MOFFAT COUNTY BOARD OF COUNTY COMMISSIONERS
1198 W. Victory Way Craig, Colorado 81625
(970) 824-5517

Tony Bohrer
District 1

Melody Villard
District 2

Donald Broom
District 3

Board Meeting Agenda

Minutes will be recorded for these formal meetings

Tuesday, February 25, 2025

8:30 am Pledge of Allegiance

Call to order by the Chairman /Approval of the agenda

Consent Agenda -

Review & Sign the following documents:

Minutes:

a) February 11 (pgs 3-6); February 19 – Special Meeting (pg 7)

Resolutions:

b) 2025-20: Transfer of Intergovernment Funds for December 2024 (pg 8)
c) 2025-21: Transfer of Intergovernment Funds for January 2025 (pg 9)
d) 2025-22: A/P for December 2024 (pg 10)
e) 2025-23: A/P for February 2025 (pg 11)
f) 2025-24: Payroll (pg 12)
g) 2025-25: P-Cards (pg 13)

Contracts & Reports:

h) Yampa Valley Bar & Grill Liquor License renewal application (pg 14)
i) Greater Sandhill Crane week proclamation (pg 15)
j) Colorado Department of Public Health & Environment Stormwater Annual Report(s) for Sand and Gravel Pits (13) (pgs 16-18)
k) GIS Services contract w/Schneider Geospatial (pgs 19-22)

Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noted on this agenda

Public Comment/General Discussion:

Board of County Commissioners

1) - Joint appointment to Airport Advisory Board (pg 23)
- Appoint Vice-Chair

8:45 am
Public Hearing:

2) Planning & Zoning Department – Candace Miller
   - **Resolution 2025-14**: Amendments to Moffat County Zoning Regulations (pgs 24-37)
   - AES: Zone Change & Conditional Use Application (38-116)

Staff Reports:

3) Development Services – Candace Miller
   - **Resolution 2025-19:** Intergovernmental Agreement w/City of Craig re: Building Contractor registration (pgs 117 & 118)

4) Road & Bridge Department – Dan Miller
   - Bid recommendation for Sander replacement (pg 119)
   - Request waiving bid process for Chip Seal Oil (pg 120)

Adjournment

The next scheduled BOCC meeting will be Tuesday, March 11, 2025 - 8:30 am

Moffat County's YouTube link to view meeting:

https://youtube.com/live/Jxzr9so6f5Y?feature=share

OR

https://www.youtube.com/channel/UC0d8avRo294jia2irOdSXzQ

***** Agenda is Subject to Change until 24 hours before scheduled Hearings*****
The Board may alter the times of the meetings throughout the day, or cancel or reschedule noticed meetings

Moffat County Board of County Commissioners
1198 W Victory Way Craig, CO 81625

February 11, 2025

In attendance: Melody Villard, Chair; Tony Bohrer, Board Member; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Candace Miller; Kathy Kuehl; Lois Wymore; Jane Hume; Dan Miller; Garry Rhoden; John Cromer; Paul Gowdy; Lori Gowdy; Jesus Ortega

Call to Order
Pledge of Allegiance

Commissioner Villard called the meeting to order at 8:30 am

Villard made a motion to approve the agenda as presented. Bohrer seconded the motion. Motion carried 3-0.

Consent Agenda –

Review & Sign the following documents: (see attached)

Minutes:
a) January 28
Resolutions:
b) 2025-15: December A/P
c) 2025-16: January A/P
d) 2025-17: Payroll
e) 2025-18: Amended Fee Schedule
Contracts & Reports:
f) Treasurer's Report
g) Real Estate Listing agreement w/Country Living Realty for 539 Barclay Street
h) Department of Human Services Core Services Contract w/Kin Connect
i) Department of Human Services/Brighter World Child Advocacy Center Team agreement

Villard made a motion to approve the consent agenda items A-I. Bohrer seconded the motion. Motion carried 3-0.

Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noted on this agenda

Public Comment/General Discussion:

Lois Wymore spoke about the podcast (New West 2) that she and Jane Hume are doing. She also mentioned doing research on the topic of nuclear energy/storage in NW Colorado.

Kathy Kuehl urged the board to wait and see what the new federal administration had in mind for energy and to not go in for solar too much.

Ron Epplin made a couple of brief comments about different types of energy production.

Commissioner Villard highlighted February employee 10 + year anniversaries:
Allison Smith
Sherrod Schonert
KC Hume

Staff Reports:

Road & Bridge Department – Dan Miller

Bid recommendation(s): (see attached)

- Dump Box

Two bids were received for an elliptical dump box:
Industrial Welding & Supply – FOB Sterling, CO (Installed) $35,360.00
Holman $75,827.80
Miller recommended awarding the bid to Industrial Welding Supply.

Bohrer moved to accept the elliptical dump box bid from Industrial Welding Supply of Sterling for $35,360.00. Boom seconded the motion. Motion carried 3-0.

- Cattle Guard Iron

One bid was received for Cattle Guard Iron:
Craig Steel $28,238
The Cattle Guard Iron budget for 2025 is $50,000.
Miller recommended awarding the bid to Craig Steel.

Broom moved to accept the bid from Craig Steel for Cattle Guard Iron for $28,238.00. Bohrer seconded the motion. Motion carried 3-0.

- Mag Chloride

One bid was received for the 2025 Mag Chloride project:
GMCO- Rifle, CO $1.15/gallon - delivered
The 2025 budget for this project is $500,000. Because the Mag Chloride price went up to $ .15/gallon, the Road & Bridge Department will have to eliminate 14 ½ miles of application area. Miller recommend accepting the bid from GMCO for $1.15/gallon.

Bohrer moved to approve the Mag Chloride bid from GMCO for $1.15/gallon. Broom seconded the motion. Motion carried 3-0.

8:45 am
Public Hearing:

Villard read the Public Hearing protocol and declared the Public Hearing open.

Planning & Zoning Department – Candace Miller

- Review of requested change to language in Section 405.4 Temporary Use - Zoning Regulation amendments (see attached)

At a Public Hearing during the January 14th BCC meeting, proposed amendments to the language of certain sections of the current Planning & Zoning regulations were read. Before final approval in a resolution at the February 25th BCC meeting, revised language to the amendment of Section 405.4 was requested.
Miller read the current language, the former proposed language and the requested revised language. The reason for this revision is to add in additional language to regulate Temporary Use Permits to only be issued for the specific timeframe based on the duration of the project. Approved permits must undergo a mid-way onsite inspection/review, in addition to requiring annual reporting. Bohrer commented that this would give the County more control and oversight of the conditions of Temporary Use Permits than under the original language.

Public Comment:
Kathy Kuehl commented that in relation to agricultural parcels, "man camps" don't belong. She asked for some more in-depth explanation of changes to the zoning regulations and an extension of the time before approval of the resolution.
No other public comment.

In regular session, Bohrer moved to approve the requested language change to the amendment of Section 405.4. Broom seconded the motion. Motion carried 3-0.

- Minor Subdivision Application - North Maybell Minor Subdivision – S-25-01 (see attached)

Applicant, Paul Gowdy, was present. This is a 23.32-acre parcel that the applicant wants to divide into 4) 5.830 acre lots. There is access to all 4 lots along CR 19. The Planning & Zoning Commission voted unanimously to recommend approval of the minor subdivision application.

Bohrer asked if there are wells on this property? Gowdy answered not at this time and that he is aware of the residential property water restrictions. Villard also asked about the sewer/septic situation. There was some discussion regarding cost sharing on the infrastructure. Miller also noted that this project is in the preliminary stages.

There was no public comment.

In regular session, Broom moved to approve Minor Subdivision Application - S-25-01, North Maybell Minor Subdivision. Bohrer seconded the motion. Motion carried 3-0.

- Subdivision Exemption Application – Ortega – E-25-01 (see attached)

Applicant, Jesus Ortega, was present. This was originally a 35-acre parcel; 15 acres will be exempted off as part of the division of the property, in order to sell a smaller portion. There have been no previous exemptions on this tract. The Planning & Zoning Commission voted unanimously to recommend approval of this exemption application.

Public Comment:
John Cromer expressed his concerns about too many houses being built in this area.

In regular session, Bohrer moved to approve Subdivision Exemption Application E-25-01. Broom seconded the motion. Motion carried 3-0.

- Application for Replat – Georgiou/Penner – S-25-02 (see attached)

This is a replat of lots currently owned by Thomas Penner and Taanna Georgiou. Lot 1C will become 10.68 acres from 5 acres and Lot 1D will become 29.32 acres from 35 acres. The Planning & Zoning Commission voted unanimously to recommend approval of this replat application.

There was no public comment.

In regular session, Broom moved to approve Replat Application S-25-02. Bohrer seconded the motion. Motion carried 3-0

Meeting adjourned at 9:26 am

The next scheduled Board of County Commissioners meeting is Tuesday, February 25, 2025

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: _____

_____

_____

Approved on: _____

Attest by: _____

Link to view this meeting on the Moffat County YouTube channel:

https://www.youtube.com/channel/UC0d8avRo294jia2irOdSXzQ

Moffat County Board of County Commissioners
1198 W Victory Way Craig, CO 81625

February 19, 2025 – Special Meeting

In attendance: Melody Villard, Chair; Tony Bohrer, Board Member; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Roy Tipton; Garry Rhoden

Call to Order

Commissioner Villard called the meeting to order at 10:00 am

Office of Development Services – Roy Tipton

- Review offer for County-owned property at 539 Barclay Street (see attached)

Tipton presented an offer to purchase the County owned property at 539 Barclay Street for $200,000 (the asking price) from Jenison Properties, LLC. The County submitted a counter/stipulation on this offer only because of the parking lot situation in that location, to make sure the legal description is correct. Tipton recommended signing the counter offer with that change.

Bohrer moved to sign the counter offer to Jenison Properties for the property at 539 Barclay Street. Broom seconded the motion. Motion carried 3-0.

Meeting adjourned at 10:03 am

The next scheduled BOCC meeting is Tuesday, February 25, 2025, 8:30 am

Submitted by:
Erin Miller, Deputy Clerk and Recorder

Approved by: _____

_____

Approved on: _____

Attest by: _____

RESOLUTION 2025-20
TRANSFER OF INTERGOVERNMENT FUNDS
FOR THE MONTH OF DECEMBER 2024

WHEREAS, The budget of Moffat County defines moneys that are to be cleared from the various funds.

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to clear the following sum of money between the funds as indicated:

From: (Fund)(CREDIT)	*Amount*	*To: (Fund) (DEBIT)*	*Amount*
GENERAL	8,825.59	LIBRARY	860.32
ROAD & BRIDGE	2454.44	SENIOR CITIZENS	6,478.75
PUBLIC SAFETY CENTER - JAIL	34,216.72	MO CO TOURISM - LODGING	6,310.82
AIRPORT	9.57	DEPT OF HUMAN SERVICES	8136.7
		LANDFILL	$ 23,141.82
		PUBLIC HEALTH	$ 577.91
TOTALS	**$ 45,506.32**	**TOTALS**	**$ 45,506.32**

Adopted this 25th day of February, A.D. 2025

_____
Chairman

)ss
COUNTY OF MOFFAT)

I, Erin Miller, County Clerk and Ex-officio Clerk to the Board of County Commissioners, County of Moffat, State of Colorado do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted on the date stated.

WITNESS my hand and seal this 25th day of February, A.D. 2025

_____
Clerk & Recorder

RESOLUTION 2025-21
TRANSFER OF INTERGOVERNMENT FUNDS
FOR THE MONTH OF JANUARY 2025

WHEREAS, The budget of Moffat County defines moneys that are to be cleared from the various funds.

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to clear the following sum of money between the funds as indicated:

From: (Fund)(CREDIT)	*Amount*	*To: (Fund) (DEBIT)*	*Amount*
GENERAL	1,345.24	LIBRARY	130.70
ROAD & BRIDGE	374.40	SENIOR CITIZENS	987.63
PUBLIC SAFETY CENTER - JAIL	5,213.92	MO CO TOURISM - LODGING	961.25
AIRPORT	1.45	DEPT OF HUMAN SERVICES	1,239.47
		LANDFILL	3,526.33
		PUBLIC HEALTH	89.63
TOTALS	**$ 6,935.01**	**TOTALS**	**$ 6,935.01**

Adopted this 25th day of February, A.D. 2025

_____
Chairman

)ss
COUNTY OF MOFFAT)

I, Erin Miller, County Clerk and Ex-officio Clerk to the Board of County Commissioners, County of Moffat, State of Colorado do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted on the date stated.

WITNESS my hand and seal this 25th day of February, A.D. 2025

_____
Clerk & Recorder

RESOLUTION 2025-22
TRANSFER OF PAYMENT OF WARRANTS
FOR THE MONTH OF DECEMBER 2024

WHEREAS, The Board of Commissioners of Moffat County, Colorado, have approved the payment of various debts and obligations from the various county funds:

AND WHEREAS, the warrants issued in payment of said debts and obligations have been issued against the Moffat County Warrant Fund:

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to transfer money among the various funds as follows:

Check Date: 2/25/2025

FROM FUND:				
General	110	$6,403.70	CR	0010.7000
Road & Bridge	200		CR	0020.7000
Landfill	240		CR	0070.7000
Airport	260	$3,057.60	CR	0120.7000
Emergency 911	270		CR	0350.7000
Capital Projects	510		CR	0160.7000
Conservation Trust	211		CR	0060.7000
Library	212		CR	0130.7001
Maybell Sanitation	610		CR	0280.7000
Health & Welfare	720		CR	0080.7000
Senior Citizens	215		CR	0170.7000
Internal Service Fund	710		CR	0325.7000
Lease Purchase Fund	410		CR	0175.7000
NCT Telecom	520		CR	0166.7000
Mo Co Tourism Assoc	219		CR	0320.7000
PSC - JAIL	210		CR	0072.7000
Human Sevices	220		CR	0030.7100
Public Health	250		CR	0065.7000
Sunset Meadows I	910		CR	0168.7000
Sunset Meadows I Security	910		CR	0167.7000
Sunset Meadows II	920		CR	0169.7000
Sunset Meadows II Security	920		CR	0171.7000
ACET	275		CR	0040.7000
Shadow Mountain LID	530		CR	0110.7000
MC Local Marketing District	231		CR	0050.7000
To Fund Warrant		$9,461.30	DR	

Adopted this 25th day of February, 2025 2025

_____
Chairman

STATE OF COLORADO)
ss.)
COUNTY OF MOFFAT)

RESOLUTION 2025-23
TRANSFER OF PAYMENT OF WARRANTS
FOR THE MONTH OF FEBRUARY 2025

WHEREAS, The Board of Commissioners of Moffat County, Colorado, have approved the payment of various debts and obligations from the various county funds:

AND WHEREAS, the warrants issued in payment of said debts and obligations have been issued against the Moffat County Warrant Fund:

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to transfer money among the various funds as follows:

FROM FUND:	**Check Date:**	**2/25/2025**		
General	110	$149,950.71	CR	0010.7000
Road & Bridge	200	$67,028.38	CR	0020.7000
Landfill	240	$2,182.31	CR	0070.7000
Airport	260	$3,189.90	CR	0120.7000
Emergency 911	270	$139.68	CR	0350.7000
Capital Projects	510		CR	0160.7000
Conservation Trust	211		CR	0060.7000
Library	212	$5,629.31	CR	0130.7001
Maybell Sanitation	610		CR	0280.7000
Health & Welfare	720	$336,543.25	CR	0080.7000
Senior Citizens	215	$232.59	CR	0170.7000
Internal Service Fund	710		CR	0325.7000
Lease Purchase Fund	410		CR	0175.7000
NCT Telecom	520		CR	0166.7000
Mo Co Tourism Assoc	219	$27.89	CR	0320.7000
PSC - JAIL	210	$19,263.77	CR	0072.7000
Human Sevices	220	$5,415.33	CR	0030.7100
Public Health	250		CR	0065.7000
Sunset Meadows I	910	$6,715.87	CR	0168.7000
Sunset Meadows I Security	910		CR	0167.7000
Sunset Meadows II	920	$6,958.50	CR	0169.7000
Sunset Meadows II Security	920		CR	0171.7000
ACET	275		CR	0040.7000
Shadow Mountain LID	530		CR	0110.7000
MC Local Marketing District	231	$26,411.27	CR	0050.7000
To Fund Warrant		$629,688.76	DR	

Adopted this 25th day of February, 2025

_____
Chairman

STATE OF COLORADO)

RESOLUTION 2025-24

PAYMENT OF PAYROLL WARRANTS

Payroll Ending 2/15/2025

WHEREAS, The Board of Commissioners of Moffat County, Colorado, have approved the payment of various debts and obligations from the various county funds:

AND WHEREAS, the warrants issued in payment of said debts and obligations have been issued against the Moffat County Warrant Fund:

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to transfer money among the various funds as follows:

Pay Date 2/28/2025

FROM FUND:			
General	0010.7000	$285,709.11	cr
Road & Bridge	0020.7000	$192,813.84	cr
Landfill	0070.7000	$17,197.46	cr
Airport	0120.7000	$415.20	cr
Library	0130.7001	$12,925.89	cr
Maybell WWTF	0280.7000	$0.00	cr
Health & Welfare	0080.7000	$0.00	cr
Senior Citizens	0170.7000	$7,587.54	cr
Mo Co Tourism	0320.7000	$3,691.01	cr
PSC Jail	0072.7000	$72,395.84	cr
Human Services	0030.7100	$67,285.12	cr
Public Health	0065.7000	$14,943.29	cr
SM I	0168.7000	$4,879.00	cr
SM II	0169.7000	$5,585.73	cr
TO FUND:			
Warrant	0100.1000	$685,429.03	dr

Adopted this 25th day of February, A.D. 2025

_____

Chairman

STATE OF COLORADO)

)ss.

COUNTY OF MOFFAT)

I, Stacy Morgan, County Clerk and Ex-officio Clerk to the Board of County Commissioners, County of Moffat, State of Colorado do hereby certify

RESOLUTION 2025-25
TRANSFER OF PAYMENT OF WARRANTS
FOR THE MONTH OF FEBRUARY 2025

WHEREAS, The Board of Commissioners of Moffat County, Colorado, have approved the payment of various debts and obligations from the various county funds:

AND WHEREAS, the warrants issued in payment of said debts and obligations have been issued against the Moffat County Warrant Fund:

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to transfer money among the various funds as follows:

FROM FUND:	**Check Date:**	**2/25/2025**		
General	110	$24,764.76	CR	0010.7000
Road & Bridge	200	$4,190.39	CR	0020.7000
Landfill	240		CR	0070.7000
Airport	260		CR	0120.7000
Emergency 911	270		CR	0350.7000
Capital Projects	510	$3,597.00	CR	0160.7000
Conservation Trust	211		CR	0060.7000
Library	212	$4,058.64	CR	0130.7001
Maybell Sanitation	610	$38.99	CR	0280.7000
Health & Welfare	720		CR	0080.7000
Senior Citizens	215	$2,699.31	CR	0170.7000
Internal Service Fund	710		CR	0325.7000
Lease Purchase Fund	410		CR	0175.7000
NCT Telecom	520	$2,833.53	CR	0166.7000
Mo Co Tourism Assoc	219	$3,522.83	CR	0320.7000
PSC - JAIL	210	$6,919.02	CR	0072.7000
Human Sevices	220	$3,892.84	CR	0030.7100
Public Health	250	$4,759.17	CR	0065.7000
Sunset Meadows I	910	$371.53	CR	0168.7000
Sunset Meadows I Security	910		CR	0167.7000
Sunset Meadows II	920	$1,918.31	CR	0169.7000
Sunset Meadows II Security	920		CR	0171.7000
Museum	229		CR	0310.7000
ACET	275	$5,216.70	CR	0040.7000
Shadow Mountain LID	530		CR	0110.7000
MC Local Marketing District	231		CR	0050.7000
To Fund Warrant		$68,783.02	DR	

Adopted this 25th day of February, 2025

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Chairman

STATE OF COLORADO)

THIS LICENSE EXPIRES

License Fee $175.00 **April 3, 2026** #HRLL25-01

STATE OF COLORADO
COUNTY OF MOFFAT
BY AUTHORITY OF THE BOARD OF COMMISSIONERS

ALCOHOLIC BEVERAGE LICENSE
Hotel & Restaurant, Malt, Vinous & Spirituous

This is to certify, That **YAMPA VALLEY BAR & GRILL, LLC,** of the State of Colorado, having applied for a license to sell Malt, Vinous & Spirituous Liquors, and having paid to the County Treasurer the sum of One Hundred and Seventy-Five dollars ($175.00), therefore, the above applicants are hereby licensed to sell **MALT, VINOUS & SPIRITUOUS LIQUORS** containing more than 3.2% Alcohol by weight, **BY THE DRINK, FOR CONSUMPTION ON THE PREMISES AS A Hotel & Restaurant Liquor License with Optional Premises, at 2179 HWY 394,** Craig, Colorado in the County of Moffat, for a period beginning the **4th day of April, 2025** and ending on the **3rd day of April, 2026,** unless this License is revoked sooner as provided by law.

This License is issued subject to the Laws of the State of Colorado and especially under the provisions of Title 44, Articles 4.3, CRS 1973, as amended.

IN TESTIMONY WHEREOF, The Board of County Commissioners has here unto subscribed its name by its officers duly authorized this 25th day of Feb, 2025.

ATTEST

THE BOARD OF COUNTY COMMISSIONERS
MOFFAT COUNTY, COLORADO

CLERK AND RECORDER

CHAIRMAN BOCC

GREATER SANDHILL CRANE WEEK 2025 PROCLAMATION

WHEREAS, Greater Sandhill Cranes are an iconic species that breed and raise their young in Moffat County as well as stage here in the fall

WHEREAS, Greater Sandhill Cranes are large, ancient birds dating back 2.5 million years and are famous for their elaborate dancing and loud bugling calls

WHEREAS, Greater Sandhill Cranes mate for life, show strong commitment to family, and can live for more than 20 years in the wild

WHEREAS, Greater Sandhill Cranes are classified as a Tier 1 Species of Concern in the State of Colorado

WHEREAS, Greater Sandhill Cranes are wetland dependent and are an ambassador species for wetland habitat and all the wetland creatures found in Moffat County

WHEREAS, Greater Sandhill Cranes from throughout the Rocky Mountain Range stage in Moffat County during the late summer and early fall and are the star of the annual Yampa Valley Crane Festival that brings in hundreds of visitors to our area

WHEREAS, Greater Sandhill Cranes return in early March to Moffat County from their wintering grounds in Arizona and New Mexico

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Moffat County, Colorado that March 1-8, 2025, be designated as Greater Sandhill Crane Week, and urge citizens to welcome the cranes back and to protect crane habitat throughout the Yampa Valley.

BY THE BOARD OF COUNTY COMMISSIONERS, MOFFAT COUNTY, COLORADO.

_____
Tony Bohrer, Chair
County Commissioner, District 1

ATTEST:

_____
Erin Miller, Moffat County Deputy Clerk and Recorder

_____
Melody Villard, County Commissioner
District 2

_____
Donald Broom, County Commissioner
District 3

2024 Summary of Stormwater Discharge Annual Report(s) –

Moffat County Sand & Gravel Pits

for the Colorado Department of Public Health & Environment – Water Quality Division

Big Burn Pit #17	COG501901
Brown's Park Pit #1	COG501896
Cross Mtn. Pit #1	COG501898
Limestone Pit #10	COG502063
Little Snake Pit #26	COG501887
Lyons Pit #2	COG501899
Mantle Pit #3	COG501885
Powderwash Pit #66	COG501962
Smith Pit #20	COG501886
State Pit #38	COG501961
Sweeney Pit #30	COG501900
Tuttle Pit #1	COG501902
Villard Pit #2	COG501884

COLORADO
Department of Public Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

FOR INTERNAL USE ONLY
Reviewer: _____
Further Review: Yes No

COG500000 Annual Report Form
Sand and Gravel Mining and Processing
Applicable to Stormwater-only discharges

Part A: Permit Identification

General Permit Number: **COG500000**

Facility Certification Number COG50 1901

Part B: Reporting Period Jan 1 through Dec 31

(Check one. Report due by February 28 of the following year.)

2021	2022	2023	2024
☐	☐	☐	☑

Part C: Permittee Information

Organization: Moffat County

Mailing Address: P.O. Box 667

City: Craig State: Colorado Zip: 81626

Part D: Facility Information

Facility Name: Big Burn Pit No. 17

Facility Address: 12801 CR 10N

City: Maybell, Moffat County, Colorado 81640

Facility Contact Name: Dan Miller

Title: Director

Telephone No: (970) 824-3211 Ext. 1015

Email Address: dmiller@moffatcounty.net

Part E: Permittee-conducted Inspections

Check the box for which inspection frequency applies to the permitted facility, Part I.J.:

Active Site - 4 inspections annually (Quarterly)		Inactive Site w/ No Exposure - 2 inspections annually (Spring/Fall)	X	Inactive Site w/ Exposure - 6 inspections annually (Every 2 months)	

Provide the date(s) the inspections were conducted, as required by Part I.J of the permit:

1/12/2024	5/28/2024	10/21/2024

If an inspection(s) was not conducted in accordance with the required frequency, attach an explanation of why.

Part F: Required Monitoring (Indicate if the following monitoring is required at the permitted facility. Refer to the facility's permit certification for information on required monitoring.)	YES	NO
- Visual Monitoring (Part I.I.1) (If any of the characteristics in Part I.I.1.b are observed, attach a summary)	☐	☑
- Benchmark Monitoring (Part I.I.2)	☐	☑
- Water Quality Standards Monitoring (Part I.I.3)	☐	☑
- Additional Monitoring Required by Division (Part I.I.4)	☐	☑
Part G: Corrective Actions (Indicate whether any of the following conditions occurred at the permitted facility.)	YES	NO
- An unauthorized release or discharge observed (e.g., spill, leak, discharge of non-stormwater not authorized under COG500000 or another permit);	☐	☑
- Facility control measures are not stringent enough for the discharge to meet applicable water quality standards;	☐	☑
- Modifications to the facility control measures are necessary to meet the practice-based effluent limits in this permit;	☐	☑
- The permittee finds in a facility inspection, that facility control measures are not properly selected, designed, installed, operated or maintained.	☐	☑
- Construction or a change in design, operation, or maintenance at the facility significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged;	☐	☑
- The average of quarterly sampling results as described in Part I.I.2.e of this permit exceeds an applicable benchmark.	☐	☑

If the answer to any of the above is "YES," provide a description of the conditions that met the criterion/criteria and describe the corrective action(s) taken (attach additional pages as needed):

Part H: Required Certification Signature [Reg 61.4(1)(h)]

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name: Melody Villard	Title: BOCC Chair
Signature:	Date signed:

TEMPORARY COVID19 SUBMISSION, digitally signed documents may be emailed to:
cdphe.wqrecordscenter@state.co.us

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into by and between **Schneider Geospatial, LLC**, a Delaware Limited Liability Company, whose place of business is 8901 Otis Avenue, Suite 300, Indianapolis, IN 46216 ("PROFESSIONAL") and **Moffat County, Colorado**, whose place of business is: 1198 W Victory Way #102, Craig, CO 81625 ("CLIENT").

1 Services.

PROFESSIONAL shall provide CLIENT with the following services ("Services"):

A. Parcel Maintenance

a. Parcel Maintenance Setup

i. PROFESSIONAL will coordinate with CLIENT to determine:
   1) Cadastral data layer maintenance procedures
   2) Cadastral data layer location
   3) Necessary attribute requirements

b. Parcel Maintenance Custom Consulting

i. CLIENT will have up to 44 hours of remote consulting. Unused hours do not carry over past December 31, 2025. CLIENT is encouraged to utilize / schedule any unused hours remaining at least 45 days before the end of the year. PROFESSIONAL anticipates the hours to be spread equally throughout the year; however, hours may be accelerated within the year based on mutual agreement between the CLIENT and PROFESSIONAL. This time could be used in as little as half-hour increments for items such as, but not limited to:

   1) GIS Training
   2) Assistance with applying GIS to specific tasks

ii. PROFESSIONAL shall endeavor to respond to inquiries, requests, and notices from CLIENT within five (5) business days.

c. Parcel Layer Maintenance (annually)

i. PROFESSIONAL will complete up to 200 splits / combinations / modifications per year based on CLIENT requests. Excess splits / combinations / modifications do not carry over past the end of the year.

ii. Parcel data maintenance will be performed on the CLIENT's existing parcel polygon data layer in Esri® shapefile, personal or file geodatabase format.
   1) The parcel polygon data layer will be attributed with the parcel number.

iii. PROFESSIONAL will utilize parcel polygon data maintenance techniques such as, Coordinate Geometry (COGO), splits by aliquant parts, merging, etc. in an Esri® based environment.

iv. PROFESSIONAL will update ancillary polygon data layers currently available and listed below that are affected by the split / combination.
   1) Lot
   2) Block
   3) Subdivision
   4) Corporate boundary
   5) Right of way

v. Existing ancillary data layer attributes would be maintained and populated with the appropriate attributes found on the source documents (i.e. subdivision name, lot numbers) as defined during the Parcel Maintenance Setup.

vi. Linear and annotation layers are not considered part of this parcel maintenance process. If the CLIENT wishes existing linear or annotation layers to be maintained PROFESSIONAL can provide an additional customized scope.

vii. PROFESSIONAL will enter all of the splits that occur into the GIS either through a remote connection to the CLIENT's computer or at PROFESSIONAL's office. This will be in support of (but not replacing) the current workflow regarding data entry into your CAMA and TAX systems.

viii. The CLIENT will provide all documentation (i.e. deeds, surveys, plats, etc.) in either hard copy or digital format for the split / combination and the parent and child parcel number.

ix. A predefined weekly or bi-weekly schedule would be setup to meet the CLIENT's needs.

x. PROFESSIONAL will only adjust the features that are affected by the split / combinations that are provided by CLIENT. PROFESSIONAL reserves the right to determine if any data alignment, data quality control, or overall data improvement request would need to be handled as a separate project. PROFESSIONAL would provide a scope and favorable pricing if such services are necessary.

xi. Upon CLIENT request PROFESSIONAL will provide a copy of the maintained parcel layer once annually to CLIENT's designated state agency.

d. **Parcel Maintenance Flex Support (annually)**

i. CLIENT will have up to six days (48 hours) per year of Flex (remote) Support. Unused hours do not carry over past the end of the year. CLIENT is encouraged to utilize / schedule any unused hours remaining at least 45 days before the end of the year. PROFESSIONAL anticipates the hours to be spread equally throughout the year; however, hours may be accelerated within the year based on mutual agreement between the CLIENT and PROFESSIONAL. This time could be used in as little as half-hour increments for items such as, but not limited to:

3) Additional GIS layer modifications (i.e. annotation, land use, etc.)
4) Large subdivision creation (i.e. 20+ lots)
5) Data review
6) Deed closure checks
7) Assistance with applying GIS to specific tasks

ii. PROFESSIONAL shall endeavor to respond to inquiries, requests, and notices from CLIENT within five (5) business days.

Other Fixed Fee phases of this project may be developed during the course of this agreement. Once the estimates are accepted, an Authorization to Proceed will have to be signed and submitted before work will begin.

2 Payment for Services.

CLIENT shall compensate PROFESSIONAL for the Services as follows:

A. **Parcel Maintenance**

a. **One-time Setup Cost:** **$9,464**

GIS Services Setup items:

Parcel Maintenance	Included
Parcel Maintenance Custom Consulting (44 hours)	Included
Subtotal:	$12,303
Discount:	-$2,839
Total:	$9,464

b. **Annual Services:** **$16,164**

GIS Services

Parcel Maintenance	Included
Flex Support (48 hours/year)	Included
Subtotal:	$21,013
Discount:	-$4,849
Total:	$16,164

B. Payment Schedule

Year 1	**February 1, 2025 – December 31, 2025:** (Setup & 44 consulting hours: $9,464, GIS Services, 44 Flex hours prorated: $14,817)	**$24,281**
Year 2	**January 1, 2026 – December 31, 2026:**	**$16,968**

Invoicing will be done on an annual basis at the beginning of the term unless otherwise specified.

If the CLIENT cancels the agreement before end of initial multi-year term, any waived discounts and promotional fees will be included in the final invoice.

If payment is not received within thirty (30) days of the due date, PROFESSIONAL reserves the right, after giving seven (7) days written notice to CLIENT, to suspend services to CLIENT or to terminate this Agreement.

3 Terms of Service. Each party's rights and responsibilities under this Agreement are conditioned upon and subject to the Terms of Service which can be found at http://schneiderGIS.com/termsofservice. By executing this Agreement, CLIENT acknowledges that it has read the above-described Terms of Service and agrees that such Terms of Service are incorporated herein and made a part of this Agreement. PROFESSIONAL reserves the right to update or modify the Terms of Service upon ten (10) days prior notice to CLIENT. Such notice may be provided by PROFESSIONAL to CLIENT by e-mail.

4 Term, Termination and Renewal. The initial term of this Agreement shall be defined in the Scope of Services or Payment Schedule above. If the services provided are for an annual rate and extend for multiple years, PROFESSIONAL will prorate the first year of the agreement to match the fiscal year for the CLIENT, followed by consecutive, twelve (12) month periods. This Agreement shall automatically renew for successive terms which consist of a twelve (12) month period, subject to earlier termination as set forth in this Agreement or upon written notification by either party thirty (30) days prior to the end of a term. If, for any reason, this Agreement is terminated prior to the end of a term, any waived or discounted fees or specified promotional items provided by PROFESSIONAL shall be invoiced by PROFESSIONAL and paid by CLIENT. PROFESSIONAL reserves the right to update the pricing applicable to this Agreement after the initial term for any renewal terms and/or any subsequent terms occurring after the initial term of the Agreement; PROFESSIONAL shall provide prior written notice to CLIENT of any pricing adjustments applicable to any such renewal and/or subsequent terms.

5 Additional Data Hosting. PROFESSIONAL's website hosting services allow for storage of up to ten (10) Gigabytes of data and files to include as content for CLIENT's website hosted in PROFESSIONAL's web data server environment. Additional storage and transfer requirements may be negotiated, at PROFESSIONAL's discretion, if CLIENT decides to add additional content to the website – such as orthophotos, scanned documents, etc.

6 Assignment. PROFESSIONAL has the right to assign or transfer any rights or interest in this Agreement, where such assignment is part of a sale, merger, or corporate reorganization of PROFESSIONAL, upon fifteen (15) days' written or electronic notice to CLIENT; all other assignments of this Agreement by PROFESSIONAL shall require consent from CLIENT, which consent shall not unreasonably be withheld, conditioned, or delayed.

7 Rights and Benefits. Nothing in this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than CLIENT and PROFESSIONAL. CLIENT and PROFESSIONAL expressly state there are no third-party beneficiaries to this Agreement.

8 Successors. This Agreement is binding on the partners, successors, executors and administrators of both parties.

9 Applicable Law. The terms and conditions of this Agreement are subject to the laws of the State of Colorado. Venue for any claim can be either state court or federal court located in Colorado.

10 PROFESSIONAL agrees to indemnity and hold CLIENT harmless against any damages, losses, or liabilities, but only to the extent such damages, losses, or liabilities are actually caused by PROFESSIONAL's negligence.

IN WITNESS WHEREOF, the Parties have executed this Agreement by affixing their signatures below.

Pricing is valid through February 28, 2025.

PROFESSIONAL:
Schneider Geospatial, LLC

By: _____

Print: Jeff Corns, GISP

Title: President & CEO

Date: _____

CLIENT:
Moffat County, Colorado

By: _____

Print: _____

Title: _____

Date: _____

Erin Miller

From: ALVA JONES
Sent: Friday, January 24, 2025 11:38 AM
To: Erin Miller
Subject: airport board

Miss Miller:
I am Alva Jones.

Craig, Co

I would like to join airport board.

Thank You
Alva Jones

RESOLUTION 2025 - 14
AMENDING MOFFATCOUNTY PLANNING & ZONING REGULATIONS

WHEREAS, the Moffat County Planning Department and Planning Commission have studied and recommend amendments to the Moffat County Planning and Zoning Regulations, as follows:

Section 205 Definitions-

Public Utility- Change to Read:

For the purpose of this Resolution: Transportation, transmission, distribution, renewable energy OR communications and associated facilities or systems.

Temporary-Change to read:

Change to read: Lasting for only a limited period of time; not permanent.

Travel trailer- Change to read:

Travel Trailer/RV- Any vehicle, self-propelled or towed by or on another vehicle, designed for temporary living quarters, typically for camping, travel, or seasonal use. Travel Trailers/RVs are not intended to be used as permanent dwellings.

Travel Trailer Park- Change to read:

Travel Trailer/RV Park- A travel trailer/RV park is a piece of land developed in accordance with Moffat County Subdivision Regulations that offers short-term or overnight accommodations for 2 or more travel trailers and recreational vehicles.

Add the Following:

Recreational Vehicle - A recreational vehicle (RV) is a vehicle designed for temporary living quarters, typically for camping, travel, or seasonal use. RVs are not intended to be used as permanent dwellings.

Hazardous commercial Vehicle- A hazardous commercial vehicle, also known as a hazmat truck, is a specially designed vehicle that transports hazardous materials. These vehicles are built to meet strict safety standards set by regulatory bodies, such as the US Department of Transportation (DOT) and the Environmental Protection Agency (EPA).

Non-hazardous commercial vehicle- A commercial vehicle that is not transporting any hazardous materials that require special placarding or labeling, meaning it is carrying regular cargo that is not considered dangerous according to transportation regulations.

Section 400 Application-

Remove #3. b) To accommodate or house a larger number of families.

Section 405.3-Conditional Uses-Partial Amendment

Change to Read:

The denial of a Conditional Use Application shall be based upon a finding that one or more of the foregoing concerns constitute a significant adverse effect and cannot be reasonably mitigated by a specific condition, restriction, or requirement. An approved Conditional Use Application will normally run with the land and without time limitation, unless specifically noted otherwise.

If the property changes ownership and the use remain the same, the existing Conditional use permit can be amended with new owner information. If the uses change, a new Conditional use permit must be applied for.

Section 405.4 Temporary Uses-

Change to Read:

A Temporary Use Permit may be issued by the Planning Director upon application to the County Planning Department for the temporary uses allowed in each district. If the Planning Director determines that special conditions exist which warrant additional review, the application will undergo the appropriate approval process. An approved Temporary Use Permit will only be issued for a specific timeframe based on the duration of the proposed project. Approved permits must undergo a mid-way onsite inspection/review in addition to requiring annual reporting. Only one extension may be granted due to external circumstances. Failure to comply with the conditions of the approved permit may be cause for review and termination of said permit. Failure to cease the temporary use by the specified

time will be considered a misdemeanor and is subject to penalties under Section 520.2 of this Resolution.

Section 410- "A" AGRICULTURE DISTRICT

410.1 Permitted Uses-

Add: Single family residence/attached

410.2 #2 - Permitted accessory uses

Change to Read:

The storage of licensed vehicles, recreational vehicles, trucks and agricultural equipment, including hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code)

410.4 Temporary uses

Change to read:

The following uses may be permitted in the "A" District on a temporary basis, Subject to time limit specified on approved permit.

410.4 #1-#7- Remove time limits.

410.4 #1- Change to Read:

Construction office, temporary living quarters and yard incidental to construction on the premises. Time limit based on active building permits.

410.4 #7- Change to read

Dwellings, not otherwise in violation of this Zoning Resolution, Building Codes or State and County Health Safety Regulations, erected or placed to provide temporary workforce accommodations.

SECTION 410.5 - PROPERTY DEVELOPMENT STANDARDS

410.5 #2 Change to Read:

One dwelling may be constructed or erected on each parcel, except that additional dwellings or dwelling units may be permitted, subject to approval of a Conditional Use Permit.

410.5 #4 Change to read:

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 200 square feet. Dwelling units erected for the sole purpose of seasonal or recreational use shall be exempt from Special use permits and or the requirements for an engineered foundation, energy code, running water, heat and a functional bathroom & kitchen, provided that the unit will not be used more than 6 months out of the year and has a "footprint" of no less than 200 sq ft or less than 1200 sq. ft. A "porta-john", composting toilet or approved outhouse is required.

SECTION 415 - "R-R" - RURAL RESIDENCE DISTRICT

SECTION 415.1 - PERMITTED USES

Add the following:

Single family residence/attached.

Multi-family residence.

SECTION 415.2 - PERMITTED ACCESSORY USES

415.2.2-Change to read:

The storage of licensed vehicles, recreational vehicles, trucks and agricultural equipment, including one non- hazardous commercial vehicle, for use in conjunction with any permitted use or approved conditional use in the District. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 415.4 - TEMPORARY USES

Change to read: The following uses may be permitted in the "R-R" District on a temporary basis, Subject to time limit specified on approved Temporary use permit.

Remove: Time limits.

415.4.1- Change to Read:

Construction office, temporary living quarters and yard incidental to construction on the premises. Time limit based on active building permits.

SECTION 415.5 - PROPERTY DEVELOPMENT STANDARDS

415.5.2 Change to read:

One dwelling may be constructed or erected on each lot, except that additional dwellings may be permitted, subject to approval of a Conditional Use Permit.

412.5.4 Change to read:

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 200 square feet. Dwelling units erected for the sole purpose of seasonal or recreational use shall be exempt from the requirements for an engineered foundation, energy code, running water, heat and a functional bathroom and kitchen, provided that the unit will not be used more than 6 months out of the year and has a "footprint" of no less than 200 sq ft and less than 1200 sq. ft. A "porta-john", composting toilet or approved outhouse is required.

SECTION 416 "R-C" - RURAL COMMUNITY DISTRICT

SECTION 416.2 - PERMITTED ACCESSORY USES

416.2.2 Change to read:

The storage of licensed vehicles, recreational vehicles, trucks and agricultural equipment, including one non-hazardous commercial vehicle, for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 416.4- TEMPORARY USES

416.4.1 Change to read:

Construction office, temporary living quarters and yard incidental to construction on the premises. Time limit based on active building permits.

SECTION 416.5 - PROPERTY DEVELOPMENT STANDARDS

416.5.2 Change to read:

One-dwelling may be constructed or erected on each 4,500 square feet of net lot area.

SECTION 420 "R-1" - LOW DENSITY RESIDENTIAL DISTRICT

SECTION 420.2 - PERMITTED ACCESSORY USES

420.2.2 Change to read:

The storage of licensed vehicles, recreational vehicles, trucks and agricultural equipment, including one non- hazardous commercial vehicles (limited to 2 axles), for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 420.4 - TEMPORARY USES

Change to read:

The following uses may be permitted in the "R-1" District on a temporary basis, subject to time limit specified on approved permit.

420.4.1 Change to read:

Construction office, temporary living quarters and yard incidental to construction on the premises. Time limit based on active building permits.

SECTION 420.5 - PROPERTY DEVELOPMENT STANDARDS

420.5.2 Change to Read:

One dwelling may be constructed or erected on each lot.

Section 425 "R-2" - MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 425.2 - PERMITTED ACCESSORY USES

425.2.2 Change to read:

The storage of licensed vehicles, recreational vehicles, trucks and agricultural equipment, including one non-hazardous commercial vehicles (limited to 2 axles), for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 425.4 - TEMPORARY USES

The following uses may be permitted in the "R-2" District on a temporary basis, subject to time limit specified on approved permit.

SECTION 425.5 - PROPERTY DEVELOPMENT STANDARDS

425.5.2 Change to read:

One dwelling may be constructed or erected on each lot.

SECTION 435 "MH-1" - MOBILE HOME SUBDIVISION DISTRICT

SECTION 435.2 - PERMITTED ACCESSORY USES

435.2.5 Change to read:

The storage of licensed vehicles, recreational vehicles, trucks and agricultural equipment, including one non- hazardous commercial vehicles limited to 2 axles, for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 435.4 - TEMPORARY USES

The following uses may be permitted in the "MH-1" District on a temporary basis, Subject to time limit specified on approved permit.

SECTION 435.5 - PROPERTY DEVELOPMENT STANDARDS

435.5.2-Change to read:

One dwelling may be constructed or placed on each lot.

SECTION 440 "MH-2" - MOBILE HOME PARK DISTRICT

SECTION 440.2 - PERMITTED ACCESSORY USES

440.2.2 change to read:

The storage of licensed vehicles, recreational vehicles, trucks and agricultural equipment, including one non- hazardous commercial vehicles (limited to 2 axles), for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 440.5 - PROPERTY DEVELOPMENT STANDARDS

440.5.2- Change to read:

One dwelling may be constructed or placed on each lot.

SECTION 445 "B" - BUSINESS DISTRICT

SECTION 445.2 - PERMITTED ACCESSORY USES

445.2.2 Change to read:

The storage of licensed automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicles limited to 2 axles, for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 445.4 - TEMPORARY USES

Change to read:

The following uses may be permitted in the "B" District on a temporary basis, subject to the time limit specified on Temporary use permit.

SECTION 445.5 - PROPERTY DEVELOPMENT STANDARDS

445.5.2

Remove: No Requirement.

Add: Dwelling, as a custodial function to another permitted use or approved conditional use in the district.

SECTION 450 "C" - COMMERCIAL DISTRICT

SECTION 450.2 - PERMITTED ACCESSORY USES

450.2.2 Change to read:

The storage of licensed automobiles, light trucks, recreational vehicles, and non-hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 450.4 - TEMPORARY USES

Change to read:

The following uses may be permitted in the "C" District on a temporary basis, subject to the time limit specified on approved Temporary use permit.

SECTION 450.5 - PROPERTY DEVELOPMENT STANDARDS

450.5.2-

Remove: No Requirement.

Add: Dwelling, only as a custodial function to another permitted use or approved conditional use.

SECTION 455 "L-I" - LIGHT INDUSTRIAL DISTRICT

SECTION 455.2 - PERMITTED ACCESSORY USES

455.2: Change to read:

The storage of licensed automobiles, light trucks, recreational vehicles, and non-hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 455.4 - TEMPORARY USES

Change to read:

The following uses may be permitted in the "L-I" District on a temporary basis, subject to the time limit specified on approved Temporary use permit.

SECTION 455.5 - PROPERTY DEVELOPMENT STANDARDS

455.5.2-

Remove: No Requirement.

Add: Dwelling, as a custodial function to another permitted use or approved conditional use in the district.

SECTION 460 - "H-I" HEAVY INDUSTRIAL DISTRICT

SECTION 460.2 - PERMITTED ACCESSORY USES

450.2.2 Change to read:

The storage of licensed automobiles, recreational vehicles, trucks and agricultural equipment, including hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the district. Inoperative or unlicensed vehicles shall not be kept or stored in plain sight from a roadway or adjacent property as per the IPMC (international property maintenance code).

SECTION 460.4 - TEMPORARY USES

The following uses may be permitted in the "H-I" District on a temporary basis, subject to the time limit specified on approved Temporary use permit.

SECTION 460.5 - PROPERTY DEVELOPMENT STANDARDS

460.4.2 Change to read:

Remove: No Requirement.

Add: Dwelling, as a custodial function to another permitted use or approved conditional use in the district.

SECTION 465 - "0" OPEN DISTRICT

SECTION 465.4 - TEMPORARY USES

The following uses may be permitted in the "O" District on a temporary basis, subject to the time limit specified on approved Temporary use permit.

WHEREAS, Public Hearings on the proposed changes to the Moffat County Zoning Resolution were held as required by law on:

Tuesday, January 7, 2025 at 6:30 p.m.
Tuesday, January 14, 2025 at 8:45 a.m.

WHEREAS, during the January 7th, 2025, Meeting, the Moffat County Planning Commission passed a motion recommending to the Board of County Commissioners approval of the proposed amendments to the Moffat County Planning and Zoning Regulations as listed herein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby approves and adopts the amendments to the Moffat County Planning & Zoning Regulations as described herein and the amendments are to be revised and made available to the public via Moffat County's website as soon as practical.

PASSED, APPROVED, AND ADOPTED this_____ day, of _____, 2025.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF MOFFAT, STATE OF COLORADO

_____
Melody Villard, Chairman

STATE OF COLORADO)
) ss
COUNTY OF MOFFAT)

I, Erin Miller, Ex-officio to the Board of Commissioners, do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted by the Board of County Commissioners on the date stated.

Witness my hand and the seal of said County this ____ day of _____, 2025.

_____
Erin Miller, Deputy Clerk and Ex-Officio to County Commissioners, Moffat County State of Colorado

October 31, 2024

Candace Miller
Moffat County, Planning Department
1198 W. Victory Way, Ste. 107
Craig, CO 81625

RE: AES Clean Energy Application for Zone Change and Solar Energy Facility Conditional Use Permit

Dear Ms. Miller,

Yampa Valley Solar, LLC (Applicant), a wholly owned subsidiary of AES Clean Energy, has prepared the attached Zone Change (ZC) and Solar Energy Facility Conditional Use Permit (SEF CUP) application for a utility-scale solar energy development project proposed in unincorporated Moffat County, Colorado. The Applicant proposes to rezone nine selected parcels currently zoned as Agricultural (A) to Heavy Industrial (H-I). Within the County's H-I zoning district, solar energy facilities are an allowable use with issuance of a SEF CUP. Adoption of the proposed ZC and SEF CUP would help Colorado achieve its renewable portfolio standard.

As specified by Moffat County's ZC and SEF CUP processes, the following documents are included in the Yampa Valley Solar Project application package:

1. Application for Zone Change Form
2. Conditional Use Permit Application for Solar Energy Facilities Form
3. Articles of Organization or Incorporation
4. Landowner Lease Documents
5. Buffer Report
6. Letter of Intent to Interconnect
7. Authorization Forms
8. Sketch Plan
9. Elevation Drawings
10. Project Narrative
11. Stormwater Management and Erosion Controls
12. Alternative Statement
13. Statement of Transportation Construction Impacts
14. Dust and Wind Erosion Control Plans
15. Weed and Invasive Species Management Plan
16. Wildlife Plan
17. Emergency Services Plan
18. Decommissioning and Reclamation Plan

Thank you for your consideration. Please contact AES's permitting project manager, Libby Fortin, at elizabeth.fortin@aes.com or 603-670-8970 if you have any questions.

Best,

Elizabeth Fortin

Elizabeth (Libby) Fortin
Permitting Project Manager
AES Clean Energy

Moffat County Planning Department
200 W. Victory Way
Craig, CO 81625
Phone (970) 824-9148

No **R-_25-01**_____
Fee: $300.00
Date Paid: _1/15/2025_____

APPLICATION FOR ZONE CHANGE

Applicant: Yampa Valley Solar LLC Phone #: (303) 444-3020

Email Address: graham.basecke@aes.com

Address: 282 Century Place #2000, Louisville, CO 80027

Owner: See Attachment A Phone #: _____

Address: See Attachment A

Agent, if any: Graham Basecke, Project Developer Phone #: (720) 654-9430

Address: 282 Century Place #2000, Louisville, CO 80027

Legal Description: (Attach proof of ownership) Section: Att. A Township: Att. A Range: Att. A

Driving Directions: Leaving Craig, Colorado traveling west on U.S. Highway 40, drive approximately one mile and turn left onto County Road 30. The Project site entrance would be along County Road 30, approximately 5 miles southwest of the turnoff from U.S. Highway 40.

Proposed Zone Change: 3,850 acres; From: Agriculture (A) To: Heavy Industrial (H-I)

Existing Use: Agricultural land and undeveloped land

Proposed Use (Attach description and sketches of buildings or uses proposed and indicate construction time schedule): See Section 3.1, Project Narrative, of the Rezone & Solar Energy Facility Conditional Use Permit application package.

Statement of justification for the rezoning (Include at least one of the following conditions):

a. Changing Area Conditions
b. Suitability of Site for Certain Use
c. Conformance to County Master Plan
d. Error in Original Zoning

Statement of justification for any new business, commercial or industrial zoning: See Section 2.2 of the Rezone & Solar Energy Facility Conditional Use Permit application package.

Statement indicating what effect the new zoning would have on adjacent uses: See Section 2.3 of the Rezone & Solar Energy Facility Conditional Use Permit application package.

Provide a map, drawn to scale, showing the boundary of the area to be rezoned, the zone district (s) proposed, easements and structures on the property, owners' names and existing uses on all adjacent properties, and roads that serve the area.

Provide a list of all surface and mineral owners of the property to be rezoned and of all surface owners within 500 feet of the boundary of the proposed change, as shown on the last preceding tax roll.

Submitting Application

Application, maps and accompanying textual documents must be turned in to the Planning Department 21 days before the next Planning Commission Meeting. The Planning Commission meets the first Tuesday of each month. The application will be presented to the Planning Commission for their recommendation and then, on the second Tuesday of each month, to the Board of County Commissioners for final approval. A notice of these hearings will be mailed to all adjacent landowners and will be advertised in the Legal Section of the Craig Daily Press.

Applicant Signature:  **Date:** 10/31/24

Agent Signature if applicable: _____ **Date:** _____

Note: Attach "Power of Attorney" form if not signed by property owner.

PLANNING COMMISSION ACTION:

( ) Tabled
( ) Denied, pursuant to the following findings:
( ) Approved, pursuant to the following findings:

_____

_____

_____ _____
Chairman, Planning Commission Date

BOARD OF COUNTY COMMISSIONERS ACTION:

( ) Tabled
( ) Denied, Pursuant to the following findings:
( ) Approved, pursuant to the following findings:

_____

_____

_____ _____
Chairman, Board of County Commissioners Date

Attachment A – List of Parcels and Owners with Contact Information

Assessor's Parcel Numbers	Legal Description	Landowner
085712200002	S12, T6N, R92W	James C. Eberle 813 Michael Street Fort Morgan, Colorado 80701
085728100033	S10, T6N, R92W S14, T6N, R92W S15, T6N, R92W S22, TSN, R92W S27, T6N, R92W S28, T6N, R92W S33, T6N, R92W	J-Mar Farm, LLC 21590 Friendly Lane Strongsville, Ohio
085711100019	S2, T6N, R92W S11, T6N, R92W	Xiu Fang Welker 2618 Cortland Road Jackson, Missouri 63755
085713200011	S1, T6N, R92W S12, T6N, R92W S13, T6N, R92W	
085714100020	S14, T6N, R92W	
085710101115	S10, T6N, R92W S11, T6N, R92W	Bret and Glenna Grandbouche 538 Ridgestone Court Grand Junction, Colorado 81507
085711200016	S2, T6N, R92W S11, T6N, R92W	
085711200017	S11, T6N, R92W	
085711200018	S11, T6N, R92W	

Notes: S = Section, T = Township, R = Range

CONDITIONAL USE PERMIT APPLICATION FOR A SOLAR ENERGY FACILITY

FOR PLANNING DEPARTMENT USE:

DATE RECEIVED: 11/7/2024 FEE $1,000.00

PERMIT # ASSIGNED: C-25-01 CHECK# paid via phone 1/15/2025

PROPERTY INFORMATION *(Attach additional sheets if necessary.)*

Site Address: West of the intersection of County Road 30 and Roberts Road, Moffat County, Colorado

Parcel Number: See Attachment A.

Zoning District: Agricultural Section: See Att. A Township: See Att. A Range: See Att. A

Property Acreage: 3,850 Facility Acreage: 1,466

Floodplain ☑ No / ☐ Yes Geological Hazard ☑ No / ☐ Yes

PROPERTY OWNER(S) *(Attach additional sheets if necessary.)*

Name: See Attachment A.

Company:

Phone #: Email:

Street Address:

City/State/Zip Code:

Name: See Attachment A.

Company:

Phone #: Email:

Street Address:

City/State/Zip Code:

APPLICANT/AUTHORIZED AGENT *(Authorization must be included if there is an Authorized Agent.)*

Name: Graham Basecke, Project Developer

Company: AES Clean Energy

Phone #: (720) 654-9430 Email: graham.basecke@aes.com

Street Address: 282 Century Place #2000

City/State/Zip Code: Louisville, CO 80027

I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. All fee owners of the property must sign this application. If an Authorized Agent signs, an Authorization Form signed by all fee owners must be included with the application. If the fee owner is a corporation, evidence must be included indicating the signatory has the legal authority to sign for the corporation.

Signature	Date	Signature	Date
	10/31/24		
Graham Basecke			
Print		Print	

REZONE & CONDITIONAL USE PERMIT FOR SOLAR ENERGY FACILITY

YAMPA VALLEY SOLAR PROJECT

Moffat County, Colorado

Application Submitted By:

AES Clean Energy
282 Century Place, #2000
Louisville, CO 80027
Contact: Libby Fortin, Permitting Project Manager
Phone: 603-670-8970

October 2024

TABLE OF CONTENTS

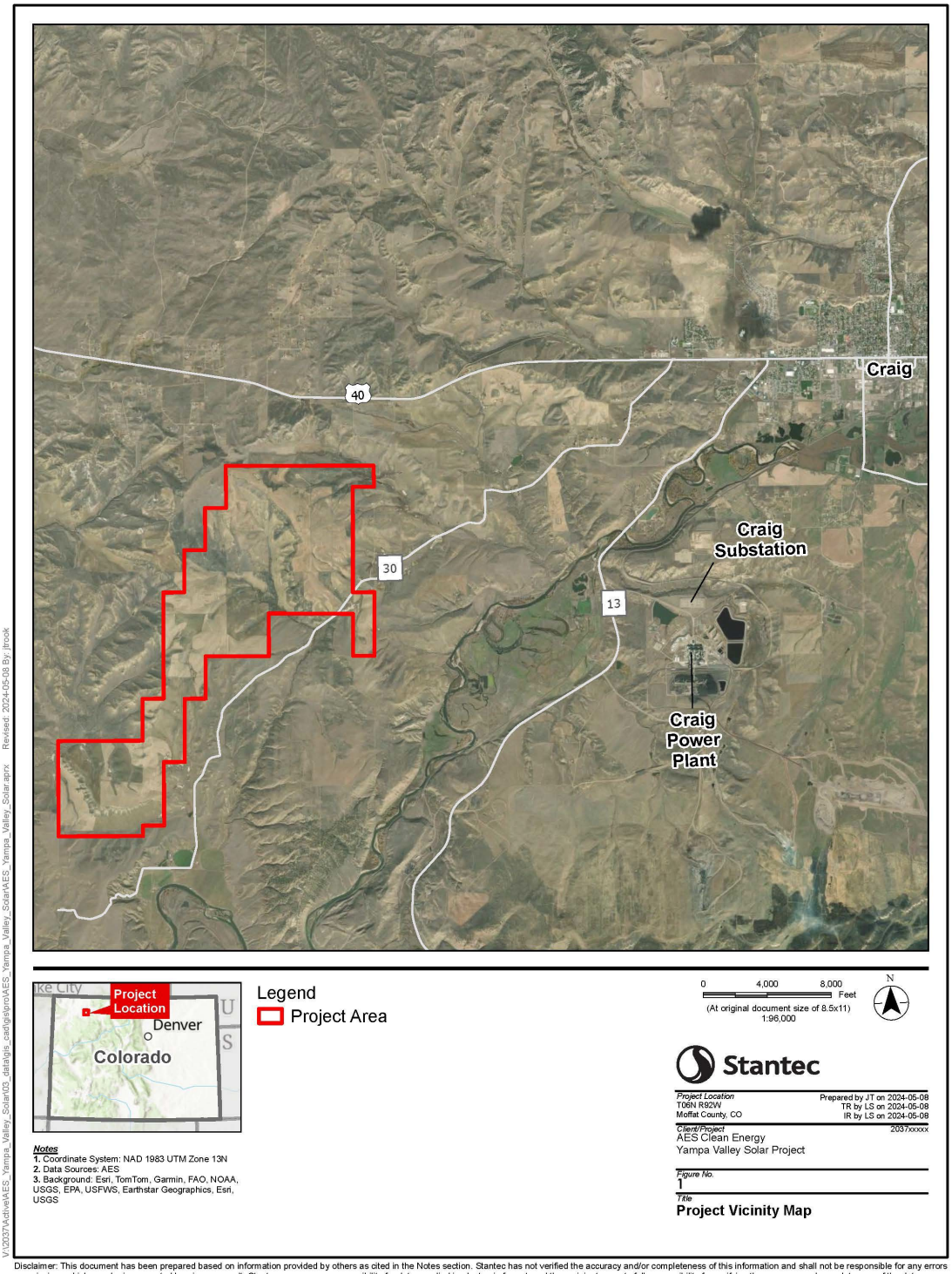
1.0 INTRODUCTION

Yampa Valley Solar, LLC (Applicant), a wholly owned subsidiary of AES Clean Energy, has prepared the following Zone Change (ZC) and Solar Energy Facility Conditional Use Permit (SEF CUP) application for a utility-scale solar energy development project (Project) proposed in unincorporated Moffat County, Colorado (Figure 1). The Applicant proposes to amend the Moffat County Zoning Map to rezone nine selected parcels currently zoned as Agricultural (A) to Heavy Industrial (H-I; Figure 2). Within the County's H-I zoning district, solar energy facilities are an allowable use with issuance of a SEF CUP. Per the County of Moffat's ZC and SEF CUP processes, the requirements listed in Table 1 are needed to deem the application complete. Table 1 describes where in this application package the requirements have been met.

Table 1. List of Moffat County Rezone and SEF CUP Application Requirements

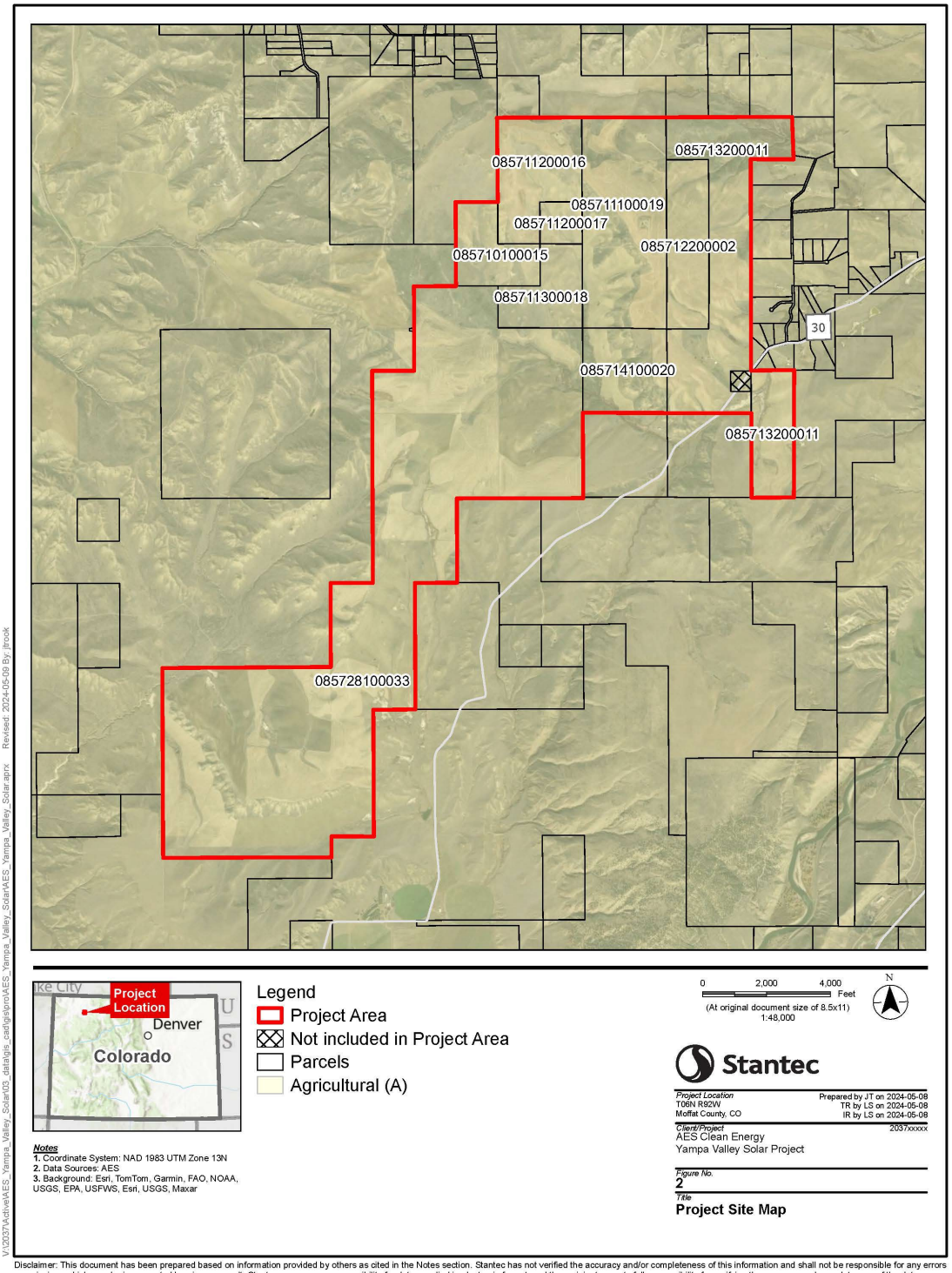
Application Submittal Requirements	Location in Application Package
Application for Zone Change Form	Appendix A
Conditional Use Permit Application for Solar Energy Facilities Form	Appendix B
Articles of Organization or Incorporation documents if the owner is a business entity. Include Statement/Delegation of Authority documentation.	Appendix C
Deed identifying the surface estate ownership interest in the property and relevant landowner lease documents. Trustee documents if the owner is a Trust.	Appendix D
Buffer Report, signed, of the name, addresses, and parcel numbers of the surrounding property owners within 500 feet of the property. The buffer report expires within 30 days of the Assessor date stamp.	Appendix E
Utility Company Interconnection Agreement. If proposing to interconnect to a utility company, copy of a "letter of intent to interconnect" or interconnection agreement signed by the utility company or cooperative.	Appendix F
Authorization forms	Appendix G
Sketch plan	Appendix H
Elevation drawings of the proposed facility showing all structures, fencing, equipment, and other improvements related to the facility, including specific materials, placement, and colors	Appendix H
Project Narrative	Section 3.1
Stormwater management and erosion controls	Section 3.2
Alternative Statement. Reasonable alternatives to the proposed location shall be adequately assessed, and the proposed action shall be consistent with the best interests of the people of the County and shall represent a balanced use of resources in the affected area.	Section 3.3
Statement of Transportation Construction Impacts	Appendix I
Dust and Wind Erosion Control Plans	Appendix J
Weed and Invasive Species Management Plan	Appendix K
Grazing, Farming and/or Wildlife Plan	Appendix L
Emergency Services Plan. Renewable projects should demonstrate ability to handle spill containment, fire and personnel emergencies within their project area.	Appendix M
Proof of approved Decommissioning-Reclamation Plan	Appendix N

Figure 1. Yampa Valley Solar Project Vicinity



Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

Figure 2. Yampa Valley Solar Project Parcels Proposed for Rezone and SEF CUP



Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

2.0 ZONE CHANGE APPLICATION

Please refer to Appendix A for the completed *Application for Zone Change* form.

2.1 Statement of Justification for Rezone

2.1.1 Conformance to County Master Plan

The following section identifies how the proposed Project conforms with sections of the Moffat County Master Plan, specifically Chapter Two, which sets forth the planning framework for future growth and development in the County's rural areas.

- *Policy 31: Moffat County shall support efforts to develop power generation and transmission through responsible development of natural resources (taking into consideration land, air, and water quality), and utilizing public involvement.*

  Moffat County is a key player in energy production in the State of Colorado. The Project is an opportunity to maintain the County's focus on developing new sources of power generation and utilizing the extensive network of existing high-voltage transmission lines to support community and economic development. The solar energy development project would not significantly impact land, air, or water resources in the area. The Project is located primarily in a historically disturbed agricultural field. The proposed solar facility would avoid steep slopes and lay out arrays parallel to landforms to limit land disturbance from grading or earthwork to the greatest extent practicable. Project-based stormwater management plan and soil erosion and sediment control best management practices would be covered in detail during construction permitting with the final site design. Stack emissions of air pollutants and greenhouse gas emissions are not expected from this solar energy facility. Following the solar energy facility operation and end-of-life cycle decommissioning, the land can be reclaimed and returned for agriculture or grazing.

- *Policy 38: Moffat County shall encourage responsible land development (including logging, mineral extraction, solid waste disposal, agriculture and other land use practices) such that it does not cause significant deterioration of water quality or significantly degrade surface water and groundwater.*

  The primary land uses in the area are natural resource-oriented activities, such as farming and mineral extraction. The land parcels proposed for rezoning have a significant development opportunity due to proximity to major infrastructure, including high-voltage transmission lines for point of interconnection and State highways-based access to transportation for the solar facility. The H-I zone is compatible with and complementary to this part of the County as there is a significant presence of energy resources and high-voltage electrical infrastructure, which points to the County's leadership in energy-oriented land development initiatives.

  The Project-based H-I rezoning would allow existing property owners to capitalize on utility-scale solar energy development opportunities, while maintaining the County's policies and procedures for responsible development of natural resources. The H-I zone is an appropriate zoning designation for supporting and diversifying the natural resource sector to include renewable energy for forward-looking community and economic development in Moffat County. Its application to the Project area is appropriate so that the County can consider new, private investments in the local economy and ways to maintain or enhance its existing infrastructure.

  The Project does not require permanent water supply, is non-traffic generating, is non-polluting, consists of native vegetation as post-construction ground cover, would

follow existing landforms to minimize land disturbance, and would be decommissioned/reclaimed in a way that returns land to near pre-construction conditions. For construction and operation of the solar facility, the Applicant is required to adhere to local, state, and federal laws and regulations for surface and ground water quality management. A NPDES-compliant Stormwater Pollution Prevention Plan (SWPPP), including erosion control design, will be prepared for construction activities and Best Management Practices for soil erosion and sediment control will be implemented to minimize potential impacts to water resources.

- *Policy 45: Rural development shall pay its fair share of infrastructure and service costs.*

  The Project would provide steady revenue for County endeavors and ongoing priorities, particularly during challenging economic times when the tax base is uncertain. Moffat County would receive direct benefits from the Project including new property tax revenue to support County operations; additional taxes from sales and purchase of goods and services made in the County; temporary and permanent employment opportunities for residents; local industry diversification and the multiplier effect; and land development without requiring additional public roads and water supply. The Project does not require additional County infrastructure and services for construction or operations beyond other industrial commercial developments in the area.

2.2 Statement of Justification for New Business

The Rezone and SEF CUP would help support private property rights by commercial development of a utility-scale, grid-connected renewable energy project, and increase the County's community and economic development opportunities. Once complete, the Project would provide clean power for as many as 60,000 homes across the Tri-State Generation and Transmission system, which provides electricity to rural communities and businesses in Colorado and adjacent states. The Project would provide revenue to Moffat County in the form of property and sales taxes and would capitalize on the County's unique infrastructure and natural resources-oriented economy. The Project represents substantial financial investment into the local community and would help support the region's continued role in responsible energy generation and land development.

The Project would contribute to Colorado achieving its renewable portfolio standard (RPS). Utility companies serving 500,000 or more customers are planning a path to 100% renewable energy (10% or 20% for municipalities and cooperatives depending on size) for the grid by 2050. Tri-State Generation and Transmission plans to acquire renewable energy from various sources for capacity replacement with the closure of the Craig Power Plant, a fossil fuel electricity generating facility, in Moffat County (Colorado). AES is a power generation company supporting various utility companies and cooperatives in zero-emission energy solutions through the transition to clean, renewable energy.

2.3 Statement Indicating the Effect on Adjacent Uses

No adverse effects on adjoining properties and the surrounding area are anticipated. There are no residential dwellings or uses within surrounding properties of the proposed solar facility. The Project would be self-contained within a fenced project area. Once operational, the Project would generate minimal vehicular traffic outside of routine facilities infrastructure maintenance. Onsite land disturbance would be kept to a minimum using a low impact development approach for large-scale renewable energy projects. The solar facility does not produce air pollutants, odors, smoke, or noxious gases affecting surrounding nearby properties and the community at large. The solar development project would not affect public safety and security. The Applicant would use an avoidance and minimization

approach to conserve environmental resources or mitigation measures for potential environmental impacts in the project area vicinity. Since the Project is self-contained and secure, adjacent land uses can continue, including grazing, agriculture, recreation, and transportation. Public lands would not be impacted by the operation of the solar facility. Following the lease term (up to 35 years), the Project area can return to previous uses or be repurposed by the landowner with approval by the County.

3.0 SOLAR ENERGY FACILITY CONDITIONAL USE PERMIT APPLICATION

Please refer to Appendix B for the completed *Conditional Use Permit Application for a Solar Energy Facility* form.

3.1 Project Narrative

The Applicant proposes to construct and operate the Yampa Valley Solar Project (Project), a photovoltaic (PV) solar facility generating up to 200 megawatts (MWac) with an integrated battery energy storage system (BESS, 4-hour duration) storing up to 100 MWac. The Project area would be located on nine parcels totaling approximately 3,850 acres of privately-owned land in unincorporated Moffat County, Colorado.

Based on the current project design, the fenced area of the Project, containing actual solar facility components, would make up approximately 1,466 of the 3,850 acres. The remaining 2,384 acres of the land base are left undeveloped to avoid and minimize potential impacts to environmental resources. Key components associated with the Project would include PV solar panels and arrays mounted on a single-axis tracking (SAT) system, a new substation, a battery energy storage facility, an operations and maintenance building, and other appurtenant equipment (Appendix H). Electrical transformers and inverters (referred to as Power Collection Stations) would be installed throughout the Project site on concrete equipment pads. Impervious areas would be limited to ancillary facilities (i.e., BESS, substation, transformer and inverter pads) and access roads.

For Moffat County land use entitlement, AES assures that regardless of the total generation capacity of this solar-plus-storage facility, the integrated facility footprint will remain within the land parcels proposed for rezoning by the Applicant. During the construction permitting process with detailed/final site design, this solar-plus-storage facility would be sized based on the potential power offtaker's preferences and requirements, and therefore subject to change but the overall project-based capacity would not exceed 200 MWac for the solar PV and 100 MWac for the BESS. An offtaker may not include the BESS (4-hour duration) with a battery management system as part of their power purchase agreement with AES. The electricity generated by the Project is anticipated to be interconnected to Tri-State Generation and Transmission's grid system in Moffat County (or another potential power off-taker for utility-scale, grid-connected solar energy projects).

The Project transmission line and the exact location of the generation interconnect (gen-tie line) is still being determined and its land use will be permitted or approved separately through Moffat County if the gen-tie line is outside the currently defined project area boundary. One option for Project interconnection being reviewed and evaluated is potentially tapping into an existing onsite utility-owned overhead transmission line.

3.1.1 Location Description

The solar energy facility site would be located on nine parcels (Table 2) of privately-owned vacant land totaling approximately 3,850 acres in the unincorporated area of Moffat County, Colorado (Figure 1). The Project site is located approximately four miles west of the City of Craig and the Craig Station powerplant, one mile north of the Yampa River, and one mile south of State Route 40. The Project site is surrounded by undeveloped agricultural land and shrub/scrub vegetation to the south and west, with rural residences to the north and east. The closest residence to the Project site is over 1,000 feet from any Project components (described in Section 3.1.2). For a list of residences adjacent to parcels proposed for rezoning and land use entitlement, refer to the Buffer Report in Appendix E. Main access to the Project site would likely be provided via County Road 30 but would be confirmed during preparation of the final site plan. The Applicant will consult with the County Road and Bridge

Department on any proposed access point changes prior to application for any building or construction permits.

Voluntary leases or other landowner agreements have been obtained to ensure that property rights are not impaired during the land/site control process by the Applicant. The names and addresses of the surface owners within the Project site are listed in Table 2. Letters of Authorization have been prepared and signed by the participating landowners and are provided in Appendix G.

Table 2. Project Site Assessor's Parcel Numbers, Legal Descriptions, and Landowners

Assessor's Parcel Number (APN)	Legal Description	Landowner
085712200002	S12, T6N, R92W	James C. Eberle 813 Michael Street Fort Morgan, Colorado 80701
085728100033	S10, T6N, R92W S14, T6N, R92W S15, T6N, R92W S22, TSN, R92W S27, T6N, R92W S28, T6N, R92W S33, T6N, R92W	J-Mar Farm, LLC 21590 Friendly Lane Strongsville, Ohio
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085713200011	S1, T6N, R92W S12, T6N, R92W S13, T6N, R92W	
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085711200016	S2, T6N, R92W S11, T6N, R92W	
085711200017	S11, T6N, R92W	
085711200018	S11, T6N, R92W	

Notes: S = Section, T = Township, R = Range, N = North, W = West

3.1.2 Component Details

Key components of the Project, including the solar energy generating facility, the Project substation, the battery energy storage facility, the O&M building, the security fencing and facility lighting, and other appurtenant equipment are shown in Appendix H and described in further detail below. Preliminary elevation drawings for the anticipated equipment are also included in Appendix H.

3.1.2.1 Solar Energy Generating Facility

The Project would utilize photovoltaic (PV) solar panels to convert sunlight into electricity. The PV solar modules would be mounted on a single-axis tracking (SAT) system supported by H-frame steel piles (or equivalent). Minimal ground disturbance is anticipated for construction of the solar energy generating facility. The SAT system aligns the PV solar modules in rows, and the modules rotate to face east in the morning hours and west in the afternoon hours, tracking the sun along a north-south axis to maximize energy production. At their highest point, the top edge of the PV solar arrays would be approximately 8 to 10 feet above ground level, depending on topography.

The Project would use UL-listed, commercially available crystalline silicon PV solar modules. The PV solar panels are dark in color to maximize absorption and minimize reflectance of sunlight. Glare from PV solar panels would not be discernible by nearby properties or from

the roadways. The final quantity of PV solar panels for the Project would be determined during the final design and engineering, and detailed technical studies would be available for reference.

The electrical output from the PV solar modules would be collected as direct current (DC) by cables harnessed to the underside of the modules and collected in combiner boxes at each array and then delivered via an underground cable system to the Power Collection Stations (PCSs) dispersed throughout the solar facility. The PCSs would include inverters and transformers to convert the generated power to appropriate electricity type and collection voltage. The inverters would convert the DC electrical output to alternating current (AC), and the transformers would step up the generated voltage to intermediate collection voltage. The inverters and transformers would be installed throughout the Project site on concrete equipment pads. The converted power (DC to AC) would be conveyed via a buried collection cable system to the Project substation.

Telecommunications equipment, Supervisory Control and Data Acquisition (SCADA) system, and meteorological station would be used for the solar energy generating facility-related data monitoring and infrastructure management, including supporting the implementation of an emergency response plan.

3.1.2.2 Project Substation

Output from the PCSs would be transferred via buried electrical conduits and cables to the onsite substation in the southwest portion of the Project site. The substation would collect consolidated energy generation from the solar PV collection system and step-up the collection voltage via high-voltage transformers. The stepped-up electrical voltage would then be uploaded from the substation to the onsite gen-tie line and conveyed to the point of interconnection for grid-connected transmission and distribution. The Project substation would include transformers, breakers, switches, meters, and related equipment.

A substation is a high-voltage electric system facility. It is used to switch generators, equipment, and circuits or lines in and out of a system.

The substation would occupy an area approximately three to five acres within the boundaries of the Project site. The tallest structural elements within the on-site substation would be dead-end structures up to 100 feet high at the switchyard. The high-voltage Project substation area would be surrounded by an eight-foot-high chain-link fence topped with barbed wire and would comply with industry-specific electrical and safety codes.

3.1.2.3 Battery Energy Storage Facility

The battery energy storage facility includes battery cells for storing electrical energy in a Battery Energy Storage System (BESS) with a Battery Management System (BMS). The BESS is a physical container providing secondary containment to the battery cells that is equipped with cooling, ventilation, fire suppression, and a battery management system. The BMS is an electronic regulator that manages the BESS by monitoring individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and being able to shut down the system before operating outside safe parameters.

The Project would include an approximately 8- to 16-acre area dedicated for the battery energy storage facility sited adjacent to the on-site substation. The BESS would be used for the purpose of optimizing delivery of generated power to the electrical grid from this integrated solar-plus-storage facility. The solar PV and battery storage system would provide storage of generated power when demand is low and provide for delivery of stored power when demand is high. The battery storage system would consist of prefabricated battery modules in containers with a total storage capacity of up to 100 MWac. The battery storage

units would consist of metal containers approximately 40 feet in length, 8 feet in width, and 9.5 feet in height. Each storage unit would be self-contained and would include racks, switchboards, integrated HVAC units, and inverters. The transformers for the battery storage units would be located outside the metal containers on dedicated equipment pads with each transformer set serving four battery containers.

3.1.2.4 Operations and Maintenance Building

A premanufactured operations and maintenance (O&M) building and an adjoining outdoor storage/ parking area would occupy approximately 0.15- to 0.3-acre on the Project site. The O&M building would include on-site office space for project personnel and would house telecommunications equipment. Permanent restroom facilities are not being considered for the O&M building, but staff would be provided portable restrooms meeting the Occupational Safety and Health Standards, Section 1928.110(c)(2). Potable water needs are expected to be minimal (drinking water) and would be met using a commercial bottled water supplier.

The storage yard would be for operational equipment and materials, including one or more metal storage buildings or containers for storing spare solar PV modules and other materials. The parking area would be for personnel vehicles, delivery trucks, and service vehicles. Permanent access roads for ingress/egress and parking areas would be stabilized with gravel to minimize dust and impacts to adjacent properties.

O&M building design will be addressed in detail during the building permit review process through Moffat County Building Department.

3.1.2.5 Access Roads and Internal Circulation

The Project would likely have direct vehicular access points from two entrances on County Road 30 (Appendix H and Appendix I). However, the access points for the project would be confirmed with the County Road and Bridge Department prior to application for any building and construction permits. Permanent access through the Project would be provided primarily by internal driveways which would run just inside the site perimeter and across the solar energy generating facility. All internal driveways would be a minimum of 20 feet in width to allow passage and maneuvering of emergency and maintenance vehicles. The Applicant will consult with Craig Rural Fire Protection District to verify that on-site access roads meet their standards for emergency response. The distance between the parallel internal driveways would offer sufficient access throughout the Project site to provide access for emergency vehicles and project personnel. Internal access roads to major equipment and pad locations would be all weather roads to ensure proper access and circulation for emergency response personnel and O&M crews.

3.1.2.6 Security Fencing and Exterior Lighting

Security fencing would surround the solar array field (groupings referred to as PV pods), the Project substation, and the battery energy storage facility. The type of perimeter fencing for the Project site would be coordinated with Colorado Parks and Wildlife to ensure that the solar PV electric generation facility is secured, and the fencing does not pose an undue risk to wildlife (both in terms of injury and fatality). The Project substation and battery energy storage facility would be secured using 8-foot-high chain link perimeter fencing, including up to three strands of barbed wire affixed at the top. Access points into the Project site would have locked gates and are accessible through a Knox-Box or similar device, which would allow emergency response personnel and O&M workers rapid entrance onto the Project site.

The Project-specific lighting layout has not been developed for this preliminary site design during this land use permitting process. During final site design for the construction permitting (including building and electrical permits), site-specific lighting plan would be designed to Moffat County regulations and standards to provide the minimum illumination

needed to achieve operational safety and security. Outdoor lighting would be downward facing and reasonably shielded to focus illumination on the desired areas and minimize light spill. Security lighting may be provided on-site at the dedicated substation, transformers and inverters, and points of access.

3.1.3 Construction Activities

Construction of the utility-scale solar energy facility is expected to occur over an approximately 2-year period, beginning in the second calendar quarter of 2027. The Project is expected to be operational by the second quarter of 2029. The number of workers on the Project site at any given time would fluctuate depending on the construction stage. Workforce numbers would be greatest during the middle of the construction period, with up to about 300 construction personnel on-site. Typically, the construction activities would occur from approximately 7:00 am to 6:00 pm, Monday through Saturday (except on state and federal holidays).

Construction activities would primarily consist of site preparation, including installation of stormwater and erosion control measures, grading and earthwork, equipment installation, material deliveries, and commissioning and equipment testing. Project construction activities would generate temporary traffic, which would primarily consist of the delivery of construction equipment and materials, and daily construction worker trips. Most of the construction equipment (e.g., solar panels, inverters, tracker steel, transmission poles, substation circuit breakers, and substation steel) would be delivered to the Project site in standard widths and lengths by vans or covered flatbed trailers. Wide-load trailers would be used to deliver substation equipment, inverter enclosures, battery components, and pile drivers (and associated equipment) to the Project site. For further information regarding construction traffic, refer to the *Statement of Transportation Construction Impacts* in Appendix I.

Installation of the Project would be accomplished generally in the following steps:

- Grading, staking, and fencing;
- Clearing the right-of-way;
- Constructing the access roadway;
- Delivering the equipment and materials;
- Installing the steel piles, solar tracking system, solar arrays, and facility wiring;
- Constructing the battery energy storage facility, electrical substation, and O&M building; and
- Decommissioning the solar facility and restoring the project site.

3.1.4 Soil Management and Conservation

The purpose of soil management is to maintain or restore the biological, chemical, and the physical integrity of soils to allow for successful post-construction site stabilization and revegetation. Construction and post-construction soil management activities include soil handling, landscape reconstruction, and erosion control.

Erosion control measures will be implemented to avoid, minimize, or mitigate effects from surface-disturbing activities during construction. Erosion control measures will be installed prior to and immediately following surface disturbing activities. For further information regarding Project-specific erosion control measures refer to Section 3.2, *Stormwater Management and Erosion Controls*, and the *Dust and Wind Erosion Control Plan* in Appendix J.

Topsoil will be salvaged in areas of soil removal, such as access roads, staging areas, permanent facilities, and turnarounds. In these areas, the topsoil will be stripped and then stockpiled within the Project site at the edge of the disturbed areas. Topsoil along linear

elements such as roads will be stripped and windrowed along the edge of the disturbance areas. To the effect practical, topsoil stockpiles will be spaced apart from stockpiles of subsurface soil to minimize mixing. Topsoil will be characterized by changes in texture, color, and/ or consistency. Topsoil stockpiles will be designed, located, and protected to minimize wind and water erosion, maintain stockpile stability, and limit surface disturbance. The stockpiled topsoil will be re-spread on disturbed areas for final site stabilization. Topsoil stockpiles will be replaced in reclaimed areas as close as practicable to their original source area.

Post-construction site stabilization and revegetation will occur immediately after construction completion, as practical based on weather and seasonality. Topsoil will be replaced as part of the reclamation activities. Disturbed areas will be mulched, seeded with a sterile cover crop, or otherwise temporarily covered to prevent wind and water erosion if reclamation cannot start immediately after construction is complete.

Temporary stockpiles stored longer than 90 days will be covered with mulch and/or soil tackifiers to assist in mitigating stockpile wind erosion and contribute organic materials. If temporary stockpiles are stockpiled overwinter, the stockpiles will be hydro-mulched, seeded with a sterile cover crop, or covered to limit wind erosion. Erosion control measures (e.g., berms, straw wattles, rock socks, plastic silt fence, or ditches) will be implemented as needed to minimize wind and water erosion.

3.1.5 Operations and Maintenance Activities

Operational activities would primarily involve monitoring and management of solar energy generation, which would occur during daylight hours year-round. The Applicant, or an O&M contractor, would primarily monitor and manage the solar facility remotely. Operators would monitor and analyze the collected data to determine maintenance needs, respond to automated alerts from the monitoring systems (i.e., in the event of equipment failures or abnormalities), and communicate with power customers and transmission facility operators.

The solar facility would be continually maintained and kept in good repair. The Project's solar PV arrays would produce electricity passively with minimal moving parts; therefore, maintenance requirements would be limited. Planned maintenance activities would be scheduled to avoid peak load periods, and unplanned maintenance would be responded to as needed depending on the nature of the event. All maintenance activities would be conducted during the daytime; no nighttime work is anticipated.

Up to five project personnel would be on the solar facility site at any given time to perform monitoring duties and to conduct visual inspections of equipment, internal roadways, and security fencing and exterior lighting, and to perform maintenance or make repairs as necessary. An additional four workers could be on-site intermittently when equipment needs to be repaired or replaced.

Onsite vegetation would be managed using typical landscape maintenance techniques, such as applying herbicides and mechanical weeding. All open and un-landscaped portions of the Project site would be maintained in good condition, and weeds, trash, and debris would be routinely removed from the site.

3.1.6 Decommissioning and Reclamation Activities

An end-of-life decommissioning and reclamation plan, which is presented in Appendix N of this permit application, lays out the process to determine the appropriate timing for addressing the level of decommissioning commitments that the Project would provide to satisfy the landowner and other beneficiaries, such as Moffat County. Additional permits or approvals may be necessary for the solar energy facility decommissioning and Project site restoration. The intent of the decommissioning and reclamation plan is to ensure that the

solar facility decommissioning, and land reclamation work is successfully implemented at the end of the Project's useful life, and that the removal of all equipment and materials and the site restoration costs are borne by the Project owner.

3.2 Stormwater Management and Erosion Controls

Moffat County requires that applicants seeking a SEF CUP specify the stormwater management and erosion control permits being acquired from State or Federal regulatory agencies. These permits ensure that the Project site is protected and avoid or minimize potential adverse impacts to neighboring lands. The State of Colorado regulates stormwater discharges associated with construction activities in accordance with the National Pollutant Discharge Elimination System (NPDES). The regulations are included in State regulation 5 CCR 1002-61, which is implemented by the Colorado Department of Public Health & Environment (CDPHE). In Colorado, regulated stormwater discharges from construction activities disturbing one acre or more are covered under the General Permit for Stormwater Discharges Associated with Construction Activities (COR400000).

For the Project to gain coverage under COR400000, soil stabilization and runoff control measures would be integrated to prevent erosion and sedimentation during the site preparation (grading and earthwork) and facility construction-related land disturbance. The measures appropriate for conditions within the Project site would be specified in the Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would describe site-specific erosion control design features and specify Best Management Practices (BMPs) such as stormwater runoff control and hazardous waste management measures and would include compliance monitoring and reporting procedures. Typical measures would include diversion of stormwater runoff away from disturbed areas, protective measures for sensitive areas, mulching for soil stabilization, straw-bale barriers, and siltation or sediment ponds. Specific BMPs would be determined during the final site design and engineering stage for construction permitting. The Project SWPPP would be submitted to the CDPHE for review and approval prior to the initiation of ground disturbing activities. If required, permanent stormwater management structures (i.e., retention basins or wet ponds, permeable pavements, sand filters, others as applicable) would be incorporated into the Project's detailed/final site design for the building permit process with Moffat County.

3.3 Alternatives Statement

As part of the County's SEF CUP process, the Applicant must consider and assess reasonable alternatives to the proposed project location while ensuring that the proposed project would be consistent with the best interests of the people of the County and represent a balanced use of resources in the affected area. The Applicant has researched alternatives to the Project location, and after detailed review and evaluation, the proposed site was determined to be the best location for the utility-scale solar energy facility development. Many other potential sites in the County have been assessed, as well as other locations throughout the State of Colorado.

Potential project sites are heavily screened during the prospecting stage (siting and routing) to ensure that each site is exceptionally suitable for a utility-scale, grid-connected solar energy project. The Yampa Valley Project site was identified for a variety of important factors, including:

1. Favorable geography and compatible land use, including high solar irradiance, cooler ambient temperatures for more efficient energy conversion to usable electricity, minimally sloped site topography (less than 15 percent), compatible land uses on adjacent properties (natural resources-oriented land use/development), and positive community benefits (community and economic development).

2. Proximity to existing Tri-State Generation and Transmission Association's transmission infrastructure connected to the coal-fired Craig Station power plant (1,427-megawatts) in Moffat County, Colorado. All three units at the Craig Station are scheduled for closure by September by September 2028, which would result in a sizeable amount of capacity available on the existing transmission lines connected to the Craig substation (4 miles east of the Project site).
3. Landowner interest and participation in hosting a solar energy facility on their land.
4. No geotechnical constraints noted onsite during the preliminary geotechnical investigation.

The Project is in the best interest of the people of the County because solar energy generating facility (solar PV plus battery storage) produces clean power with no pollutants or contaminants, making it safe for the surrounding land uses. Additionally, the solar facility produces no noise pollution, no heavy traffic, and the system would be considerably screened from the public, and therefore would not cause any nuisances. The Project site is located within a rural area of the County with minimal residential dwellings or uses. The solar facility is not a permanent land use and the Project site would be returned to its current state after the energy generation system is retired.

The local landowners especially benefit from the Project because leasing the land provides income stability and diversity over the life of the solar facility under a mutually acceptable agreement. In contrast to agricultural earnings, the payments generated by the solar lease will be regular, fixed payments, and will increase annually without fail. When the solar facility is decommissioned and the site is reclaimed, the Project site can be returned to farming if the landowner wishes to do so. Therefore, the development of a utility-scale, grid-connected renewable energy project is one of the best uses that the landowner could pursue in this rural area of Moffat County.

MEMORANDUM

DATE:	October 31, 2024
TO:	Candace Miller, Moffat County Planning Department
FROM:	Libby Fortin, Permitting Project Manager, AES Clean Energy
SUBJECT:	Letter of Intent to Interconnect Yampa Valley Solar Project, Moffat County, Colorado

Yampa Valley Solar, LLC (Applicant), a wholly owned subsidiary of AES Clean Energy, understands that as part of Moffat County's Solar Energy Facility (SEF) Conditional Use Permit (CUP) application, the Applicant must provide a copy of a "letter of intent to interconnect" or interconnection agreement signed by the targeted utility company or cooperative. AES would like to provide the attached Transitional Cluster Study Agreement (TSOA-24-0092) as proof that an interconnection request (DISIS-2023-15) has been submitted to the utility, Tri-State Generation and Transmission Association, Inc. (Tri-State), for the Yampa Valley Solar Project (Project).

The Applicant believes TSOA-24-0090 fulfills the County's requirement for a "letter of intent to interconnect", as the document supports that the project is in Tri-State's interconnection queue (GI-TC-2024-33). A Transitional Cluster Study Agreement provides the utility permission to review a proposed large generator (i.e., solar energy facility) and its proposed point of interconnect to determine if new transmission equipment or upgrades are needed to support the facility. Only large generators currently in the interconnection queue are asked to sign a Transitional Cluster Study Agreement, as part of the utility's process for moving forward with a Large Generation Interconnection Agreement (LGIA). Transitional Cluster Study results for the Project are expected in September 2025, at which time the project is expected to be provided with an LGIA. The Applicant plans to sign the LGIA by December 2025.

The LGIA for the Project can be provided to the Moffat County Planning Department upon finalization. Please contact AES's permitting project manager, Libby Fortin, at elizabeth.fortin@aes.com or 603-670-8970 if you have any questions.

APPENDIX 7 to LGIP
TRANSITIONAL CLUSTER STUDY AGREEMENT
TRI-STATE CONTRACT NO. TSOA-24-0092

THIS AGREEMENT is made and entered into this _8th day of _October_____, 2024, by and between ACE DevCo NC, LLC, a limited liability company organized and existing under the laws of the State of Delaware, ("Interconnection Customer") and TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC., a cooperative corporation existing under the laws of the State of Colorado, ("Transmission Provider"). Interconnection Customer and Transmission Provider each may be referred to as a "Party," or collectively as the "Parties."

RECITALS

WHEREAS, Interconnection Customer is proposing to develop a Large Generating Facility or generating capacity addition to an existing Generating Facility consistent with the Interconnection Request submitted by Interconnection Customer dated May 30, 2023 (GI-DISIS-2023-15);

WHEREAS, Interconnection Customer desires to interconnect the Large Generating Facility with the Transmission System; and

WHEREAS, Interconnection Customer has requested Transmission Provider to perform a "Transitional Cluster Study," which combines the Cluster Study and Interconnection Facilities Study, in a single cluster study, followed by any needed restudies, to specify and estimate the cost of the equipment, engineering, procurement and construction work needed to physically and electrically connect the Large Generating Facility to the Transmission System; and

WHEREAS, Interconnection Customer has a valid Queue Position as of thirty (30) Calendar Days after May 16, 2024.

NOW, THEREFORE, in consideration of and subject to the mutual covenants contained herein the Parties agree as follows:

1. When used in this Agreement, with initial capitalization, the terms specified shall have the meanings indicated in this LGIP.

2. Interconnection Customer elects, and Transmission Provider shall cause to be performed, a Transitional Cluster Study.

3. The Transitional Cluster Study shall be based upon the technical information provided by Interconnection Customer in the Interconnection Request. Transmission Provider reserves the right to request additional technical information from Interconnection Customer as may reasonably become necessary consistent with Good Utility Practice

during the course of the Transitional Cluster Study and Interconnection Customer shall provide such data as quickly as reasonable.

4. Pursuant to Section 5.1.1.2 of the LGIP, the interim Transitional Cluster Study Report shall provide the information below:

   - identification of any circuit breaker short circuit capability limits exceeded as a result of the interconnection;

   - identification of any thermal overload or voltage limit violations resulting from the interconnection;

   - identification of any instability or inadequately damped response to system disturbances resulting from the interconnection; and

   - Transmission Provider's Interconnection Facilities and Network Upgrades that are expected to be required as a result of the Interconnection Request(s) and a non-binding, good faith estimate of cost responsibility and a non-binding, good faith estimated time to construct.

5. Pursuant to Section 5.1.1.2 of this LGIP, the final Transitional Cluster Study Report shall: (1) provide all the information included in the interim Transitional Cluster Study Report; (2) provide a description of, estimated cost of, and schedule for required facilities to interconnect the Generating Facility to the Transmission System; and (3) address the short circuit, instability, and power flow issues identified in the interim Transitional Cluster Study Report.

6. Interconnection Customer has met the requirements described in Section 5.1.1.2 of this LGIP.

7. Interconnection Customer previously provided a deposit for the performance of Interconnection Studies. Upon receipt of the final Transitional Cluster Study Report, Transmission Provider shall charge and Interconnection Customer shall pay the actual costs of the Transitional Cluster Study. Any difference between the study deposit and the actual cost of the study shall be paid by or refunded to Interconnection Customer, in accordance with the provisions of Section 13.3 of this LGIP.

8. Miscellaneous.

   8.1 Notices. Any notice, demand, or request pursuant to this Agreement shall be in writing and shall be given when delivered in person, sent by either registered or certified mail, or sent by national overnight delivery service, postage prepaid to the following addresses:

   For Interconnection Customer:
   ACE DevCo NC, LLC

Robyn Kara
282 Century Place, #2000
Louisville, CO 80027
Robyn.kara@aes.com; AESCE_IC@aes.com

Phone: 801-859-6581

For Transmission Provider:
Tri-State Generation and Transmission Association, Inc.
Attn: Transmission Interconnection Administrator
1100 W. 116th Avenue
Westminster, Colorado 80234

Phone: 303-452-6111

8.2 Governing Law. This Agreement shall be governed by the laws of the State of Colorado without regard to any choice of law provisions.

8.3 Severability. If any provision in this Agreement is finally determined to be invalid, void or unenforceable by any court or other Governmental Authority having jurisdiction, such determination shall not invalidate, void, or make unenforceable any other provision, agreement or covenant of this Agreement.

8.4 Indemnity. Interconnection Customer shall at all times indemnify, defend, and save Transmission Provider harmless from, any and all damages, losses, claims, including claims and actions related to injury to or death of any person or damage to property, demands, suits, recoveries, costs and expenses, court costs, attorney fees, and all other obligations by or to third parties, arising out of or resulting from Transmission Provider's performance of its obligations under this Agreement on behalf of Interconnection Customer, except in cases of gross negligence or intentional wrongdoing by Transmission Provider.

8.5 Consequential Damages. In no event shall either Party be liable under any provision of this Agreement or any reliance on the Transitional Cluster Study Report for any losses, damages, costs, or expenses for any special, indirect, incidental, consequential, or punitive damages, including, but not limited to, loss of profit or revenue, loss of the use of equipment, cost of capital, cost of temporary equipment or services, whether based in whole or in part in contract, in tort, including negligence, strict liability, or any other theory of liability; provided, however, that damages for which a Party may be liable to the other Party under another agreement will not be considered to be special, indirect, incidental, or consequential damages hereunder. Nor shall either Party be liable for any delay in delivery or for the non-performance or delay in performance of its obligations under this Agreement.

8.6 Disclaimer of Warranty. In preparing the Transitional Cluster Study, each Party and any subcontractor or consultants employed by it shall have to rely on information provided by the providing Party, and possibly by third parties, and each Party may not have control over the accuracy of such information. Accordingly, beyond the commitment to use Reasonable Efforts in preparing the Transitional Cluster Study (including, but not limited to, exercise of Good Utility Practice in verifying the accuracy of information provided for or used in the Transitional Cluster Study), as applicable, no Party nor any subcontractor or consultant employed by it makes any warranties, express or implied, whether arising by operation of law, course of performance or dealing, custom, usage in the trade or profession, or otherwise, including without limitation implied warranties of merchantability and fitness for a particular purpose, with regard to the accuracy of the information considered in conducting the Transitional Cluster Study, the content of the Transitional Cluster Study Report, or the conclusions of the Transitional Cluster Study Report. Interconnection Customer acknowledges that it has not relied on any representations or warranties not specifically set forth herein and that no such representations or warranties have formed the basis of its bargain hereunder.

8.7 Force Majeure. Force Majeure shall mean any act of God, labor disturbance, act of the public enemy, war, insurrection, riot, fire, storm or flood, explosion, breakage or accident to machinery or equipment, any order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or any other cause beyond a Party's control. A Force Majeure event does not include economic hardship, acts of negligence or intentional wrongdoing by the Party claiming Force Majeure. Neither Party shall be considered to be in default with respect to any obligation hereunder, other than the obligation to pay money when due, if prevented from fulfilling such obligation by Force Majeure. A Party unable to fulfill any obligation hereunder (other than an obligation to pay money when due) by reason of Force Majeure shall give notice and the full particulars of such Force Majeure to the other Party in writing or by telephone as soon as reasonably possible after the occurrence of the cause relied upon. Telephone notices given pursuant to this Section shall be confirmed in writing as soon as reasonably possible and shall specifically state full particulars of the Force Majeure, the time and date when the Force Majeure occurred and when the Force Majeure is reasonably expected to cease. The Party affected shall exercise due diligence to remove such disability with reasonable dispatch, but shall not be required to accede or agree to any provision not satisfactory to it in order to settle and terminate a strike or other labor disturbance.

8.8 Dispute Resolution. Any dispute, or assertion of a claim, arising out of or in connection with this Agreement, shall be resolved in accordance with Section 13.5 of the LGIP.

8.9 Confidentiality. Confidential Information shall be treated in accordance with Section 13.1 of the LGIP, provided that Transmission Provider may disclose Interconnection Customer's Confidential Information to Affected System Operators, without notice or consent, in order to perform the Transitional Cluster Study.

8.10 Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the Parties hereto.

8.11 Entire Agreement. This Agreement, together with the LGIP, constitutes the entire agreement between the Parties with respect to the subject matter hereof, and supersedes all prior and contemporaneous understandings or agreements, oral or written, between the Parties with respect to the subject matter of this Agreement.

8.12 Third Party Beneficiaries. This Agreement is not intended to and does not create rights, remedies, or benefits of any character in favor of any persons, corporations, associations, or entities other than the Parties, and the obligations herein assumed are solely for the use and benefit of the Parties, their successors in interest, and, where permitted, their assigns.

8.13 No Partnership. This Agreement shall not be interpreted or construed to create an association, joint venture, agency relationship, or partnership between the Parties or to impose any partnership obligation or partnership liability upon any Party. No Party shall have any right, power or authority to enter into any agreement or undertaking for, or act on behalf of, or to act as or be an agent or representative of, or to otherwise bind, another Party.

8.14 Amendments and Modifications. The Parties may by mutual agreement amend this Agreement or the Attachment(s) to this Agreement by a written instrument duly executed by both Parties.

8.15 Assignment. This Agreement may be assigned by either Party only with the written consent of the other; provided that either Party may assign its interest in this Agreement without the consent of the other Party to any Affiliate of the assigning Party with an equal or greater credit rating and with the legal authority and operational ability to satisfy the obligations of the assigning Party under this Agreement; and provided further that either Party shall have the right to assign its interest in this Agreement, without the consent of the other Party, for collateral security purposes to any trustee or secured party under any mortgage or deed of trust or security agreement securing the assigning Party's senior secured indebtedness. In the case of the Interconnection Customer, prior to or upon the exercise of the secured party's, trustee's or mortgagee's assignment rights pursuant to said arrangement, the secured creditor, trustee or mortgagee will notify Transmission Provider of the date and particulars of any such exercise of assignment right(s). In the case of the Transmission Provider, the secured party,

trustee or mortgagee may, without the need for the prior consent of Interconnection Customer, succeed to and acquire all the rights, titles, and interests of Transmission Provider in this Agreement, and may foreclose upon said rights, titles and interests of Transmission Provider. In addition, Transmission Provider shall have the right to assign its interest in this Agreement, without the consent of the Interconnection Customer, to a regional transmission organization in the event Transmission Provider transfers functional control of its Transmission System related to the Transitional Cluster Study to such regional transmission organization. Both Parties shall have the right to transfer all, but not less than all, of their interest in this Agreement to any of the following entities without the consent of the other Party: (i) any entity acquiring all or substantially all of the assets of the Party, (ii) any entity into which the Party merges or consolidates, or (iii), subject to the two preceding sentences, to the Party's lender(s) or indenture trustee. Any attempted assignment that violates this article is void and ineffective. Any assignment under this Agreement shall not relieve a Party of its obligations, nor shall a Party's obligations be enlarged, in whole or in part, by reason thereof. Where required, consent to assignment will not be unreasonably withheld, conditioned or delayed.

8.16 No Implied Waiver. The failure of a Party to this Agreement to insist, on any occasion, upon strict performance of any provision of this Agreement will not be considered a waiver of any obligation, right, or duty of, or imposed upon such Party.

IN WITNESS WHEREOF, the Parties have caused this Agreement, TSOA-24-0092, to be duly executed by their duly authorized officers or agents on the day and year first above written.

Tri-State Generation and Transmission Association, Inc.

DocuSigned by:

By: Ryan Hubbard
C4FE1E72A6B94C5...

Name: Ryan Hubbard

Title: Sr Manager Transmission Business Strategy

Date: 10/14/2024

ACE DevCo NC, LLC

DocuSigned by:

By: Robyn Kara
B0000000B0004...

Name: Robyn Kara

Title: Authorized Person

Date: 10/03/2024

Attachment A to Appendix 7
Transitional Cluster Study Agreement

ASSUMPTIONS USED IN CONDUCTING THE TRANSITIONAL CLUSTER STUDY (A COMBINED SYSTEM IMPACT AND INTERCONNECTION FACILITIES STUDY)

PART I

The Transitional Cluster Study shall be based upon the information set forth in the Interconnection Request(s) and the following assumptions: Designation of Point of Interconnection and configuration to be studied.
This Combined System Impact Study and Interconnection Facilities Study will consider the Base Case as well as all generating facilities (and with respect to (iii), any identified Network Upgrades) that, on the date the Transitional Cluster Study is commenced: (i) are directly interconnected to the Transmission System; (ii) are interconnected to Affected Systems and may have an impact on the Interconnection Request; (iii) have a pending higher queued Interconnection Request to interconnect to the Transmission System; and (iv) have no Queue Position but have executed an LGIA or requested that an unexecuted LGIA be filed with FERC.
This Transitional Cluster Study will include power flow, short circuit, and transient stability analysis, using 2025 heavy summer and light summer cases. POI: Craig – Meeker 345 kV

Type of interconnection service requested

☐ Energy Resource Interconnection Service

☒ Network Resource Interconnection Service

PART II

DATA FORM TO BE PROVIDED BY INTERCONNECTION CUSTOMER WITH THE TRANSITIONAL CLUSTER STUDY (A COMBINED SYSTEM IMPACT AND INTERCONNECTION FACILITIES STUDY)

Provide location plan and simplified one-line diagram of the plant and station facilities. For staged projects, please indicate future generation, transmission circuits, etc.
See attached.

One set of metering is required for each generation connection to the new ring bus or existing Transmission Provider station. Number of generation connections: 1

On the one line diagram indicate the generation capacity attached at each metering location. (Maximum load on CT/PT): 200

On the one line diagram indicate the location of auxiliary power. (Minimum load on CT/PT) Amps: 67

Will an alternate source of auxiliary power be available during CT/PT maintenance?
No

Will a transfer bus on the generation side of the metering require that each meter set be designed for the total plant generation? (Please indicate on one line diagram). No

What type of control system or PLC will be located at Interconnection Customer's Large Generating Facility?
The control system is a Windows Software based PPC, hosted on local site servers in the substation Control House.

What protocol does the control system or PLC use?
Communications protocols to field devices are ModBus TCP over an ethernet fiber network, and from Control System to Utility shall conform to the protocol requested by Utility or matching the existing protocol of the other generating assets existing to the substation.

Please provide a 7.5-minute quadrangle of the site. Sketch the plant, station, transmission line, and property line. Attached

Physical dimensions of the proposed interconnection station: 470'x255'

Bus length from generation to interconnection station: Average length for BESS feeders: 1000' each. Average length for PV feeders: 4500' each.

Line length from interconnection station to Transmission Provider's transmission line: 250'

Tower number observed in the field. (Painted on tower leg)* Unknown. Coordinates: 40°27'57.00"N 107°41'52.16"W

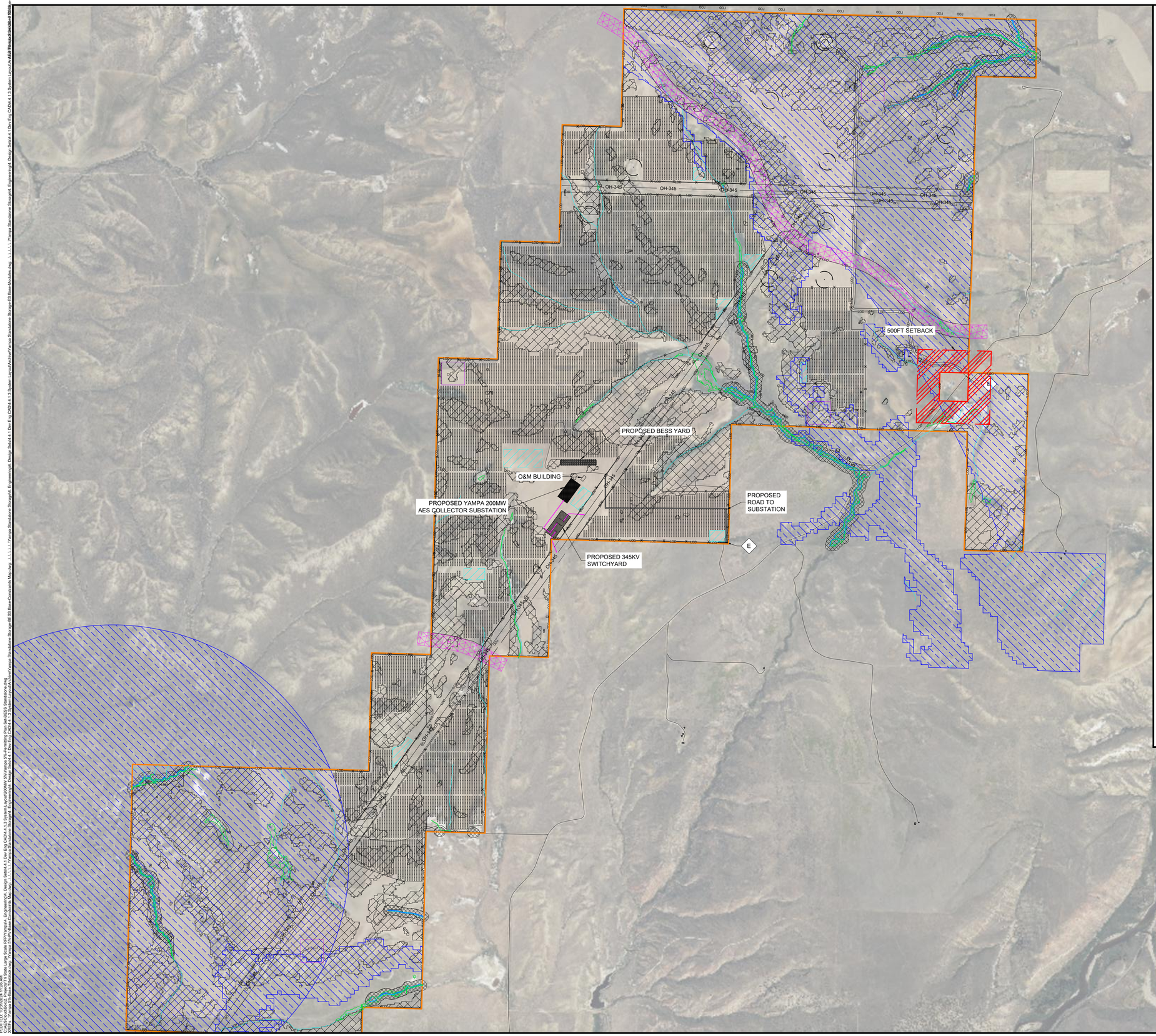
Number of third party easements required for transmission lines*: None

* To be completed in coordination with Transmission Provider.

Is the Large Generating Facility in Transmission Provider's service area?
Yes Local provider: Enter here

Please provide proposed schedule dates:

Begin Construction	Date: 02/01/2027
Generator step-up transformer receives back feed power	Date: 09/01/2027
Generation Testing	Date: 11/01/2027
Commercial Operation	Date: 12/01/2027



GENERAL NOTES

1. THIS DRAWING IS PRELIMINARY AND FOR ESTIMATING PURPOSES ONLY. IT IS NOT FOR CONSTRUCTION.
2. LOCATION OF ALL EXISTING ITEMS IS APPROXIMATE AND MUST BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.
3. ALL SPECIFIED EQUIPMENT IS PRELIMINARY. FINAL EQUIPMENT SELECTION SHALL BE APPROVED BY OWNER.

SHEET NOTES

E SITE ENTRANCE W/ 20' GATE

LEGEND

EXISTING

- SITE BOUNDARY
- MAJOR PUBLIC ROAD
- APPROXIMATE WETLAND
- WASH / DRAINAGE
- WATERS OF THE US 100' SETBACK
- GREATER SAGE GROUSE HABITAT
- 345KV OVERHEAD TRANSMISSION LINE
- EXISTING OIL/GAS WELL
- OIL/GAS WELL LEASE AREA
- BUILDING

PROPOSED

- LIMITS OF DISTURBANCE (LOD)
- FENCE
- AES SUBSTATION
- UTILITY SWITCHYARD
- LAYDOWN AREA
- PROPOSED 300' WILDLIFE CORRIDOR
- OH GEN-TIE
- PV PANELS

SYSTEM DETAILS

AC CAPACITY AT POI	199.0 MW
DC CAPACITY	250.0 MW
DC:AC RATIO AT POI	1.25
DESIGN TEMPERATURE	33.9° C
JINKO JKM590N MODULE COUNT	423,956
STRING SIZE	26 MODULES
PITCH	51'
INTER-ROW SPACING (MODULE TO MODULE)	36'
GCR	29.8%
SUNGROW SG4400U PCS COUNT	64
PCS NAMEPLATE RATING	4.400 MVA
DERATED PCS CAPACITY	4.421 MVA
RACKING TYPE	SOLTEC 2P
TRACKER MOTOR COUNT	5,541
3 STRING TRACKER ROWS	5,224
2 STRING TRACKER ROWS	317
BESS DURATION	4 HR
BESS INSTALLED ENERGY, BOL	400 MWh
BATTERY MODULE (MANUF - MODEL)	SAMSUNG SDI E5S
BATTERY STRING LENGTH (# OF MODULES)	12
STRINGS PER CONTAINER BOL	19
CONTAINER TYPE	ISO 40'
CONTAINER COUNT BOL	76
BESS GPTECH V730 PCS COUNT	38
BESS PCS NAMEPLATE RATING	3.6074 MVA
TOTAL PARCEL ACREAGE	3,850
LINEAR FEET OF FENCE	92,225'
FENCED ACREAGE	1,466
NUMBER OF SITE ENTRANCES	2

ISSUED FOR PERMITTING
NOT FOR CONSTRUCTION

aes
2180 South 1300 East, Suite 600
Salt Lake City, UT 84106-2749
(801) 679 - 3500

PE STAMP:

KEY PLAN:

REVISIONS:

NO.	DATE	DESCRIPTION
0	02/29/2024	AES PERMITTING LAYOUT
1	09/13/2024	UPDATED BESS YARDS
2	10/02/2024	AES PERMITTING LAYOUT

PROJECT TITLE:

YAMPA

PROJECT LOCATION:

MOFFAT COUNTY, COLORADO
(40.4715, -107.6709)

SHEET TITLE & DESCRIPTION:

PERMITTING LAYOUT

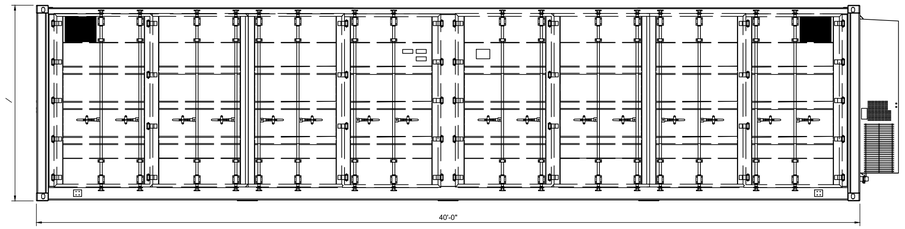
199MW PV
+
100MW BESS (4 HR)

PROJ NUM:	
DES:	V. LOLLA
DWN:	L. ORTIZ
CHK:	S. SHRESTHA
APV:	
DATE:	02/29/2024

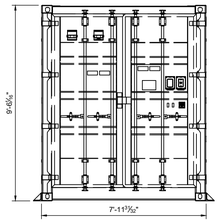
SCALE AT 24" x 36":
0 500' 1,000' 1,500' 2,000'
1" = 1,000'

SHEET NO: PV-E.01.01
REV: 2

FRONT VIEW

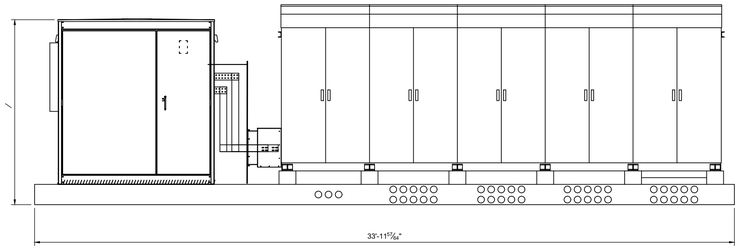


SIDE VIEW

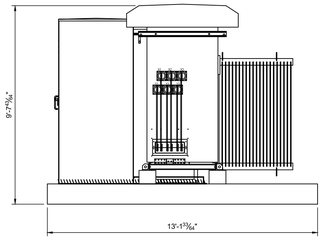


CEN 40' ISO BESS CONTAINER

FRONT VIEW

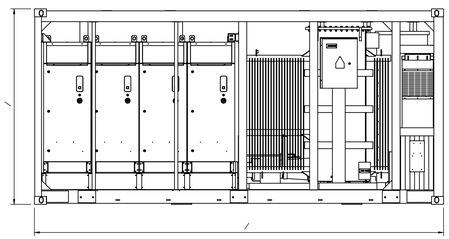


SIDE VIEW

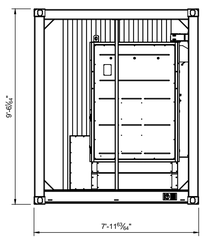


GPTECH V730 INVERTER W/ MV TRANSFORMER

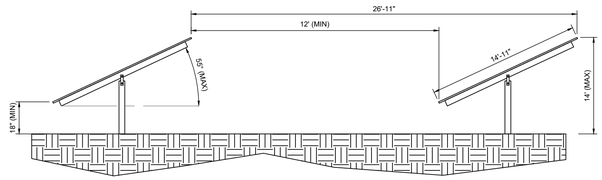
FRONT VIEW



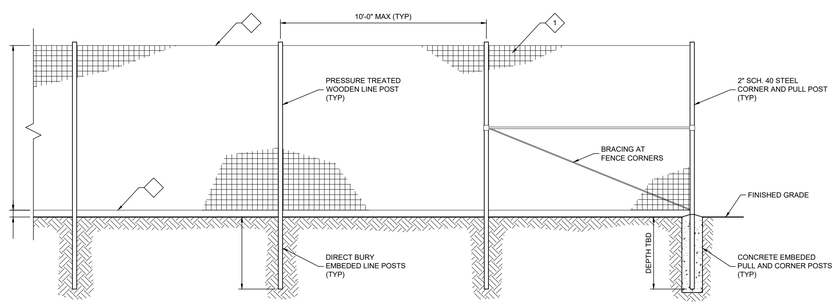
SIDE VIEW



SUNGROW SG4400 PV INVERTER



4 SOLTEC 2P PV TRACKER
SCALE: N.T.S.



TYPICAL PERIMETER FENCE

GENERAL NOTES

1. THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES - NOT FOR CONSTRUCTION.
2. ALL SPECIFIED EQUIPMENT AND DIMENSIONS SHOWN ARE PRELIMINARY AND MUST BE VERIFIED BY THE ENGINEER OF RECORD.

SHEET NOTES

1. FABRIC - 12 GAUGE, WOVEN WIRE FENCING; GALVANIZED ASTM A392, CLASS 2.
2. FENCE SHALL HAVE A TOP RAIL, BOTTOM TENSION WIRE. BOTTOM WIRE SHALL BE INSTALLED 4" MAXIMUM FROM FINISHED GRADE.
3. CLAMPED GATE HINGES SHALL BE WELDED TO PREVENT SETTLEMENT AND SLIPPAGE.

PRELIMINARY
NOT FOR CONSTRUCTION

aes
2180 South 1300 East, Suite 600
Salt Lake City, UT 84106-2749
(801) 679 - 3500

PE STAMP:

KEY PLAN:

REVISIONS:

NO.	DATE	DESCRIPTION
0A	10/16/2024	INITIAL REVISION

PROJECT TITLE:

YAMPA

PROJECT LOCATION:

SHEET TITLE & DESCRIPTION:

TYPICAL EQUIPMENT & FENCE DETAILS

ELEVATION DRAWINGS

PROJ NUM:

DES: S. WILSON

DWN: A. BRYSON

CHK:

APV:

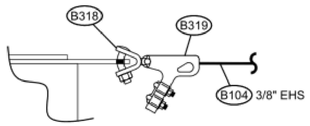
DATE: 10/16/2024

SCALE AT 24" x 36":

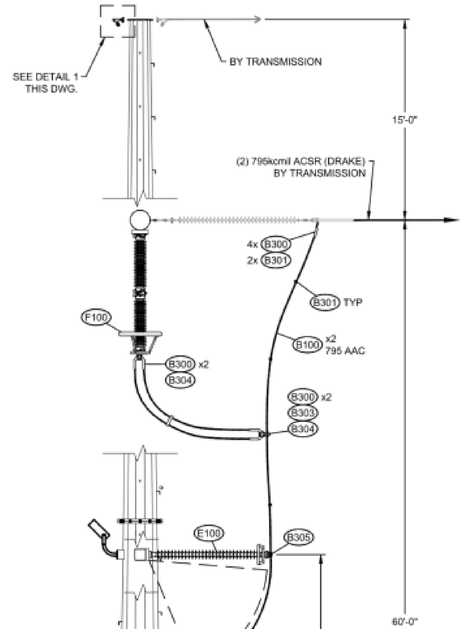
NTS

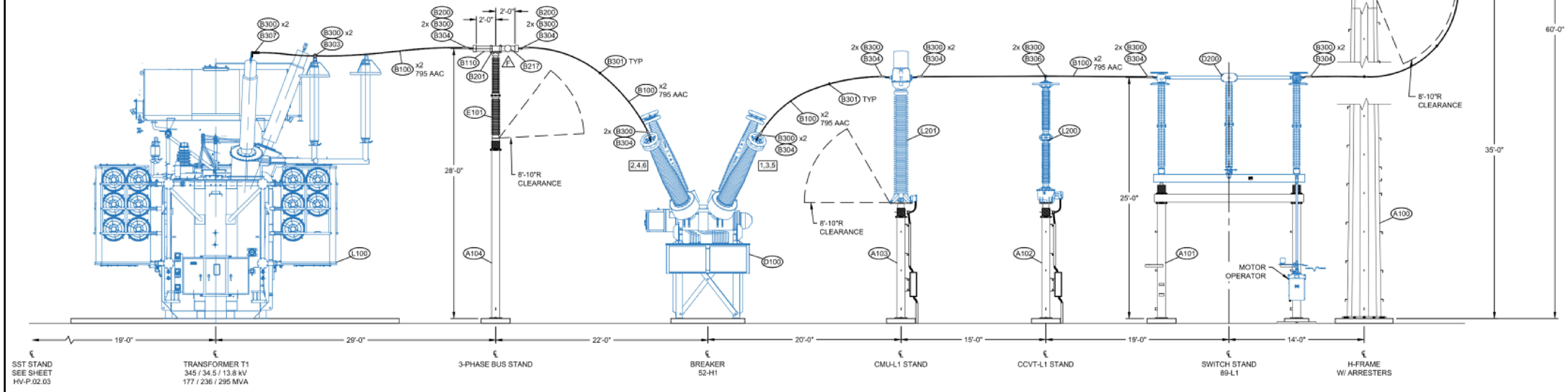
SHEET NO: PV-E.05.01

REV: 0A



DETAIL 1
TYPICAL OF ALL STATIC WIRE CONNECTIONS





ELEVATION B-B

ELEVATION KEY

- (X000) BILL OF MATERIAL DESIGNATION
- (X000*) FOR DAMPING PURPOSES
- [#] BREAKER/TRANSFORMER BUSHING DESIGNATION
- ⚠ BUS CONNECTION DESIGNATION
  F = FIXED
  S = SLIP
  E = EXPANSION

CLEARANCES

*NOTE: BELOW ARE MINIMUM CLEARANCES PER TABLE 4-7 FROM IEEE/ANSI C37.30.1. SOME DESIGNED CLEARANCES MAY VARY.

1.1. 345kV CLEARANCE (1300kV BIL)
- PHASE TO PHASE: MIN. 14'-6"
- METAL TO METAL: MIN. 9'-11"
- PHASE TO GROUND: MIN. 8'-10"

1.2. 34.5kV CLEARANCE (200kV BIL)
- PHASE TO PHASE: MIN. 3'-0"
- METAL TO METAL: MIN. 1'-6"
- PHASE TO GROUND: MIN. 1'-3"

GENERAL NOTES

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Salt Lake City, UT 84106-2749
(801) 679 - 3500

PE STAMP:

KEY PLAN:

REVISIONS:

NO.	DATE	DESCRIPTION
0A	10/16/2024	INITIAL REVISION

PROJECT TITLE:
YAMPA

PROJECT LOCATION:

SHEET TITLE & DESCRIPTION:
ELEVATION B-B

PROJ NUM:
DES: S. WILSON
DWN: A. BRYSON
CHK:
APV:
DATE: 10/16/2024
SCALE AT 24" x 36": NTS

SHEET NO: HV-P.02.02
REV: 0A

GENERAL NOTES

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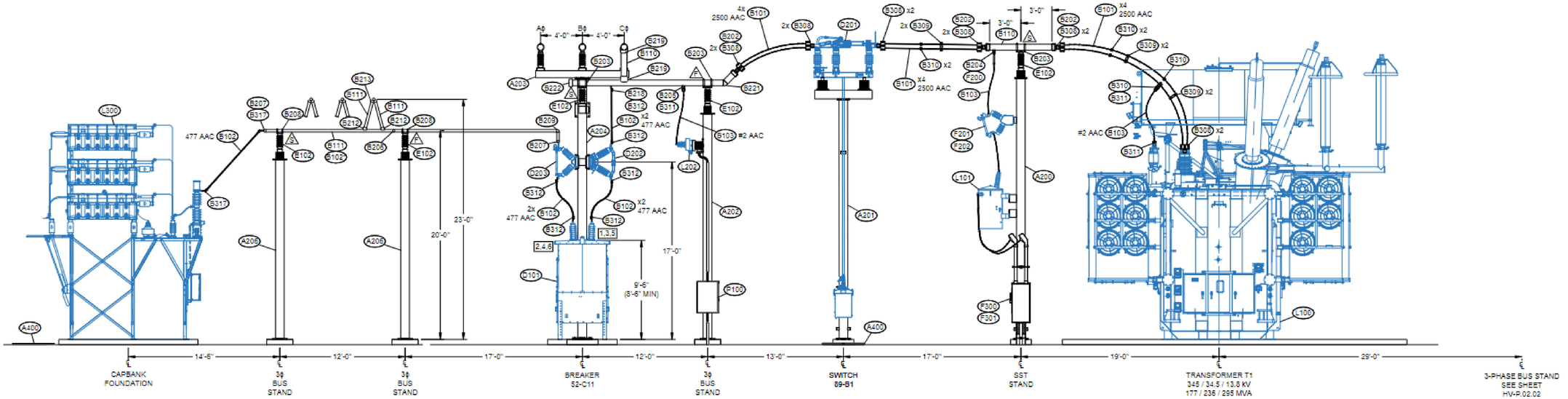
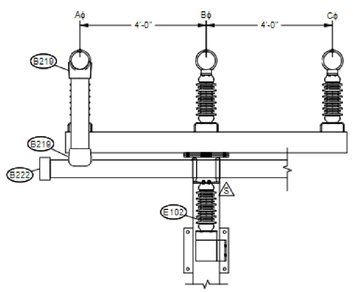
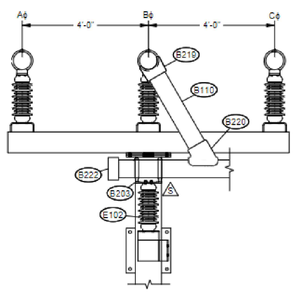




A-PHASE DETAIL



B-PHASE DETAIL

ELEVATION C-C

ELEVATION KEY

- (X000) BILL OF MATERIAL DESIGNATION
- (X000) FOR DAMPING PURPOSES
- [F] BREAKER/TRANSFORMER BUSHING DESIGNATION
- BUS CONNECTION DESIGNATION
  F = FIXED
  S = SLIP
  E = EXPANSION

CLEARANCES

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PHASE TO PHASE: MIN. 3'-0"
METAL TO METAL: MIN. 1'-6"
PHASE TO GROUND: MIN. 1'-3"

PRELIMINARY
NOT FOR CONSTRUCTION

aes
2180 South 1300 East, Suite 600
Salt Lake City, UT 84106-2749
(801) 679 - 3500

PE STAMP:

KEY PLAN:

REVISIONS:

NO.	DATE	DESCRIPTION
0A	10/16/2024	INITIAL REVISION

PROJECT TITLE:
YAMPA

PROJECT LOCATION:

SHEET TITLE & DESCRIPTION:
ELEVATION C-C

PROJ NUM:
DES: S. WILSON
DWN: A. BRYSON
CHK:
APV:
DATE: 10/16/2024
SCALE AT 24" x 36": NTS

SHEET NO: HV-P.02.03
REV: 0A

GENERAL NOTES

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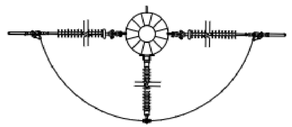
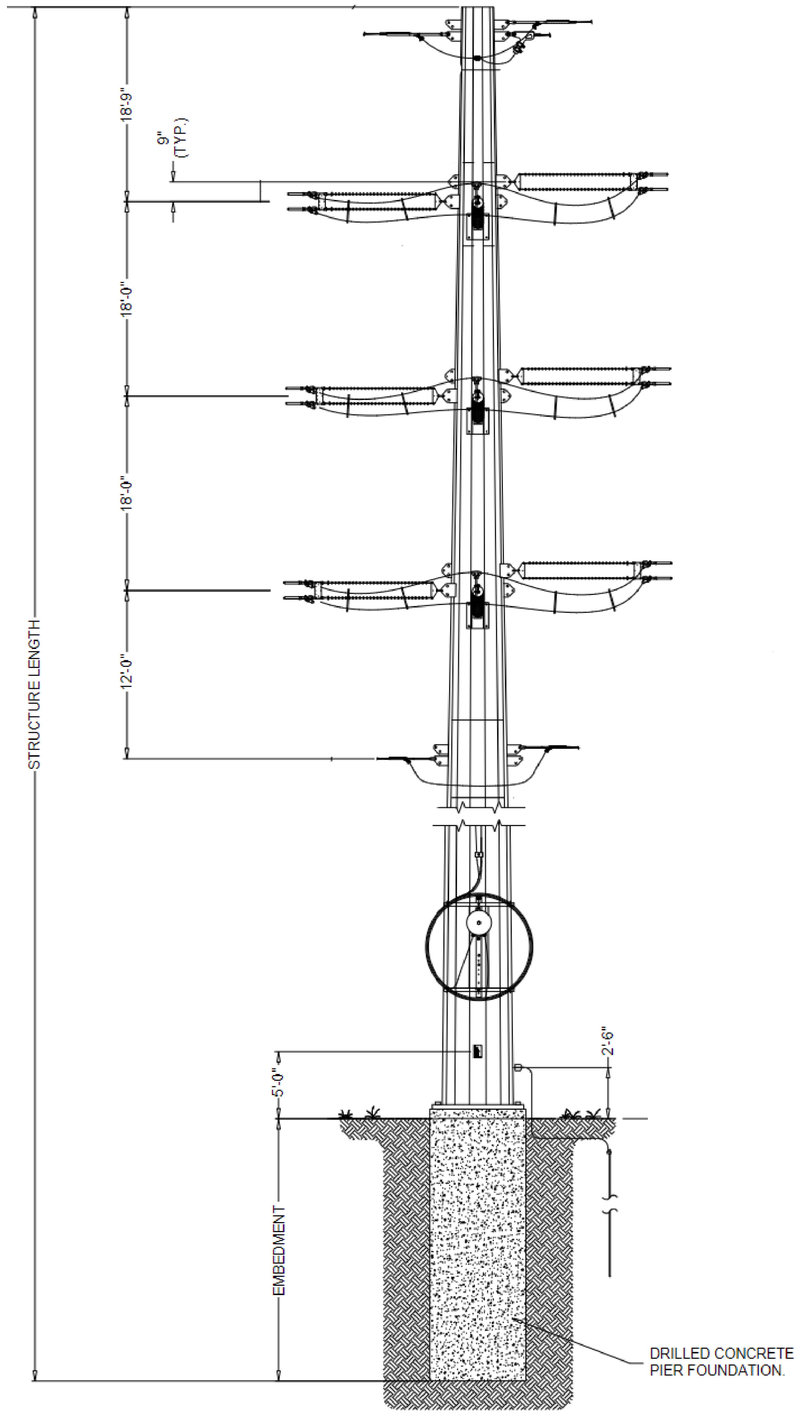


PLAN VIEW



PRELIMINARY
NOT FOR CONSTRUCTION

aes
2180 South 1300 East, Suite 600
Salt Lake City, UT 84106-2749
(801) 679 - 3500

PE STAMP:

KEY PLAN:

REVISIONS:

NO.	DATE	DESCRIPTION
0A	10/16/2024	INITIAL REVISION

PROJECT TITLE:

YAMPA

PROJECT LOCATION:

SHEET TITLE & DESCRIPTION:

VERTICAL
SELF-SUPPORTING
STEEL DEAD-END

PROJ NUM:

DES: S. WILSON

DWN: A. BRYSON

CHK:

APV:

DATE: 10/16/2024

SCALE AT 24" x 36":

NTS

SHEET NO: 345kV-DE-ES

REV: 0A

GENERAL NOTES

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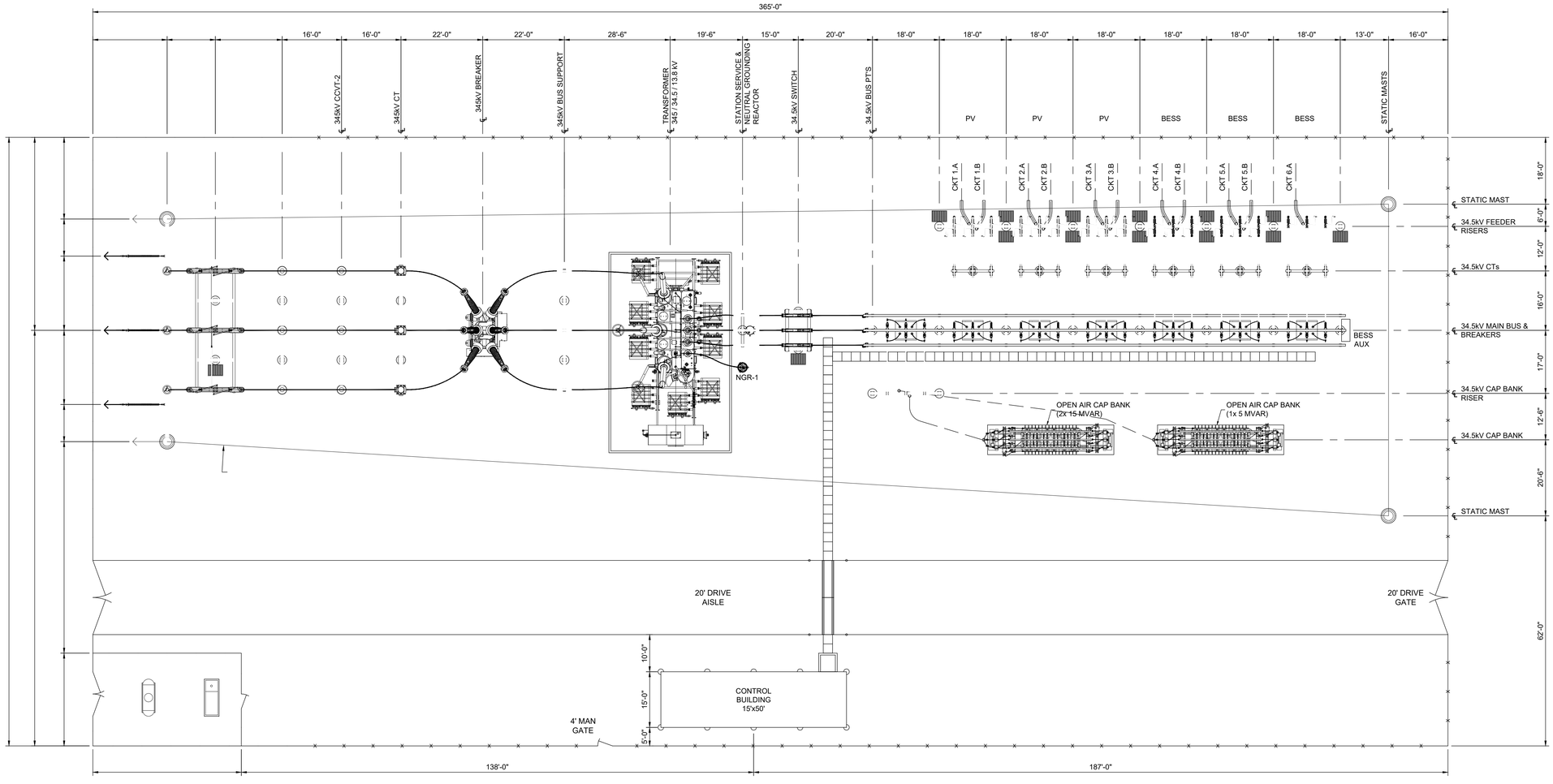

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NOT FOR CONSTRUCTION

aes
2180 South 1300 East, Suite 600
Salt Lake City, UT 84106-2749
(801) 679 - 3500

PE STAMP:

KEY PLAN:

REVISIONS:

NO.	DATE	DESCRIPTION
0A	10/16/2024	INITIAL REVISION

PROJECT TITLE:

YAMPA

PROJECT LOCATION:

SHEET TITLE & DESCRIPTION:

GENERAL ARRANGEMENT

PROJ NUM:	
DES:	S. WILSON
DWN:	A. BRYSON
CHK:	
APV:	
DATE:	10/16/2024

SCALE AT 24" x 36":

NTS

SHEET NO:	REV:
HV-P.01.01	0A

GENERAL NOTES

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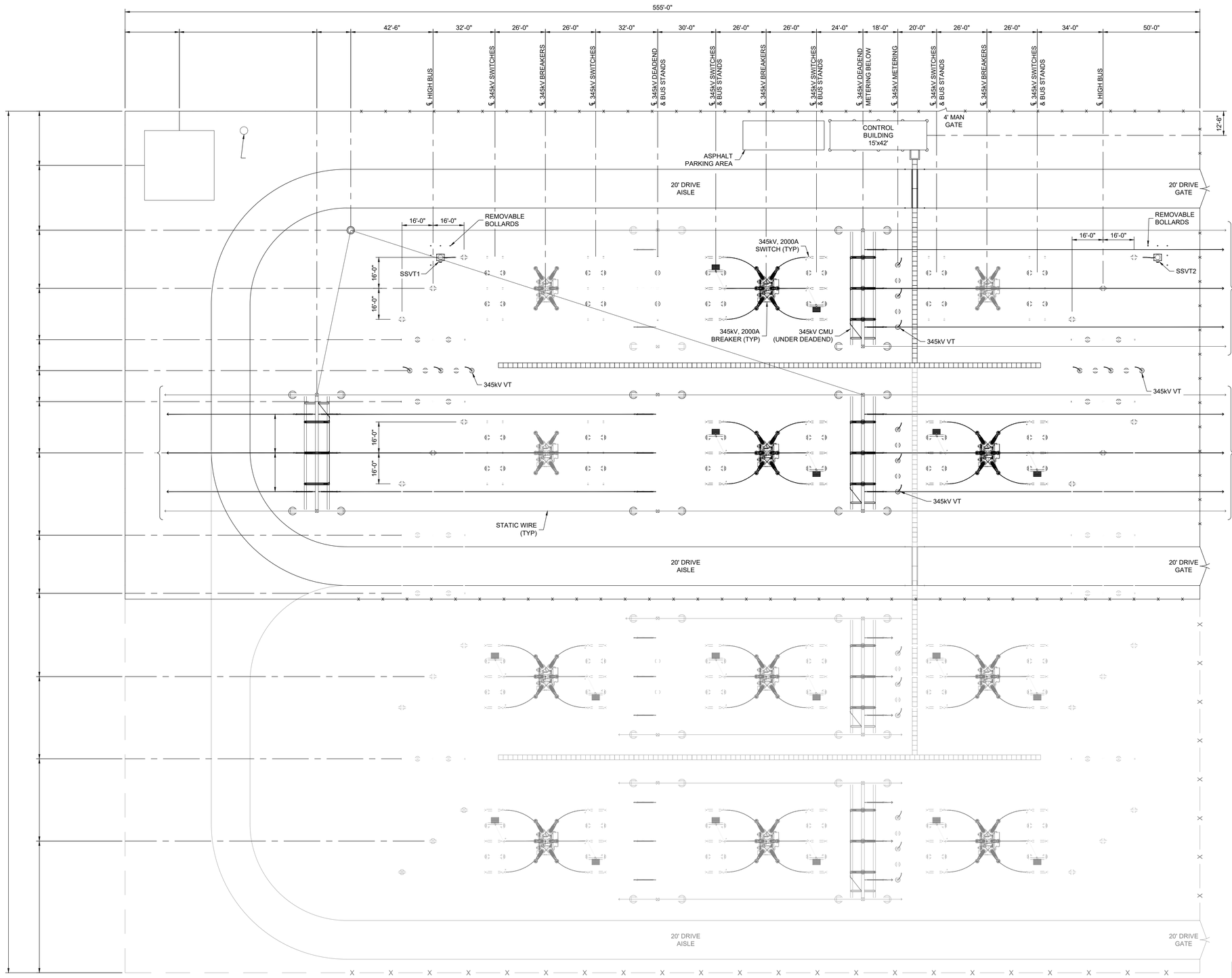


PRELIMINARY
NOT FOR CONSTRUCTION

aes
2180 South 1300 East, Suite 600
Salt Lake City, UT 84106-2749
(801) 679 - 3500

PE STAMP:

KEY PLAN:

REVISIONS:

NO.	DATE	DESCRIPTION
0A	10/16/2024	INITIAL REVISION

PROJECT TITLE:

YAMPA

PROJECT LOCATION:

SHEET TITLE & DESCRIPTION:

GENERAL PLAN
345KV SWITCHYARD

PROJ NUM:	
DES:	S. WILSON
DWN:	A. BRYSON
CHK:	
APV:	
DATE:	10/16/2024

SCALE AT 24" x 36":

NTS

SHEET NO:	REV:
HV-P.01.02	0A

STATEMENT OF TRANSPORTATION CONSTRUCTION IMPACTS

YAMPA VALLEY SOLAR PROJECT

Moffat County, Colorado

Prepared By:

AES Clean Energy
282 Century Place, #2000
Louisville, CO 80027
Contact: Libby Fortin, Permitting Project Manager
Phone: 603-670-8970

October 2024

TABLE OF CONTENTS

1.0 INTRODUCTION

Yampa Valley Solar, LLC (Applicant) prepared this Statement of Transportation Construction Impacts (Statement) for the proposed Yampa Valley Solar Project (Project) located in unincorporated Moffat County, Colorado (County; Figure 1). The Project is a utility-scale photovoltaic (PV) solar facility generating up to 200 megawatts (MWac), with an integrated battery energy storage system (BESS, 4-hour duration) storing up to 100 MWac. The Project area would be located on nine parcels totaling approximately 3,850 acres of privately-owned land (Figure 2). The fenced area of the Project, containing actual solar facility components, would make up approximately 1,466 of the 3,850 acres. Key components associated with the Project would include PV solar panels and arrays mounted on a SAT system, a new substation, a battery energy storage facility, an operations and maintenance building, and other appurtenant equipment.

As part of Moffat County's Solar Energy Facility (SEF) Conditional Use Permit (CUP) application, the Applicant must prepare a Statement of Transportation Construction Impacts.

2.0 RULES AND REGULATIONS FOR MOFFAT COUNTY ROAD DEPARTMENT

Moffat County manages right-of-way access, extra-legal vehicle or load travel, and maintenance activities along County roadways by issuing permits in accordance with the *Rules and Regulations for Moffat County Road Department*. The following County roadway permits may be required for the Project.

2.1 Road Maintenance Permit for Private Entities (Resolution 2005-114)

Moffat County has authority to allow private individuals or companies to perform maintenance on all or part of a County road with issuance of a Road Maintenance Permit for Private Entities from the Moffat County Road and Bridge Department (Road Department). Maintenance work may include but not be limited to blading, surface replacement, dust abatement, spot repairs, slide removal, ditch cleaning, culvert cleaning, brush removal, litter cleanup, weed control and snow removal. The County can determine at its discretion which County roads it will allow a private individual or company to maintain.

2.2 County Transport Permits (Resolution No. 2010-102)

The Road Department is authorized to adopt permits for oversize and overweight vehicles traveling on County roads, pursuant to the provisions of Colorado Revised Statutes (CRS) sections 42-4-501 through 42-4-510. Available transport permits from the County include a Single Trip Permit, Special Permit, Annual Permit, and Annual Fleet Permit. Through issuance of transport permits authorized under this regulation, the Road Department may include permit conditions such as:

1. Limitations on the number of vehicle trips;
2. Seasonal restrictions or other time limitations to project operations;
3. Limitations to project operations to protect the safety of highway users, the efficient movement of traffic, or the County roads from undue damage; and
4. Securities to compensate for potential injury or property damage.

2.3 Right-of-Way Access Permit

The Moffat County Road Department requires issuance of a Right-of-Way Access Permit to construct a driveway approach for access to any property off a County road. The type of construction is designated and/or approved by the Road Department, including all materials to be used, which may be subject to inspection and approval. Proper warning signs and

traffic signals must also be installed. All work is required to be completed within 45 days of the Permit date.

3.0 PROJECT SITE ACCESS

The Project site's proposed access for construction worker and delivery vehicles would likely be from State Highway 40 (SH 40) via County Road (CR) 30 to two future site entrances proposed along the southeastern edge of the Project area (Figure I-1). A brief description of these access roads and points is provided below. Prior to construction, the Applicant and/or its contractors will confirm the best routes for both hauling and passenger vehicular traffic in conjunction with the Road Department.

3.1 State Highway 40

SH 40 is a major east–west route in Colorado. The portion of SH 40 closest to the Project site, between the outskirts of Craig and Maybell, is a two-lane paved road with a posted speed limit of 65 miles per hour. There is no shoulder or highway divider on this section of SH 40. The turnoff from SH 40 to CR 30 to access the Project site occurs between mile-markers 88 and 89. The roadway is classified as a principal arterial route and a national truck route (CDOT 2024).

3.2 County Road 30

CR 30 is a two-lane rural road that transitions from being paved to being unpaved in closer proximity to the Project site. The travel route is approximately 30-feet-wide with a posted speed limit of 35 mph in the portion traveled for this route. The road surface appears to be in good condition.

3.3 Site Entrances

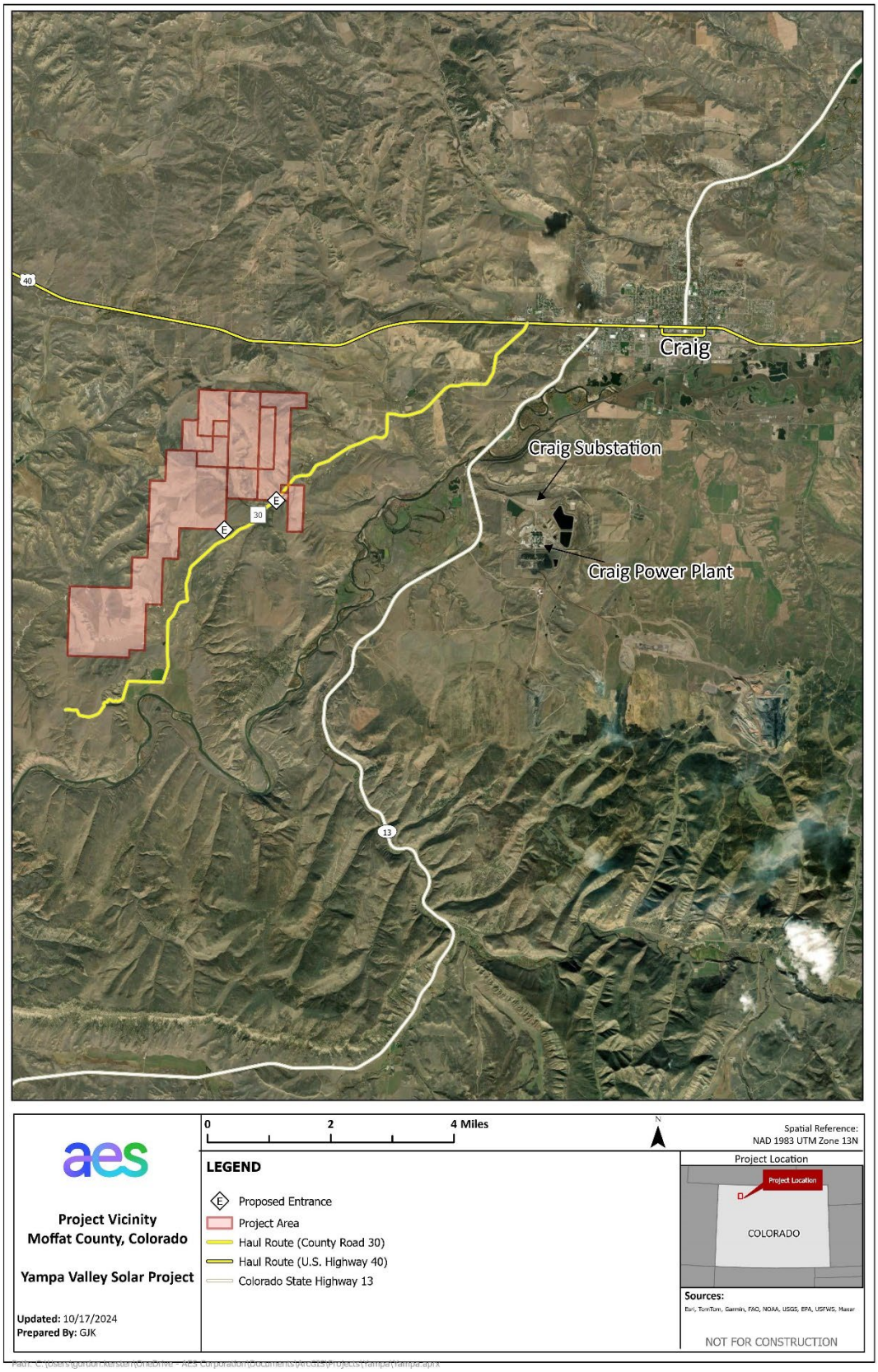
Two site entrances (or access points) are proposed, both providing access from CR 30 into the Project site to the north (Figure I-1). Per the rules of the County Road Department, each permanent access road used for ingress or egress would be approved with an individual Right-of-Way Access Permit and constructed to County specifications.

3.4 On-site Access Roads

To provide sufficient accessibility within the Project site, gravel surfaced roads would be constructed. The on-site access roads would be designed to a width of 20 feet and 50 to 70 feet interior turning radius to support vehicular traffic for initial delivery of equipment and materials and long-term operations and maintenance of the solar facility and ancillary infrastructure. On-site parking and outdoor storage areas would be stabilized with gravel to minimize dust and impacts to adjacent properties. During construction, appropriate setbacks would be used for construction staging area (both within and outside the Project site) and on-site equipment and materials laydown areas from any adjacent property with residential dwelling.

Upon submittal of the CUP application with the Project-based preliminary site design and prior to construction permitting with the detailed site design, the Applicant and/or its designated contractor will consult with Craig Rural Fire Protection District to verify that on-site access roads meet their standards for emergency response.

Figure I-1. Project Haul Route and Site Access Points



4.0 PROJECT TRAFFIC IMPACTS

4.1 Construction Traffic

Construction of the utility-scale solar energy facility is expected to occur over an approximately 2-year period, beginning in the second calendar quarter of 2027. The Project is expected to be operational by the second quarter of 2029. The vehicular traffic that would be generated during the three main phases of the solar facility construction and operation are as follows:

1. **Site Preparation.** Approximately 4 to 6 months of site preparation including installation of access driveways with culverts, erecting perimeter fencing, constructing drainage structures, as well as performing civil engineering work to survey, stake, and prepare the surface (grading and earthwork) as necessary for the construction of the facility. This phase of construction would require an average of 20 to 40 pickup truck trips per day and 15 to 20 tractor-trailer trips per day delivering equipment or materials to the Project site.
2. **Primary Construction.** Approximately 10 to 12 months of primary construction activities including delivery of solar modules and racking, installation of racking and modules, as well as solar facility-related electrical work. This phase of construction would entail an average of 150 to 200 pickup truck trips per day and 10 to 15 tractor-trailer trips per day with equipment or materials at the peak of facility or infrastructure construction.
3. **Preparation for Operation.** Approximately 2 to 4 months of final work, connection and testing, commissioning, and site cleanup. This phase of the Project would involve an average of 20 to 40 pickup truck trips per day but just one tractor-trailer trip per week.

The magnitude and significance of traffic impacts during Project construction would be temporary in duration.

4.1.1 Traffic Management Plan

A detailed study of traffic impacts is more effective closer to the construction phase, as the final site design; local traffic conditions; workforce availability; and the nature of construction traffic (i.e., time of transport, number of vehicles, frequency of trips, and vehicle characteristics) are better understood. During the pre-construction phase of the Project the Applicant would hire an engineering, procurement, and construction (EPC) contractor, including an Engineer on Record (EoR), who will complete a detailed traffic study and prepare a Traffic Management Plan acceptable to the Moffat County Road Department. If impacts to or conflicts with local traffic are identified during the traffic analysis, mitigation or corrective measures would be identified in the Traffic Management Plan. Any necessary Special Transport Permits for the infrequent instances of oversize/overweight vehicles would be detailed in the Traffic Management Plan and obtained prior to the start of construction.

4.1.2 Road Conditions Analysis and Road Use Plan

The future EPC company, together with the EoR, would also be contracted by the Applicant to prepare a pre-construction Road Conditions Analysis of the selected haul/access route roads (primary and secondary routes within existing roadways) to characterize the road condition baseline and establish the pre-construction to post-construction road quality expectations. Once the pre-construction road survey and analysis report is finalized, the Applicant would share this document with Moffat County Road Department.

Following discussions with the Road Department, the EPC contractor would prepare a Road Use Plan to reflect the Applicant's responsibilities to minimize construction traffic-related

road damage and potential travel delays during repair. The Applicant would also coordinate with the Moffat County Road Department Director to determine whether a bond or financial security is needed from the Applicant to cover potential damage to County roads.

Should severe road damages occur as a result of Project construction, the Applicant would assess the damages through post-inspections of the haul and access route roadways, coordinate with the Road Department, and if necessary, conduct essential repairs as soon as feasible. All necessary County Road Maintenance Permits would be obtained for work to maintain or repair the Project-affected County roadway network, prior to commencing such work.

4.2 Operational Traffic

During the operations phase, the number of trips generated by the solar energy facility is expected to be significantly less than during the construction phase, approximately 6 to 10 per week. Based on the overall low number and infrequency of vehicle trips during the facility operations, the Project is not anticipated to result in significant traffic impacts in the long term.

5.0 CONCLUSIONS

This Statement is designed to review the exiting roadway network, consider construction traffic, and address potential traffic impacts. The proposed haul and access routes (including bridge ratings within existing roadways) would be reviewed and approved by the Moffat County Road Department prior to construction. During the Project's construction permitting process, a Traffic Study and Traffic Management Plan for the haul and access routes would be submitted to the Road Department to minimize potential impacts to or conflicts with local traffic. A Road Conditions Analysis and Road Use Plan would be prepared and submitted to the County Road Department to ensure all roadways used for Project construction are returned to pre-construction conditions.

As Moffat County changes over the 35-year lifespan of the Project, this Statement may need to be refreshed accordingly via mutual agreement between the County and the Applicant.

6.0 REFERENCES

Colorado Department of Transportation (CDOT). 2024. Highway Data Explorer. *Online Transportation Information System*. https://dtdapps.coloradodot.info/otis/HighwayData. Accessed April 10, 2024.

DUST AND WIND EROSION CONTROL PLAN

YAMPA VALLEY SOLAR PROJECT

Moffat County, Colorado

Prepared By:

AES Clean Energy
282 Century Place, #2000
Louisville, CO 80027
Contact: Libby Fortin, Permitting Project Manager
Phone: 603-670-8970

October 2024

TABLE OF CONTENTS

1.0 INTRODUCTION

Yampa Valley Solar, LLC (Applicant) prepared this Dust and Wind Erosion Control Plan (Plan) for the proposed Yampa Valley Solar Project (Project) located in unincorporated Moffat County, Colorado (County). The Project is a utility-scale photovoltaic (PV) solar facility generating up to 200 megawatts (MWac) with an integrated battery energy storage system (BESS, 4-hour duration) storing up to 100 MWac. The Project area would be located on nine parcels totaling approximately 3,850 acres of privately-owned land. The fenced area of the Project, containing actual solar facility components, would make up approximately 1,466 of the 3,850 acres. The remaining 2,384 acres of the land base would be left undeveloped to avoid and minimize potential impacts to environmental resources in the Project vicinity. Key components associated with the Project would include PV solar panels and arrays mounted on a SAT system, a new substation, a battery energy storage facility, an operations and maintenance building, and other appurtenant equipment.

As part of Moffat County's Solar Energy Facility (SEF) Conditional Use Permit (CUP) application, the Applicant must prepare a Dust and Wind Erosion Control Plan (Plan). This initial Plan contains practices to prevent or reduce the amount of dust or soil erosion caused by wind. Dust control is important because of the potential impact of air quality on the health of construction workers and nonpoint pollution of waterbodies in the Project vicinity. Wind erosion or dust control best management practices (BMPs) help to keep soil particles from entering the air as a result of land disturbing construction operations.

2.0 SOURCES OF FUGITIVE DUST

Fugitive dust is small airborne particles called particulate matter, created when dust particles are lifted into the air by mechanical forces or turbulent air currents, such as wind erosion. Sources of fugitive dust can be both natural and human, where natural source of fugitive dust is wind erosion especially in dry, arid conditions, and areas of sparse vegetation.

The primary sources of fugitive dust emissions at a utility-scale solar energy development project site include unpaved roads, aggregate and topsoil storage piles, land disturbing construction activities (grading, earthwork, and other ground disturbance), and post construction unvegetated areas. Dust is generated at solar energy development project sites during land clearing, terrain shaping, earth moving, construction and decommissioning activities. Site preparation and construction phases of solar facility development are the key periods needing appropriate fugitive dust control measures and best practices. Despite the best attempts to control dust at a project site, there can be areas and times when elevated dust concentrations can occur during land development activities. Dust affecting ambient air quality from land clearing and construction is a short-term impact.

3.0 DUST CONTROL MEASURES

Dust control consists of applying water or other dust suppressants as necessary to prevent or alleviate erosion by the forces of wind. Soil erosion by wind becomes a problem when natural vegetation is removed or depleted. Dust control measures reduce the potential for construction activities to generate dust from disturbed soil surfaces.

Fugitive dust emissions at the Project site would be managed using appropriate dust control measures and best practices. Specific dust control measures include the following BMPs:

- **Dust suppressants:** apply water or chemical dust palliatives to prevent or reduce fugitive dust from construction sites and unpaved roads.
- **Surface covering:** cover aggregate and topsoil storage piles to minimize fugitive dust; cover open-bed trucks transporting materials like aggregate and soil.

- **Vegetation:** maintain vegetative ground cover (using appropriate seed mix and seeding level) to protect the disturbed soils; mowing and grubbing can be used to maintain plant root systems for soil stabilization.
- **Land disturbance and soil stabilization:** minimize the amount of soil that is disturbed (grading and earthwork) during construction; use vegetation, mulching, or other methods to rapidly stabilize exposed soils.
- **Vehicular traffic and unpaved roads:** reduce vehicle travel speeds within the project site (larger and faster vehicles create more dust); stabilize haul/access roads and directing/restricting construction traffic to stabilized roadways and designated parking areas.
- **Construction schedule:** phasing construction activities to minimize the amount of exposed soil.
- **Personnel training:** project personnel would be trained in awareness and alignment with the dust control plan.

4.0 FUTURE DUST CONTROL PLANNING AND MONITORING

Upon completion of the final site plan for Project construction permitting, the Applicant's engineering, procurement, and construction (EPC) contractor would secure a General Construction Permit – Air Pollution Emission Notice (APEN) through Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division. An APEN ensures compliance with the federal Clean Air Act and Colorado Air Quality Regulation 3, regulating dust and equipment emissions during construction of the solar facility. Acquisition of an APEN requires completion of APEN Form APCD-223 and preparation of a final version of this Plan, titled the Fugitive Dust Control Plan (FDCP).

The EPC contractor would complete the APEN application prior to initiation of the construction phase, and it is anticipated to take 30 to 60 days to secure the permit after application submittal to CDPHE. Once the APEN is acquired, the Applicant's EPC contractor would be responsible for fully implementing the FDCP measures and best practices to prevent or reduce dust and wind erosion during site preparation and facility construction activities. The EPC contractor would implement air pollution emission monitoring, recordkeeping, and reporting procedures to confirm execution of the FDCP. As required, FDCP monitoring reports would be submitted to CDPHE and Moffat County.

An Operations and Maintenance Plan would also be developed prior to the solar energy facility's commercial operation date, which would include dust and wind erosion control measures to be implemented throughout the life of the project.

WEED AND INVASIVE SPECIES MANAGEMENT PLAN

YAMPA VALLEY SOLAR PROJECT

Moffat County, Colorado

Prepared By:

AES Clean Energy
282 Century Place, #2000
Louisville, CO 80027
Contact: Libby Fortin, Permitting Project Manager
Phone: 603-670-8970

October 2024

TABLE OF CONTENTS

1.0 INTRODUCTION

Yampa Valley Solar, LLC (Applicant) prepared this Weed and Invasive Species Management Plan for the proposed Yampa Valley Solar Project (Project) located in unincorporated Moffat County, Colorado (County; Figure 1). The Project is a utility-scale photovoltaic (PV) solar facility generating up to 200 megawatts (MWac) with an integrated battery energy storage system (BESS, 4-hour duration) storing up to 100 MWac. The Project area would be located on nine parcels totaling approximately 3,850 acres of privately-owned land (Figure 2). The fenced area of the Project, containing actual solar facility components, would make up approximately 1,466 of the 3,850 acres. The remaining 2,384 acres of the land base would be left undeveloped to avoid and minimize potential impacts to biological resources in the Project vicinity. Key components associated with the Project would include PV solar panels and arrays mounted on a SAT system, a new substation, a battery energy storage facility, an operations and maintenance building, and other appurtenant equipment.

As part of Moffat County's Solar Energy Facility (SEF) Conditional Use Permit (CUP) application, the Applicant must prepare a Weed and Invasive Species Management Plan (Plan). Noxious weeds are non-native, invasive plants that displace desirable native plants. They can cause significant damage to native ecosystems by outcompeting other plants for resources, disrupting wildlife habitats, and impacting agricultural productivity. Areas of disturbed soil provide an optimal location for noxious weed establishment and subsequent invasion. Noxious weeds can spread through various methods like wind and water dispersal of seeds, animal transport, contaminated machinery, and human activity, thus making them difficult to control once established. The weeds often have rapid growth rates and lack natural control to limit their population growth. The intent of this Plan is to provide a comprehensive approach to preventing and controlling invasion/spread of noxious weeds and other invasive plants that could arise from Project construction and operation activities.

2.0 REGULATORY BACKGROUND

2.1 Colorado Noxious Weed Act (CRS § 35-5.5-101 — 35-5.5-119) and Noxious Weed Rule (8 CCR 1206-2)

Colorado enacted the Noxious Weed Act (CRS § 35-5.5-101 — 35-5.5-119) in 1990 and updated it in 2003 to include a prioritized list. Colorado's weed list is divided into List A, B, C and Watch Lists that are based on the occurrence of the different weeds within Colorado and within regions of Colorado. List A weeds are ones not known to occur in Colorado or whose populations are limited. List A weeds must be eradicated. List B weeds may be widespread in some areas and limited in others. The Colorado Department of Agriculture (CDA) determines where list B populations must be eradicated, contained, or suppressed. List C weeds are common and widespread. Their control is recommended.

Under the Noxious Weed Act, the Board of County Commissioners (BOCC) of each county in Colorado adopts and administers a Noxious Weed Management Plan for all unincorporated land within the county. It also directs the BOCC to appoint a local Weed Advisory Board (WAB). Management plans are regularly reviewed and updated according to the *Rules Pertaining to the Administration and Enforcement of the Colorado Noxious Weed Act* (8 CCR 1206-2), or the "Noxious Weed Rule".

2.2 Moffat County Weed Management Plan (March 2017)

Moffat County's Weed Management Plan (WMP) meets the requirements of the Colorado Noxious Weed Act and rules pertaining to the administration and enforcement of the act. The WMP serves to communicate noxious weed treatment and prevention requirements for landowners and managers within County jurisdiction. The roles and responsibilities of stakeholders within Moffat County are also defined. Per the WMP, noxious weeds should be

managed using integrated management techniques that are appropriate for the phenology and location of the weed species of interest.

3.0 NOXIOUS WEED MANAGEMENT

Construction and operation activities at the Project site have the potential to introduce new noxious weed species to the site or spread existing species on or off the site. This Plan was developed to prevent further invasion and spread of noxious weeds in compliance with CDA and County regulations. Periodic reviews and updates to this Plan would be completed as necessary to keep it current with noxious weed control issues. This Plan would be implemented throughout the life of the Project.

Appropriate management actions would be implemented whenever noxious weed species are observed growing within the Project site. The goals of weed management are to:

1. Identify and manage noxious weeds within and immediately adjacent to the project areas to be disturbed and after the disturbed lands have been reclaimed.
2. Conduct pre-treatment and post-treatment evaluations and continue or modify the treatment measures as necessary.
3. Minimize the potential for transportation and importation of noxious weed species.
4. Educate field personnel to encourage compliance with weed management program goals and assist with invasive species identification and control efforts.

To prevent or minimize the infestation and spread of noxious weeds, periodic inspections of the Project site during the beginning, middle, and end of the growing season would evaluate presence or absence, degree of invasion, and the response of previous treatments. The Applicant and/or contract operational staff would conduct regular site inspections and ensure implementation of this Plan. Specific treatment methodologies and timetables would be developed based on species of concern, location and extent of the infestation(s), and other pertinent factors. Early detection and rapid response are essential for effective control of noxious weeds, thus identifying and managing small infestations before they spread widely is important.

3.1 Noxious Weed Prevention

Noxious weeds are spread through dispersal of seed and/or transport of plant propagules (i.e., spores, roots, rhizomes, etc.). The most effective way to control noxious weeds is to prevent their introduction into the site in the first place. A combination of methods and practices would be employed to prevent the introduction of noxious weed species and their regeneration within the Project site.

The following methods and practices may be employed, either singly or in combination, to prevent the introduction of noxious weeds into the solar energy facility area:

1. A thorough cleaning of construction equipment, to the extent practicable, before entering the Project site to prevent the introduction of seed and plant propagules from other sites.
2. Seed mixtures used for revegetation or temporary site stabilization would be free of noxious weeds.
3. Hay, straw, and/or other materials used for mulch or other purposes would be certified weed-free.
4. A periodic inspection would be conducted to identify any new weed infestations that may have occurred. Any new infestations would be scheduled for management before they become well established and/or spread.

5. Communication and coordination would occur with adjacent landowners whose property is infested with noxious weeds that may threaten the Project site. Establishing partnerships for weed management within the local area is essential for successful long-term weed management.
6. Noxious and invasive weed infestations that threaten natural and reclaimed areas would be treated with accepted Integrated Weed Management (IWM) methods. IWM combines multiple control methods like hand pulling, herbicides, biological controls, and grazing management. The IWM-based methods are further discussed below.

3.2 Integrated Weed Management

An Integrated Weed Management approach would be implemented for the treatment of noxious weeds within the Project site. An IWM approach enables selection of one or more weed management methods based on site-specific environmental conditions and control needs. The following weed management methods would be considered for the Project site:

1. Cultural – Planting native or desirable plant species for site colonization and promoting healthy vegetation communities in reclaimed areas. Prevent unnecessary land disturbance through precise planning of construction and operation activities. Prompt revegetation of the disturbed areas.
2. Mechanical – Mowing, pulling, disking, and plowing may be used on weedy species for which these treatments are effective.
3. Biological – Introduction of insects or other biologic agents which are known to inhibit or prevent reproduction of noxious weed species. If biological agents are employed, control methods would be coordinated with the Colorado Department of Agricultural Insectary in Palisade, Colorado.
4. Chemical – Application of appropriate herbicides by a licensed applicator. All herbicides would be applied in accordance with the manufacturer's label and in accordance with Colorado laws.
5. In some cases, only one control method for noxious weed may be warranted, while in other cases a combination of control methods may be appropriate. Control methods selected would be dependent upon species of concern, and the location and extent of the infestation.
6. The use of IWM methods would protect pollinators, reduce hazards to wildlife, reduce the possibility of herbicide resistance, and minimize persistence and mobility of herbicides in the soil. Weed control methods and practices would be applied in a manner that conforms to applicable federal, state, and local laws.

3.2.1 Cultural Control

Germination and establishment of noxious weeds can be reduced by following accepted revegetation of ground cover and vegetation management techniques that favor the growth of desirable native plant species. These include prompt seeding and revegetation of disturbed areas with appropriate seed mixes, maintaining optimum soil fertility and moisture levels, planting at optimum density of pure live seed, minimizing use of fertilizers, and selecting suitable species for revegetation. The seed mix would be developed in coordination with the landowners, the local conservation district, and the Natural Resources Conservation Service. Minimizing areas of disturbance and exposed soil prevents opportunities for aggressive weed species to establish.

A revegetation plan would be developed for the Project site that utilizes native plant species that are well-adapted to the site. Seeding native species in conjunction with other vegetation

management practices would provide limited level of competition with noxious weeds and minimize the opportunity for new infestations to become established.

3.2.2 Mechanical Control

Mechanical control of noxious weeds can be an effective tool to physically disrupt noxious weed growth and seed development. A combination of mechanical methods may be used including tilling or disking, mowing, hand-held weed trimmers, mulching, hand-pulling, hoeing, or livestock grazing. Mechanical weed control practices must be applied with correct timing to maximize their effectiveness in preventing vegetation development or seed production.

Annual weedy species may be readily controlled with mowing or physical removal. Perennial species such as Dalmatian toadflax have extensive root systems. For such weed species, mowing may only control seed production without seriously affecting the plant's survival. Mowing after seed production has occurred may spread the plants. Disking or tilling areas containing perennial noxious species may increase the area of infestation due to root sprouting. In most cases, mechanical control methods used alone are not effective against noxious weed species.

3.2.3 Biological Control

Biological control of noxious weeds can be an effective tool to physically disrupt plant growth and seed development. A combination of biological methods may be used including introduction of insect weed predators and species-specific plant diseases. Biological weed control methods and practices would be applied with appropriate timing to maximize their effectiveness in preventing seed production. It must be noted that the use of biological controls normally does not eradicate an infestation of weeds; rather they are capable of reducing weed species vigor and reproduction. The CDA's Biological Pest Control Program has on-going biological control programs for several noxious weed species. Note, the use of insect bio-controls typically require large populations of the target weed to sustain the population of bio-control agents. Biological controls should not be expected to eliminate the entire infestation of a noxious weed, but instead to bring the infestation down to a more manageable level.

3.2.4 Chemical Control

Chemical control of noxious and invasive weeds can be an effective tool to disrupt plant growth and seed development. Herbicides can kill targeted species, prevent development and/or germination of noxious weed seed, can be used with minimal disturbance to soils, and in some cases, can be selective to specific species or groups of plants. Herbicides must be applied at the appropriate time to maximize their effectiveness in preventing seed production, for disrupting plant establishment and growth, or achieving kill of noxious weed species. To avoid development of resistance to a particular herbicide through repeated use over prolonged periods of time, herbicides with varying modes of action to be used. Also, herbicides would be applied according to manufacturer's label recommendations (i.e., application rate, method, and timing) to prevent development of plant resistance. Herbicide selection would be based on weed emergence, timing of application, past applications, and ground and weather conditions during the applications.

Successful IWM begins with an understanding of the target plant species and the environment within which the species grows. Next, the physiologic effects of a herbicide on plant growth and development must be understood. Understanding a pesticide's chemical nature is also important in minimizing impacts to non-target species, the applicator, endangered species, and pollinators, as well as surface water runoff hazards and leaching into groundwater. Every herbicide label contains information regarding environmental hazards.

This information would be evaluated for each herbicide considered for use at the site and herbicides would be selected which pose minimal to no environmental hazards.

All pesticides would be handled with care and applied by qualified personnel. Properly identifying the weed problem and the most effective chemical control method for use during the plant growth cycle is critical to effective weed control. Equipment would be properly calibrated before herbicides are applied and appropriate Personal Protective Equipment (PPE) would be used. Empty containers would be disposed of promptly, safely and in accordance with product labeling.

Herbicides vary in the amount of time after an application before it is safe to re-enter the treated area without protective clothing and equipment. The site re-entry time is affected by the rate of application, size of the area treated, and the amount of time to be spent in the field. For the safety of employees and contractors, the Restricted Entry Interval (REI) listed on the herbicide's label would be followed. Appropriate herbicide application records would be maintained as specified by the CDA.

3.3 Monitoring and Follow-Up

Even with effective weed management strategies, it often takes several seasons to eradicate or bring weed populations to an acceptable level. With well-established infestations, it is likely that a seed bank has developed in the soil capable of producing new plants for many years. An infestation of weeds can easily re-invade treated areas in one growing season if control and treatment activities are prematurely curtailed. Weed management efforts should be carried out over an adequate number of growing seasons to realize effective weed management within the target area.

As with all weed management, this multi-season effort is best served by effective documentation of control efforts and continued vigilance in successive seasons of management. Information can be used to modify treatment priorities and weed management strategies over time. Vigilance is required against new infestations that may be moving into the site. These new sources of infestation may be worked into prevention and management plans as necessary. This weed management plan would be modified over time as site conditions change. Weed management strategies and priorities can be modified as weed infestations change in response to continued control efforts.

4.0 CONCLUSION

This Plan was written to comply with guidelines in the Colorado Noxious Weed Act (CRS 35-5.5-103), Noxious Weed Rule (8 CCR 1206-2), and the County Noxious Weed Management Plan. The Applicant intends to survey existing noxious weed populations on disturbed or reclaimed lands and treat any List A and List B noxious weed populations located on the Project site. The Project owner/operator would be responsible for maintaining a weed-free property following the solar energy facility construction and decommissioning/reclamation.

5.0 REFERENCES

Colorado Department of Agriculture. 2024. County Weed Programs. https://ag.colorado.gov/conservation/noxious-weeds/county-weed-programs. Accessed April 10, 2024.

Moffat County. 2017. Noxious Weed Management Plan. *March 2017.* *https://moffatcounty.colorado.gov/sites/moffatcounty/files/MC_NoxWeedMgmtPlan%26Attach_merged_03152017.pdf*.

MEMORANDUM

DATE:	October 31, 2024
TO:	Candace Miller, Moffat County Planning Department
FROM:	Libby Fortin, Permitting Project Manager, AES Clean Energy
SUBJECT:	Wildlife Plan Yampa Valley Solar Project, Moffat County, Colorado

Yampa Valley Solar, LLC (Applicant), a wholly owned subsidiary of AES Clean Energy, understands that as part of Moffat County's Solar Energy Facility (SEF) Conditional Use Permit (CUP) application, the Applicant must provide a Grazing, Farming and/or Wildlife Plan. The Applicant would like to provide the attached document to satisfy the requirement for a Wildlife Plan.

The attached letter from Colorado Parks and Wildlife (CPW) outlines the Applicant's consultation and planning efforts with the agency to identify best management practices that avoid or minimize potential wildlife impacts resulting from the Project. Based on the Applicant's agreement to implement these practices, CPW concurs with execution of the Project. The Applicant also contracted local biological resource experts, Western EcoSystems Technology, Inc., to complete an *Ecological Characterization and Natural Resources Planning* report in March 2023. The report supported the discussions with CPW and will be provided to Moffat County separately, as a supplement to the SEF CUP application.

Please contact AES's permitting project manager, Libby Fortin, at elizabeth.fortin@aes.com or 603-670-8970 if you have any questions.

COLORADO
Parks and Wildlife
Department of Natural Resources

Northwest Regional Office
711 Independent Ave.
Grand Junction, CO, 81505
P 970-255-6100 | F 970-255-6111

October 1, 2024

Malcom Pious
Permitting Project Manager
AES Clean Energy
282 Century Place, Suite 2000
Louisville, CO 80027

RE: Yampa Valley Solar Project - Record of Consultation and Concurrence from Colorado Parks & Wildlife

Dear Mr. Pious,

Colorado Parks and Wildlife (CPW) appreciates the extensive pre-application consultation discussions that we have engaged in during the last several months to discuss wildlife and natural resource concerns associated with AES Clean Energy's proposed Yampa Valley Solar Project. As you are aware, CPW has a statutory responsibility to manage all wildlife species in Colorado. This responsibility is upheld through our mission to perpetuate the wildlife resources of Colorado and to provide sustainable outdoor recreation opportunities that educate and inspire future generations. One of the ways we achieve our mission is to work with industry stakeholders during project planning to identify effective measures that avoid, minimize, and mitigate adverse impacts to wildlife resources resulting from proposed projects.

The proposed Yampa Valley Solar Project falls within the following CPW-mapped high priority habitats (HPH): greater sage-grouse priority and general habitat management areas; Columbian sharp-tailed grouse production area; elk and mule deer migration corridors, severe winter ranges, and winter concentration areas; pronghorn winter concentration area; and aquatic native species conservation waters. The project area is also frequently utilized by greater sandhill cranes (Tier 1 species of greatest conservation need) as a stopover area during seasonal migrations.[1] Additionally, this geographic area contains important habitat for numerous small mammals, migratory birds, and other wildlife resources.

[1] Colorado's 2015 State Wildlife Action Plan. 2015. Colorado Parks & Wildlife. https://cpw.widen.net/s/gnjwdl87fn/co_swap_fullversion 24 September 2024.

CPW confirms that AES Clean Energy staff has engaged in extensive pre-application consultation discussions with CPW staff to address potential impacts on the various wildlife species identified above. These discussions have been centered on measures to avoid, minimize, and mitigate adverse impacts to these species and their habitats. Specifically, CPW commends AES for locating proposed infrastructure primarily within historically disturbed agricultural fields. Avoiding direct disturbance to native vegetation, to the maximum extent possible, will help minimize impacts to wildlife. Additionally, AES has agreed to implement several best management practices to further minimize impacts. Specifically, the incorporation of big game wildlife movement corridors into the project design is intended to increase permeability and reduce impacts to seasonal big game migrations. CPW has worked with AES to develop an exclusionary fence design that is least impactful to wildlife. CPW still recommends a 6-inch woven wire fencing material instead of chain link fencing for the perimeter fence (excluding substation and other higher risk infrastructure). All other best management practices resulting from our consultation can be reviewed within the September 20th Memorandum document that has been attached to these comments (Attachment A).

CPW affirms that these best management practices and measures have been developed in close coordination with CPW staff with the intent to minimize impacts to wildlife. With a project of this scale, it is anticipated that residual impacts to wildlife and wildlife habitats will be inevitable. To address these residual impacts, CPW has recommended compensatory mitigation measures to help offset their adverse effects on wildlife. AES has expressed they are already working with the Colorado Cattlemen's Agricultural Land Trust (CCALT) to financially support their mission to conserve open lands and wildlife habitat within the Yampa Valley watershed. CPW appreciates these efforts and recommends that similar agreements be explored with the Colorado Crane Conservation Coalition's Crops for Cranes program. These additional measures can help offset impacts and ensure the persistence of impacted species within Moffat County and beyond.

Based on this extensive pre-application consultation process and the adoption of the measures referenced above, CPW is providing this letter of concurrence for the Yampa Valley Solar Project. We look forward to continued communications regarding the adaptive management approaches we have developed. If there are additional questions or needs for additional information, please do not hesitate to contact CPW's Northwest Region Energy Liaison, Taylor Elm, at (970) 986-9767, or by email at taylor.elm@state.co.us.

Sincerely,

Johnathan Lambert

Johnathan Lambert,
Area Wildlife Manager

Attachment A: CPW & AES Memorandum Regarding Wildlife Considerations & BMPs

MEMORANDUM

DATE:	September 20, 2024
TO:	Taylor Elm & Dani Neumann - Colorado Parks & Wildlife, Northwest Region
FROM:	Libby Fortin & Malcom Pious - AES Land Use & Environmental Permitting
SUBJECT:	Yampa Valley Solar Project - Land Use Permitting & Biological Resources Colorado Parks and Wildlife & AES Meeting (Sept 16, 2024)

1. Introduction - Site Plan and Biological Resources

   On August 14, 2024, Colorado Parks and Wildlife (CPW) Northwest Region staff member, Taylor Elm (NW Region Energy Liaison), requested that AES provide a list of Best Management Practices (BMPs) for biological resources that the project development team would implement during the siting and design, construction, and operation phases of the Yampa Valley Solar Project (Moffat County, Colorado). Agency communication and coordination with CPW Northwest Region was initiated by AES in July 2022. The purpose of this memorandum is to document past discussions (both written & verbal) on biological resources-related BMPs with CPW during project planning and site design by AES.

   The typical project development process that AES implements (per local regulations) is as follows:

   1. Prepare Preliminary Site Plan & Site Design/Layout for Land Use Entitlement;
   2. Prepare Final Site Plan & Site Design/Layout for Construction Permitting (after completion of initial entitlement processes);
   3. Integrate Conservaton or Mitigation Measures (avoidance, minimization, or compensatory mitigation) in the Preliminary/Detailed Site Plan.

   Avoidance, minimization, & compensatory mitigation are all steps in the conservation or mitigation process that can be used to reduce the adverse impacts of a project on biological resources.

   AES will continue to communicate and coordinate with CPW Northwest Region regarding biological resources during the project-based Moffat County's land use entitlement and construction permitting processes.

2. Species of Concern

   On July 28, 2022, representatives from AES and Western EcoSystems Technology (WEST) met with representatives from CPW Northwest Region (Taylor Elm & Dani Neumann) to introduce the Yampa Valley Solar Project. On August 8, 2022, Mr. Elm sent a follow-up email compiling the project-specific concerns and recommendations for the large-scale solar energy facility development. The following species were discussed in Mr. Elm's email, and the subsequent AES's action plan for avoiding and minimizing potential impacts to these species are described below:

Greater sage-grouse and Columbian sharp-tailed grouse

Action Plan: Select project site in lower quality, historically disturbed habitat (primarily dryland agriculture). Avoid potential impacts to known nearby lekking and nesting areas and minimize potential impacts to CPW-mapped greater sage-grouse priority habitat management areas (PHMA).

Big Game

Action Plan: Incorporate big game movement corridor(s) during the site design/layout. Big game movement corridor(s) would be straight in alignment, short in length (where possible), and more than 250 feet in width. Corridor entrances would not be 90-degree angles, but more of an inviting funnel as shown in Figure 1 below. Create multiple solar array pods during the perimeter fencing layout (over a continuous perimeter fencing of the entire solar facility).

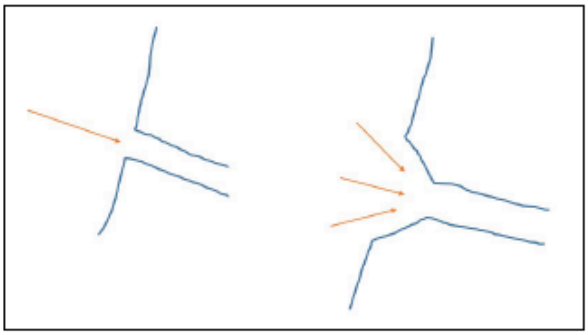


Figure 1. Existing Design (left) and Recommended Design (right) of Big Game Movement Corridor Entrance

Sandhill Cranes

Action Plan: The solar project site would not be in agriculture land use (such as wheat fields) upon the solar facility development. Nevertheless, sandhill cranes would be considered in the post-construction site revegetation and vegetation management plan (if necessary). Ground cover on the project site would be native vegetation or plant species (if possible). AES would seek CPW's recommendation on the appropriate seed mix for site restoration (also landowner agreement on the site revegetation approach).

Bald Eagles

Action Plan: The solar facility would utilize a line-break to connect to an existing transmission line. If a new transmission line route is needed for a generation interconnect (gen-tie) line to the Craig Substation, AES would consult/coordinate with USFWS and CPW regarding potential impacts to bald eagle nesting & foraging areas.

Fish Species (Colorado pikeminnow, bluehead & flannelmouth suckers)

Action Plan: Avoid land disturbance activities within and adjacent to existing intermittent and ephemeral streams in the project area. AES would develop a project-based grading plan that limits grading/earthwork to the greatest extent practicable by avoiding steep slopes and laying out solar arrays parallel to landforms. During the construction permitting with final site design, AES would prepare a stormwater management plan with appropriate erosion control design and sediment control practices for water quality management. If

fugitive dust suppression is required during solar facility construction activities, AES would obtain the appropriate water rights to use either potable water from a local well or municipality, or surface water from local rivers/streams and other waterbodies within the river basin.

3. Solar Facility Fencing and Exterior Lighting

   Based on additional conversations with CPW Northwest Region staff on January 19, 2024 and September 19, 2024, AES has incorporated the following best management practices to address concerns related to project fencing and lighting:

   Solar Array Fencing

   Action Plan: Solar array perimeter fencing would be either 8-foot in height chain-link fence with no barbed wire at the top or 8-foot woven fencing (as used by the Colorado Department of Transportation) with metal or wood fence posts and no barbed wire at the top. Round-capped fence posts would be used to avoid/minimize wildlife impalement and raptor perching.

   Substation and BESS Yard Fencing

   Action Plan: Facilities secured using 8-foot-high chain-link perimeter fencing, including three-strand barbed wire affixed on top. Fencing will comply with solar facility safety and security standards, and the AHJ-reviewed and approved building/electrical permits.

   Solar Facility Lighting

   Action Plan: Outdoor lighting will be minimized and limited to levels required for safety and security. Exterior lighting would be shielded and downward-directed lighting to focus illumination on the target areas and minimize light spill. Security lighting may be provided onsite at the dedicated substations, inverters, the BESS, and points of access.

4. CPW's Additional BMP Recommendations

   Below are some additional best management practices recommended by the CPW Northwest Region staff and related action plan by AES.

   1. Raptor perch deterrents should be installed on the solar array infrastructure (fence post tops and other tall structures, excluding the panels themselves), as well as on transmission line infrastructure (i.e. cross arms of power poles).

      Action Plan: If a new transmission line is required for project-related generation interconnect (gen-tie), raptor perch deterrents would be designed and installed on the transmission poles.

   2. Fencing should be 8 feet in height with no barbed wire at the top to avoid any potential for entanglement with wildlife. Fencing should be inspected frequently and gates should always remain closed to avoid animals becoming trapped within the fenced areas.

      Action Plan: As discussed above, the perimeter fencing design would vary based on safety and security risks related to the solar facility-specific equipment. Different fencing designs for the solar array, substation and battery energy storage system (BESS) yard. The final site plan for construction permitting would provide detailed fencing

design. Perimeter fencing would be inspected periodically. The solar facility would be checked regularly for big game trapped within the fenced area, and subsequently allow any trapped animals to escape using the facility access gates.

3. AES should use a native seed mix designed for grouse habitat within the solar array fencing (including native sagebrush, if possible), and within any area experiencing ground disturbance, as soon as possible. CPW staff is available to consult on the seed mix. Noxious weed monitoring and management will be critical in the first few years after disturbances occur.

   Action Plan: During the construction permitting process with the final site plan, AES would prepare a detailed vegetation plan for the solar facility. The detailed vegetation plan would include land disturbance-related site revegetation, post-construction vegetation monitoring & management, and post-construction noxious weed monitoring & management. Ground cover on the project site would be native vegetation or plant species (if possible). AES would seek CPW's recommendation on the appropriate seed mix for site restoration (with landowner permission for the site revegetation).

4. AES and WEST should consider raising the bottom of the security fencing a few feet off the ground, or include small openings, similar to adaptations made to facilitate desert tortoise, to allow possible grouse access to forage areas within the security fencing.

   Action Plan: AES would consider installing small openings (spacing to-be-determined) along the bottom of the fence if the selected solar array fencing is 8-foot in height chain-link fence with no barbed wire at the top. If the selected solar array fencing is 8-foot woven fencing with metal or wood fence posts and no barbed wire at the top, this type of perimeter fencing would be considered permeable for small- to medium-sized wildlife to access the revegetated solar array area. The final site plan for construction permitting would provide detailed fencing design. For substation area and BESS yard (with 8-foot-high chain-link perimeter fencing, including three-strand barbed wire affixed on top) that are primarily compacted gravel or soil, permeable fencing would only have nominal value to wildlife due to lack of vegetation within the fenced areas.

5. CPW encourages AES and WEST to fund and deploy remote cameras to monitor wildlife use of passageways between solar arrays. Data is lacking to influence CPW's recommendations regarding things such as appropriate widths for effective passage areas, and any additional data would be greatly appreciated.

   Action Plan: AES promotes adaptive management for evidence-based resource planning and management. Adaptive management is a scientific framework (6-steps including assessment, planning, implementation, monitoring, evaluation, & adjustment) that involves learning by doing to improve management practices and policies. It helps to isolate inadequacies in management applications and improve management by making adjustments. During the construction permitting process with the final site plan, AES would coordinate with CPW regarding a joint field investigation with appropriate experimental design on the project-based big game movement corridors.

6. Construction and human activity should avoid the Greater Sage-Grouse lekking, nesting, and brood-rearing periods from March 1 to July 30, annually, to reduce disturbance to nearby grouse lekking and nesting areas.

   Action Plan: AES would avoid potential impacts to known nearby greater sage-grouse lekking and nesting areas by restricting land disturbance (site preparation & construction activities) during the lekking, nesting, and brood-rearing periods (March 1 to July 30).

7. To protect the nearby bald eagles, construction of the transmission line should be avoided from December 1 to July 31. Bald eagle nesting surveys could be conducted in the season that construction is slated to begin, to verify that the nest is active. No timing limitation is recommended if the nest is not occupied.

   Action Plan: The solar facility would utilize a line-break to connect to an existing transmission line. If a new transmission line route is needed for a generation interconnect (gen-tie) line to the Craig Substation, AES would consult/coordinate with USFWS and CPW regarding potential impacts to bald eagle nesting & foraging areas and also the need for a pre-construction bald eagle nesting survey.

8. For the protection of migratory birds, all vegetation removal should occur outside the nesting season for migratory birds (April 1 to August 31). For any vegetation removal that must happen in this timing limitation, either conduct nest surveys and avoid active nests or utilize hazing methods before April 1 to prevent the migratory birds from nesting in the project area.

   Action Plan: If solar facility-related land disturbance (site preparation & construction activities) is planned during the primary nesting season (March 15-July 15), a pre-construction nesting survey for migratory songbirds would be performed by AES to avoid active nests. Use of bird hazing (between March 15 and April 15) would be considered to prevent migratory birds from nesting in the project area.

9. No in-stream work should be conducted from March 15 to July 31 to protect native fish species during spawning. Any construction actions that disturb sediment and alter water quality should be performed outside this window.

   Action Plan: AES would avoid land disturbance activities near protected streams. Final site plan would include land development constraints related to protected aquatic resources, with 50-150 feet buffer zones for jurisdictional wetlands, streams, and other aquatic resources. See above, under *Fish Species (Colorado pikeminnow, bluehead & flannelmouth suckers),* for more information.

EMERGENCY SERVICES PLAN

YAMPA VALLEY SOLAR PROJECT

Moffat County, Colorado

Prepared By:

AES Clean Energy
282 Century Place, #2000
Louisville, CO 80027
Contact: Libby Fortin, Permitting Project Manager
Phone: 603-670-8970

October 2024

TABLE OF CONTENTS

1.0 INTRODUCTION

Yampa Valley Solar, LLC (Applicant) prepared this Emergency Services Plan (Plan) for the proposed Yampa Valley Solar Project (Project) located in unincorporated Moffat County, Colorado (County; Figure 1). The Project is a utility-scale photovoltaic (PV) solar facility generating up to 200 megawatts (MWac) with an integrated battery energy storage system (BESS; 4-hour duration) storing up to 100 MWac. The Project area would be located on nine parcels totaling approximately 3,850 acres of privately-owned land (Figure 2). The fenced area of the Project, containing actual solar facility components, would make up approximately 1,466 of the 3,850 acres. Key components associated with the Project would include PV solar panels and arrays mounted on a SAT system, a new substation, a battery energy storage facility, an operations and maintenance building, and other appurtenant equipment.

As part of Moffat County's Solar Energy Facility (SEF) Conditional Use Permit (CUP) application, the Applicant must prepare an Emergency Services Plan (Plan). This initial Plan contains guidance to prevent injury and property loss, minimize hazards to human health and safety and to the environment from fire occurrences, or any unexpected release of hazardous materials. The Applicant will consult with Craig Rural Fire Protection District to verify that this plan meets their standards for emergency response. A final Plan would be developed prior to the commencement of construction by the selected engineering, procurement, and construction (EPC) contractor. An Operations and Maintenance Plan would be developed prior to the solar energy facility's commercial operation date (COD).

2.0 REGULATORY SETTING

This Plan helps the Project meet applicable requirements of federal and state regulations, as well as local regulations regarding emergency preparedness and response planning. This Plan would be reviewed at least every five years by the Applicant and may be revised based on changes to federal, state, and local regulatory requirements. The present Plan is aligned with the following:

- Occupational Safety and Health Administration (OSHA) 1910.38, Emergency Action Plan Requirements
- National Fire Protection Association (NFPA) 1, Fire Code
- NFPA 10, Portable Fire Extinguishers
- NFPA 70, National Electrical Code
- NFPA 855, Standard for the Installation of Energy Storage Systems
- International Fire Code (IFC)
- Spill Prevention, Control, and Countermeasure (SPCC) Regulation (40 CFR 112)

2.1 Equipment Qualification Standards

Underwriter's Laboratory (UL) develops safety standards recognized by Nationally Recognizing Testing Laboratories and allows manufacturers to place UL listing marking on their products that have been tested to the appropriate standards.

There is a UL listing standard for every component in a solar PV system. The relevant codes for solar PV facilities require systems to comply with and be listed to:

- UL 1703: Standard for Flat-Plate Photovoltaic Modules and Panels
- UL 1741: Inverters, Converters, Controllers and Interconnection System Equipment for Use with Distributed Energy Resources
- UL 2579: Fuses for Photovoltaic Systems
- UL 2703: Mounting Systems, Mounting Devices, Clamping/Retention Devices, and Ground Lugs for Use with Flat-Plate Photovoltaic Modules and Panels
- UL 4703: Photovoltaic wire

The relevant codes for battery energy storage facilities require systems to comply with and be listed to:

- UL 991: Standard for Tests for Safety-Related Controls Employing Solid-State Devices
- UL 1741: Inverters, Converters, Controllers and Interconnection System Equipment for Use with Distributed Energy Resources
- UL 1973: Batteries for Use in Stationary and Motive Auxiliary Power Applications
- UL 1998: Software in Programmable Components
- UL 9540: Energy Storage Systems and Equipment

3.0 TRAINING

Training is an important part of this Plan. Training would be continuous and on a regular basis for project personnel and first responders to maintain their ability to use the emergency equipment and act appropriately in an emergency situation.

To ensure the instructions contained within the Plan are properly followed during site/facility emergencies, a training program is to be developed, and training provided to all personnel, upon hire and after any changes in site/facility operations or layout. This training would be conducted yearly in appropriate workplace languages. The training would include exercises appropriate to the work site that simulate the potential emergencies identified in the Plan and response procedures and resources available for responding to the emergencies, including how to alter people to take protective actions. The effectiveness of the training program in general would be evaluated and documented for continuous improvement process.

4.0 EMERGENCY PREVENTION AND PROTECTION PROCEDURES

Below are the prevention and protection procedures that would be implemented as part of the Project. In order to execute these procedures, a list of emergency contacts is provided in Attachment M-1 to handle fire and personnel emergencies, and spill containment within the Project.

4.1 Facility Fire and Wildland Fire

Listed below are specific procedures that will be addressed by the Project to minimize the occurrence of, and impact from, a facility fire or wildland fire emergency. For potential facility fire threats/hazards, special emphasis is placed on housekeeping and storage practices in all maintenance, shop, and general office areas where flammable and combustible materials are used and stored.

4.1.1 Fire Prevention

Fire prevention is the responsibility of all personnel. Project personnel will follow safe practices to minimize fire hazards, and managers must ensure safe practices are followed daily. The Applicant is committed to preventing the occurrence of fires and situations that may promote a fire at the site or facility.

1. Personnel must know how to recognize and report hazardous conditions and fire hazards associated with the materials and processes to which they are exposed.
2. Good housekeeping must be practiced to prevent the accumulation of flammable and/or combustible material.
3. Flammable liquids must be stored in properly labeled approved containers in designated cabinets or storage areas away from sources of ignition.

4. Smoking will be prohibited at or in the vicinity of operations that constitute a fire hazard and will be conspicuously posted “No Smoking or Open Flame”.
5. Personnel must know and follow the site's requirements for the use and handling of oily rags.
6. Unused wooden pallets must be taken to the designated storage area.
7. Flammable liquids must not be transferred into containers unless the nozzle and container are electrically interconnected (bonded).
8. Flammable liquids must not be dispensed by gravity from tanks, drums, barrels, or similar containers except through a listed self-closing valve or self-closing faucet. (Listed means tested and listed by a recognized testing laboratory, such as UL or FM).
9. Flammable or combustible liquids are not to be used for general cleaning purposes.
10. Compressed gas cylinders must not be stored with flammable or combustible liquids.
11. No objects or materials that restrict clear access will be placed in front of electrical panels or disconnects.
12. Electric control panel covers must remain in place and/or with the doors closed.
13. Portable space heaters may not be used without prior approval from a supervisor and site management.

4.1.2 Fire Protection

Fire extinguishers will be present in all site vehicles and must be nearby when there is any potential for fire ignition.

1. Any damaged or spent portable fire extinguishers must be reported to a supervisor or the local safety personnel.
2. Access to fire extinguishers or other fire protection equipment must not be blocked or restricted.
3. Personnel will not use fire extinguishers or other fire protection equipment unless they are trained and designated to do so.
4. The Applicant or Project owner/operator will maintain (i.e. mow) the onsite vegetation to (a) ensure the accessory structures and main electrical equipment have defensible space around them and (b) mitigate the overall Project site fuel loading.
5. There will be a Knox Box or similar access system at the various entry gates to allow quick access into the Project site by the fire department staff or other first responders.

4.2 Hazardous or Non-Hazardous Material Spills

Listed below are specific procedures that will be implemented by the Project to minimize the occurrence of, and impact from, hazardous or non-hazardous material spills. For purposes of this Plan, a spill is defined as the unintentional release of any chemical in excess of 15 gallons, regardless of location, hazard rating or surrounding circumstances.

1. If a spill occurs, immediately stop work, alert all others present, and if time permits, make safe any equipment being worked on.
2. Confine the spill, prevent the chemical from spreading and entering the waterways. Stop the spill from becoming worse by shutting down pumps, closing valves or clamping broken hoses.
3. Try to contain the spill from spreading further through diking or other means.

4. Add neutralizing agents and/or absorbents.
5. Inform the site or facility manager.
6. Be prepared to show the Safety Data Sheet (SDS).
7. Do not attempt to handle any spilled material that you cannot identify (assume it is hazardous). Complete a Spill Report and place a phone call to the O&M manager.

4.3 Medical Emergency

Listed below are specific procedures that will be implemented by the Project to minimize the occurrence of, and impact from, medical emergencies.

1. In the event of an injury/illness requiring medical treatment, stop work. If time permits, place equipment in a safe condition, and alert others present about the injury/illness.
2. The person discovering the injury/illness will call 911 if the condition is serious.
3. First aid may be administered, if trained and experienced personnel are available at the accident location.
4. Unless a tower rescue is involved, do not move the injured or ill person.
5. Try to make the person comfortable.
6. If the incident implies Hazardous Material, the Notifier must get the SDS in order to inform the rescuer or the first responders of the substance they will have to neutralize.
7. Call the site or facility manager. The manager will manage the incident.
8. The site or facility manager will contact 911 (or the Moffat County Emergency Management Coordinator – phone number 970-826-2308, as appropriate) and coordinate with the Notifier to lead first responders to the site access point.
9. Complete the Accident / Incident Report and place a phone call to the O&M manager as soon as all personnel are accounted.

Attachment M-1 – Emergency Contact List

Contact	Number
General Emergency Contacts	
General Emergency	911
Moffat County Office of Emergency Management	970-826-2303
Moffat County Emergency Management Coordinator	970-439-8803
Moffat County Sheriff's Office	970-824-4495
Craig Rural Fire Department	970-824-5914
Hospitals and Other Medical	
The Memorial Hospital	970-824-9411
UCHealth Craig Medical Clinic	970-824-1711
Craig Rapid Care – Memorial Regional Health	970-826-8300
Craig VA Clinic	970-824-6721
Colorado Poison Control Center	800-222-1222
Spill/Release Reporting	
Colorado Incident Reporting Hotline	877-518-5608
Radioactive Materials Incident Reporting	303-877-9757
National Response Center	800-424-8802
U.S. EPA Region 8	800-227-8917

DECOMMISSIONING AND RECLAMATION PLAN

YAMPA VALLEY SOLAR PROJECT

Moffat County, Colorado

Prepared By:

AES Clean Energy
282 Century Place, #2000
Louisville, CO 80027
Contact: Libby Fortin, Permitting Project Manager
Phone: 603-670-8970

October 2024

TABLE OF CONTENTS

1.0 INTRODUCTION

Yampa Valley Solar, LLC (Applicant) prepared this Decommissioning and Reclamation Plan (Plan) for the proposed Yampa Valley Solar Project (Project) located in unincorporated Moffat County, Colorado (County). The Project is a utility-scale photovoltaic (PV) solar facility generating up to 200 megawatts (MWac) with an integrated battery energy storage system (BESS; 4-hour duration) storing up to 100 MWac. The Project area would be located on nine parcels totaling approximately 3,850 acres of privately-owned land. The fenced area of the Project, containing actual solar facility components, would make up approximately 1,466 of the 3,850 acres. The remaining 2,384 acres of the land base would be left undeveloped to avoid and minimize potential impacts to environmental resources in the Project vicinity. Key components associated with the Project would include PV solar panels and arrays mounted on a SAT system, a new substation, a battery energy storage facility, an operations and maintenance building, and other appurtenant equipment.

As part of Moffat County's Solar Energy Facility (SEF) Conditional Use Permit (CUP) application, the Applicant must prepare a Decommissioning and Reclamation Plan (Plan). The purpose of this Plan is to outline the solar facility decommissioning and land reclamation work at the end of the Project's operational life, which is estimated to be 35 years after commissioning. The Plan focuses on the facility decommissioning activities to remove all equipment and materials related to the Project and restore the properties on which the Project is sited to pre-construction condition.

The Applicant or Project owner/operator will be responsible for the implementation of the Plan and the decommissioning/reclamation associated costs. Currently, the Applicant has obligations in its existing land lease agreements with the Project landowners for the solar facility decommissioning and site restoration activities. Project-specific decommissioning and reclamation cost estimates, including salvage values, are not presented in this initial Plan but would be provided upon completion of the final site plan for construction permitting. An updated Plan with decommissioning and reclamation cost estimates (including all costs associated with the dismantlement, recycling, and safe disposal of facility components and site reclamation activities) would be provided to Moffat County prior to the issuance of a building permit. The Applicant or Project owner/operator intends to update the cost estimates every five years from the initial commercial operating date of the solar facility, to account for market condition changes associated with the costs of decommissioning and reclamation activities.

When the Project is no longer an operational solar energy facility, the laws and regulations at the time may require specific plans and permits or approvals for the facility decommissioning and land reclamation activities. The Applicant or the Project owner/ operator would identify and acquire all local, state, and federal permits or approvals required for the decommissioning and reclamation work. Additionally, waste/recycling companies would be identified during final planning of the facility decommissioning process.

2.0 DECOMMISSIONING AND RECLAMATION PLAN

2.1 Overview

The purpose of a Decommissioning and Reclamation Plan is to provide guidance regarding equipment and facility disconnection, removal, and disposal, as well as site reclamation. Decommissioning and reclamation activities include the removal of all equipment from the Project site and the restoration of the Project site to its pre-construction condition by the Applicant or Project owner/operator. Following is overall guidance for implementation of the facility decommissioning and land reclamation activities:

- Decommissioning would be performed in compliance with the approved Plan, and any amendments to the Plan.
- All non-utility owned equipment, conduits, structures, fencing, and foundations above and below ground would be removed.
- All fences, graveled areas, and access roads would be removed unless a landowner agreement requires, or landowner agrees, for such property improvements to remain.
- All equipment and materials (including hazardous materials) would be removed and disposed of in accordance with local, state, and federal laws/regulations and then-current environmental standards.

When the Project is no longer operational and is ready for decommissioning activities, it would first be de-energized and isolated from the external electric power transmission system. Prior to the dismantling of equipment and removal of materials, staging areas would be identified at appropriate locations within the Project site.

Key components associated with the Project include PV solar panels/modules mounted on a single-axis tracking system (supported by H-frame steel piles, or equivalent) and underground electrical collection lines, a new substation, a battery energy storage facility (BESS and battery management system), an operations and maintenance building, gravel access roads and parking areas, security fencing, exterior/outdoor lighting, and other appurtenant equipment. Electrical transformers and inverters (plus a collection cable system to these power collection stations) would be installed throughout the Project site on concrete equipment pads. Impervious areas would be limited to ancillary facilities (BESS, substation, transformer and inverter pads) and access roads. The solar facility decommissioning and land reclamation work at the end of the Project's operational life would entail these key components.

2.1.1 Photovoltaic Solar Panels

PV solar panels/modules mounted on aluminum or steel tracking system (supported by H-frame steel piles, or equivalent) would be disconnected from the electrical system and unfastened from the metal mounting rack. After removal of the solar panels from the rack, the panels would be placed in containers and then transported by vehicle offsite for salvaging (or recycling) or safe disposal at a licensed recycling center or disposal facility. The racking system that supports the solar panels/modules would be dismantled and removed from the Project site. The metal racking system components may be reused or potentially recycled. The piles supporting the racking systems would be pulled out entirely of the ground where conditions allow, otherwise the metal piles would be cut three feet below grade or flush with the top of shallow bedrock, and the remainder would be left in place and covered with soil.

2.1.2 Transformers and Inverters

Electrical transformers and inverters would be removed from the Project site and shipped offsite for eventual reuse, or disposed of at a licensed disposal facility. The transformers and inverters-associated concrete equipment pads would be broken up and the debris would be removed from the Project site. The collection cable system to these power collection stations would be removed from the site and recycled or disposed of.

2.1.3 Battery Energy Storage System

The BESS and all associated equipment (i.e., metal containers, electrical cabling, electronic regulators and sensors, and control cabinets) would be removed for the Project site and reused in the future or recycled or disposed of at a licensed recycling center or disposal

facility. The battery energy storage facility-associated concrete foundations would be broken up and the debris would be removed from the Project site.

2.1.4 Electrical Cables and Conduits

Non-utility owned electrical cables and conduits buried deeper than two feet below grade would be abandoned in place. All non-utility cables and conduits buried less than 2 feet in depth would be removed entirely to the extent practicable. The cables and conduits would be removed from the Project site and shipped to a licensed recycling center. Topsoil excavated during the cable and conduit removal activities would be segregated and stockpiled for later use. Subsurface soil would be stockpiled separately from topsoil. Following removal of the buried cables and conduits, trenches would be backfilled with the soils previously excavated. Topsoil would be redistributed across the disturbed areas. The topsoil used would be treated with seeding products for establishment of native vegetation.

2.1.5 Other Infrastructure Removal and Site Restoration

All aboveground structures and facility components would be dismantled and removed from the Project site for recycling or safe disposal. Electrical equipment (i.e., combiner boxes, electrical disconnects, circuit breakers, switchgears) would be dismantled and removed from the Project site. The electrical system components would be taken offsite for reuse in the future or disposed of at a licensed disposal facility. Remote data monitoring system (SCADA for solar PV facility), meteorological station, and telecommunication equipment would be removed from the Project site.

All concrete foundations above ground and within three feet of the finished grade would be broken up and the debris removed from the Project site. The Project site fencing would be pulled and removed from the site unless a landowner agreement requires the fencing to be retained. Ownership of the point of interconnection (POI) switchyard would be transferred to the power off-taker following construction and will therefore not be decommissioned. The O&M building, exterior/outdoor lighting, and other facilities/ infrastructures would be dismantled and removed from the Project site. After all the equipment are removed, any holes or voids in the ground created by poles or piles and concrete foundation pads would be filled in with soil to the surrounding finished grade and seeded with a previously approved seed mix, if necessary.

Access roads and parking/staging area would remain until all equipment and materials have been removed from the Project site to enable the facility decommissioning and land reclamation activities. Once all equipment and materials removal are concluded, the road surface material would be removed from the Project site (if required by the landowner) and replaced with fill material. The fill material would be graded to follow the contours of the Project site. Granular and geotextile materials from the removal of access roads and parking areas would be hauled away from the Project site by dump trucks or placed in a designated onsite area for use by the landowner.

To restore the Project site to pre-construction condition, all disturbed land areas devoid of topsoil would be covered with a minimum of two inches of topsoil, which is consistent with site-specific composition of the soil prior to construction of the Project. Topsoil would be treated with seeding products needed for establishment of native vegetation as ground cover.

2.2 Environmental, Health and Safety Compliance

The Applicant or Project owner/operator would prepare an environmental, health, and safety (EHS) plan prior to initiation of the facility decommissioning and land reclamation activities. The EHS plan is essential for the implementation of various aspects of environmental protection and safeguard people's health and safety, especially in an occupational context.

The EHS plan would outline practical measures or best practices to make sure the decommissioning and reclamation activities do not cause harm. The Applicant or Project owner/operator would review and assess contractors' compliance to and achievement of the EHS requirements.

The decommissioning activities would be performed by trained personnel aware of the worksite and occupational hazards associated with the dismantlement and removal of equipment at a utility-scale, grid-connected solar energy facility. Upon dismantlement of facility components, all equipment and materials would be removed from the Project site to be reused in the future, potentially recycled or safely disposed of at a licensed recycling center or disposal facility. During the facility decommissioning, transformers and switchgears would be drained of material that require special handling and/or disposal, if applicable, and the material would be disposed of offsite at appropriate facilities. The Applicant or Project owner/operator would ensure that hazardous and potentially hazardous materials are stored, transported, and disposed of in accordance with applicable laws/regulations and then-current environmental standards.

Table 1 provides typical waste materials associated with utility-scale solar energy facilities and modes of disposal, recycling, and/or reuse of the facility components (both equipment and materials). For purposes of this initial Plan, it is assumed that the dismantled PV solar panels would be disposed of at a licensed local or regional landfill. In future review and updates to this Plan, recycling or repurposing of the solar facility components would be considered as opposed to disposal.

Table 1. Typical Solar Facility Decommissioning Waste Materials and Typical Modes of Disposal

Project Component	Typical Mode of Disposal
Concrete foundations	Crush and recycle as granular material
Solar panels	Reuse, recycle, or dispose of
Steel racks and mounts	Salvage for reuse or recycle for scrap
Electrical cables and conduits	Recycle
Granular material	Reuse or dispose of in landfill
Oils and lubricants	Recycle
Hazardous materials, if applicable	Dispose of through licensed hauler
Geotextile material	Dispose of in landfill
Miscellaneous non-recyclable materials	Dispose of in landfill
Electrical transformers, inverters, and circuit breakers	Salvage for reuse or recycle for scrap
Fencing material	Salvage for reuse or recycle for scrap
Battery Energy Storage System	Reuse, recycle, or dispose of

The facility decommissioning and land reclamation activities would be accomplished using traditional heavy construction equipment, including front-end loaders, bulldozers, cranes, excavators, water tankers, dump trucks, and pickup trucks. Semi-trucks would be used to transport materials to off-site salvage or recycling locations. Safety measures or best practices would be addressed in the project-specific EHS plan.

3.0 DECOMMISSIONING AND RECLAMATION SCHEDULE

The Project is intended to be an operational utility-scale, grid-connected solar energy facility for a period of 35 years from the initial commercial operating date. The Applicant or Project owner/operator would notify Moffat County in writing of the proposed date of discontinued facility operations and plans for the removal prior to commencement of decommissioning and reclamation work. When the Project is no longer operational, facility decommissioning and land reclamation will commence within six months after power production has

permanently ceased and be completed within 12 to 18 months from the start date of the decommissioning/reclamation work, or per the schedule as approved within the Decommissioning and Reclamation Plan. A longer completion period would be necessary if a force majeure event has occurred or is occurring during the facility decommissioning and site restoration work. The Decommissioning and Reclamation Plan would not be applicable in the case of repowering the utility-scale, grid connect solar energy facility.

MOFFAT COUNTY BOARD OF COMMISSIONERS
RESOLUTION 2025-19

A RESOLUTION AUTHORIZING THE CITY OF CRAIG'S BOARD OF ADJUSTMENT TO REVIEW AND DETERMINE BUILDING CONTRACTOR REGISTRATION IN MOFFAT COUNTY AND REQUIRING GOOD STANDING WITH THE CITY OF CRAIG AS A CONDITION OF REGISTRATION

WHEREAS, the Moffat County Board of Commissioners (the "Board") recognizes the importance of ensuring that all building contractors operating within Moffat County meet established standards of competency, integrity, and compliance with applicable building regulations; and

WHEREAS, the City of Craig maintains a Board of Adjustment with the expertise and procedural framework necessary to assess and determine the qualifications and compliance of building contractors operating within its jurisdiction; and

WHEREAS, Moffat County and the City of Craig entered into an Intergovernmental Agreement (IGA) on September 5, 2017, establishing the Craig/Moffat Regional Building Department for the purpose of providing building department services, including contractor registration and enforcement of building construction codes; and

WHEREAS, the Board finds that leveraging the City of Craig's Board of Adjustment to review and determine building contractor registrations for Moffat County is consistent with the existing IGA and will enhance efficiency, consistency, and oversight in contractor qualification assessments; and

WHEREAS, the Board deems it necessary to require that all contractors seeking registration to operate in Moffat County must be in good standing with the City of Craig as a condition of eligibility; and

NOW, THEREFORE, BE IT RESOLVED BY THE MOFFAT COUNTY BOARD OF COMMISSIONERS:

1. **Delegation of Contractor Registration Review Authority**
   The City of Craig's Board of Adjustment is hereby authorized to review, evaluate, and determine the eligibility of building contractors seeking registration to operate within Moffat County. The Board of Adjustment shall apply applicable standards and regulations in assessing contractor qualifications and compliance, in alignment with the provisions of the Craig/Moffat Regional Building Department as established in the 2017 IGA.
2. **Requirement for Good Standing with the City of Craig**
   All contractors applying for registration to operate in Moffat County must demonstrate that they are in good standing with the City of Craig. Good standing shall be defined as compliance with all applicable licensing, permitting, and regulatory requirements as determined by the City of Craig's governing bodies.

3. **Implementation and Enforcement**
   The Moffat County Building Department shall work in coordination with the City of Craig's Board of Adjustment to facilitate the review and registration process. Contractors failing to maintain good standing with the City of Craig may be subject to suspension or revocation of their registration in Moffat County.
4. **Effective Date**
   This resolution shall take effect immediately upon its adoption.

PASSED, ADOPTED AND APPROVED by a vote of the Moffat County Board of County Commissioners of Moffat County, Colorado on this 25th day of February, 2025.

BOARD OF COUNTY COMMISSIONERS MOFFAT COUNTY, COLORADO

_____

Melody Villard, Chair

State of Colorado)

)ss.

County of Moffat)

I, Erin Miller, Moffat County Clerk and Ex-officio to the Moffat County Board of County Commissioners, do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted by the Board of County Commissioners on the date stated above.

Witness my hand and the seal of said County this 25th day of February, 2025.

By: _____

Deputy Clerk

MOFFAT COUNTY ROAD DEPARTMENT

Moffat County Road Department

2025 Sander Bid Recommendation

We received two bids to replace 4 of the six sanders we currently use. We will keep the best 2 of the 6 for spares and auction the other 4.

Holman out of Commerce City - Henderson brand sanders $27,785.00 each, plus $4300 freight

total bid $115,440.00

O.J. Watson Equipment of Denver – Monroe brand $25,980.00 each, total bid $103,920.00

Both brands meet specifications so we recommend purchasing the lower priced Monroe spreaders from O.J. Watson for a total of $103,920.00

Thank you,

Dan Miller,

Director,

Moffat County Road Department

P.O. Box 667
Craig, Colorado 81626
Phone: (970) 824-3211
Fax: (970) 824-0356

MOFFAT COUNTY ROAD DEPARTMENT

Moffat County Road and Bridge Chip Seal 2025

Commissioners,

The Road and Bridge Dept. is planning to chip seal CR 29 in July. As in past years, we are requesting to waive the bid process so that we can purchase oil from the same supplier that the City of Craig is using. This allows us to schedule purchases and deliveries that will coincide with what the City of Craig is planning. The City purchases oil from SunCor Energy who has the closest available distribution terminal. SunCor has quoted us the price of $670.00 per ton this year which is down $16.00 per ton from last year. SunCor allows both the City and the County road departments to piggyback on CDOT contracts, allowing us to purchase at high volume prices.

Thank you,

Road and Bridge Dept.

P.O. Box 667
Craig, Colorado 81626
Phone: (970) 824-3211
Fax: (970) 824-0356