUNT
- GRID COORDINATE
- ADJUTANT QUARTER SECTION
- ADJUTANT QUARTER SECTION

POD FILE NO. AAS1-19-003

**GRAZING YAK SOLAR**  
EL PASO COUNTY, COLORADO

1041 SITE PLAN  
SITE LAYOUT

NO.	DESCRIPTION	DATE	BY
1	CONCEPT	05/21/19	JK
2	PRELIMINARY	07/26/19	JK
3	FINAL	08/26/19	JK
4	AS-BUILT	08/26/19	JK

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DENVER, CO 80202

PROJECT: 1041  
JOB NO: 18482  
DATE: 08/26/19  
SHEET: 2 OF 2