

January 16, 2019

Ms. Kari Parsons
Project Manager
El Paso County Planning and Community Development Department
2880 International Circle
Colorado Springs, CO 80903

RE: Comment Response for Grazing Yak Solar Project, LLC Application for a Wind/Solar Energy Generation Overlay (WSEO), Submittal #1,

Dear Ms. Parsons,

Grazing Yak Solar, LLC (Project Company) is pleased to submit the revised Grazing Yak Solar Project (Project) application for a Wind/Solar Energy Generation Overlay (WSEO), submittal #1. The revisions to this application address the review comments provided by the El Paso County (EPC) Planning & Community Development and EPC Engineering Departments.

EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Planning

1. Please see redline items uploaded to EDARP. Please revise the items and upload them. A complete review will occur after basic legal and project area is determined. Staff anticipated the WSE-O solar boundary as shown on the submitted zoning map and boundary map. The WSEO plan and application do not match these.
Response: The WSE-O Plan has been updated to reflect the extent of solar facilities, collection line, substation, and laydown areas in the Project WSE-O boundary. The legal description has been updated to reflect the updated WSE-O boundary.
2. Please add an application sheet identifying Core Consulting as an authorized representative of the Grazing Yak Solar Project. Please verify legal for the area to be included within the WSE-O. Are we really overlaying 1200 + acres or 270 acres? This will most likely result in 6 pages being uploaded (4 have been completed but will need to be re-uploaded).
Response: Grazing Yak Solar, LLC has added an application sheet (letter) authorizing CORE Consultants, Inc. to represent Grazing Yak Solar, LLC throughout the Project permitting and approval process. This letter has been uploaded with the Application Form. The legal description has been rewritten to reflect the updated WSE-O boundary of 377 acres which includes the 272-acre solar array, 45-acre collection line corridor, 1-acre substation, and 39-acre and 20-acre temporary laydown yards.
3. The legal should describe the boundaries of the WSE-O for the solar facility, substation and existing or proposed collection lines. If the entire parcel is not to be a part of the WSE-O than it does not need to be included. The area in red, yellow and pink (270 acres) in the boundary map is the area to be included in the WSE-O legal not the entirety of the parcels. Create a 270-acre legal please. All the reports should include the 270 acres.
Response: The legal description has been rewritten to reflect the updated WSE-O boundary of 377 acres which includes the 272-acre solar array, 45-acre collection line corridor, 1-acre substation, and 39-acre and 20-acre temporary laydown yards. All documents listed on EDARP for re-submission at this time were updated for the revised WSE-O zone and acreage. All other reports in the WSE-O application mentioning

the WSE-O zone acres (e.g., Wetlands and Waterbodies report and Noxious Weed Management Plan) will be updated with the correct number of acres after receipt of the El Paso County comments from the detailed review.

COLORADO STATE FOREST SERVICE

The primary wildland fuel type for this proposal is grassland with scattered trees having a low wildfire hazard potential. No special fire mitigation plans or other actions are necessary for final approval by the Colorado State Forest Service.

Response: Grazing Yak acknowledges the Colorado State Forest Service comment.

PUBLIC SERVICE COMPANY OF COLORADO

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the plans for Grazing Yak Solar Facility WSE-O and has no apparent conflict.

Response: Grazing Yak acknowledges the Public Service Company of Colorado's comment.

911 AUTHORITIES –EL PASO/TELLER COUNTY

No new street names requested No action for 911 Thank you Justin

Response: Grazing Yak acknowledges the 911 Authorities – El Paso/Teller County's comment.

MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC.

This area is within MVEA certificated service area. MVEA will serve this area with start-up power and any additional power as needed. The necessary lines will be constructed according to our extension policy. Connection requirements may include provisions for necessary line extensions and or other system improvements along with easements, and payment of all fees under MVEA line extension policy. Information concerning these requirements can be obtained by contacting the Engineering Department of MVEA.

MVEA has existing facilities near and within these parcels of land. If there is any removal or relocation of facilities it will be at the expense of the applicant and a review of easements will be required in order to serve.

Response: Grazing Yak acknowledges MVEA's comment and will coordinate accordingly prior to construction.

EL PASO COUNTY ENVIRONMENTAL SERVICES

The El Paso County Environmental Division has completed its review of the Grazing Yak Solar Facility WSE-O. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

4. An approved Jurisdictional Determination from the U.S. Army Corps of Engineers (USCOE) shall be provided to the Planning and Community Development Department prior to project commencement. The applicant is hereby on notice that the USCOE has regulatory jurisdiction over wetlands. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including, but not limited to, the Clean Water Act.

Response: CORE has received an approved Jurisdictional Determination for the Project from the USACE on November 2, 2018. The approved Jurisdictional Determination indicated that no jurisdictional water features are located on the Project. The approved JD has been uploaded onto EDARP; it is part of the WSE-O application Attachment 14: Wetlands, Waterbodies, and Threatened, Endangered and Species of Special Concern Report).

5. Documentation from the U.S. Fish and Wildlife Service (USFWS) related to the Preble's meadow jumping mouse shall be provided to the Planning and Community Development Department prior to ground disturbing activities occurring within 300 feet of the 100-year floodplain of Horse Creek. The applicant is hereby on notice that the USFWS has regulatory jurisdiction over threatened and endangered species and migratory birds, respectively. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including but not limited to, the Endangered Species Act and the Migratory Bird Treaty Act.

Response: CORE Consultants, Inc. conducted a desktop review and natural resources survey for the Project to identify the potential for the presence of threatened, endangered and species of special concern, and potentially jurisdictional water features and documented in the Wetlands, Waterbodies, and Threatened, Endangered and Species of Special Concern Report. CORE queried the USFWS's Information and Planning for Conservation (IPaC) database to identify the likelihood for the potential presence of threatened and endangered species, or their associated habitat. The query did not identify PMJM nor any associated habitat. Colorado Parks and Wildlife (CPW) maintains a Species Activity Mapping (SAM) database that characterizes the overall range of PMJM in Colorado. The Project is located outside of the overall range of PMJM in Colorado. The site visit to conduct a natural resources survey on August 23, 2018 indicated that no suitable habitat for the PMJM is present in or in the vicinity of the Project. Therefore, the likelihood for the potential presence of Preble's meadow jumping mouse (PMJM) can be characterized as not possible and was not discussed in the report. CORE discussed the request for documentation relating to the PMJM with EPC Environmental Services Division on January 8, 2019. EPC Environmental Services Division agreed to amend the comment to exclude the request for documentation from the USFWS related to PMJM.

6. Colorado Parks and Wildlife makes recommendations related to seeding, fencing, migratory birds and raptor buffer zones in the letter dated November 30, 2018. It is strongly suggested that these recommendations be followed.

Response: The Applicant received Colorado Parks and Wildlife (CPW) Project specific recommendations on November 30, 2018 and has agreed to comply with the CPW recommendations identified in the Project recommendation letter. The Applicant responded to CPW on January 2, 2019 describing the ways in which the Project will adhere to the CPW recommendations to avoid and minimize impacts to wildlife that may utilize the Project and their associated habitat. The response letter has been uploaded onto EDARP as part of Attachment 15: CPW Correspondence.

It is strongly recommended that the applicant obtain the necessary approvals from all federal, state and county agencies as a part of their planning process.

Response: Grazing Yak will obtain the necessary approval from state and county agencies as a part of the Project planning and permitting process. No federal approvals are required for EPC approval of the Project.

COLORADO GEOLOGICAL SURVEY

The 270-acre site (approximate centerpoint 38.9833, -104.2529) does not contain, nor is it exposed to, any geologic hazards that would preclude the proposed solar facility use. Terracon's 9/27/2018 geotechnical recommendations are valid; provided Terracon's recommendations are adhered to, CGS has no objection to approval.

Response: Grazing Yak acknowledges Colorado Geological Survey's comments and will adhere to the recommendations identified in Terracon's Geotechnical Engineering Report (WSE-O application Attachment 31).

PIKES PEAK REGIONAL BUILDING DEPARTMENT

Regarding a request for approval of a solar energy plan across multiple parcels (primarily 1200000040), Enumerations has the following comments:

1. An address separate from the existing residence will be assigned for the solar array for permitting purposes. The application indicates that the area where the array is to be constructed will most likely be separated from the existing parcel via sale. In that case, the address assigned to the solar array will be the parcel address for the new parcel, and the existing residence will retain its' current address.

Response: Grazing Yak understands that a new address will be assigned to the solar array parcel totaling 272 acres.

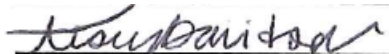
2. The applicant should contact Enumerations to establish this address prior to submitting plans for review/permit.

Response: CORE Consultants, Inc, on behalf of the Applicant, Grazing Yak, LLC, contacted Enumerations and received a new address for the Project associated with the access road to the solar array.

3. Floodplain has no comment or objection.

Response: Grazing Yak acknowledges Pikes Peak Regional Building Department – Floodplain's comment.

Sincerely,



Alsey Davidson

Grazing Yak Solar, LLC
Project Developer