

04/25/2019

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

Subject: Letter of Intent-Site Development Plan for Grazing Yak Solar, LLC

Dear Ms. Parsons,

This Letter of Intent (LOI) is being submitted as part of the Site Development Plan (SDP) Application for the Grazing Yak Solar Project (Project). The Applicant and Project Owner is Grazing Yak Solar, LLC (Applicant; **Attachment I: SDP Application Form**), a wholly-owned subsidiary of NextEra Energy Resources, LLC (NextEra).

Grazing Yak Solar, LLC will construct, operate, and maintain the Grazing Yak Solar Project, a 35-megawatt (MW) photovoltaic solar energy generation facility, to provide renewable energy to Colorado Springs Utilities (CSU), which provides energy to the city of Colorado Springs. The need for the Project was established primarily by CSU's Energy Vision renewable energy goals, which aims to produce 20% of energy generation from renewable energy sources by 2020, while maintaining a regional energy cost advantage. Approval of land use for a solar facility will satisfy multiple local, state, and federal statutes including Colorado's Renewable Energy Standard (RES) statute (Section 40-2-124, C.R.S.) which requires 30% of retail energy sales to be derived from renewable generation by 2020 from investor owned utilities and 10% for large municipal utilities.

The proposed Project includes solar panels, underground collection lines, DC to AC inverters, medium voltage transformers, circuit breakers and disconnect switches, upgrades within the existing Golden West Wind Energy Project ("Golden West") substation, two temporary laydown areas for use during construction, and the use of the existing Golden West Operations & Maintenance (O&M) building. The Grazing Yak temporary and permanent project facilities encompass 377-acres.

The Grazing Yak solar array (solar array) will be located on an Applicant-owned 272-acre parcel most recently used as range land situated east and south of the intersection of McQueen Road and Washington Road. The parcel containing the solar array was deeded to the Applicant on March 1, 2019 and received a new Tax Schedule/Parcel Number (1200000390).

The collection lines will transport energy from the inverters and will converge at the northeast corner of the solar array and run approximately one-mile north within a 300-foot wide collection line corridor to interconnect to the existing Golden West substation, owned and operated by the Applicant. The substation encompasses one acre and will be upgraded to accommodate the Project. Substation modifications will consist of installation of a new feeder breaker and metering for the solar project and infrastructure to accommodate the breaker and metering. No new power transformers will be installed in the substation.

The Project includes two temporary laydown yards to be utilized during construction. A roughly 39-acre laydown yard will be located within the Golden West Power Partners, LLC parcel (1200000339) located at the northern end of the collection line. A roughly 20-acre temporary laydown yard will be located adjacent to the western edge of the solar array on the Balsick parcel (1200000387).

El Paso County Planning and Community Development approvals associated with this SDP include a WSE-O (File No. 18-002) which was approved by the El Paso County Planning Commission on March 5, 2019 and by the Board of County Commissioners (BoCC) unanimously on April 9, 2019. The Project 1041 application is under review by the El Paso County Community Planning and Development Staff and is planned for administrative approval. The date of approval of the Project 1041 will be included in the final submittal of this SDP application.

In accordance with El Paso County requirements, as described in the Land Development Code Site Specific Development Plan and Development Agreement list of items, this Letter of Intent includes the following information:

- 1) Owner/Applicant and consultant, including addresses and telephone numbers**
- 2) Site location, size, and zoning**
- 3) Request and justification**
- 4) Existing and proposed facilities, structures, roads, etc.**
- 5) Deferral and waiver requests (if applicable) and justifications**

Because this land use involves a zoning overlay (WSE-O), we are including the following information, or making a notation when not applicable:

- 6) The purpose and need for the change in zone classification**
- 7) The total number of acres in the requested area,**
- 8) The total number of residential units and densities for each dwelling unit type,**
- 9) The number of industrial or commercial sites proposed**
- 10) Approximate floor area ration of industrial and/or commercial uses**
- 11) The number of mobile home units and densities**
- 12) Typical lot sizes: length and width**
- 13) Type of proposed recreational facilities**
- 14) If phased construction is proposed, how will it be phased**
- 15) Anticipated schedule of development**
- 16) How water and sewer will be provided**
- 17) Proposed uses, relationship between uses and densities**
- 18) Areas of required landscaping**
- 19) Proposed access locations**
- 20) Approximate acres and percent of land to be set aside as open space, not to include parking, drive, and access roads**

Additionally, SDP drawings have been prepared in accordance with the El Paso County Development Services Department (DSD) Procedures Manual (Issued 4/12/2011) and included in **Attachment 2: Grazing Yak Site Development Plans** of this application.

1) Owner, Applicant, and Consultant Including Addresses

The Owner/Applicant and preparer of this application is Grazing Yak Solar, LLC.

Applicant

Grazing Yak Solar, LLC
Aley Davidson, Project Developer
Aley.Davidson@nexteraenergy.com
700 Universe Boulevard, E5E/JB
Juno Beach, FL 33408
Phone: (561) 814-7287
Organization Type: A subsidiary of NextEra Energy Resources, LLC
Business: wind and solar project development

Owner

Grazing Yak Solar, LLC
31275 Washington Road
Calhan, CO 80808

Consultant

CORE Consultants, Inc. (CORE)
1950 W. Littleton Boulevard, Ste. 109
Littleton, CO 80120

2) Site Location, Size, and Zoning

The Project is located on Sections 20, 29, and 30; Township 12 South; Range 61 West approximately 3.5 miles southeast of the Town of Calhan. The proposed solar array will encompass 272 acres currently used as range land situated east and south of the intersection of McQueen Road and Washington Road on a parcel recently purchased by and deeded to the Owner/Applicant on March 1, 2019. The solar array parcel number recorded by the El Paso County clerk and recorder is 1200000390. The Applicant has secured leases for the properties on which the collection line is located. The majority of the collection line corridor, substation, and laydown area portions of the proposed Project WSE-O will overlay the existing Golden West WSE-O. The Grazing Yak Solar Project does not propose an expansion to or alteration of the wind facilities, except the substation, which is associated with Golden West. The Project, including portions that intersect the Golden West WSE-O, consists of parcels zoned A-35 (agriculture-35 acres).

3) Request and Justification

The Applicant requests approval of this SDP application for a solar photovoltaic facility, associated collection line, substation upgrade, and temporary laydown yards. The need for the Project was established primarily by CSU's Energy Vision renewable energy goals, which aims to produce 20% of energy generation from renewable energy sources by 2020, while maintaining a regional energy cost advantage. Approval of land use for a solar facility will satisfy multiple local, state, and federal statutes including Colorado's RES statute (Section 40-2-124, C.R.S.) which requires 30% of retail energy sales to be derived from renewable generation by 2020 from investor owned utilities and 10% for large municipal utilities. In addition, the Project will supply 35-MW of renewable energy to CSU, which will support their Energy Vision renewable energy goals, which aim to produce 20% of energy generation from renewable energy sources by 2020, while maintaining a regional energy cost advantage. Similarly, the Pikes Peak Area of Council Governments (PPACG) Regional Sustainability Project produced a plan titled "Looking to Our Future – Pikes Peak Region 2030" ("PPACG Regional Sustainability Plan") which outlines a renewable energy goal that by the year 2030, 50% of energy consumed in the region is renewable and/or sustainable, maximizing the amount of renewable energy produced in the region from a 2010 baseline.

The El Paso County DSD has reviewed and commented on the WSE-O and I041 applications for the Project. The Project was presented to and approved by the Planning Commission on March 5, 2019 in a public hearing. The BoCC approved the Project on April 9, 2019 unanimously. The Project I041 application is currently under review by DSD planning staff and is planned for administrative approval by DSD staff. The date of the Project I041 approval will be included in the final submittal of this SDP application. The materials included in this SDP submittal are intended to meet the County's requirements to demonstrate that the Project will conform to the applicable standards and requirements of the El Paso County Zoning Regulations.

The Project is in conformance with the El Paso County Master Plan, which guides land use in El Paso County. Information on the conformance with key elements of the El Paso County Master Plan, including an extensive review of goals and policies that include the Policy Plan, can be found in the WSE-O and I041 submittal documentation associated with this Project. Comments received from agencies as part of the El Paso County application process for a WSE-O were addressed and changes incorporated into the Project application documents. The information presented in the Project application documents demonstrates that the proposed Project conforms to the currently adopted Master Plan per Section 5.3.3 of the El Paso County Land Development Code. The Applicant understands that El Paso County is in the process of updating the Master Plan.

4) Existing and Proposed Facilities and Structures

Existing Facilities

There are no existing facilities located within the Project solar array area; the land is most recently used for grazing range land. The underground collection line corridor traverses undeveloped range land for one mile and will tie in to the existing Golden West substation; the undeveloped range land and substation are situated within the existing Golden West WSE-O boundary. The Project collection line corridor lies between the Golden West wind turbines to the east and the Golden West overhead transmission line to the west. The collection line will cross under an existing Mountainview Electric Association, Inc. (MVEA) distribution line utility easement (easement) that runs parallel to Washington Road. MVEA has established that no easement crossing agreement is required to install the underground collection lines across the easement for their overhead distribution line along Washington Road.

Proposed Facilities

The proposed Project will include the solar array, the collection line, two temporary laydown yards, and the existing Golden West substation. The solar array will be located on a 272-acre parcel. The Project will use Jinko 395-400 W solar panels and 3.14 MVA Power Electronics inverters. The PV solar panels will be mounted on tracking systems that help minimize the angle between the solar panels and the sun, which maximizes solar energy capture and electric generation of the array. The panels will track the sun throughout the day and will move between a vertical and horizontal position. When the panel is positioned vertically, the top of the panel would be no more than 14-feet from base elevation, and the bottom of the panel would be a minimum of 2-feet from base elevation. Generated electricity will be delivered to up to 12 inverters located throughout the array that would convert the electricity from direct current to alternating current. An 8-foot, smooth top, tall chain link fence will be installed around the solar array for safety and security of the solar panel area. Collection lines from the inverters will converge at the northeast corner of the solar array; the collection lines will be buried underground and will run approximately one mile to the existing Golden West substation.

Substation modifications will consist of installation of a new feeder breaker and metering for the solar project and infrastructure to accommodate the breaker and metering. The new breaker will be installed

at the end of the west medium voltage overhead bus and that overhead bus extended to that breaker. Two underground sets of feeder cables will enter the substation from the north via conduit and route to the new feeder breaker. In order to separately meter the solar power from the existing wind power, additional metering will need to be installed in both overhead medium voltage buses after all breakers. This will be done by replacing a short section of the existing buswork with high accuracy current measuring devices. Similar high accuracy metering will be included with the new breaker to measure the solar power only. Additional work will include installation of some new metering and control equipment in the existing control house and installation of underground communication cables. No new power transformers will be installed in the substation.

New access roads will be constructed within the Project solar array to provide access to technicians performing routine maintenance work. The access road will be graveled from the solar array access road on Washington Road in the northeast corner of the solar array. The graveled road will measure 20-feet in width at the entrance. The access road will measure 16-feet in width from immediately below the entrance to the access gate which will be located at the entrance to the solar array, approximately 800-feet from Washington Road. The graveled road will measure approximately 16-feet in width for the remainder of its run to the approximate center of the eastern edge of the solar array. A proposed detention pond will be accessed along the gravel road through Gate 2 (northern edge of pond) and Gate 3 (southern edge of pond). The remainder of access roads throughout the solar array will measure 12-feet in width and consist of native compacted soils.

Temporary facilities will include two laydown yards to be used during construction. One laydown yard will encompass approximately 39-acres within the Golden West Power Partners, LLC parcel (1200000339) located at the northern end of the collection line. A roughly 20-acre temporary laydown yard will be located adjacent to the western edge of the solar array on the Balsick parcel (1200000387).

5) Deferral and Waiver Requests and Justification

The Applicant is requesting the items below be deferred from inclusion in this application at this time. In certain cases described below, draft or preliminary information is provided as the Applicant intends to provide specific required documents at the final submittal of this SDP application.

Deferral

Colorado Department of Public Health and Environment (CDPHE) Permits – Copies of acquired CDPHE permits, including the Air Pollutant Emission Notice (APEN) Permit and Stormwater Discharge Permit (COR400000), will be submitted prior to final SDP approval.

Waivers

Landscaping Plan – Detailed Landscaping Plans are not being submitted in this SDP application because the Project will require only reseeding and erosion control measures within disturbed areas as depicted in the Reseeding Plan included in the Project Grading and Erosion Control Plan (GEC; **Attachment 3: Grading Erosion Control Plans**).

Sign Plan – No permanent signs are to be constructed for the Project. Therefore, no sign plans are included in this SDP application.

Development Impact Mitigation Agreement – A waiver of the Project requirement for a development impact mitigation agreement was included in the Board of County Commissioners Resolution No. 19-111 to Approve the Grazing Yak Solar Array WSE-O District Rezone (WSE-O 18-002). The Project Waivers are attached to **Attachment 1: SDP Application Form**.

Decommissioning Plan - A waiver of the Project requirement for a decommissioning plan was included in the Board of County Commissioners Resolution No. 19-111 to Approve the Grazing Yak Solar Array WSE-O District Rezone (WSE-O 18-002). The Project Waivers are attached to **Attachment I: SDP Application Form**.

6) Purpose and Need for Change in Zone Classification

The Applicant is proposing to construct a solar array on land that is currently zoned A-35. The Applicant submitted a request for a WSE-O to El Paso County on December 4, 2018 to allow a solar energy generation facility to be developed on this land. The Project WSE-O was approved by the El Paso County Planning Commission on March 5, 2019, and unanimously by the BoCC on April 9, 2019. Approval of the Project will satisfy multiple local, state, and federal statutes including Colorado's RES statute (Section 40-2-124, C.R.S.) which requires 30% of retail energy sales to be derived from renewable generation by 2020 from investor owned utilities and 20% for large municipal utilities. In addition, the Project will supply 35-MW of renewable energy to CSU, which will support their Energy Vision renewable energy goals, which aim to produce 20% of energy generation from renewable energy sources by 2020, while maintaining a regional energy cost advantage.

7) Total Number of Acres in the Requested Area

The Project WSE-O, including temporary and permanent Project areas, encompasses 377 acres, including the 272-acre parcel for the solar array, 45 acres for an underground collection line, 59 acres for two temporary laydown areas, and upgrades to the existing 1-acre Golden West substation. The new above-ground facilities consist of the solar array which will cover 272-acres.

8) Total Number of Residential Units and Densities for Each Dwelling Unit Type

This criteria is not applicable to the Project. No residential units are included in the Project.

9) The Number of Industrial or Commercial Sites Proposed

This criteria is not applicable to the Project. No industrial or commercial uses are included in the Project. Solar facilities are not characterized as industrial in El Paso County, since solar facilities require a WSE-O zone.

10) Approximate Floor Area Ratio of Industrial and/or Commercial Uses

This criteria is not applicable to the Project. No industrial or commercial uses are included in the Project.

11) Number of Mobile Home Units and Densities

This criteria is not applicable to the Project. No mobile homes are included in the Project.

12) Typical lot sizes – length and width

This criteria is not applicable to the Project. No subdivisions are included in the Project.

13) Type of Proposed Recreational Facilities

This criteria is not applicable to the Project. No recreational facilities are included in the Project.

14) If phased construction is proposed, how will it be phased

This criteria is not applicable to the Project. The Project will be constructed in a single phase; no future phases are proposed at this time.

15) Anticipated Schedule of Development

Construction is anticipated to begin in June 2019, with delivery of electricity to Colorado Springs Utilities (CSU) by November 2019. It is anticipated that construction will last approximately 5 months.

16) How water and sewer will be used

Water and sewer services will not be required over the operational life of the Project. Construction of the Project will require minimal water use; water will be used for dust control and mitigation during the movement and use of heavy equipment during construction. Water will be purchased and hauled from a local water supplier by a water truck and will be applied to the ground during earth disturbing activities to minimize the production of dust. Project construction will require no more than 4-million gallons of water to be used for dust control and compaction activities. The water will be purchased from a local water provider that will pump water from the Laramie Fox Hill Basin. No other on-site water will be required during construction. Portable toilets will be staged at the construction site and cleaned regularly and removed at the completion of construction. Water bottles will be brought in for potable water consumption.

17) Proposed Uses, Relationship Between Uses and Densities

The proposed use, as described in detail in the Project WSE-O and 1041 applications, is the construction and operation of a 35-MW solar energy generation facility. The Project temporary and permanent facilities encompass 377 acres of private lands currently zoned A-35. The northern portion of the Project intersects with the existing Golden West WSE-O.

18) Areas of Required Landscaping

Areas disturbed during construction will be reseeded with a native seed mix following construction. The post-construction drainage plans will provide natural sheet flow conditions (**Attachment 4: Drainage Report**). A detailed Reseeding Plan is included in the Project GEC and included in place of the Landscaping Plan (**Attachment 3: Grading Erosion Control Plan**). During operation of the Project, range land within the solar array will require mowing throughout the growing season to prevent shading of solar panels. No designed landscaping is included in the Project construction or operation.

19) Proposed Access Locations

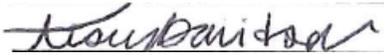
Construction access will occur along established haul routes, which will lead construction traffic to the temporary laydown yards located in the Golden West Power Partners, LLC parcel (1200000339) located at the north end of the Project, and the Balsick parcel (1200000387) located adjacent to the western edge of the solar array. Other construction traffic will enter the solar array and collection line from Washington Road. The Project Haul Route Plan was submitted with the Project WSE-O and 1041 applications and is attached (**Attachment 5: Haul Route Plan**). During operations and maintenance, access will occur through the locked gate located approximately 800-feet from Washington Road at the northeastern corner of the solar array (**Attachment 2: Site Development Plans**).

20) Approximate acres and percent of land to be set aside as open space

This criteria is not applicable to the Project. There is no open space included in the Project.

Your review of this application is appreciated, and we look forward to any questions or comments regarding the information herein. A list of attachments is enclosed. Please let us know if there is any additional information required. If you have any questions regarding this submittal and the associated attachments please feel free to contact Alsey Davidson, project developer, at 561.814.7287.

Respectfully submitted,



Alsey Davidson
Project Developer
Grazing Yak Solar, LLC

Attachments:

- Attachment 1:** *Application Form*
- Attachment 2:** *Site Development Plans*
- Attachment 3:** *Grading Erosion Control Plans*
- Attachment 4:** *Final Drainage Report*
- Attachment 5:** *Haul Route Plan*
- Attachment 6:** *Detention Maintenance Agreement*
- Attachment 7:** *Elevation Plans*
- Attachment 8:** *Financial Assurance Forms*
- Attachment 9:** *Fire Commitment Letter*
- Attachment 10:** *Legal Description*
- Attachment 11:** *Lighting Plan*
- Attachment 12:** *Sign Plan*
- Attachment 13:** *ESQCP Application*
- Attachment 14:** *Title Commitments*
- Attachment 15:** *Transportation Memorandum*
- Attachment 16:** *Vicinity Map*
- Attachment 17:** *Wildland Fire and Hazard Mitigation Plan*
- Attachment 18:** *Stormwater Management Plan*
- Attachment 19:** *Owner's Written Authorization for Application Package*
- Attachment 20:** *WSE-O Plan*
- Attachment 21:** *PPRBD Correspondence*
- Attachment 22:** *Road Condition Survey Statement*
- Attachment 23:** *BMP Operations & Maintenance Manual*
- Attachment 24:** *Emergency Action Plan*