



**COMMUNITY AND ECONOMIC DEVELOPMENT  
DEPARTMENT**

**CASE NO.: PRC2024-00006**  
**CASE NAME: Vega Solar Energy Facility Conditional  
Use Permit**

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**COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**Planning Commission**

**April 24, 2025**

CASE NAME:	Vega Solar Energy Facility
CASE NO.:	PRC2024-00006
Property Owner:	L & S Capital Ltd, 800 U.S. Highway 36, Byers CO 80103
Applicant:	Dale Harris, 2S Biscayne Blvd, 32 <sup>nd</sup> Floor, Miami, FL 33131
Location of Requests:	Southeast of East 112 <sup>th</sup> Avenue and Hanks Crossing
Parcel Numbers:	0173700000060, 0173700000062, 0173700000064
Site Size:	981 acres
Applications Filed:	1. Conditional Use Permit for a large-scale solar energy facility; 2. Conditional Use Permit for a Utility Substation; 3. Conditional Use Permit for a Battery Energy Storage System. The site is located within the Agricultural-3 zone district.
Hearing Dates:	<b>PC: April 24, 2025 / 6:00 p.m.</b> <b>BoCC: May 13, 2025 / 9:30 a.m.</b>
Report Date:	April 16, 2024
Case Manager:	Brayan Marin, Senior Planner
PC Recommendation:	APPROVAL of the Conditional Use Permits with 24 findings of fact, one condition, and seven notes.

**Executive Summary**

- The requests include conditional use permits for a large-scale solar energy facility, a utility substation, and for a battery energy storage system. The site is located on three Agricultural-3 zoned parcels, totaling approximately 981 acres.
- Property owners and residents within one mile of the subject properties were notified of this request. No comments were received.

**Summary of Previous Applications**

All three of the subject properties were part of entitlement case PLN2010-00005 – Xcel Energy Pawnee-Smoky Hill project, an Areas and Activities of State Interest (AASI) permit, also known as a 1041 permit, to allow Major Facilities of a Public Utility, consisting of a double circuit 345kV transmission line to run along the eastern and southern edge of the subject properties. This allowed Xcel Energy to connect its existing Pawnee generation facility near Brush to the Smoky Hill substation near Aurora. This case was approved via public hearing in May 2010.

**Site Characteristics:**

The subject site is bordered by East 112th Avenue to the north and Hanks Crossing Road (County Road 56) to the east, which serves as the primary access road for all three properties. Major high-voltage transmission lines owned by Xcel Energy run along the southern and eastern edges of the site. The topography of the site is generally flat, and the land is currently vacant with no existing structures.

<b>Northwest A-3 Vacant</b>	<b>North A-3 Agricultural</b>	<b>Northeast A-3 Agricultural</b>
<b>West A-3 Vacant</b>	<b>Subject Property A-3 Agricultural</b>	<b>East A-3 Agricultural</b>
<b>Southwest A-3 Vacant</b>	<b>South A-3 Vacant</b>	<b>Southeast A-3 Agricultural</b>

**Surrounding Zoning Designations and Existing Use Activity:**

The subject site is surrounded by large lots zoned Agricultural-3 (A-3). Several lots to the north and west used to house oil and gas well in the area but they are all plugged and abandoned., while the remaining surrounding properties are vacant with no active operations taking place.

**Development Standards and Regulations Requirements:**

The applicant has filed applications for: 1. Conditional Use Permit for a large-scale solar energy facility; 2. Conditional Use Permit for a Utility Substation; and 3. Conditional Use Permit for a Battery Energy Storage System, pursuant to Section 2-02-09 of the Adams County Development Standards and Regulations. The proposal will allow for solar energy generation and storage on approximately 981 acres in the A-3 zone district.

The Planning Commission in making their recommendation and the Board of County Commissioners in approving a Conditional Use Permit shall find:

- 1. The conditional use is permitted in the applicable zone district.*

**Staff Analysis:** The use of solar energy generation and storage is permitted in the A-3 zone district through the Conditional Use Permit process and are categorized as a Major Energy Facility and a Solar Energy System, Large-Scale.

- 2. The conditional use is consistent with the purposes of these standards and regulations.*

**Staff Analysis:** Yes, the conditional uses are consistent with the purposes of the County's standards and regulations. Conditional uses are those uses which are presumptively compatible with other land uses authorized or permitted in a zone district, but, if approved, require more discretionary review than those uses which are authorized. In

addition to meeting applicable performance standards, there are several conditions of approval to ensure the compatibility and compliance of the conditional use permits.

3. *The conditional use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.*

**Staff Analysis:** Yes, the proposed solar facility, substation, and battery storage have been demonstrated through the application to meet compliance with all standards, regulations, and best practices of the County, as well as outside agencies. Furthermore, once approved for the use, the applicant will still be required to go through the building permit process to ensure that all construction on the site meets compliance with all performance standards.

4. *The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. In making this determination, the Planning Commission and the Board of County Commissioners shall find, at a minimum, that the conditional use will not result in excessive traffic generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, or inappropriate hours of operation.*

**Staff Analysis:** The proposed conditional uses are compatible with the surrounding area. The site will connect directly to the major transmission lines running along the eastern site project boundary, which helps to contain operations within the property and reduces the need for additional infrastructure outside the site.

To protect local wildlife, the solar panels will be enclosed by an eight-foot fence with round-capped posts, designed to prevent harm to animals. Additionally, two wildlife corridors, each at least 250 feet wide, will be incorporated along the northern and southern edges of the site. These corridors will help maintain wildlife migration routes and prevent habitat fragmentation.

The proposed conditional use for the utility substation is compatible with the surrounding area as the as the proposed station will work in tandem with the major transmission lines to properly distribute energy that is produced on the site to the general electrical grid. This will not be detrimental to the immediate area as there are active transmission lines active around the southern and eastern portion of the project site. Lastly, once all equipment is installed and the site is operational, there will be minimum traffic taking place around the site as the site will run mostly automatically except for general maintenance to the site.

The proposed conditional use for the energy storage is compatible with the surrounding area as the as the proposed use will work in tandem with the major transmission lines, solar panels, and utility substation to properly distribute energy that is produced on the site to the general electrical grid.

For security purposes, lighting fixtures will only be installed in specific areas of the site. However, the lighting will be designed to provide minimal illumination, with fixtures



facing downward to focus light where it's needed. The project area will not be lit at night to minimize the attraction of wildlife to the infrastructure and reduce potential impacts on the local ecosystem.

5. *The conditional use permit has addressed all off-site impacts.*

**Staff Analysis:** Throughout this entitlement process, the applicant has worked with internal and external agency reviewers to create a site plan that addresses all concerns that could potentially create off-site impacts. As part of the project the applicant is proposing to include wildlife corridors along the northern and southern portion of the site to avoid habitat fragmentation. The proposed fencing will be designed to provide safety to the project while also making sure that no animal is impaled by it. All plugged and abandoned oil and gas wells on the property have been properly located and setback between the wells and the solar equipment have been added to avoid potential overlap. The Applicant has also performed land studies on the subject site to confirm that no part of the property is within a flood zone, and it also shows that there are no topographical issues on the land that would cause off-site impacts with the placement of the solar panels.

6. *The site is suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.*

**Staff Analysis:** The proposed solar facility, substation, and battery storage facility will be able to operate in a manner that is adequate for the area, as there will be no disturbance to the local wildlife, there are no operations around the area that would be affected by the proposed use, all environmental constraints have been properly addressed including required setbacks from capped wells. There are no major topographical or flood zone issues along the property. The applicant has also provided a decommissioning plan along with the application that provides step by step instructions to properly restore the subject site in a way that is environmentally sound, safe, and protects the public health and safety of the area.

7. *The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.*

**Staff Analysis:** The proposed layout for the project will offer the most convenient functionality for the solar installation, as the site is in eastern Adams County in an area that is mostly agricultural in nature and far away from any major residential, commercial, or industrial center. The proposed site will be fully enclosed via a perimeter fence to guard critical infrastructure. There will be two wildlife corridors located along the northern and southern portion of the site to allow local wildlife to traverse through the area to avoid animal fragmentation. The site will not be illuminated except for certain areas throughout the site and all light will be constructed to beam down to avoid unnecessary light pollution in the area. The proposed internal roadway will allow the employees in the site the ability to drive north or south along the edges of the property and there will also be roadways in between sections of the panels so that proper maintenance can be performed. Since the site is in the eastern portion of the county,

landscaping will not be required. Lastly, there will be signage installed along sections of the fence to prevent trespassing.

8. *Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.*

**Staff Analysis:** The subject property for the conditional use is serviced by Hanks Crossing Road and all access will be derived from that road. Due to the proposed use on the property, sewer and water service is not required. During the installation of the panels, utility station and energy storage systems and subsequent cleaning maintenance of the equipment, the applicant intends to bring water to the site via water trucks to service the site. Since most of the site will remain pervious after the installation of the solar panels, the site will not be required to dedicate a storm water drainage facility for this development.

#### **PUBLIC COMMENTS**

<b>Number of Notices Sent</b>	<b>Number of Comments</b>
12	1

All property owners within a mile of this property were notified of the application for Conditional Use Permit. The mile radius for public notification was required due to the surrounding properties being over 30 acres in size. Staff received a public comment in opposition of the proposed project from a subsurface property owner that is worried, the placement of the solar panels will impact their ability to extract minerals in the future.

#### **REFERRAL AGENCY COMMENTS**

No objections were provided from referral agents regarding the applications. Letters were received from Core Electric, Colorado Parks and Wildlife, Colorado Division of Water Resources, Xcel Energy, and Strasburg Fire Department, all of whom indicated they had no objections.

#### **Staff Recommendation:**

Based upon the application, the criteria for approval of a preliminary development plan, and a recent site visit, staff recommends **APPROVAL** of this request with 24 findings-of-fact, one condition, and seven notes.

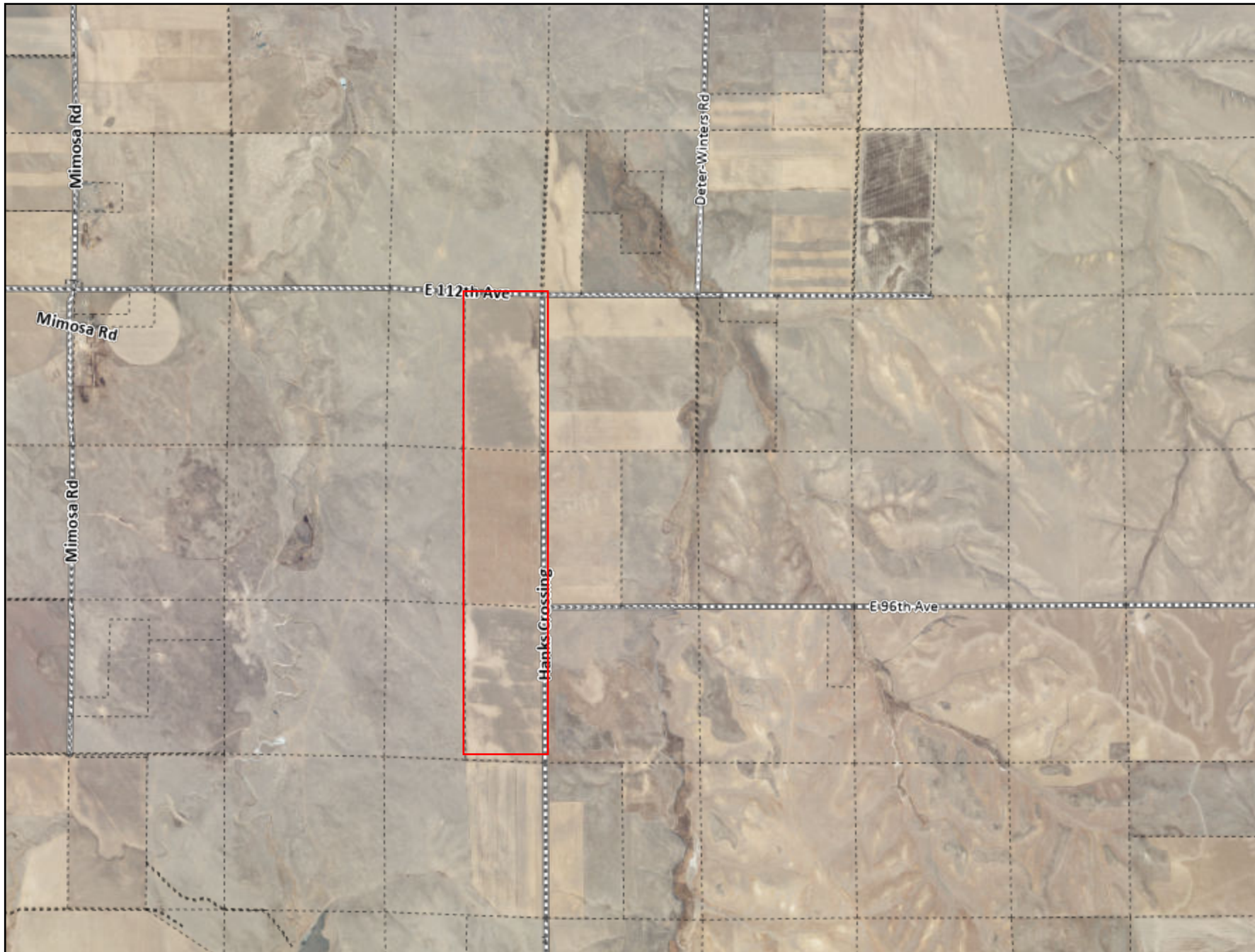
#### **Recommended Conditions:**

1. These conditional use permits shall expire on February 4, 2055. (30 years)
2. The solar panels on-site shall be removed when the conditional use permit expires unless an extension or renewal is granted by the Board of County Commissioners.
3. The applicant shall construct the site in conformance with the approved site and landscape plan illustrated in Exhibit 3.2
4. The applicant shall comply with all the requirements specified by the Colorado Department of Natural Resources' Division of Parks and Wildlife provided in their letter dated February

26, 2024, including the creation of two wildlife corridors, being at least 250 ft across in their site development plan, and including a perimeter fence eight feet in height and have round-capped posts to ensure wildlife protection.

**Recommended Note to the Applicant:**

1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations during the development of the subject site.



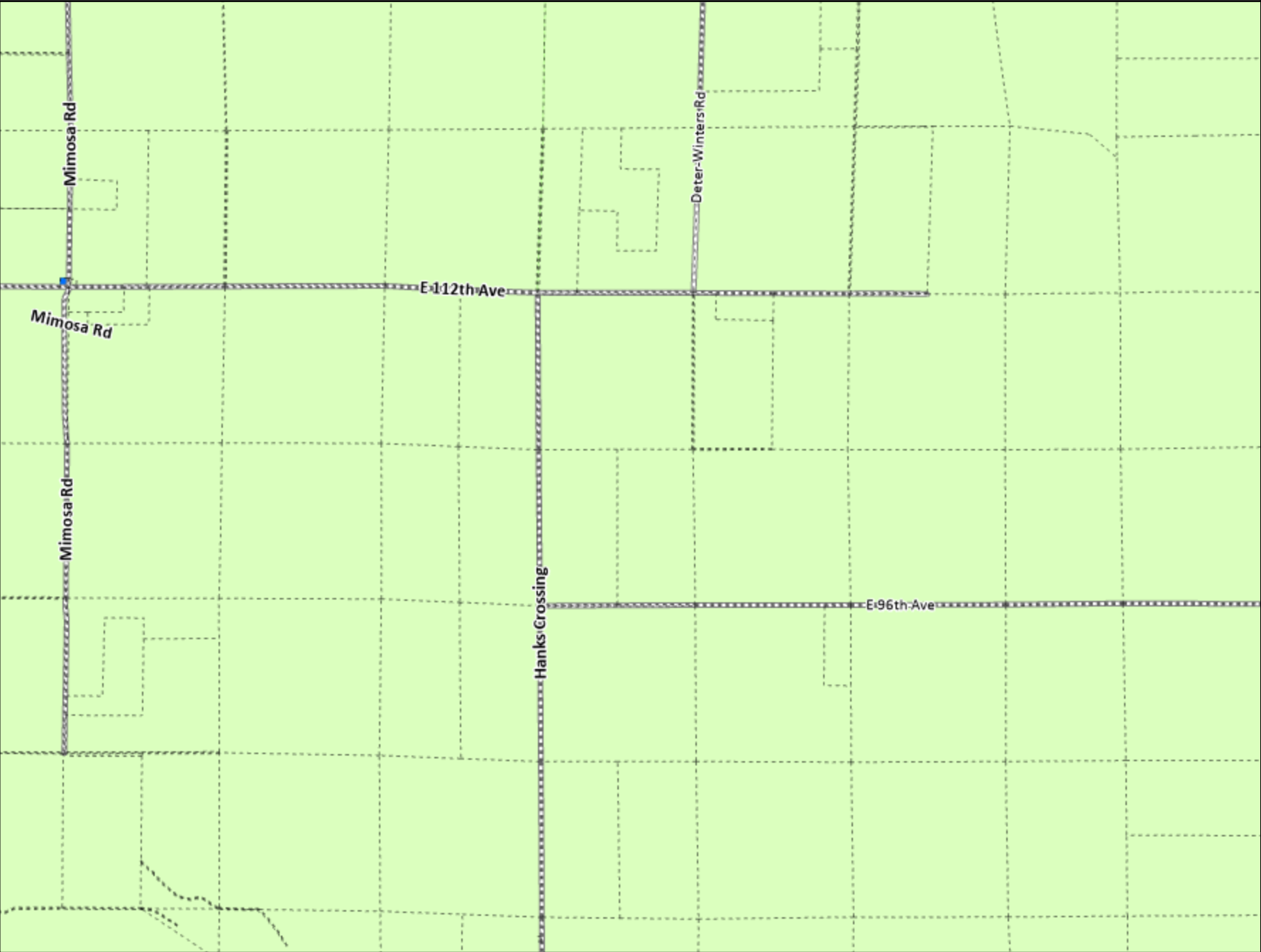
# Legend

- Railroad
- Major Water
- Zoning Line
- Sections
- Zoning Districts**
  - A-1
  - A-2
  - A-3
  - R-E
  - R-1-A
  - R-1-C
  - R-2
  - R-3
  - R-4
  - M-H
  - C-0
  - C-1
  - C-2
  - C-3
  - C-4
  - C-5
  - I-1
  - I-2
  - I-3
  - CO
  - PL
  - AV
  - DIA
  - P-U-D
  - P-U-D(P)
  - Conditions

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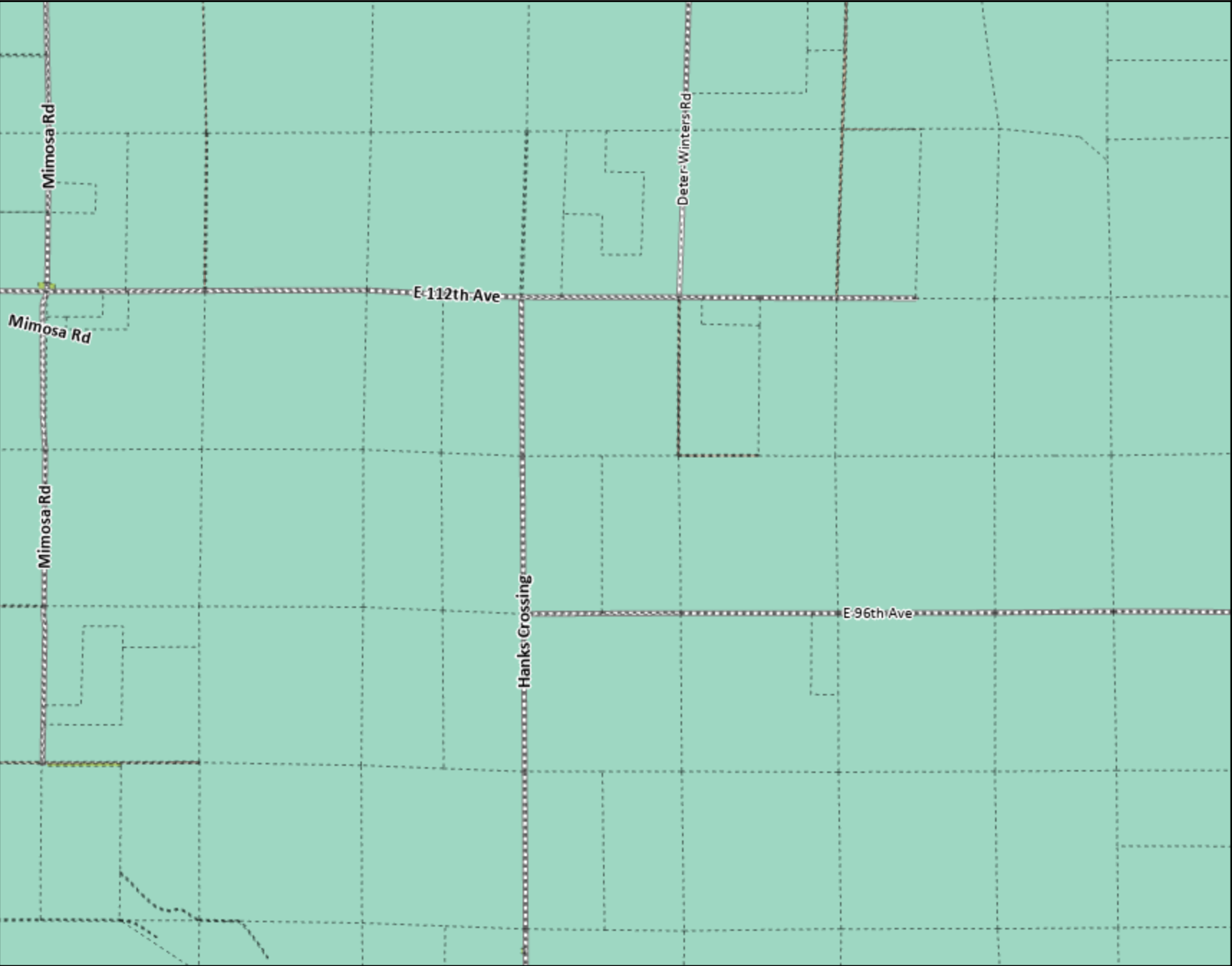
**Legend**

- Railroad
- Major Water
- Zoning Line
- Sections
- Zoning Districts**
- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)
- Conditions

**Case Name** Vega Solar Energy Facility

**Case Number** PRC2024-00006





- Legend**
- Railroad
  - Major Water
  - Zoning Line
  - Sections
- Advancing Adams FLU**
- Agriculture Large Scale
  - Agriculture Small Scale
  - Commercial
  - Industrial High
  - Industrial Low
  - Industrial Medium
  - Institutional
  - Mixed Use
  - Mixed Use Commercial
  - Mixed Use Commercial\*
  - Parks Open Space
  - Plan - CASP
  - Plan - Splendid Valley
  - Plan - Square Lakes
  - Plan - Welby
  - Public
  - Residential High
  - Residential Low
  - Residential Medium

Case Name Case Name

Case Number Case Number



# 1. Introduction

Enfinity Global (d/b/a Vega Solar Energy Facility, LLC) is pleased to submit this Conditional Use Permit (CUP) Application Package for the proposed Vega Solar Project (Project) - solar field, battery energy storage system (BESS) and associated substation. The Project will consist of an approximately 120 megawatts alternating current (MWac) solar photovoltaic (PV) renewable energy facility, 240 megawatt-hour (MWh) of energy storage, an onsite substation, and will occupy approximately 981 acres, in Adams County, Colorado. The Project will connect the facility output to the existing 230 kV transmission line between Pawnee and Missile Substations owned by Public Service Company of Colorado (PSCO).

The proposed Project site is located in the east portion of Adams County, Colorado along County Road 56 (Hanks Crossing Rd, N-S) and 112th Avenue (E-W). The Project Area consists of one private landowner that is currently using the property for agricultural and ranching operations. No state or federal lands are present adjacent to the Project Area. Primary land cover within and adjacent to the Project Area is cropland and grassland/herbaceous. Existing structures within the Project Area include high-powered transmission lines (PSCO/Xcel 230kV) and county roads. There are oil and gas operations present near the Project Area.

Vega Solar Energy Facility, LLC representatives met with the County on July 2, 2021, for the Project Conceptual Review meeting. The comments resulting from the meeting have been incorporated into the Project design and preliminary site layout provided in this application. On July 1, 2024, the Project will hold a virtual Neighborhood Meeting, and the summary of this meeting will be provided in this application.

Vega Solar Energy Facility, LLC is pursuing this project in anticipation of the sale of power to a utility serving Colorado. The Project Area is ideal due to the solar resource, topography, and proximity to a point of interconnection. The Project will support economic development through job creation, taxes, and construction activity in Adams County, as well as assist in meeting Colorado's renewable energy portfolio standard goals.

## **2. Property Information**

### **2.1. Project Location**

The proposed Project site is located in the east portion of Adams County, Colorado along County Road 56 (Hanks Crossing Rd, N-S) and 112th Avenue (E-W). The Project facility site is located on an approximately 981 acres on three parcels with Assessor's Parcel Numbers (APNs) 0173700000060, 0173700000062 and 0173700000064. Refer to Figure 1 showing the Project map.

### **2.2. Project Area Zoning and Land Use Designations**

The Project Area consists of one private landowner that is currently using the property for agricultural and ranching operations. No state or federal lands are present adjacent to the Project Area. Primary land cover within and adjacent to the Project Area is cropland and grassland/herbaceous. Existing structures within the Project Area include high-powered transmission lines (PSCO/Xcel 230kV) and county roads. There are oil and gas operations present near the Project Area.

The Project property and adjacent parcels are designated with zoning district Agriculture-3 (A-3) and future land use category, Agriculture. In accordance with the Adams County Chapter 3 Zone District Regulations, a solar PV facility is an allowable use with a Conditional Use Permit (CUP) within the A-3 zoning district.



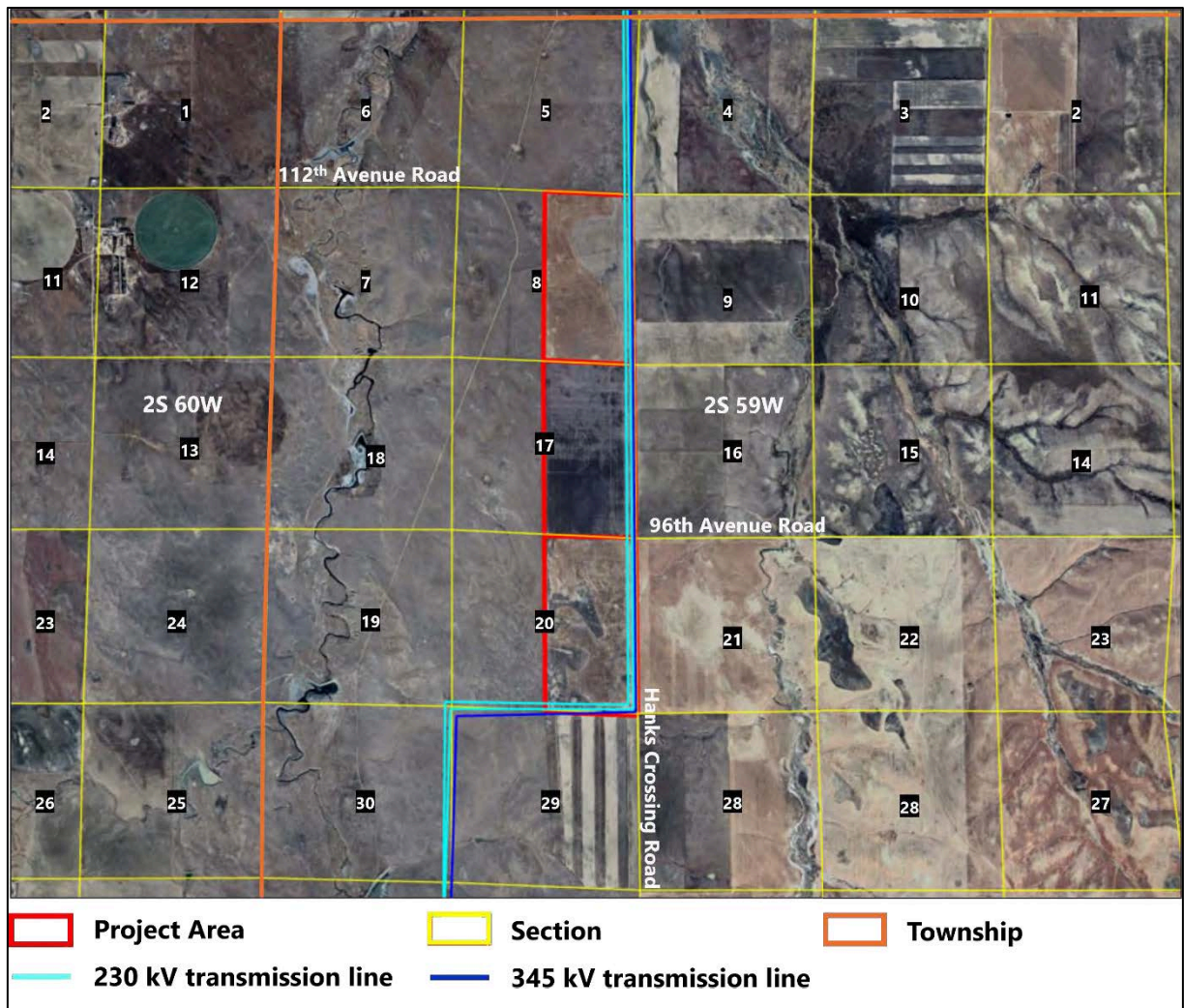


Figure 1: Project Map

### **3. Project Information**

The overall Project will involve the construction and operation of an approximately 120 MWac solar photovoltaic (PV) electric generation and 240 MWh energy storage facility and facility substation interconnecting to the existing 230 kV transmission line between Pawnee and Missile Substations owned by PSCo.

#### **3.1. Facility Description**

The solar field will consist of PV solar panels mounted on a single-axis tracking (SAT) system supported by driven pile foundations (or equivalent) with minimal anticipated ground disturbance required. The proposed facilities on the three parcels largely consist of installed solar field equipment and perimeter fencing. The SAT system aligns the panels in rows that rotate to face east in the morning hours and west in the afternoon hours, tracking the sun along a north/south axis to maximize solar energy production. At their highest point, the top edge of the PV panels will be approximately 8 to 10 feet above ground level depending on spot topography.

The Project will utilize UL-listed, commercially available crystalline silicon PV modules. The final quantity of PV solar panels will be determined during final engineering with the availability of detailed technical and engineering studies. Inverters and associated transformers, for the purpose of converting the DC electricity from the modules to AC electricity for the grid, will be installed throughout the site on concrete equipment pads. Impervious areas are limited to pile foundations, equipment pads, substation, and access roads.

The proposed energy storage system will be housed in storage enclosures. The battery storage enclosure design will each be approximately 20 feet long, 8 feet wide, and have a height of about 10 feet. The associated inverters, transformers, and switchgear will be located immediately adjacent to the enclosures on concrete pads. Selection of the enclosure will be determined by considering equipment efficiency performance during the detailed engineering design.

The energy storage equipment enclosures will be designed with a fire rating in conformance with national, state, and local standards. The enclosure will also have heating, ventilation, and air conditioning (HVAC) cooling with batteries to maintain energy efficiency. Power to the HVAC, lighting, etc. will be provided via a connection to the on-site station service transformer. The energy storage system will be un-staffed and will have remote operational control and periodic inspections/maintenance performed as necessary.

The facility substation will comprise of a main power transformer, HV circuit breakers, auxiliary transformer and revenue meter. Energy generated by the PV array will be stepped up through main power transformer and will be delivered to the existing 230 kV transmission line between Pawnee and Missile Substations owned by PSCo. The number and height of the poles as well

the type of conductor will be finalized during detailed design. The access to the Project site shall be via County Road 56 (Hanks Crossing Road).

Gated and locked access points will be provided for the Project site and will always allow for first responder access. Internal access roads to major equipment pad locations will be all weather to ensure first responder access and circulation for operations and maintenance. The Project will install fencing in accordance with **Colorado Parks & Wildlife's Fencing with Wildlife in Mind Guidelines**. The fences would be eight feet in height, have round capped posts and smooth top and bottom wire (no barbed wire) so that wildlife is not impaled. Lighting installed for the Project would be designed to provide minimum illumination needed to achieve safety and security and would be downward facing and shielded to focus illumination on the desired areas only. Security lighting may be provided at the facility substation, inverters, and the point(s) of access. The Project Area would not be lit at night to minimize wildlife attraction to project infrastructure and limit impacts to hunting, migration or other activities of wildlife.

The key components associated with this Project are:

- Facility substation, consisting of main power transformer, HV circuit breakers, auxiliary transformer and revenue meter.
- PV single-axis tracker (SAT) system and other associated electrical equipment;
- Energy storage batteries;
- Power conversion stations, consisting of inverters and medium voltage transformers;
- Underground collector lines;
- Internal access roads;
- Security fencing;
- Safety lighting;
- Emergency Response Plan/Fire Suppression

### 3.2. Project Development Schedule

Construction of the proposed Project is anticipated to begin in Q2-2027, with the Project being operational in Q2-2029. It is anticipated that construction of the Project would take approximately 24 months to complete. The Project would generally be developed according to the schedule shown in Table 1. The construction schedule can either be compressed or expanded.

**Table 1. Project Construction Schedule**

Activity	Proposed Timeline
Pre-construction: permitting, interconnection agreement, design, and engineering, EPC contractor selection	Q4 2026
Mobilization	Q1 2027
Start of construction	Q2 2027
Site grading and fencing	Q2 2027
Solar array and energy storage installation	Q3 2028
Project substation construction	Q4 2028
Facility Energization	Q1 2029
Commercial Operation	Q2 2029

#### 3.2.1. Overview of Typical Construction Activities

Construction activities would primarily consist of site preparation, including installation of stormwater and erosion control measures, grading and civil work, equipment installation, material deliveries, and commissioning and equipment testing. The Project construction would generate temporary traffic, which would primarily consist of the delivery of construction equipment, vehicles, and materials, as well as daily construction worker trips. Most of the 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. Substation equipment, inverter enclosures, and pile drivers may be delivered to the Project site on wide-load trailers.

The Project will require water during construction activities primarily for fugitive dust control. The Project may potentially use haul water from a licensed water purveyor. The Project water usage would be a less intensive use of water supplies compared to the historical agricultural production activities.

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

- Grading, staking, and fencing;
- Clearing of the right-of-way;
- Construction of access roadway;
- Installation of solar arrays;
- Construction of facility substation;
- Reclamation required by Adams County and/or participating landowner(s).

### **3.2.2.Overview of Operation Activities**

Maintenance of the Project would require regular but occasional visual inspections, equipment servicing, and minor repairs. Overall, minimal maintenance requirements are anticipated, as the SAT systems would operate independently with less human involvement required. Power electronics would be serviced annually or bi-annually depending on the equipment type. On intermittent occasions, the presence of several workers may be required if major repair or replacement of equipment is necessary. However, due to the nature of the Project, such maintenance activities are anticipated to be infrequent. Onsite vegetation would be managed by typical landscape maintenance techniques, including the application of herbicides and manual weeding. All open and un-landscaped portions of the Project site would be maintained in good condition, with weeds, trash, and debris routinely removed from the site.

Once the solar panels are installed, the panels would operate during daylight hours, seven days per week, 365 days per year. Security would be maintained through a 8-foot-high fencing with round capped posts and smooth top and bottom wire installed along the perimeter of the entire Project site. Access points would be locked and accessible which would allow emergency response personnel and operations and maintenance workers rapid entrance to the Project site. The Project will require water during operations for panel washing operations. The Project may potentially use haul water from a licensed water purveyor. The Project water usage would be a less intensive use of water supplies compared to the historical agricultural production activities.

Anticipated commercial operation is by Q2-2029 with decommissioning commencing at the end of the life of the Project.

## 4. Environmental Analysis

The following sections describe the evaluation and analysis of environmental and technical conditions on the site. Assessments involve review of available data, reports, literature, and planning documents, and onsite investigations.

### 4.1. Geology and Soil Resources

The U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle map shows elevations within the Project Area 4,950 feet above mean sea level. The property and adjoining properties to the west are relatively sloped to the west towards Muddy Creek and the surrounding area to the east slopes toward the east toward Little Muddy Creek.

Maps published by the United States Geological Survey indicate that the Project Area lies within the Fox Hills Sandstone formation. The region consists of fossiliferous, gray, ferruginous and yellowish sandstone and arenaceous clays with an estimated thickness 500 ft.

Site-specific soil data and information were generated for the Project Area using the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Soil Survey for Adams County, which are provided as Appendix A. The suitability or limitation of a specific soil for a given use can be correlated to the features and properties of certain soil types. Planning and potential facility location information is summarized below and can be cross-referenced with the soil types denoted by soil unit names.

Applicable soil properties and features that occur within the Project Area, such as depth to restrictive layer, topsoil sources, off-road erosion hazards are described below. A soil map, based on the NRCS reports, is provided in Appendix A, Soils Map.

**Table 2. Soils by Map Unit name that occur within Project Area**

Map Unit Symbol	Map Unit Name	Percent of AOI	Characteristics	Erosion Hazard
AsB	Ascalon sandy loam, 0 to 3 percent slopes	9.0%	Well Drained, gently sloping soils, high permeability	Low runoff class
AvC	Ascalon-Vona sandy loams, 1 to 5 percent slopes	53.0%	Well Drained, moderately sloping soils, high permeability	Low runoff class
Lu	Loamy alluvial land	1.9%	gently sloping soils, moderate permeability	Low runoff class
TeB	Terry fine sandy loam, 0 to 3 percent slopes	6.4%	Well Drained, gently sloping soils, moderate permeability	Low runoff class
TeD	Terry fine sandy loam, 3 to 9 percent slopes	5.5%	Well Drained, sloping soils	Low runoff class

Map Unit Symbol	Map Unit Name	Percent of AOI	Characteristics	Erosion Hazard
TsE	Terry-Vona-Tassel complex, 3 to 20 percent slopes	0.0%	Well Drained, high sloping soils, moderate permeability	Low runoff class
VnD	Vona loamy sand, 3 to 9 percent slopes	8.0%	Well Drained, sloping soils, high permeability	Low runoff class
VsD	Vona-Ascalon loamy sands, 3 to 9 percent slopes	16.1%	Well Drained, sloping soils, high permeability	Low runoff class

No geologic or soil conditions, including restrictive layers or erosion hazards have been identified that would create a restrictive or hazardous effect from the Project implementation. The final design of the Project will be based on a geotechnical investigation of the Project Area. Temporary impacts to soil are anticipated to occur during construction activities. Impacts to soils are expected to be limited to displacing and disturbing soils within the Project Area. Soil erosion would be controlled during construction by implementing the conditions of the National Pollutant Discharge Elimination System (NPDES), Construction General Permit, including an approved Stormwater Management Plan (SWMP). The SWMP would include both timing and staging construction practices to minimize erosion and specify best management practices (BMPs) to prevent any soil from leaving the Project Area via wind or water.

## 4.2. Surface Water

Vega Solar Energy Facility, LLC has contracted Two Dot Consulting, LLC (2DOT) to conduct the analysis of surface water resources, including floodplain and wetland resources, in the Project Area.

### 4.2.1. Floodplains and Drainage

2DOT reviewed the Federal Emergency Management Agency (FEMA) National Flood Hazard Layer (NFHL) indicates that the Project Area is classified as FEMA Flood Zone X-12, area of minimal flood hazard.

Minimal grading would be required in certain areas to flatten steep areas and make them usable for the solar module installation. However, grading activities from construction are not expected to substantially alter drainage patterns compared to existing conditions. The Project could result in a minor increase in the amount of impervious cover from the installation of the solar panel modules and other equipment. Expected improvement of natural site vegetative conditions would ensure that the potential impacts from the described site alterations would have a less than significant impact. Historic conditions are therefore assumed for these sites and detention facilities are not expected to be required. The drainage study of the Project is included within the supplemental item B- Level 1 Storm Drainage Study.



Prevention of erosion and sedimentation is an important part of the construction process. A CDPHE Construction National Pollutant Discharge Elimination System (NPDES) General Permit will be obtained, and the associated Stormwater Management Plan (SWMP) will be developed prior to construction. As applicable, permanent, and temporary erosion and stormwater control features will be constructed to prevent the off-site transport of soils and will be described in the site-specific SWMP.

#### **4.2.2. Wetlands**

2DOT conducted wetland survey on the Project site to evaluate potential presence of apparent jurisdictional Waters of the U.S. (WOUS), including wetlands, as defined and regulated by federal authority under 33 CFR Parts 320-330.

Wetlands as defined by the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE), in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, (Federal interagency Committee for Wetland Determination, 1989), are "those areas that are inundated or saturated by surface or groundwater at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions."

2DOT performed on-site wetland delineation on 10/20/2023. 2DOT delineated four riverine features within the Project Area based on desktop and on-site assessments (Appendix B). The National Wetlands Inventory (NWI) mapped riverine features does not depict any wetland areas or waterbodies within the Project boundary. On March 26, 2024, 2DOT submitted a request for an Approved Jurisdictional Determination to the US Army Corps of Engineers (USACE) of the Project Area. An approved Jurisdictional Determination was provided by the USACE on April 22, 2024, determining the Project Area is comprised entirely of dry land with no aquatic resources located within the Project Area. A copy of the Jurisdictional Determination can be found in Appendix B.

### **4.3. Biological Resources**

For the purposes of this summary, special status wildlife species are those species listed as Candidate, Proposed, Threatened, or Endangered by the United States Fish and Wildlife Service (USFWS) under the Endangered Species Act (ESA), or as Threatened, Endangered, or Species of Special Concern by the State of Colorado, as designated by Colorado Nongame Wildlife Regulations.

Pursuant to Section 7 of the ESA, the USFWS is required to assist other federal agencies to ensure that any action they authorize, implement, or fund, including development of renewable energy projects, would not jeopardize the continued existence of any endangered or threatened species under the ESA. ESA Section 7 requires consultation with the USFWS regarding a proposed project when there is a federal nexus, such as proposed impacts to species protected under the ESA or their habitat. Consultation is not required when it is determined that an action would have no effect on listed



species or designated critical habitat.

2DOT searched available data from the USFWS Information, Planning and Conservation System (IPaC) Endangered Species Act species list to identify species of concern determined by the activities proposed at the Project site. Based on a review of the query, nine federally listed species may occur in the Project Area. Also, 2DOT performed a review of the Conservation Data Explorer (CODEX) which indicates the potential presence of state listed species within the Project Area (Table 3).

**Table 3. Federal and State Listed species potential to occur within the Project Area**

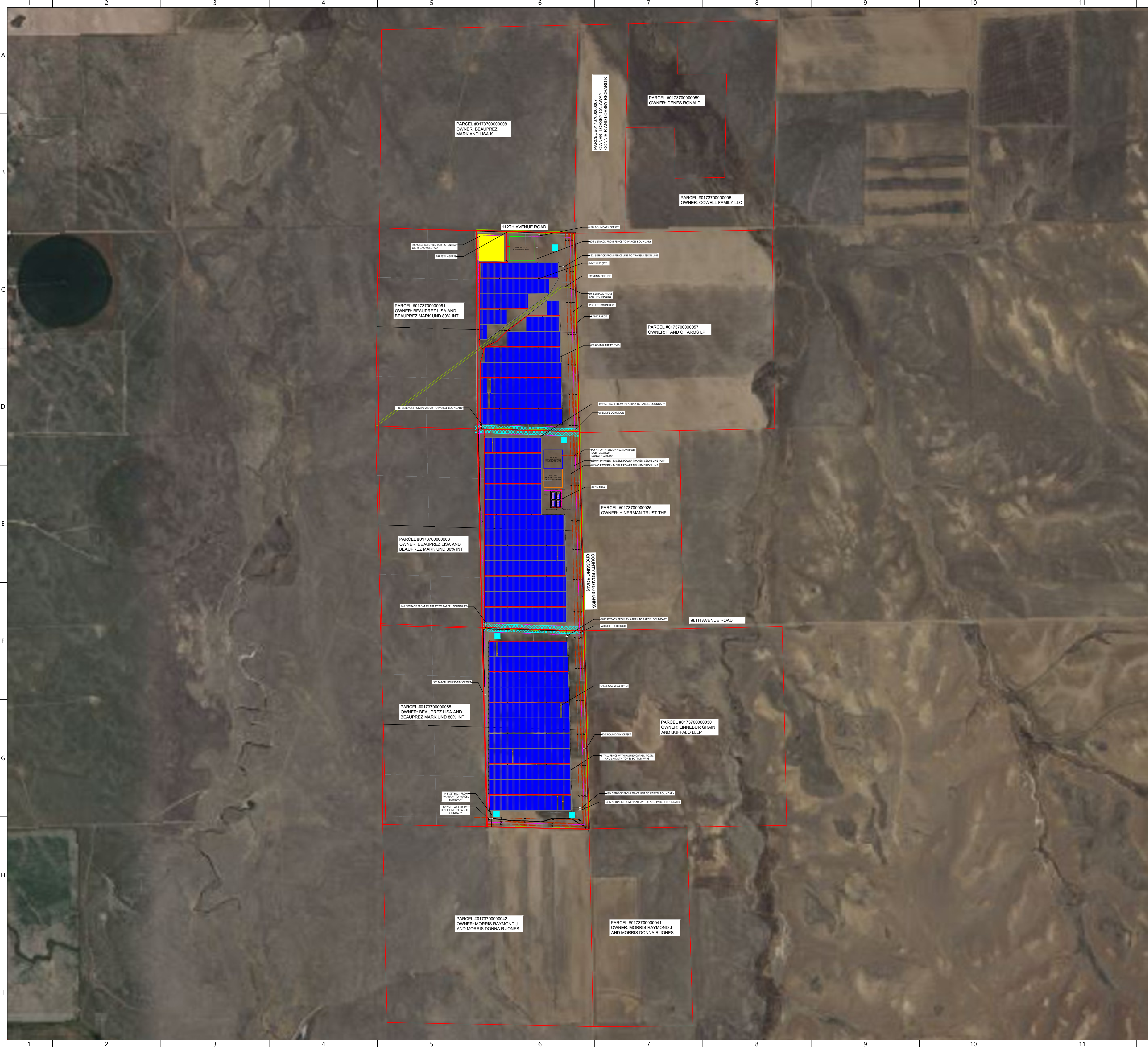
Common Name	Scientific Name	Federal Status	State Status	Potentially suitable Habitat within the Project Area
<b>Mammals</b>				
Gray Wolf	Canis lupus	E	SE	No suitable habitat present
Preble's meadow jumping mouse	Zapus hudsonius preblei	T	ST	No suitable habitat present
Tricolored bat	Perimyotis subflavus	NL	SC	No suitable habitat present
Black-tailed prairie dog	Cynomys ludovicianus	NL	SC	Suitable habitat present
<b>Amphibians</b>				
Northern leopard frog	Lithobates pipiens	NL	SC	No suitable habitat present
<b>Birds</b>				
Piping plover	Charadrius melodus	T	ST	No suitable habitat present
Whooping crane	Grus americana	E	SE	No suitable habitat present
Burrowing owl	Athene cunicularia	NL	ST	Suitable habitat present
Ferruginous hawk	Buteo regalis	NL	SC	No suitable habitat present
Bald eagle	Haliaeetus leucocephalus	NL	NL	No suitable habitat present
Golden eagle	Aquila chrysaetos	NL	NL	No suitable habitat present
Long-billed curlew	Numenius americanus	NL	SC	Suitable habitat present
Mountain plover	Charadius montanus	NL	SC	Suitable habitat present
<b>Fish</b>				
Pallid sturgeon	Scaphirhynchus ablus	E	NL	No suitable habitat present
<b>Insects</b>				
Monarch butterfly	Danaus plexippus	C	NL	Unknown
<b>Plants</b>				
Ute ladies'-tresses	Spiranthes diluvialis	T	NL	No suitable habitat present
Western prairie fringed orchid	Platanthera praeclara	T	NL	No suitable habitat present

*E = Endangered, T = Threatened, PE = Proposed Endangered, C = Candidate; SE = State Endangered, ST = State Threatened, SC = State Special Concern, NL = Not Listed*

2DOT also conducted onsite environmental surveys to confirm the presence of any suitable habitat and range for the listed species within the Project Area. Mule deer High Priority Habitat (HPH) and burrowing owl habitat are present within a 0.5-mile and 0.25 mile respectively of the Project Area. The preferred habitat and range for each of the ESA-listed species was reviewed relative to available data, and limited or no preferred habitat for any of the listed species occurs within the Project Area. A CPW coordination meeting was held on February 23, 2024, where environmental concerns were discussed. CPW provided an formal review letter identifying major wildlife



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PROPERTY INFORMATION	
OWNER	LAND S CAPITAL LTD
DESCRIPTION	E 1/2 OF SEC 8, E 1/2 OF SEC 17, E 1/2 OF SEC 20, TOWNSHIP 2 SOUTH, RANGE 59 WEST, 6TH P.M
PARCEL NO.	0173700000060, 0173700000062, 0173700000064
PARCEL ACREAGE	981 ACRES
PROJECT ACREAGE	981 ACRES

APPLICANT INFORMATION	
NAME	VEGA SOLAR LLC
ADDRESS	25 BISCAYNE BLVD, 32nd FLOOR, MIAMI, FLORIDA, 33131
CONTACT NO.	505-490-9877
CONTACT PERSON	TOM ANDERSON, HEAD OF DEVELOPMENT, AMERICAS

**PROJECT PHASING:**  
PERMITTING, INTERCONNECTION,  
ENGINEERING & EPC CONTRACTOR SELECTION: Q4 2026

**APPROXIMATE CONSTRUCTION SCHEDULE:**

- A. START OF CONSTRUCTION: Q2 2027
- B. GRADING, FENCE, ROADS & STAGING AREAS: Q2 2027
- C. SOLAR RACKING FOUNDATIONS: Q3 2027 - Q1 2028
- D. SOLAR RACKING INSTALLATIONS: Q3 2027 - Q1 2028
- E. ELECTRICAL EQUIPMENT & CABLE: Q2 2028 - Q3 2028
- F. FACILITY SUBSTATION CONSTRUCTION: Q4 2028
- G. FACILITY ENERGIZATION: Q1 2029
- H. COMMERCIAL OPERATION DATE: Q2 2029

**SETBACKS:**  
PROPERTY IS ZONED AGRICULTURE-3 WITH FOLLOWING MINIMUM SETBACKS FROM LAND PARCEL:  
FRONT: 50 FEET  
SIDE: 10 FEET  
REAR: 120 FEET  
SECTION LINE ARTERIAL: MINIMUM 120 FEET FROM SECTION LINE

**NOTES:**

- 1. SITE SIGNAGE - A PROJECT SIGN WILL BE INSTALLED AT THE EACH SITE ENTRANCE GATE. ADDITIONALLY SAFETY SIGNAGE WILL BE INSTALLED ON THE SECURITY FENCE.
- 2. SECURITY FENCE - THE PROJECT WILL BE SURROUNDED BY A 8' TALL FENCE WITH ROUND CAPPED POSTS AND SMOOTH TOP WIRE.
- 3. TRAFFIC MANAGEMENT/ FLOW - CONSTRUCTION TRAFFIC WILL ALL COME FROM 112TH AVENUE ROAD ON THE NORTH.
- 4. LIGHTING - DOWNWARD FACING AND SHIELDED TO FOCUS ILLUMINATION ON THE DESIRED AREAS ONLY. SECURITY LIGHTING MAY BE PROVIDED AT THE FACILITY SUBSTATION, INVERTERS, AND THE POINT(S) OF ACCESS.
- 5. 230KV PAWNEE - MISSILE POWER TRANSMISSION LINE (POINT OF INTERCONNECTION) OWNED BY PUBLIC SERVICE COMPANY OF COLORADO IS PASSING THROUGH THE PROPOSED LAND PARCEL.

PLANT SUMMARY	
POI LATITUDE & LONGITUDE	39.8822° , -103.9998°
PLANT CAPACITY	156MWdc / 120MWac (POI)
GCR %	34.05%
DC/AC RATIO AT POI	1.30
PITCH	7 MTRS (22.96 FEET)

LEGEND	
	SINGLE AXIS TRACKER - 3 STRING (1PX87)
	PARCEL BOUNDARY
	PROJECT BOUNDARY
	PRIMARY ROAD
	SECONDARY ROAD
	OVER HEAD TRANSMISSION LINE
	OVER HEAD TRANSMISSION LINE OFFSET
	EXISTING PIPE LINE
	EXISTING PIPE LINE OFFSET
	PROPOSED FENCE LINE
	MVT SKID
	PROPOSED AREA FOR BESS
	PROPOSED AREA FOR UTILITY SWITCHYARD
	PROPOSED AREA FOR FACILITY SUBSTATION
	OPEN AREA FOR EQUIPMENT STORAGE
	WILDLIFE CORRIDOR (200' WIDE)
	OIL & GAS WELL
	10 ACRES RESERVED FOR POTENTIAL OIL & GAS WELL PAD
	RETENTION BASIN (150' x 150')
	EGRESS/INGRESS

INITIAL DESIGN  
NOT FOR CONSTRUCTION

R1	09.26.24	PRELIMINARY DESIGN	GC	GC	GR	SG
R0	06.25.24	PRELIMINARY DESIGN	GC	GC	GR	SG
REV	DATE	DESCRIPTION	DR	ND	SK	APD

GLOBAL HEADQUARTER AND AMERICAS  
2 S. Biscayne Blvd, Suite 3200 | Miami | FL 33131  
United States of America

EPC CONTRACTOR:

CONSULTANT TO EPC CONTRACTOR:

PROJECT :  
VEGA SOLAR

LOCATION :  
ADAMS COUNTY, COLORADO

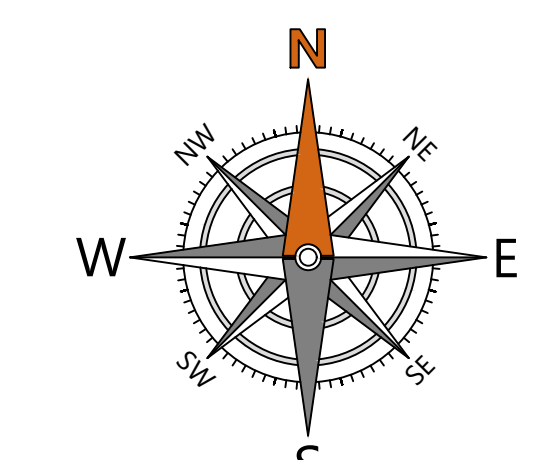
TITLE :  
PROJECT SITE PLAN

PROJECT NO.:  
N/A

DRAWING NO.:  
N/A

DATE:	09-26-2024	SHEET NO.:	01/08
SCALE:	NTS	PAPER SIZE:	ARCH-D





INITIAL DESIGN  
NOT FOR CONSTRUCTION

R1	09.26.24	PRELIMINARY DESIGN	GC	GC	GR
R0	06.25.24	PRELIMINARY DESIGN	GC	GC	GR
REV	DATE	DESCRIPTION	DRN	DSM	CKD

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2 S. Biscayne Blvd, Suite 3200 | Miami | FL 33131  
United States of America

EPC CONTRACTOR:

CONSULTANT TO EPC CONTRACTOR

PROJECT :  
VEGA SOLAR

LOCATION :  
ADAMS COUNTY, COLORADO

TITLE :  
PROJECT SITE PLAN-01

PROJECT NO.:	N/A
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DRAWING NO.:

N/A

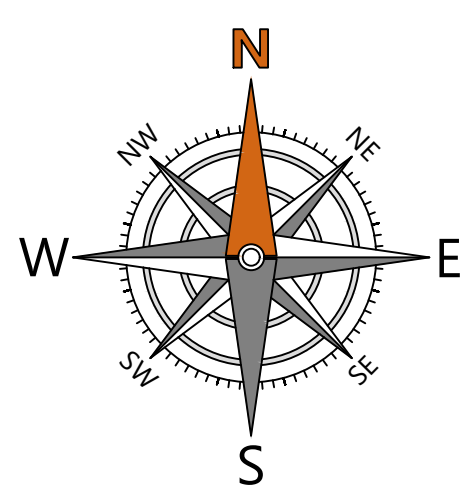
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R0	06.25.24	PRELIMINARY DESIGN	GC	GC	GR	SG
REV	DATE	DESCRIPTION	DRN	DSN	CKD	APP

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2 S. Biscayne Blvd, Suite 3200 | Miami | FL 33131  
United States of America

EPC CONTRACTOR:

CONSULTANT TO EPC CONTRACTOR:

PROJECT :  
VEGA SOLAR

LOCATION :  
ADAMS COUNTY, COLORADO

TITLE :  
OIL & GAS WELL LOCATION

PROJECT NO.:  
N/A

DRAWING NO.:  
  
N/A

DATE: 09-26-2024	SHEET NO.: 04/08
SCALE: NTS	PAPER SIZE: ARCH-D

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**Attachment A – Conceptual Cost Estimate**

**Attachment B – DNV Decommissioning Review Letter**

## **1.0 INITIAL PROJECT DECOMMISSIONING AND SITE RESTORATION PLAN**

### **1.1 Introduction**

The Vega Solar Energy Facility Energy Facility (Project) is a 120-Megawatt (MW) photovoltaic (PV) + 60- Megawatt (MW) Battery Energy Storage System (BESS) project located in Adams County, Colorado. The Project is anticipated to operate for 40 years.

The Project will operate under a Conditional Use Permit with Adams County. Following the life the Project, a decision would be made to extend the life of the Project or to decommission the Project. If the Project is decommissioned, Vega Solar Energy Facility, LLC Vega Solar Energy Facility, LLC, or its successor in interest will be responsible for the removal, recycling, and disposal of all solar arrays, inverters, transformers and other structure on the Project site, depending upon the proposed future use of the Project site. Vega Solar Energy Facility, LLC anticipates using the best available recycling measures at the time of decommissioning.

### **1.2 Existing Land Use**

The current and historic land use for the Project Site is silviculture and Agriculture. The area surrounding the Project site also includes silviculture with limited agriculture and scattered single-family residences.

### **1.3 Proposed Land Use**

The Project is being developed to provide clean, renewable energy to a utility off-taker. The Project consists of a 120 MW alternating current (AC) solar energy facility + 60 MW AC Battery Energy Storage System (BESS). All parcels within the Project site will be purchased by Vega Solar Energy Facility, LLC or its Transferee.

The Project will involve installation of various facilities, such as ground-mounted solar arrays, switchyard, inverters, electrical conduits, foundations, and an operations and maintenance facility. The majority of the foundations and electrical conduits will be located underground.

### **1.4 Objectives**

The Decommissioning Plan ensures that if the Project is decommissioned, the site restoration will be accomplished in a way this is environmentally sound, safe, and protects the public health and safety. Decommissioning is a general term used to describe a formal process to remove something from active status whereas restoration objectives aspire to return the land to some degree of its former state, after some process has resulted in its disturbance.

Future conditions that could affect decommissioning are largely unknown at this time; however, the best available technologies and management practices will be deployed to ensure successful project decommissioning and site restoration.

To ensure that decommissioning will be completed in a manner that is environmentally sound,

safe, and protects public health and safety, Vega Solar Energy Facility, LLC or its successor in interest will submit a Final Plan for Project Decommissioning to Ad County for review and approval before project construction and again before the Project's decommissioning begins. Overall, the plan will include a discussion of:

- Proposed decommissioning activities for the Project and all appurtenant facilities that were constructed as part of the Project;
- The activities necessary to restore the Project site if the plan requires removal of equipment and appurtenant facilities; and
- Decommissioning alternatives at the time of final decommissioning.

Satisfying the above requirements should serve as a safeguard, even in the unlikely event that the Project is abandoned.

## **1.5 Project Decommissioning**

When the Project reaches the end of its operational life, the component parts will be dismantled and recycled. All waste resulting from the decommissioning of the facility will be transported by a certified and licensed contractor and taken to a landfill/recycling facility in accordance with all local, State, and federal regulations.

The Initial Project Decommissioning Plan for the project site will include the following:

- The facility will be disconnected from the utility power grid.
- Individual PV panels will be disconnected from the on-site electrical system.
- Project components will be dismantled and removed using conventional construction equipment and recycled or disposed of safely.
- Individual PV panels will be unbolted and removed from the support frames and carefully packaged for collection and return to a designated recycling facility for recycling and material re-use.
- Electrical interconnection, transmission, and distribution cables will be removed and recycled offsite by an approved recycling facility.
- PV Panel support steel and support posts will be removed and recycled off-site by an approved metals recycler.
- Electrical and electronic devices, including inverters, transformers, panels, support structures, lighting fixtures, and their protective shelters will be recycled off-site by an approved recycler. Any hazardous materials will be removed and disposed in accordance with the current regulations.



- All concrete that is removed from the switchyard and on-site distribution system will be recycled off-site by a concrete recycler or crushed on site and used as fill material.
- Fencing will be removed and recycled off-site by an approved metals recycler.
- Soil erosion and sedimentation control measures will be re-implemented during the decommissioning period and until the site is stabilized.
- Only minimal grading is expected to be required.

## **1.6 Site Restoration**

Restoration activities will return the Project site to a land use consistent with the surrounding land uses at the time of decommissioning. The Initial Site Restoration Plan for the Project Site will include the following:

- Existing wells or pumps located on the periphery of the Project Site will be maintained in place. Any ditches used for temporary water transport within the Project Site will be removed for the Project. These irrigation works will be restored if appropriate or necessary.
- Restoration activities would entail one of the following measures:
  - If land is to be used for silviculture use, the nutrient content of the soil would be restored to pre-construction concentration levels (if degraded) and the land would be tilled regularly to ensure aeration of soils and proper weed management; or
  - If the land is to be converted for another purpose, soil stabilization techniques would be deployed to prevent topsoil erosion. Conversion to another use consistent with applicable land use regulation in effect at that time.
- All permits related to restoration would be obtained where required

## **2.0 FINAL PROJECT DECOMMISSIONING AND SITE RESTORATION PLAN**

### **2.1 Final Project Decommissioning and Site Restoration Plan**

Ninety days (90) prior to decommissioning the Project Site, Vega Solar Energy Facility, LLC will submit a Final Project Decommissioning and Site Restoration Plan (Final Plan) to the County for its approval, which approval will not be unreasonably withheld. The Final Plan may contain measures to decommission the Project and restore the Project Site different than the Initial Plan, provided that Vega Solar Energy Facility, LLC explains in sufficient detail the reasons for any new or substantially different measures.

## **2.2 Decommissioning and Restoration: Scope and Timing**

### *2.2.1 Scope of Decommissioning*

Decommissioning the Project will involve removal of the Project's components as necessary for reuse of the site, including; the solar panels, panel trackers, anchors, supports and mounts, inverter buildings, electrical conductors, electrical cables, and substation components, other structures and the re-grading, backfilling, and re-stabilizing of any areas significantly impacted by the removal of any components. It is anticipated that internal roads will be left in place to facilitate the future landowner's use after decommissioning. Landscaped vegetative buffers will be left in place as part of the decommissioning.

Noise impacts from decommissioning activities are expected to be less than the impacts described in the submitted noise study for the construction phase due to the absence of multiple construction activities and associated equipment, such as grading, but most notably the largest noise impact: pneumatic pile-driving.

**Battery Decommissioning & Recycling Plan:** The respondent will engage a reputable turnkey service provider, who has proven decommissioning service portfolio in the US market. The turnkey service provider will follow all the battery decommissioning steps and abide by the Federal & State regulatory obligations during the process. Some of the basic steps involved are:

- Decommissioning
- Packaging
- Permitting
- Transport
- Storing
- Recycling

The turnkey service provider will arrange the required transport packaging and labelling for the batteries. They will do the required hazardous goods transport paperwork and have a contract with a licensed logistics company and with a reputable recycler. During transportation containers will be lifted by crane and moved off-site intact, permitting the sites to be quickly restored to original condition. Once the battery containers are moved, they will be recycled. Recycled batteries could be used for backup power Systems, batteries coupled with renewables to power remote irrigation systems, back-up power at telecommunication facilities, etc.

Many of the materials in lithium-ion batteries such as cobalt and nickel are valuable which can be reused. To achieve this, the recycling chain could be broken down by removing the casings, separating the connectors, disassembling modules from packs, separating cells from modules, and removing the electrolyte.

Enfinity Global would track project progress and store the relevant documentation to remain compliant with record retention requirements.

### *2.2.2 Decommissioning Work Hours*

Decommissioning of the Project will adhere to the work hours and time of day considerations applicable for construction described in the County Ordinances in effect at that time. Typical work week would be Monday-Friday 7:00-5:00pm.

### *2.2.3 Decommissioning Phasing Plan*

A phasing plan for site decommissioning and restoration can be developed once the final site layout is determined during the site planning stage. The plan will include phasing, material staging locations, truck routes, and information regarding recycling and disposal activities. It is not anticipated that PV materials will be stored on site between decommissioning and removal from the site to the end-user as decommissioned panels are removed by hand and go from the array to the export truck. Panels would typically be exported by trucks including covered semi-trailer trucks and semi-flatbed cargo trucks. Other material, such as metal post and wiring may be transported by semi-trucks or refuse trucks for recycling. Vehicles would utilize all legal access points and would utilize the traffic plan developed specifically for the project site.

### *2.2.4 Site Restoration*

Restoration of the Project Site will be to a reasonable approximation of its original condition prior to construction

The site restoration will not include the removal of gravel access roads/paths or stream crossings.

Removal of existing, fully permitted access roads would create additional land and wetlands disturbance that is not required nor recommended by any regulatory agencies. All crossings will be permitted and will remain in place.

Site decommissioning will utilize existing roadway for the solar equipment removal and will not cause heavy traffic outside the roadway that will compact soils. Furthermore, it would not be prudent to destabilize the site and create potential erosion issues on the land. At the time of decommissioning Vega Solar Energy Facility, LLC reserves the right to develop the land as desired and in compliance with current zoning and development regulations.

If existing underground conduits are removed, the ground will be restored to the existing topography and ground cover re accordance with any applicable permitting requirements.

### *2.2.5 Timing, Exemptions, and Extension*

Vega Solar Energy Facility, LLC or any Transferee will decommission the Project and restore the Project Site within twelve (12) months following project termination. The twelve-month period to perform the decommissioning and restoration may be extended for one additional twelve-month period if there is a delay caused by forces beyond the control of Vega Solar Energy Facility, LLC including, but not limited to, inclement weather conditions, planting requirements, equipment failure, wildlife considerations or the availability of equipment or personnel to support decommissioning.

#### *2.2.6 County Access and Reporting*

The County will be granted access to the Project Site during decommissioning of the Project for purposes of inspecting any decommissioning work or to perform decommissioning evaluations. County personnel must provide a 5-day pre-notification for site access on the Project Site and must observe all current owner safety standards and protocols. If requested by the County, Vega Solar Energy Facility, LLC will provide monthly status reports until this decommissioning work is completed.

Documentation (manifests) will be provided from the recycling and disposal sites which shall include descriptions and quantities of materials delivered.

#### *2.2.7 Solar Panel End-of-Life Use and Recycling*

Studies show the value of the recovered materials can cover the expense of decommissioning and recycling making recycling of PV at the end of their useful life a profitable enterprise.

Furthermore, studies of large-scale penetration of PV into global electricity grids show that recycling of PV modules is imperative for maintaining a secondary source of materials<sup>1</sup>.

End-of-life disposal of solar products in the US is governed by the Federal Resource Conservation and Recovery Act (RCRA), and state policies that govern waste. Panels removed from the site will be recycled according to the means, methods, and regulations at the time of decommissioning. Presently, there are numerous companies that recycle solar panels including First Solar, Dynamic Life Cycle Innovations, Cleanliest Recycling, and Clean Harbors.

It is also worth noting that the panels pass the Environmental Protection Agency (EPA) Toxicity Characterization Leachate Profile (TCLP), which characterizes the leaching potential of metals in landfills. This means, should panel recycling options be unavailable in the future for whatever reason, traditional, non-hazardous landfills would be an option for disposal.

### **3.0**

## RESPONSIBLE DECOMMISSIONING PARTY CONTACTS

Points of contact for Project Decommissioning:

Contact	Group	Title	Phone	Email
Dale Harris	EG	Senior Development Manager	703-489-0414	<a href="mailto:dharris@enfinity.global">dharris@enfinity.global</a>
Tom Anderson	EG	Director of Development	505 490-9877	<a href="mailto:tanderson@enfinity.global">tanderson@enfinity.global</a>

The above contact person(s) should be reviewed and re-evaluated every two (2) years along with the Initial Plan to assure they are up to date, relevant, and appropriate to serve as points of contract regarding decommissioning.

### 4.0 DECOMMISSIONING AND RESTORATION FUNDING AND SECURITY

#### 4.1 Decommissioning and Restoration Obligations

Vega Solar Energy Facility, LLC or a Transferee will post a Performance Bond as described in 3.2 below to ensure the availability of funds to cover Vega Solar Energy Facility, LLC decommissioning and restoration obligations. Vega Solar Energy Facility, LLC will deliver the Performance Bond to each County after receipt of the Conditional Use Permit and prior to the start of construction. The Initial Plan, to be completed by Vega Solar Energy Facility, LLC, will include the estimated costs for the Project's potential decommissioning and restoration obligations. The Initial Plan also will provide that such estimated costs will be re-evaluated by Vega Solar Energy Facility, LLC at the conclusion of construction of the Project and every two (2) years thereafter from the date of Substantial Completion to ensure sufficient funds for decommissioning and restoration and, if deemed appropriate at that time, the amount of the Performance Bond will be adjusted accordingly.

#### 4.2 Performance Bond

Vega Solar Energy Facility, LLC will provide financial security for the performance of its Decommissioning and Restoration obligations assuming the Project Site is restored to silviculture and agricultural use through a Performance Bond issued by a surety registered with the Colorado Commissioner of Insurance and is, at the time of delivery of the bond, is on the authorized insurance provider list published by the Commissioner. The Performance Bond will be in an amount equal to 100% of the estimated costs for Vega Solar Energy Facility, LLC decommissioning and restoration obligations provided in the Initial Plan. The Performance Bond will be for a term of one (1) year, and will be continuously renewed, extended, or replaced so that it remains in effect for the remaining term of the agreement or until the secured decommissioning obligations are satisfied, whichever occurs later.

# Emergency Response Plan

## Vega Solar Energy Facility

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- 2. Important Notices and Disclaimers ..... 2
- 3. Design and Emergency Procedures ..... 2
- 4. BESS Fire Safety Design ..... 3
- 5. Coordination and Training..... 4

## 1. Introduction

The proposed Vega Solar Energy Facility is scheduled for engineering and construction from 2027 to 2029. During the engineering phase, the details of the fire safety features will be determined through interaction with the Authority Having Jurisdiction (AHJ), local fire officials and PSCo operational personnel. Since BESS fire safety has to do with specifics of the site and fire official guidance, the majority of the safety plan will be determined during project design. This document forms the initial plan from which a final emergency response plan will be developed during the project.

## 2. Important Notices and Disclaimers

The industry sector, related technology, and best practices are rapidly evolving and changing regularly. It has been observed that changes in equipment and layout often occur to a project up until the construction phase. As such, this initial draft document is not intended to be the final.

The contents of this document are in no way meant to address specific circumstances, and the contents are not meant to be exhaustive and do not address every potential scenario associated with the subject matter of the document. Site and circumstance-specific factors and real-time judgment and reason may significantly impact some of the subject matter conveyed in this document. Additional resources and actions, which may be beyond the scope of this document, may be required to address specific issues.

Additionally, laws, ordinances, regulatory standards, and best practices related to the contents of this document are subject to change or modification. This ERP is intended to assist Vega Solar Energy Facility, their contractors, and Project staff with identification of fire risk and implementation of important fire prevention measures. This ERP is intended to provide a quick reference for site staff to recognize fire hazards, report those hazards, and mitigate them during construction and O&M.

## 3. Design and Emergency Procedures

The initial engineering phase will involve appropriate interaction with the PSCo team and insight from fire officials to arrive at a finalized battery container design. A proper emergency response plan will also begin here and be finalized by the time the project is complete.

Key things that will be considered during these phases:

**Site Specifics:** The location of the construction site, immediate surroundings, available utilities and neighboring structures will be important in determining a proper fire safety design. By example, the availability of suppression water will be important in determining if a water-based sprinkler system is viable. Setbacks from neighboring

structures and buildable property lines will also need to be considered.

**Fire Safety Technologies:** NFPA 855 provides guidance for proper fire safety design but leaves much of the actual decision-making up to the AHJ. Additional analyses may need to be performed to assess the viability of certain technologies such as ventilation and gas detection.

**Emergency Response Resources:** Understanding the proximity, equipment, and expertise available from the local fire response facilities is important in designing an appropriate emergency response plan.

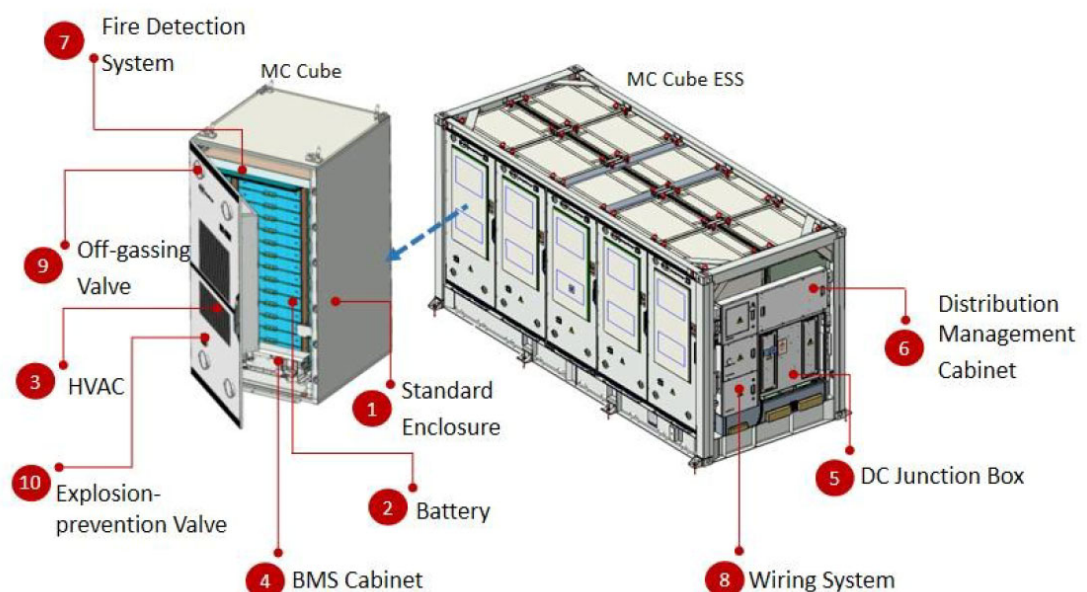
## 4. BESS Fire Safety Design

A key part of fire safety planning lies in the proper design of the energy storage system regarding fire safety technologies and technology interface procedures with emergency response personnel. Enfinity Global plans to utilize products developed with the guidance of the NFPA 855 code, that are also compliant with site specifics design requirements and the expert opinion of the AHJ. The ultimate design of the battery energy storage system will be the outcome of thoughtful collaboration with the local fire officials and PSCO safety personnel.

The planned battery energy storage system design will include a fully automated heat and smoke detection along with a hot aerosol agent-based suppression system. The fire detection control will be tied into the intrinsic protection and control system for the entire BESS allowing immediate shutdown and disconnection upon detection of any event.

Since the proposed design is at a preliminary level, additional safety features and procedures can be added as per the requirement of the AHJ in the eventual design.

The preliminary design also considers use of batteries certified to UL1973, UL9540A, PCS certified to UL1741, and system certified to UL9540.



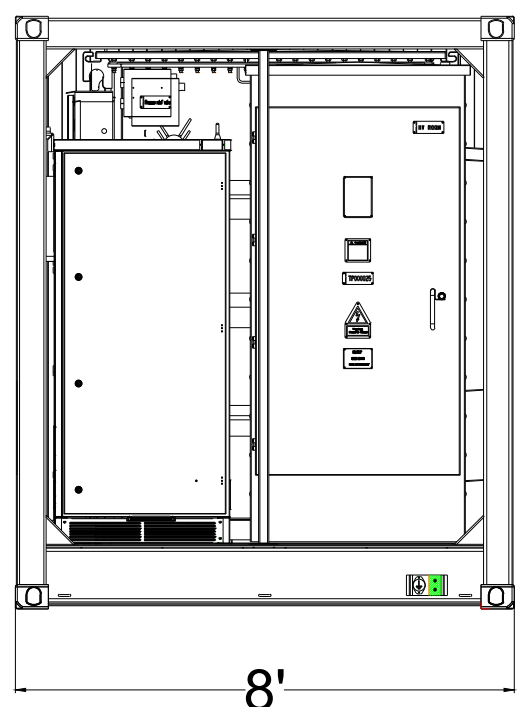
*\*Typical for information purposes only. Details will be provided once the final equipment is selected.*



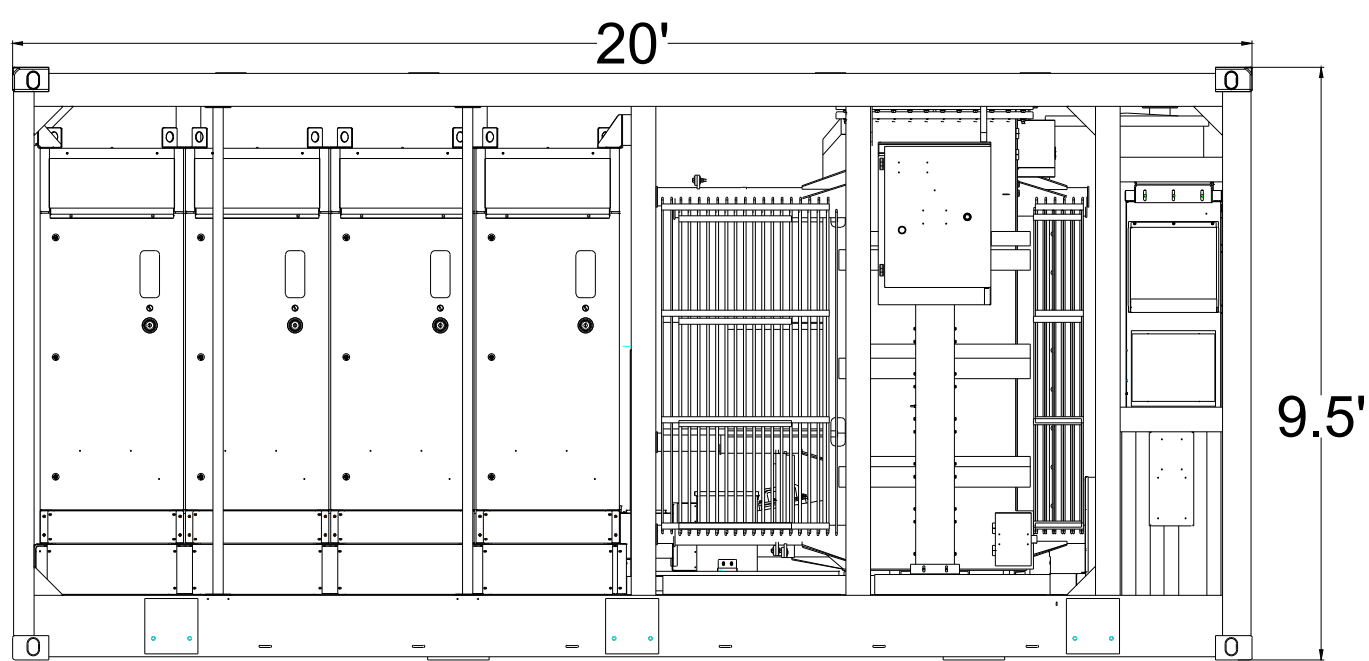
## **5. Coordination and Training**

The final step in the emergency response preparation process will be coordinating and training sequence for emergency response personnel led by qualified OEM Personnel. Once final design is complete and during construction, we will host multiple site visits to familiarize emergency response personnel with the project layout, emergency access points, and project technology. Importantly, this training will cover the technical operational aspects of the energy storage system and how to interface with it during an emergency event. The details of the training will be finalized during the building permit stage.

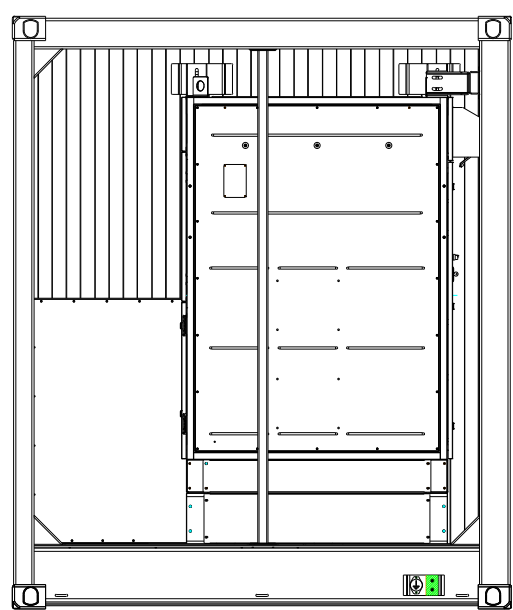
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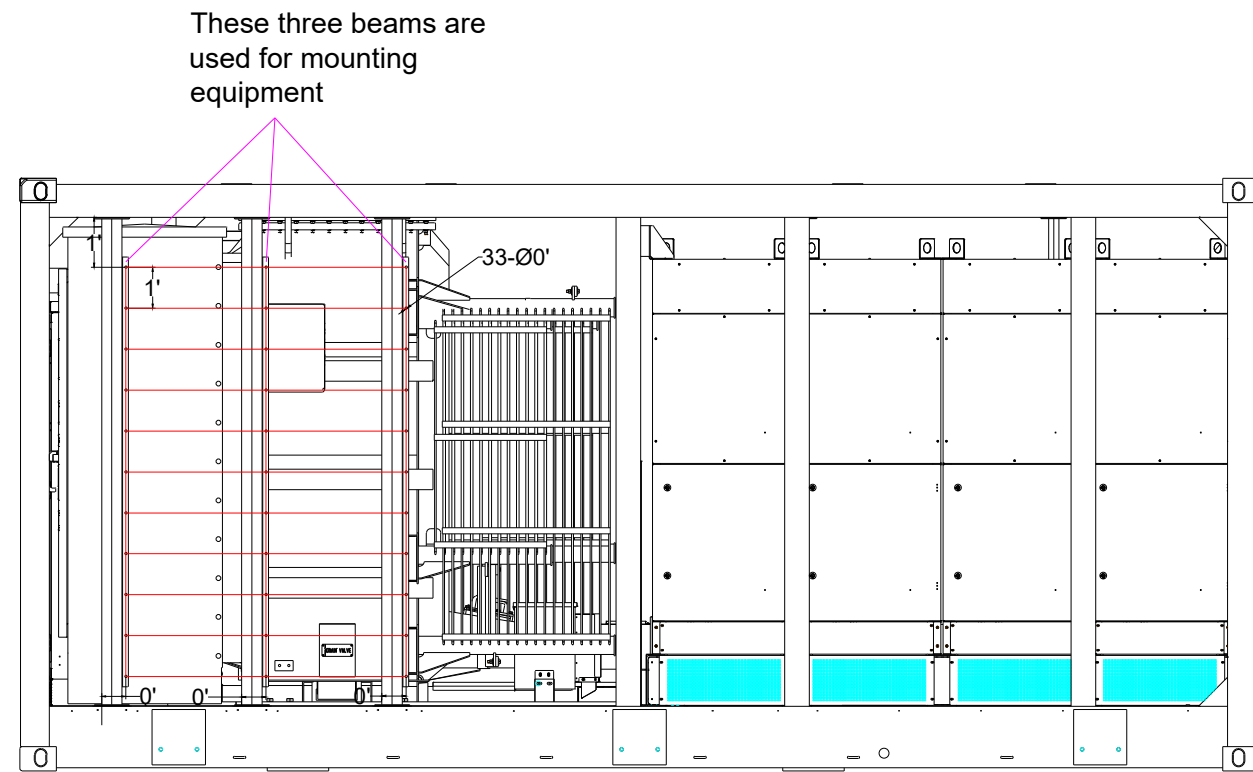
RIGHT VIEW



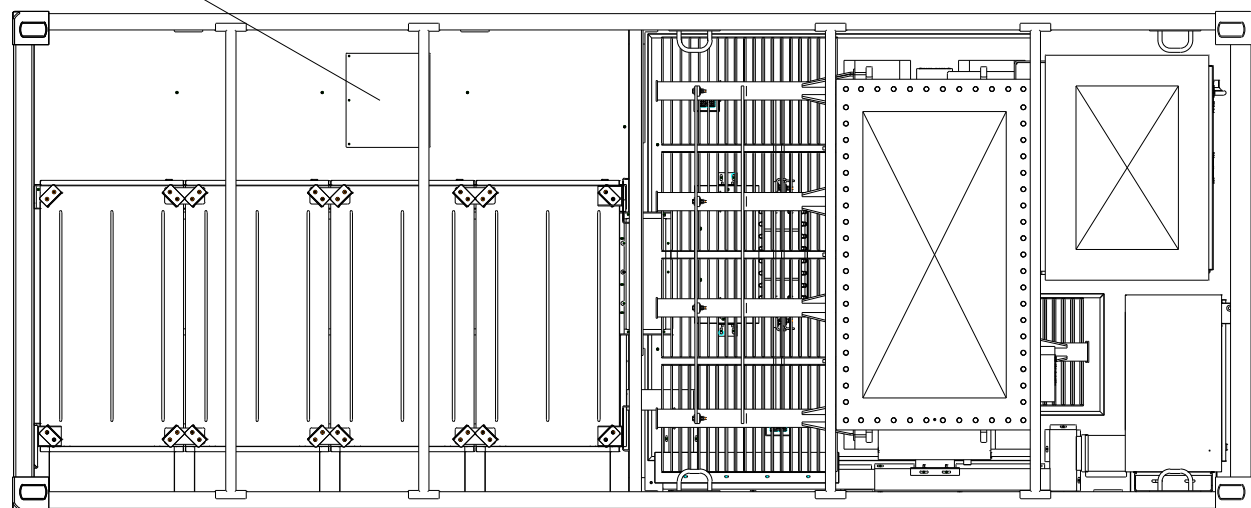
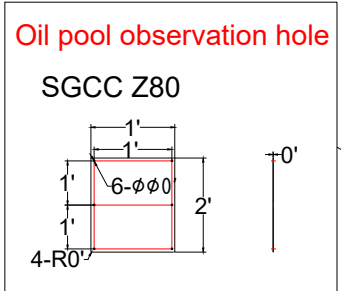
FRONT VIEW



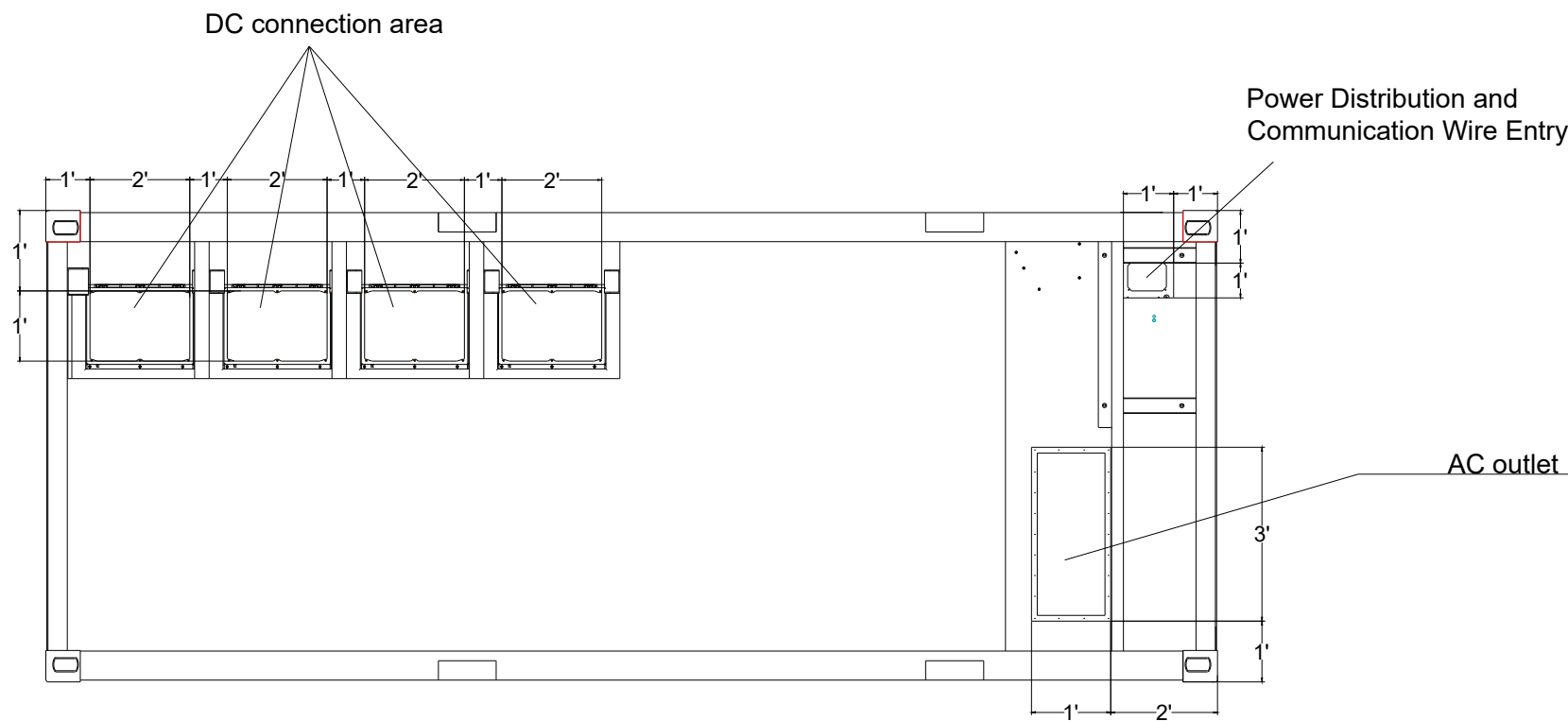
LEFT VIEW



BACK VIEW

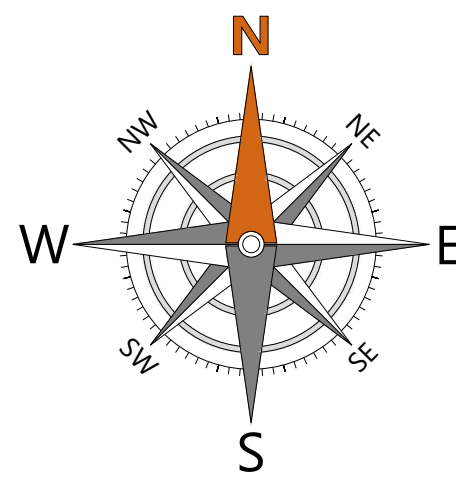


TOP VIEW



BOTTOM VIEW

## POWER STATION-FRONT AND SIDE ELEVATIONS TYPICAL



INITIAL DESIGN  
NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION	DR	ND	SN	CKD	APD
R1	09.26.24	PRELIMINARY DESIGN	GC	GC	GR	SG	
R0	06.25.24	PRELIMINARY DESIGN	GC	GC	GR	SG	

**enfinity** | energy for life

GLOBAL HEADQUARTER AND AMERICAS  
2 S. Biscayne Blvd, Suite 3200 | Miami | FL 33131  
United States of America

EPC CONTRACTOR:

CONSULTANT TO EPC CONTRACTOR:

PROJECT :  
VEGA SOLAR

LOCATION :  
ADAMS COUNTY, COLORADO

TITLE :  
POWER STATION ELEVATION PLAN

PROJECT NO.:  
N/A

DRAWING NO.:

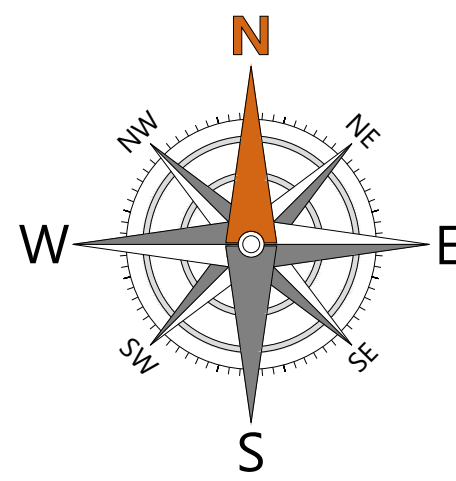
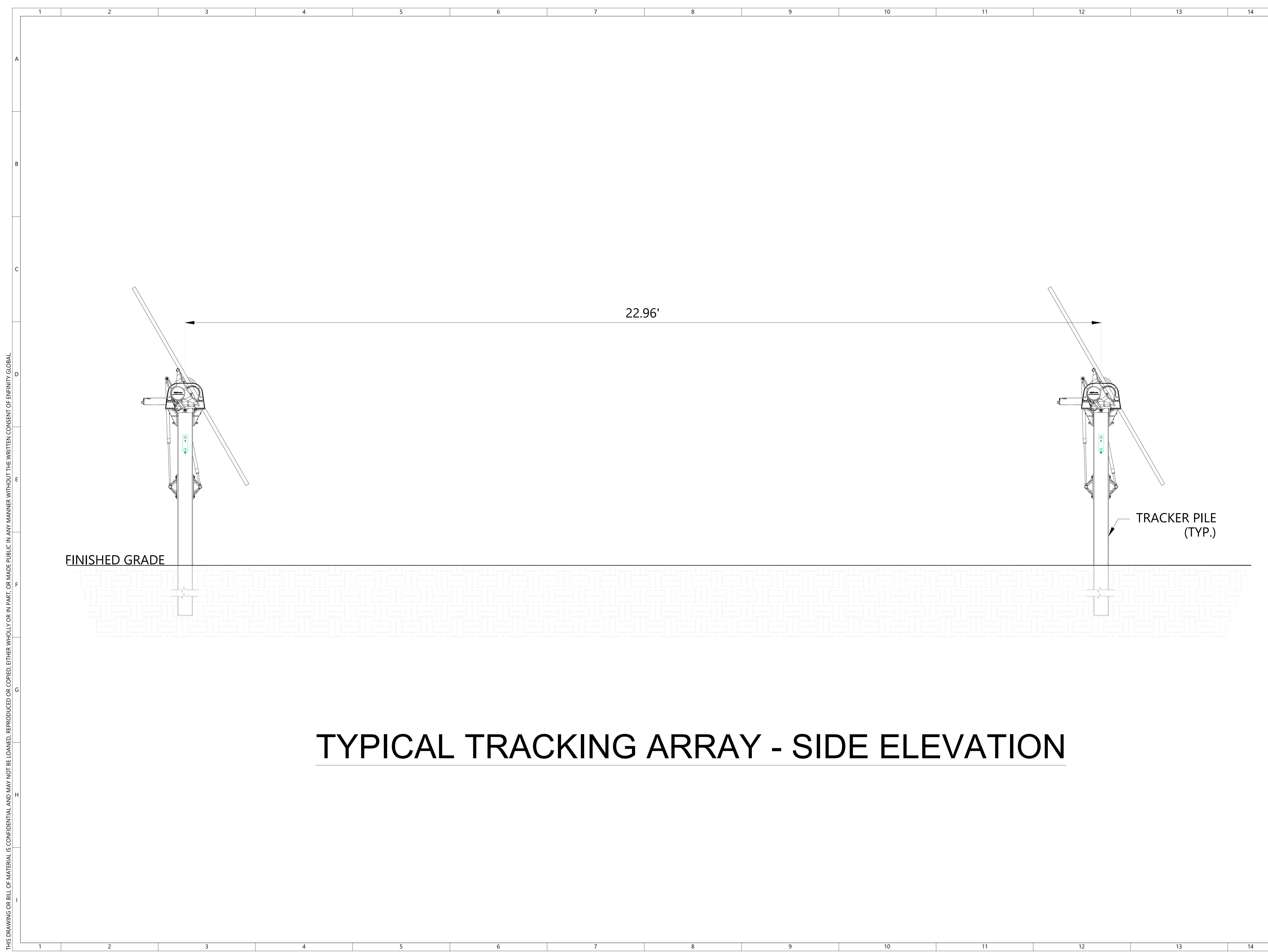
N/A

DATE:  
09-26-2024

SHEET NO.:  
05/08


SCALE:  
NTS

PAPER SIZE:  
ARCH-D



INITIAL DESIGN  
NOT FOR CONSTRUCTION

R1	09.26.24	PRELIMINARY DESIGN	GC	GC	GR SG
R0	06.25.24	PRELIMINARY DESIGN	GC	GC	GR SG
REV	DATE	DESCRIPTION	DR	ND	SNCKD/APD

 | energy for life  
GLOBAL HEADQUARTER AND AMERICAS  
2 S. Biscayne Blvd, Suite 3200 | Miami | FL 33131  
United States of America

EPC CONTRACTOR:

CONSULTANT TO EPC CONTRACTOR:

PROJECT :  
VEGA SOLAR

LOCATION :  
ADAMS COUNTY, COLORADO

TITLE :  
TRACKER ELEVATION PLAN

PROJECT NO.:  
N/A

DRAWING NO.:  
N/A

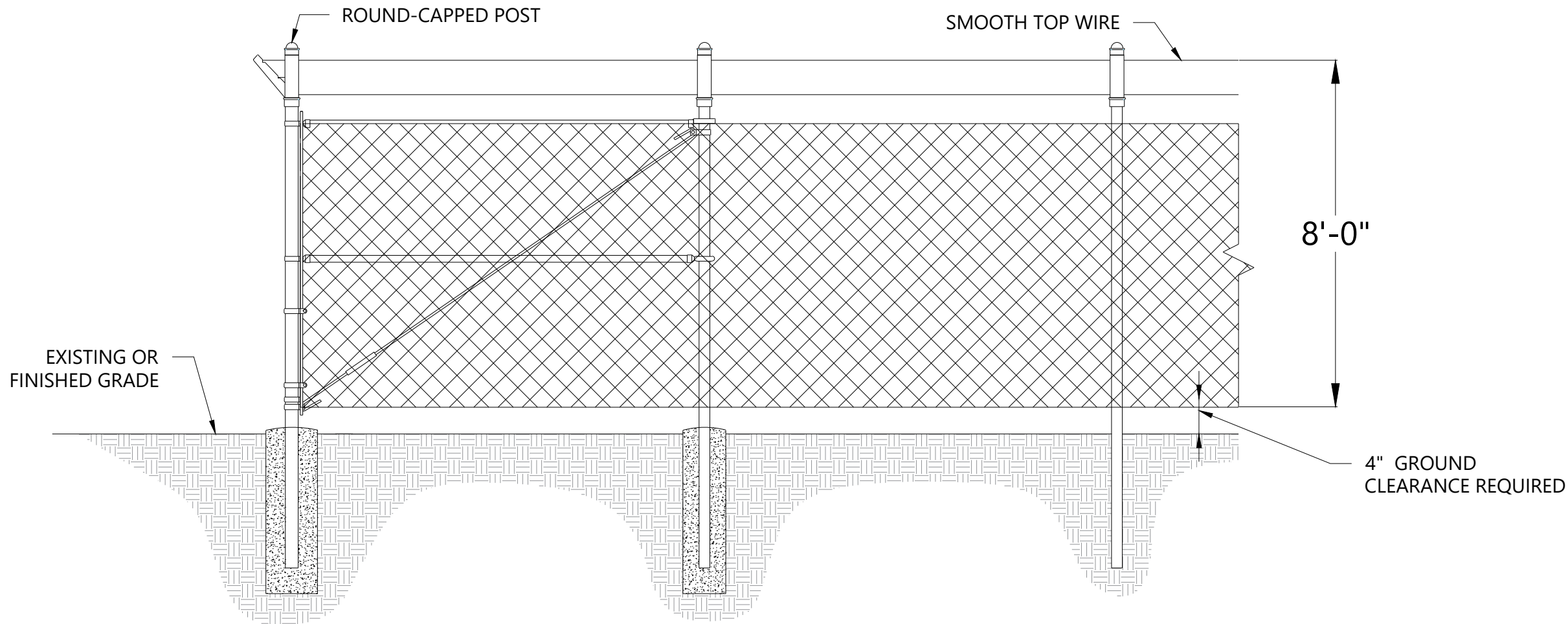
DATE:  
09-26-2024

SHEET NO.:  
06/08

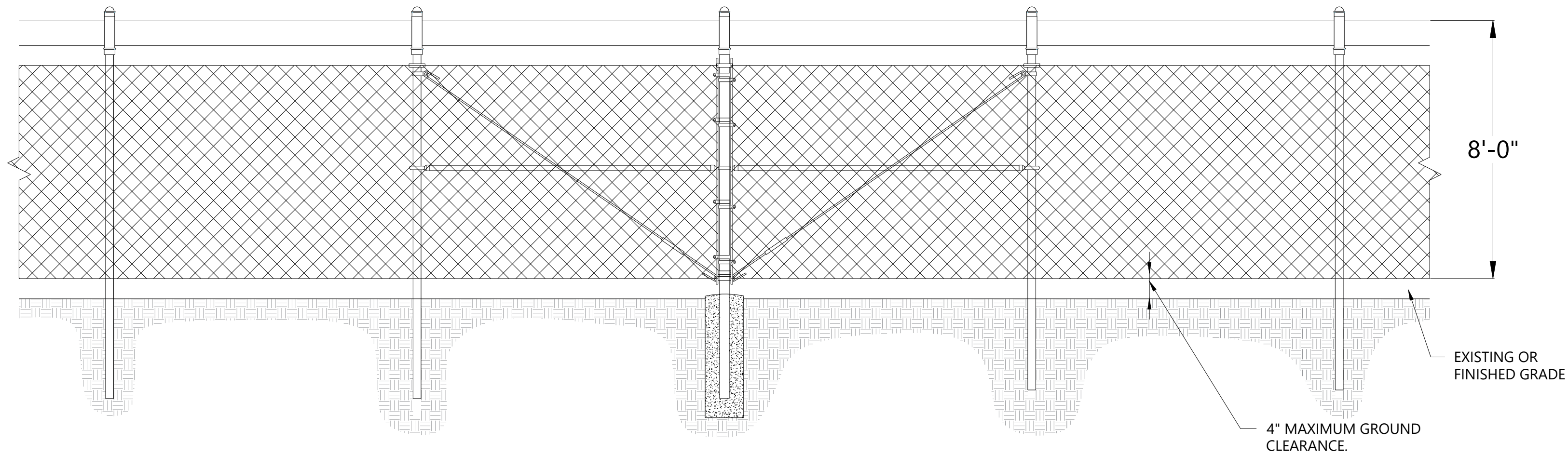
SCALE:  
NTS

PAPER SIZE:  
ARCH-D

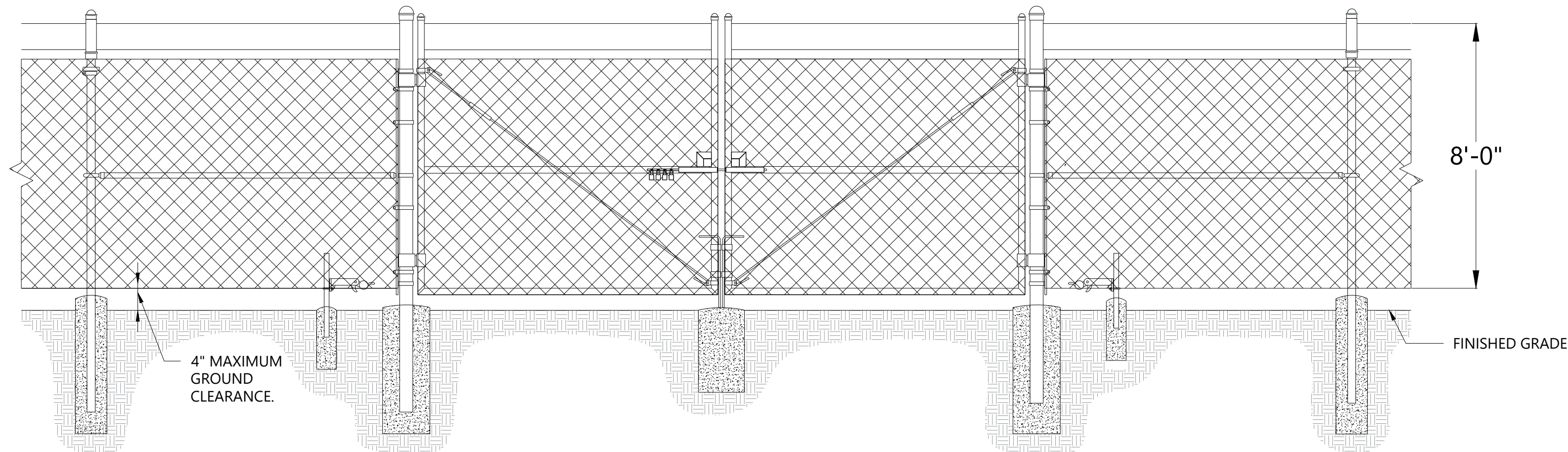
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TYPICAL FENCE CORNER DETAIL



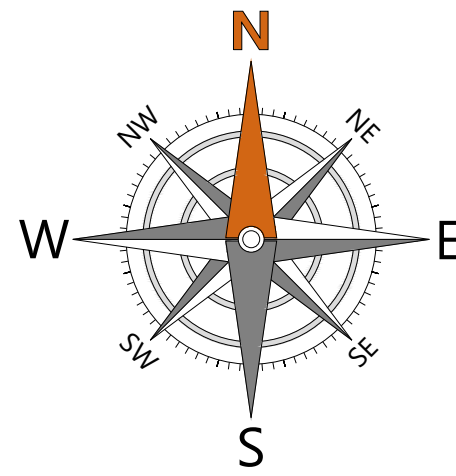
TYPICAL INTERMEDIATE POST DETAIL



TYPICAL SWING GATE DETAIL

## GATE & TYPICAL FENCE DETAILS

- NOTES:
- FENCE WILL BE GALVANIZED CHAIN LINK WITH 2" MESH, 9 GAUGE.
  - TOP TWO WIRES WILL BE SMOOTH WIRES WITH HIGH VISIBILITY FOR WILDLIFE CONSIDERATIONS AS PER RECOMMENDATIONS OF COLORADO PARKS AND WILD LIFE.



INITIAL DESIGN  
NOT FOR CONSTRUCTION

R1	09.26.24	PRELIMINARY DESIGN	GC	GC	GR	SG
R0	06.25.24	PRELIMINARY DESIGN	GC	GC	GR	SG
REV	DATE	DESCRIPTION	DR	ND	SK	APD



GLOBAL HEADQUARTER AND AMERICAS  
2 S. Biscayne Blvd, Suite 3200 | Miami | FL 33131  
United States of America

EPC CONTRACTOR:

CONSULTANT TO EPC CONTRACTOR:

PROJECT :  
VEGA SOLAR

LOCATION :  
ADAMS COUNTY, COLORADO

TITLE :  
FENCE PROFILE

PROJECT NO.:  
N/A

DRAWING NO.:

N/A

DATE:  
09-26-2024

SHEET NO.:  
07/08

SCALE:  
NTS

PAPER SIZE:  
ARCH-D



A yellow rectangular sign with a black border. In the top left corner, there is a red square with a white exclamation mark. The text on the sign reads: "VEGA SOLAR LLC" in large black letters, followed by "Solar Photovoltaic Generation Facility" in smaller black letters. Below that, it says "This site is subject to access authorization and control procedures" in black letters. At the bottom, it lists "112TH AVENUE RD.", "ADAMS COUNTY, CO", and "505-490-9877" in black letters.

SITE ENTRANCE SIGN  
(INSTALLED AT EACH ENTRANCE GATE)

A vertical rectangular sign with a black border. It features two identical warning sections. The top section has a red oval with the word "DANGER" in white, followed by "KEEP AWAY" and "HIGH VOLTAGE" in black letters, and a black silhouette of a person being struck by a lightning bolt. The bottom section has a red oval with the word "PELIGRO" in white, followed by "ALTO VOLTAJE" and "MANTÉNGASE ALEJADO" in black letters, and the same black silhouette of a person being struck by a lightning bolt.

FENCE SAFETY SIGNS  
(INSTALLED ON FENCE)

A rectangular sign with a black border. The top half is red with the words "NO" and "TRESPASSING" in large white letters. The bottom half is white with the words "VIOLATORS" and "WILL BE PROSECUTED" in red letters.



R1	09.26.24	PRELIMINARY DESIGN	GC	GC	GR	SG
R0	06.25.24	PRELIMINARY DESIGN	GC	GC	GR	SG
REV	DATE	DESCRIPTION	DR	ND	SN	CKD

GLOBAL HEADQUARTER AND AMERICAS  
2 S. Biscayne Blvd, Suite 3200 | Miami | FL 33131  
United States of America

CONSULTANT TO EPC CONTRACTOR

DRAWING NO.: N/A

SCALE:	PAPER SIZE:
NTS	ARCH-

**SAMANTHA CHODY**

**Independent Land Consultant  
Land Acquisition & Solar Development**

M: +1 (828) 817-6300 | [schody.ext@enfinity.global](mailto:schody.ext@enfinity.global)

2 S. Biscayne Blvd, Suite 3200 | Miami, FL 33131 (USA) | [www.enfinity.global](http://www.enfinity.global)



---

**From:** Jen Rutter <[JRutter@adcogov.org](mailto:JRutter@adcogov.org)>

**Sent:** Wednesday, April 17, 2024 5:17 PM

**To:** Samantha Chody <[schody.ext@enfinity.global](mailto:schody.ext@enfinity.global)>; Tom Anderson <[tanderson@enfinity.global](mailto:tanderson@enfinity.global)>; Dale Harris <[dharris.ext@enfinity.global](mailto:dharris.ext@enfinity.global)>

**Cc:** Kevin Mills <[KMills@adcogov.org](mailto:KMills@adcogov.org)>; Uma Sahare <[Uma.Sahare@acuitysolar.global](mailto:Uma.Sahare@acuitysolar.global)>

**Subject:** RE: Enfinity Global Vega Solar Project

External Sender. Please do not click on links or open attachments from senders you do not trust.

Good afternoon,

I've attached the mailing labels for property owners and residents within ½ mile of the subject properties. A virtual meeting is fine and you all are in charge of setting it up. County staff usually doesn't have any involvement in organizing or attending neighborhood meetings.

Please let me know if you need anything else!

Thanks,  
Jen



**Jen Rutter, AICP**

Planning & Development Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | [jrutter@adcogov.org](mailto:jrutter@adcogov.org)

[www.adcogov.org](http://www.adcogov.org)

---

**From:** Samantha Chody <[schody.ext@enfinity.global](mailto:schody.ext@enfinity.global)>

**Sent:** Tuesday, April 16, 2024 7:04 PM

**To:** Jen Rutter <[JRutter@adcogov.org](mailto:JRutter@adcogov.org)>; Tom Anderson <[tanderson@enfinity.global](mailto:tanderson@enfinity.global)>; Dale Harris <[dharris.ext@enfinity.global](mailto:dharris.ext@enfinity.global)>

**Cc:** Kevin Mills <[KMills@adcogov.org](mailto:KMills@adcogov.org)>; Uma Sahare <[Uma.Sahare@acuitysolar.global](mailto:Uma.Sahare@acuitysolar.global)>

**Subject:** Re: Enfinity Global Vega Solar Project

Please be cautious: This email was sent from outside Adams County

Good evening Jen,

Thank you for your assistance with the mailing labels. We have decided that we would like to do the neighborhood meeting virtually.

Vega Solar Project  
Enfinity Global  
Adams County, Colorado



Enfinity Global Vega Solar Project  
Neighborhood Notice Letter

**Recipients:**

BEAUPREZ LISA AND BEAUPREZ MARK UND 80%  
INT  
11780 MIMOSA RD  
BYERS CO 80103-8613

L AND S CAPITAL LTD  
800 US HIGHWAY 36  
BYERS CO 80103-9700

BEAUPREZ MARK AND LISA K  
11780 MIMOSA RD  
BYERS CO 80103-8613

LINNEBUR GRAIN AND BUFFALO LLLP  
PO BOX 298  
BYERS CO 80103-0298

COWELL FAMILY LLC  
32384 COUNTY ROAD 190  
DEER TRAIL CO 80105-7611

LOESBY-CALAWAY CONNIE R AND  
LOESBY RICHARD K  
1023 HERITAGE DR  
CARBONDALE CO 81623-3103

F AND C FARMS LP  
16567 HMM ROAD  
FT MORGAN CO 80701

MORRIS RAYMOND J AND  
MORRIS DONNA R JONES  
3305 BEHRENS RD  
BYERS CO 80103

HINERMAN TRUST THE  
24224 129TH AVE SE  
KENT WA 98030-5087

SKL NORTH FARM LIMITED PARTNERSHIP  
21331 COUNTY ROAD 3J  
LIMON CO 80828-9026

## Request for Comments

Case Name: Vega Solar Project

**June 2024**

### **Re: Notice of Planning Application.**

We are writing to inform you that Enfinity Global (Enfinity) has proposed the construction of a solar energy generation facility in Adams County, Colorado. Enfinity is requesting comments for the Vega Solar Project (Project) for which you have been identified as a potential stakeholder.

Enfinity has a successful presence throughout the entire value chain in the renewable energy sector. With a vision of long-term operation and ownership, we provide energy services to different segments of clients. Our strong capacity to develop projects from the greenfield stage has allowed us to originate a 22.4 GW pipeline that will become operational in the next five years.

The proposed Project is located in Township 2 South, Range 59 West, Sections 8, 17, and 20, east of County Road 56 (Hanks Crossing Rd) and south of 112th Ave in Adams County, Colorado (Figure 1).

- Parcel #: 0173700000060
- Parcel #: 0173700000062
- Parcel #: 0173700000064

Enfinity intends to construct and operate the Project using photovoltaic (PV) technology to generate approximately 156 megawatts (MW) of electricity. Project infrastructure would include solar panels, racking, a Battery Energy Storage System (BESS), substation, inverters, a storage facility, access roads, collection lines, and an interconnect to an existing transmission line. The total number of panels to be installed is approximately 240,000 and construction is anticipated for Q2 of 2027.

We are consulting the community on this proposal prior to submitting a planning application to Adams County. Your views are important to us, and we want our projects to bring meaningful benefits to the local community. A virtual community outreach meeting will be held on July 1, 2024, 6:00pm – 7:00pm.

Please visit <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> to attend the virtual community outreach meeting. We welcome any comments or queries during this period.

- **Meeting ID:** 324 241 083 909
- **Passcode:** TyHXPi

We hope this letter and enclosed information is a helpful introduction to our plans, but if you have further questions or would like to request to be added to the virtual community outreach meeting, please feel free to contact us using the details below.

Email: [Dharris@enfinityglobal.com](mailto:Dharris@enfinityglobal.com)

Phone Number: (703) 489-0414



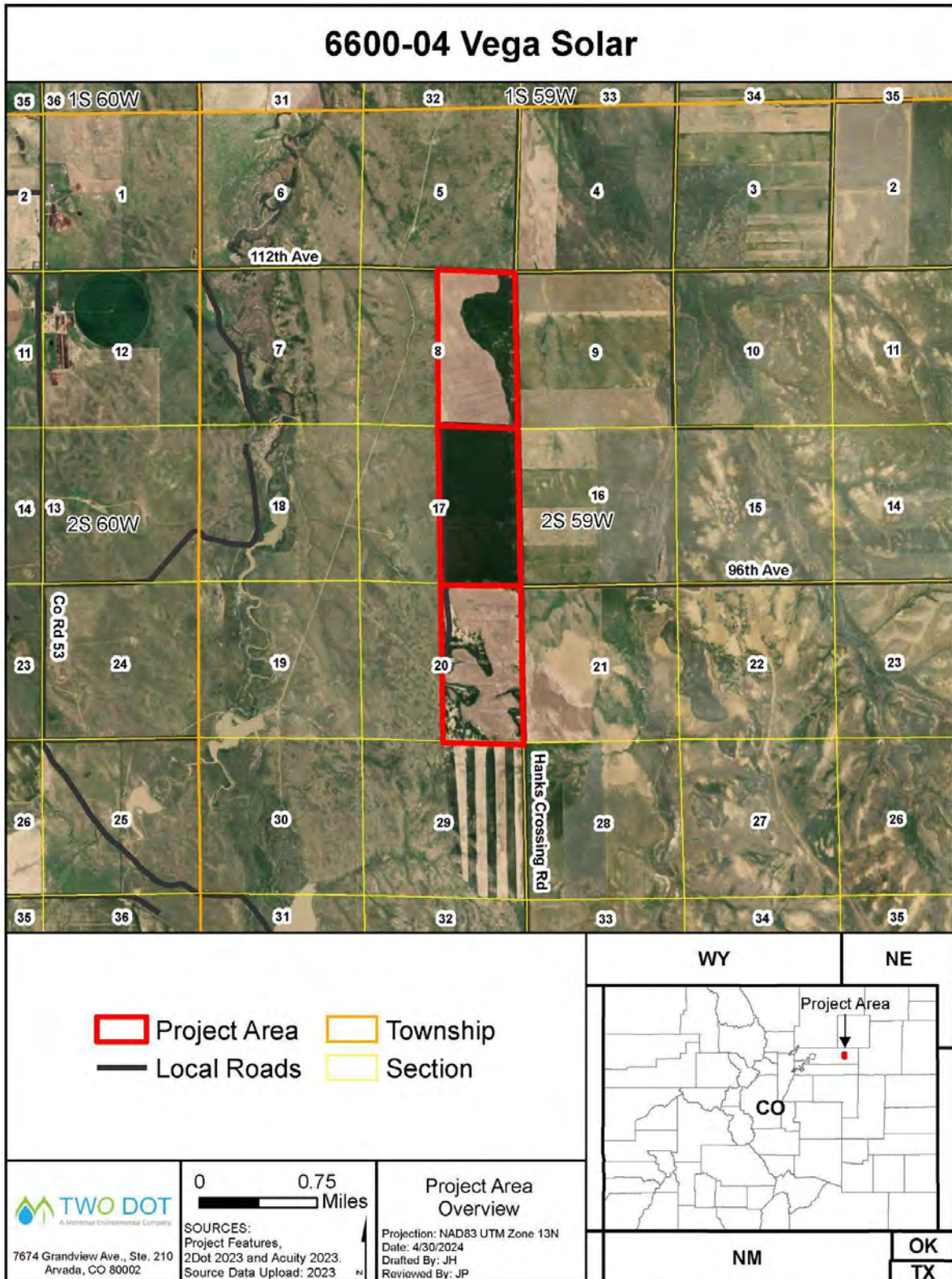


Figure 1. Vega Solar Project Overview



**RE: July 1, 2024, Vega Solar Project Virtual Community Outreach Meeting**

Enfinity Global (Enfinity) held a community outreach meeting regarding the development of the proposed Vega Solar Project (Project) located in Adams County, Colorado.

**Vega Solar Energy Project**

**July 1, 2024, Community Outreach Meeting Summary**

This meeting was held virtually, via Microsoft Teams, on July 1, 2024, from 6:00pm to 7:00pm MST.

**Attendees:**

Dale Harris (Enfinity)

Ethan Jahnke (2DOT)

Tom Anderson (Enfinity)

Jack Pritchett (2DOT)

Sarah Chody (Enfinity)

**Key Points of Discussion:**

- Dale Harris of Enfinity presented Project details.
- No community members were in attendance; no adverse comments to the Project were made.
- A recording of the virtual meeting is available upon request.



### Development Review Team Comments

**Date:** 8/26/2024

**Project Number:** PRC2024-00006

**Project Name:** Vega Solar Facility Conditional Use Permit

**Note to Applicant:**

The following review comments and information from the Development Review Team is based on the information you submitted for the Conditional Use Permit Applications. The Development Review Team review comments may change if you provide different information during a land use submittal/ building permit. Please contact the case manager if you have any questions.

Also, please note where "Section" is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

**Commenting Division:** Development Services, Planning

**Name of Reviewer:** Brayan Marin, Senior Planner

**Email:** [Bmarin@adcogov.org](mailto:Bmarin@adcogov.org)

**Property Notes:**

**Address:**

**Parcel Number:** 0173700000060, 0173700000062, 0173700000064

**Acreage:** 981 Acres

**Zoning:** Agricultural – 3 (A-3)

**Future Land Use Designation:** Agricultural Large Scale

**Request:**

1. Conditional Use Permit for a large-scale solar facility.
2. Conditional Use Permit for Utility Substation;
3. Conditional Use Permit for Battery Energy Storage System. The site is located within the Agricultural-3 zone district.

**Surrounding Zoning:**

**North:** Agricultural – 3 (A-3)

**South:** Agricultural – 3 (A-3)

**East:** Agricultural – 3 (A-3)

**West:** Agricultural – 3 (A-3)

Applicable sections of code to review

4-11-02-06-01 Solar Energy System, Principal

A copy of Adams County Zoning Code can be found [here](#).

PLN01: There are 3 lots as part of this proposed project. Applicant needs to provide setbacks for all lots. Not just the overall design.

PLN02: Please review all outside agency comments and provide a response to their questions / concerns.

**Commenting Division: Development Services, Right-of-Way Agent**

**Name of Review:** David Dittmer, ROW Agent

**Email:** [DDittmer@adcogov.org](mailto:DDittmer@adcogov.org)

ROW1: Pursuant to the approved Memorandum as requested by the developers, and approved by the Deputy Director of Public Works, all of the prescriptive ROW for Hanks Crossing must be in place prior to any approval of the CUP. The Exhibit "A's" for the respective property owners must be provided, and the conveyance of the ROW fully executed by the parties, prior to approval. Once we have these executed copies (non-recorded) I can complete my review.

\*ADVISORY\*

ROW2: The developer/Owners must provide the vacation applications to vacate the roads as provided in the Memorandum of Approval. This can run concurrently with the CUP.

ROW3: The detention pond(s) and access to same must be dedicated to the county. Exhibit "A" and "B" will be required for the location and access. These are processed as with the ROW dedications. and can run concurrently.

\*No final inspections or certificates of occupancy will be provided without these items being complete and recorded\*

**Commenting Division: Development Services, Engineering:**

**Name of Review:** Hugo Labouriau-Lacerda/ Civil Engineer II

**Email:** [hlabouriau-lacerda@adcogov.org](mailto:hlabouriau-lacerda@adcogov.org)

ENG1: The applicant is required to complete a Trip Generation Analysis (TGA) signed and stamped by a professional engineer. If the proposed scope of work shows the use of the site will generate over 20 vehicles per day, then a Traffic Impact Study (TIS) signed and stamped by a professional engineer will be required.

ENG2: Development will need to go through Engineering Review (EGR) process. All pertinent drawings and documents including grading plan, drainage report, and sediment and erosion control plan will need to be sent to the County for review. When completing the required drainage report, the developer must adhere to the latest Mile High Flood District (MHFD) technical memorandum regarding runoff

coefficients. This can be found at the link below.

<https://mhfd.org/wp-content/uploads/2024/01/TECHNICAL-MEMORANDUM-DETERMINATION-OF-SOLAR-PANEL-FIELD-RUNOFF-COEFFICIENTS-2023.pdf>

ENG3: Proposed improvements will likely disturb more than one (1) acre of ground, therefore, a stormwater quality State COR400000 Permit will both be required.

ENG4: If the applicant proposes to import greater than 10 CY of soil to this site, additional permitting is required. Per Section 4-04-02-02, of the Adams County Development Standards and Regulations, a Temporary or Special Use Permit is required to ensure that only clean, inert soil is imported into any site within un-incorporated Adams County. A Conditional Use Permit will be required if the importation exceeds 500,000 CY.

ENG5: According to the Federal Emergency Management Agency's January 20, 2016, Flood Insurance Rate Map (FIRM Panel #08001C0500H), the project site is PARTIALLY located within a regulated 100-yr floodplain. If developer is proposing any improvements within the floodplain a Floodplain Use Permit will be required.

ENG6: All existing and proposed access points onto Adams County maintained right-of-way must be permitted.

### **Commenting Division: Environmental Programs**

**Name of Review:** Megan Grant

**Email:** [MGrant@adcogov.org](mailto:MGrant@adcogov.org)

ENV1. Natural drainage areas are visible across the subject parcels. These drainage areas and wildlife habitat should be addressed in an environmentally sensitive manner in order to protect natural features and processes, protect and enhance important wildlife corridors, and generally sustain a high-quality natural environment. Applicant indicated, "CPW identified wildlife corridors and wildlife-friendly fencing as the major environmental concerns, both of which have been addressed in the application and site design." The applicant has also agreed to meet other requirements and recommendations outlined by Colorado Parks and Wildlife (letter dated 02/26/2024).

ENV2. The project narrative indicated the planned use of herbicides. The applicant/operator shall follow all applicable hazardous materials and waste management regulations to ensure proper management of hazardous materials and waste such that they do not present a significant actual or potential hazard to public health, safety, or the environment.

ENV3. All potential pollutant sources shall be stored within a covered area and in secondary containment.

The following comments apply to oil and gas:

ENV4. There are multiple plugged and abandoned and abandoned oil and gas wells on the subject parcels. Prior to submitting a site-specific development plan, all wells on the subject parcel shall be located and surveyed. The wells must be shown on the site plan.

ENV5. All known oil and gas well flow lines and/or easements shall be graphically depicted on the site-specific development plan. In the interest of public health and safety, Adams County recommends that the applicant verify the status of the flowlines.

ENV6. All wells within 200 feet of the subject parcel(s) must be located and mapped. These may be located off the subject parcel(s), but setback distances may impact the parcel(s). Refer to Adams County Development Standards and Regulations (ACDSR) Section 4-11-02-03-03-05-2b.

ENV7. Well details and location, as well as historical aerials and records, are available through the Colorado Energy and Carbon Management Commission (ECMC), formerly the Colorado Oil & Gas Conservation Commission (COGCC), website and map features:  
<https://ecmc.state.co.us/maps.html#/gisonline>.

ENV8. Adams County has requirements for residential construction currently, and this may expand to all construction in the future. The applicant should be aware of the standards and regulations, and adherence is recommended for safety and environmental health. On every final plat or site-specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No permanent structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet. Refer to Section 4-11-02-03-03-05.2c

The following comments apply to construction and operation:

ENV9. Exposure to air pollution is associated with numerous health problems including asthma, lung cancer, and heart disease. Construction and traffic in unpaved areas may contribute to increased fugitive dust emissions and offsite vehicle tracking. Adams County recommends the applicant utilize all available methods to minimize fugitive dust during all phases of construction and operation.

ENV10. An inert fill permit must be obtained prior to importing any volume of fill material onto the parcel as part of site development. The permit type will depend on the duration and total volume of fill imported to the site. The fill must meet the definition of clean, inert material.

ENV11. The applicant has indicated that water will be required during operations for panel washing operations. The application states, "The Project may potentially use haul water from a licensed water purveyor." Please indicate the water source/provider and an adequate and available source of water. This can be shown via a will-serve letter from the applicable water provider and/or documentation of correspondence regarding proof of water availability and service for the specific proposed project.



**RE: PRC2024-00006:: Project Proposal**

Brooks Kaufman &lt;BKaufman@core.coop&gt;

Thu 8/22/2024 6:42 AM

To: Brayan Marin &lt;BMarin@adcogov.org&gt;

Please be cautious: This email was sent from outside Adams County

Good morning Brayan

We have received the above-referenced referral request. We have reviewed our records and find that this property is not in our service territory.

Respectfully

**Brooks Kaufman**

Lands and Rights of Way Manager

800.332.9540 **MAIN**720.733.5493 **DIRECT**303.912.0765 **MOBILE**[www.core.coop](http://www.core.coop).[Book time to meet with me](#)

---

**From:** Brayan Marin <BMarin@adcogov.org>**Sent:** Thursday, August 1, 2024 2:40 PM

**To:** Margaret Grondalski <MGrondalski@adcogov.org>; mdisher@byersfire.org; Sierra McCormick <SMcCormick@adcogov.org>; Meredith Van Horn <MVanHorn@adcogov.org>; Gail Moon <GMoon@adcogov.org>; Gene Claps <GClaps@adcogov.org>; Justin Blair <jblair@adcogov.org>; bbuchmann@dt26j.com; turrell.tom@byers.k12.co.us; Brooks Kaufman <BKaufman@core.coop>; bliesen@mcrea.org; miguel\_flores@comcast.com; CGS\_LUR <CGS\_LUR@mines.edu>; amy.eschberger@state.co.us; Comaniciu - DNR, Ioana <ioana.comaniciu@state.co.us>; Comaniciu - DNR, Ioana <ioana.comaniciu@state.co.us>; Community Connections <CommunityConnections@adcogov.org>; Miller, Kenneth R <Kenneth.R.Miller@lumen.com>; Alexander Villagran <ALVillagran@adcogov.org>; CGS\_LUR <CGS\_LUR@mines.edu>; 'Localreferral - CDPHE, CDPHE' <cdphe\_localreferral@state.co.us>; 'jason.g.eddleman@usps.gov' <jason.g.eddleman@usps.gov>; 'hannah.posey@state.co.us' <hannah.posey@state.co.us>; bdrco@xcelenergy.com; 'joseph.osborne@centurylink.com' <joseph.osborne@centurylink.com>; Megan Barela <MBarela@adcogov.org>; ReferralsXcelDistribution@xcelenergy.com; Yvonne Thurtell <YThurtell@adcogov.org>

**Subject:** PRC2024-00006:: Project Proposal

You don't often get email from [bmarin@adcogov.org](mailto:bmarin@adcogov.org). [Learn why this is important](#)

**[CAUTION:]** This email is from an external source. Avoid clicking links or opening attachments unless you trust the sender and verify the content's safety.

Good afternoon,

Please see the attached application for case PRC2024-00006 for a Major Energy Facility. The client for this application is Land S Capital LTD and their proposal intends to create a new solar energy facility within three properties. Please provide comments back to me for this case no later than Wednesday, March 6th by EOD. A full submittal of the applicant can be found [here](#)

Please let me know if you have any questions or need any additional clarification related to this case.

Thank you and have a nice day,

**Brayan Marin**

Senior Planner, *Planning & Development Division*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

O: 720.523.6977 | [BMarin@adcogov.org](mailto:BMarin@adcogov.org) | [www.adcogov.org](http://www.adcogov.org)

*Current Schedule: Monday through Thursday, 7:30 a.m. to 5:30 p.m.*




**Fwd: PRC2024-00006:: Project Proposal**

Hamous-Miller - DNR, Lexi &lt;lexi.hamous-miller@state.co.us&gt;

Thu 8/22/2024 11:23 AM

To: Brayan Marin &lt;BMarin@adcogov.org&gt;

Cc: Hannah Posey - DNR &lt;hannah.posey@state.co.us&gt;; Matt Martinez - DNR &lt;matt.martinez@state.co.us&gt;

 4 attachments (3 MB)

02. Project Narrative.pdf; AB. Aerial Map.pdf; AA. RFC.pdf; Vega Solar Project- Adams County (1).pdf;

You don't often get email from lexi.hamous-miller@state.co.us. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Hi Brayan,



Thank you for including CPW in the review of this proposed project. We provided the applicant with a comment letter back in February. We are unable to find the application materials on the Adam's county website so we are unsure if it was included so I will attach the same letter here just in case. Please let us know if you have any questions or need additional information. Thank you!

**-Sincerely,**

**Lexi Hamous, MS (She/Her)**  
**Northeast Region Land Use Coordinator**  
**Colorado Parks and Wildlife**

[6060 Broadway, Denver, CO 80216](#)

303-916-2987

[Lexi.Hamous-Miller@state.co.us](mailto:Lexi.Hamous-Miller@state.co.us)[CPW's Energy Webpage](#) [https://twitter.com/cpw\\_ne](https://twitter.com/cpw_ne)  

----- Forwarded message -----

From: **Brayan Marin** <[BMarin@adcogov.org](mailto:BMarin@adcogov.org)>

Date: Thu, Aug 1, 2024 at 2:45 PM

Subject: PRC2024-00006:: Project Proposal

To: Margaret Grondalski <[MGrondalski@adcogov.org](mailto:MGrondalski@adcogov.org)>, [mdisher@byersfire.org](mailto:mdisher@byersfire.org) <[mdisher@byersfire.org](mailto:mdisher@byersfire.org)>, Sierra McCormick <[SMcCormick@adcogov.org](mailto:SMcCormick@adcogov.org)>, Meredith Van Horn <[MVanHorn@adcogov.org](mailto:MVanHorn@adcogov.org)>, Gail Moon <[GMoon@adcogov.org](mailto:GMoon@adcogov.org)>, Gene Claps <[GClaps@adcogov.org](mailto:GClaps@adcogov.org)>, Justin Blair <[jblair@adcogov.org](mailto:jblair@adcogov.org)>, [bbuchmann@dt26j.com](mailto:bbuchmann@dt26j.com) <[bbuchmann@dt26j.com](mailto:bbuchmann@dt26j.com)>, [turrell.tom@byers.k12.co.us](mailto:turrell.tom@byers.k12.co.us) <[turrell.tom@byers.k12.co.us](mailto:turrell.tom@byers.k12.co.us)>, [BKaufman@core.coop](mailto:BKaufman@core.coop) <[BKaufman@core.coop](mailto:BKaufman@core.coop)>, [bliesen@mcrea.org](mailto:bliesen@mcrea.org) <[bliesen@mcrea.org](mailto:bliesen@mcrea.org)>, [miguel.flores@comcast.com](mailto:miguel.flores@comcast.com) <[miguel.flores@comcast.com](mailto:miguel.flores@comcast.com)>, CGS\_LUR <[CGS\\_LUR@mines.edu](mailto:CGS_LUR@mines.edu)>, [amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us) <[amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us)>, Comaniciu - DNR, Ioana <[ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us)>, Community Connections <[CommunityConnections@adcogov.org](mailto:CommunityConnections@adcogov.org)>, Miller, Kenneth R <[Kenneth.R.Miller@lumen.com](mailto:Kenneth.R.Miller@lumen.com)>, Alexander Villagran <[ALVillagran@adcogov.org](mailto:ALVillagran@adcogov.org)>,

Localreferral - CDPHE, CDPHE <[cdphe\\_localreferral@state.co.us](mailto:cdphe_localreferral@state.co.us)>, [jason.g.eddleman@usps.gov](mailto:jason.g.eddleman@usps.gov) <[jason.g.eddleman@usps.gov](mailto:jason.g.eddleman@usps.gov)>, [hannah.posey@state.co.us](mailto:hannah.posey@state.co.us) <[hannah.posey@state.co.us](mailto:hannah.posey@state.co.us)>, [bdrco@xcelenergy.com](mailto:bdrco@xcelenergy.com) <[bdrco@xcelenergy.com](mailto:bdrco@xcelenergy.com)>, [joseph.osborne@centurylink.com](mailto:joseph.osborne@centurylink.com) <[joseph.osborne@centurylink.com](mailto:joseph.osborne@centurylink.com)>, Megan Barela <[MBarela@adcogov.org](mailto:MBarela@adcogov.org)>, [ReferralsXcelDistribution@xcelenergy.com](mailto:ReferralsXcelDistribution@xcelenergy.com) <[ReferralsXcelDistribution@xcelenergy.com](mailto:ReferralsXcelDistribution@xcelenergy.com)>, Yvonne Thurtell <[YThurtell@adcogov.org](mailto:YThurtell@adcogov.org)>

Good afternoon,

Please see the attached application for case PRC2024-00006 for a Major Energy Facility. The client for this application is Land S Capital LTD and their proposal intends to create a new solar energy facility within three properties. Please provide comments back to me for this case no later than Wednesday, March 6th by EOD. A full submittal of the applicant can be found [here](#)

Please let me know if you have any questions or need any additional clarification related to this case.

Thank you and have a nice day,

**Brayan Marin**

Senior Planner, *Planning & Development Division*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

📞: 720.523.6977 | [BMarin@adcogov.org](mailto:BMarin@adcogov.org) | [www.adcogov.org](http://www.adcogov.org)

*Current Schedule: Monday through Thursday, 7:30 a.m. to 5:30 p.m.*

## Referral PRC2024-00006 Response

Matz - DNR, Michael <michael.matz@state.co.us>

Wed 8/7/2024 3:20 PM

To: Brayan Marin <BMarin@adcogov.org>

Cc: Comaniciu - DNR, Ioana <ioana.comaniciu@state.co.us>

You don't often get email from michael.matz@state.co.us. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Good Afternoon Brayan Marin,

We have received your August 1, 2024 referral regarding an application for conditional use permits to construct a large scale solar facility, utility substation, and battery storage system on approximately 981 acres in Sections 8, 17, and 20, Twp. 2S, Rng 59W, 6th P.M., Adams County on property known as Parcel Numbers: 0173700000060, 0173700000062, and 0173700000064.

This referral does not appear to qualify as a "subdivision" as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer's March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

A review of our records show no permitted wells on the subject property. The proposed water supply source and demand for the project is unknown. So long as the water for the construction of the solar energy facility is supplied from a legal source, and the wells are used in accordance with the terms and conditions of their respective permits, this office has no comments on the referral.

Thank you for the opportunity to review.

Best,

**Mike Matz**  
**Water Resources Engineer**



P 303.866.3581 x 8241

1313 Sherman Street, Room 821, Denver, CO 80203

[michael.matz@state.co.us](mailto:michael.matz@state.co.us) | [www.colorado.gov/water](http://www.colorado.gov/water)

**From:** [Patrick Conroy](#)  
**To:** [Brayan Marin](#)  
**Cc:** [Mike Disher](#)  
**Subject:** Re: PRC2024-00006:: Project Proposal  
**Date:** Tuesday, September 3, 2024 4:45:14 PM

---

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I have reviewed the CUP application for this project and only have a few comments to add:

- The proposed Emergency Response Plan has already identified some key elements that would be on concern to the Fire Department, specifically compliance with NFPA 855.
- The project will also be reviewed under the applicable sections of the Adams County currently adopted edition of the international Fire Code and any applicable Adams County local amendments.
- In general, this would include elements that address fire protection, fire department water supply, access, and property maintenance.
- These would be addressed during the design development process by the owner.



Patrick Conroy, MS, EMT-P, NAFI-CFEI, IAAI-CFI®  
Fire Chief  
ICC Certified Fire Marshal  
ICC Certified Building Code Official  
Colorado Fire Plans Examiner

---

**From:** Brayan Marin <BMarin@adcogov.org>  
**Sent:** Monday, August 19, 2024 11:40 AM  
**To:** Patrick Conroy <pconroy@svfd8.org>  
**Cc:** Mike Disher <mdisher@byersfire.org>  
**Subject:** RE: PRC2024-00006:: Project Proposal

Patrick,

Good afternoon and thank you for your email. Sorry for the delay in my response, I was out most of last week. I have attached the project packet for your review.

Disregard the March date, that was a typo on my end. If you could please provide comments by Wednesday, August 28<sup>th</sup> I would appreciate it. I know it's a tight deadline, and if you need more time, that is not a problem.

Please let me know if I can provide additional information,

Thank you,



**Brayan Marin**

Senior Planner, *Planning & Development Division*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

**O:** 720.523.6977 | [BMarin@adcogov.org](mailto:BMarin@adcogov.org) | [www.adcogov.org](http://www.adcogov.org)

*Current Schedule: Monday through Thursday, 7:30 a.m. to 5:30 p.m.*

---

**From:** Patrick Conroy <pconroy@svfd8.org>  
**Sent:** Thursday, August 15, 2024 11:17 AM  
**To:** Brayan Marin <BMarin@adcogov.org>  
**Cc:** Mike Disher <mdisher@byersfire.org>  
**Subject:** Re: PRC2024-00006:: Project Proposal

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**Please be cautious: This email was sent from outside Adams County**

I went to the link today to look at the documents related to this case in there is nothing there for PRC2024-006.

I am also wondering about the comments due date of March 6<sup>th</sup> of 2024, seeing as we have never seen this case before now that I am aware of.

For reference I serve as the Fire Marshal for Byers under on MOU which is why I am sending this inquiry..



Patrick Conroy, MS, EMT-P, NAFI-CFEI, IAAI-CFI®  
Fire Chief  
ICC Certified Fire Marshal  
ICC Certified Building Code Official  
Colorado Fire Plans Examiner

---

**From:** Mike Disher <[mdisher@byersfire.org](mailto:mdisher@byersfire.org)>  
**Sent:** Friday, August 2, 2024 10:46 AM  
**To:** Patrick Conroy <[pconroy@svfd8.org](mailto:pconroy@svfd8.org)>  
**Subject:** Fwd: PRC2024-00006:: Project Proposal

For your reading pleasure

----- Forwarded message -----

From: **Brayan Marin** <[BMarin@adcogov.org](mailto:BMarin@adcogov.org)>  
Date: Thu, Aug 1, 2024 at 2:40 PM  
Subject: PRC2024-00006:: Project Proposal  
To: Margaret Grondalski <[MGrondalski@adcogov.org](mailto:MGrondalski@adcogov.org)>, [mdisher@byersfire.org](mailto:mdisher@byersfire.org) <[mdisher@byersfire.org](mailto:mdisher@byersfire.org)>, Sierra McCormick <[SMcCormick@adcogov.org](mailto:SMcCormick@adcogov.org)>, Meredith Van Horn <[MVanHorn@adcogov.org](mailto:MVanHorn@adcogov.org)>, Gail Moon <[GMoon@adcogov.org](mailto:GMoon@adcogov.org)>, Gene Claps <[GClaps@adcogov.org](mailto:GClaps@adcogov.org)>, Justin Blair <[jblair@adcogov.org](mailto:jblair@adcogov.org)>, [bbuchmann@dt26j.com](mailto:bbuchmann@dt26j.com) <[bbuchmann@dt26j.com](mailto:bbuchmann@dt26j.com)>, [turrell.tom@byers.k12.co.us](mailto:turrell.tom@byers.k12.co.us) <[turrell.tom@byers.k12.co.us](mailto:turrell.tom@byers.k12.co.us)>, [BKaufman@core.coop](mailto:BKaufman@core.coop) <[BKaufman@core.coop](mailto:BKaufman@core.coop)>, [bliesen@mcrea.org](mailto:bliesen@mcrea.org) <[bliesen@mcrea.org](mailto:bliesen@mcrea.org)>, [miguel\\_flores@comcast.com](mailto:miguel_flores@comcast.com) <[miguel\\_flores@comcast.com](mailto:miguel_flores@comcast.com)>, CGS\_LUR <[CGS\\_LUR@mines.edu](mailto:CGS_LUR@mines.edu)>, [amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us) <[amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us)>, Comaniciu - DNR, Ioana <[ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us)>, Community Connections <[CommunityConnections@adcogov.org](mailto:CommunityConnections@adcogov.org)>, Miller, Kenneth R <[Kenneth.R.Miller@lumen.com](mailto:Kenneth.R.Miller@lumen.com)>, Alexander Villagran <[ALVillagran@adcogov.org](mailto:ALVillagran@adcogov.org)>, Localreferral - CDPHE, CDPHE <[cdphe\\_localreferral@state.co.us](mailto:cdphe_localreferral@state.co.us)>, [jason.g.eddleman@usps.gov](mailto:jason.g.eddleman@usps.gov) <[jason.g.eddleman@usps.gov](mailto:jason.g.eddleman@usps.gov)>, [hannah.posey@state.co.us](mailto:hannah.posey@state.co.us) <[hannah.posey@state.co.us](mailto:hannah.posey@state.co.us)>, [bdrco@xcelenergy.com](mailto:bdrco@xcelenergy.com) <[bdrco@xcelenergy.com](mailto:bdrco@xcelenergy.com)>, [joseph.osborne@centurylink.com](mailto:joseph.osborne@centurylink.com) <[joseph.osborne@centurylink.com](mailto:joseph.osborne@centurylink.com)>, Megan Barela <[MBarela@adcogov.org](mailto:MBarela@adcogov.org)>, [ReferralsXcelDistribution@xcelenergy.com](mailto:ReferralsXcelDistribution@xcelenergy.com) <[ReferralsXcelDistribution@xcelenergy.com](mailto:ReferralsXcelDistribution@xcelenergy.com)>, Yvonne Thurtell <[YThurtell@adcogov.org](mailto:YThurtell@adcogov.org)>

Good afternoon,

Please see the attached application for case PRC2024-00006 for a Major Energy Facility. The client for this application is Land S Capital LTD and their proposal intends to create a new solar energy facility within three properties. Please provide comments back to me for this case no later than Wednesday, March 6th by EOD. A full submittal of the applicant can be found [here](#)

Please let me know if you have any questions or need any additional clarification related to this case.

Thank you and have a nice day,



**Brayan Marin**

Senior Planner, *Planning & Development Division*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

**O:** 720.523.6977 | [BMarin@adcogov.org](mailto:BMarin@adcogov.org) | [www.adcogov.org](http://www.adcogov.org)

*Current Schedule: Monday through Thursday, 7:30 a.m. to 5:30 p.m.*

--



*Chief Mike Disher*

*Byers Fire Rescue*

*303-475-6505*



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: 303.285.6612  
[violeta.ciocanu@xcelenergy.com](mailto:violeta.ciocanu@xcelenergy.com)

August 12, 2024

Adams County Community and Economic Development Department  
4430 South Adams County Parkway, 3<sup>rd</sup> Floor, Suite W3000  
Brighton, CO 80601

Attn: Brayan Marin

**Re: Vega Solar Energy Facility Conditional Use Permits, Case # PRC2024-00006**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has determined **there is a potential conflict** with the above captioned project. Public Service Company has existing electric transmission lines and associated land rights as shown within this property. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. PSCo is requesting that, prior to any final approval of the development plan/plat, it is the responsibility of the property owner/developer/contractor to have this project assigned to a Land Rights Agent for development plan review and execution of a License Agreement (via either website [www.xcelenergy.com/rightofway](http://www.xcelenergy.com/rightofway) or email [coloradorightofway@xcelenergy.com](mailto:coloradorightofway@xcelenergy.com)).

The property owner/developer/contractor must complete the application process for any new electric service facilities via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements will need to be acquired by separate document for new facilities – be sure to contact the Designer and request that they connect with a Right-of-Way and Permits Agent in this event.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-285-6612 – Email: [violeta.ciocanu@xcelenergy.com](mailto:violeta.ciocanu@xcelenergy.com)





SpencerFane®

H. Michael Miller  
Direct Dial: 303-592-8330  
hmmiller@spencerfane.com

File No. 5026328

December 19, 2024

**VIA U.S. MAIL**

Adams County Planning Department  
4430 S. Adams County Pkwy.  
Brighton, CO 80601

**Re: Enfinity Global  
Vega Solar Energy Facility LLC  
Conditional Use Permit Application**

Dear Ladies and Gentlemen:

I represent Miller Oil Account, LLC (Miller Oil) and am also one of the managers of the company. I am writing with regard to an application by the above referenced company for a Conditional Use Permit for a proposed solar farm project involving Sections 8, 17 and 20, Township 2 South, Range 59 West. Miller Oil owns minerals in Section 8 of these lands.

We want the record to reflect that as of this date, aside from notice of the hearing on the Application which is scheduled for January 9<sup>th</sup>, we have had no contact from, or discussions with, the Applicant. However, we are aware that Colorado law is clear that the mineral estate is dominant over the rights of the surface owner. As of this date, we oppose this Application as the development of a solar farm will obviously impact the mineral owners rights to use the surface for exploration of its minerals. We intend to appear at the hearing to voice our objections.

Sincerely,

Spencer Fane LLP

H. Michael Miller

cc: Mr. Dale Harris, Project Manager  
Enfinity Global

Jonathan L. Madison, Esq.



## Request for Comments

Case Name: Vega Solar Energy Facility Conditional Use Permits

Project Number: PRC2024-00006

August 1, 2024

The Adams County Planning Commission is requesting comments on the following application: **1. Conditional Use Permit for a large-scale solar facility; 2. Conditional Use Permit for Utility Substation; 3. Conditional Use Permit for Battery Energy Storage System. The site is located within the Agricultural-3 zone district.** The Assessor's Parcel Number is 0173700000060, 0173700000062, 0173700000064.

Applicant Information: Vega Solar Energy Facility LLC  
2 S BISCANYE BLVD, 32ND FLOOR  
MIAMI, FL 33131

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 08/23/2024 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to [BMarin@adcogov.org](mailto:BMarin@adcogov.org).

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at [www.adcogov.org/current-land-use-cases](http://www.adcogov.org/current-land-use-cases).

Thank you for your review of this case.

Brayan Marin  
Planner III

---

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry  
DISTRICT 1

Charles "Chaz" Tedesco  
DISTRICT 2

Emma Pinter  
DISTRICT 3

Steve O'Dorisio  
DISTRICT 4

Lynn Baca  
DISTRICT 5



## Public Hearing Notification

Case Name:	Vega Solar Energy Facility Conditional Use Permits
Case Number:	PRC2024-00006
Planning Commission Hearing Date:	01/09/2025 at 6:00 p.m.
Board of County Commissioners Hearing Date:	02/11/2025 at 9:30 a.m.

December 9, 2024

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request:

**1. Conditional Use Permit for a large-scale solar facility; 2. Conditional Use Permit for Utility Substation; 3. Conditional Use Permit for Battery Energy Storage System. The site is located within the Agricultural-3 zone district.**

The Assessor's Parcel Number(s) 0173700000060, 0173700000062, 0173700000064

Applicant Information: Vega Solar Energy Facility LLC  
2 S BISCANYE BLVD, 32ND FLOOR  
MIAMI, FL 33131

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at [www.adcogov.org/current-land-use-cases](http://www.adcogov.org/current-land-use-cases).

*Si usted tiene preguntas, por favor escribanos un correo electrónico a [cedespanol@adcogov.org](mailto:cedespanol@adcogov.org) para asistencia en español. Por favor incluya su dirección o número de caso para poder ayudarle mayor.*

Thank you for your review of this case.

Brayan Marin  
Planner III

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry  
DISTRICT 1

Charles "Chaz" Tedesco  
DISTRICT 2

Emma Pinter  
DISTRICT 3

Steve O'Dorisio  
DISTRICT 4

Lynn Baca  
DISTRICT 5

PUBLISHER'S AFFIDAVIT

STATE OF COLORADO

SS  
COUNTIES OF ADAMS, ARAPAHOE, ELBERT

I, Douglas Claussen, the Publisher & Editor, or  
Douglas Claussen, designated  
Agent, of the I-70 Scout, a weekly newspaper of  
general publication distribution to all addresses  
from Watkins east to Agate, State of Colorado, do  
hereby certify the foregoing notice as published in  
said newspaper, published in the regular and entire  
issue of said newspaper, once each week for 1 suc-  
cessive weeks; that the first publication of said no-  
tice was in the issue of said newspaper date:

12/26/24

And the last publication of said notice was in the  
issue of said newspaper date:

12/26/24

And that copies of each number of said paper in  
which said notice and/or list(s) were published, and  
delivered by U.S. Mail to each address contained in  
the publication area, according to the accustomed  
mode of business in this office.

Douglas Claussen  
Publisher/Editor

The above certificate of publication was subscribed  
and affirmed to before me, a Notary Public, to be  
the identical person described in the above certi-  
cate, on the

27<sup>th</sup> day of December 20 24.

Kevin Hemphill  
Notary Public

04-16-2026  
(My Notary Public Commission Expiration Date)

**Vega Solar Energy Facility Conditional Use Permits**

**Case Number: PRC2024-00006**

Planning Commission Hearing Date: January 9, 2025, at 6:00 p.m.

Board of County Commissioners Hearing Date: February 11, 2025, at 9:30 a.m.

Hearings Location: 4430 S. Adams County Pkwy., Brighton, CO

**Requests:**

1. Conditional Use Permit for a large-scale solar facility; 2. Conditional Use Permit for Utility Substation; 3. Conditional Use Permit for Battery Energy Storage System. The site is located within the Agricultural-3 zone district.

Location of Development Proposal: Southwest corner of E.112th Avenue and Hanks Crossing Road

Parcel Numbers: 0173700000060, 0173700000062, 0173700000064

**Legal Description:**

PARCEL 1: APN # 0173700000060 / R0108393

The East ½ of Section 8, Township 2 South, Range 59 West of the 6th P.M.

PARCEL 2: APN # 0173700000062 / R0108395

The East ½ of Section 17, Township 2 South, Range 59 West of the 6th P.M.

PARCEL 3: APN # 0173700000064 / R0108398

The East ½ of Section 20, Township 2 South, Range 59 West of the 6th P.M.

Adams County Case Manager: Brayan Marin

Applicant: Vega Solar Energy Facility, LLC

2 S Biscayne Blvd 32nd Floor Miami, Florida 33131



**ADAMS COUNTY**  
COLORADO

Published in The I-70 Scout on Thursday, Dec. 26, 2024, and the Eastern Colorado News on Friday, Dec. 27, 2024.

KEVIN HEMPHILL  
Notary Public  
State of Colorado  
Notary ID # 20184016470  
My Commission Expires 04-16-2026



Referral Listing  
Case Number PRC2024-00006  
Vega Solar Energy Facility Conditional Use Permits

Agency	Contact Information
Adams County Assessor	Margaret Grondalsky 4430 S Adams County Pkwy C2100 Brighton CO 80601 720.523.6712 MGrondalski@adcogov.org
Adams County Assessor	Yvonne Thurtell 4430 S Adams County Pkwy Brighton CO 80601 (720) 523-6038 Subdivisions only: YThurtell@adcogov.org
Adams County CED , Development Engineering	Devt. Services Engineering 4430 S Adams County Pkwy Brighton CO 80601 720-523-6800 Contact Person May Vary Depending on Case
Adams County CED Dept. (Building Safety)	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
Adams County CEDD Addressing	David Dittmer 4430 S Adams County Pkwy Brighton CO 80601 720.523.6800 ddittmer@adcogov.org
Adams County Constituent Services	Megan Barela 4430 S. Adams County Pkwy Brighton CO 80220 720.523.6997 mbarela@adcogov.org
Adams County CSWB Neighborhood Services Division	Gail Moon 4430 S Adams County Pkwy Brighton CO 80601 720-523-6856 gmoon@adcogov.org
Adams County Government, County Attorney's Office	Meredith Van Horn 4430 S Adams County Pkwy Brighton CO 80601 720-523-6352 MVanHorn@adcogov.org

Agency	Contact Information
Adams County Parks, Open Space and Cultural Arts Department (POSCA)	Sierra McCormick  9755 Henderson Rd. Brighton CO 80601 (303) 637-8005 smccormick@adcogov.org
Adams County Public Works Construction Inspection	- - 4430 S Adams County Pkwy Brighton CO 80601 720-523-6965 Send to Case Engineer
Adams County Public Works Right-of-Way	David Dittmer 4430 S. Adams County Pkwy. Brighton CO 80601 720-523-6811 ddittmer@adcogov.org
Adams County Sheriff	Community Connections 4430 S Adams County Pkwy Brighton CO 80601 303-655-3283 CommunityConnections@adcogov.org
Adams County Sheriff	Gene Claps 4430 S Adams County Pkwy Brighton CO 80601 303-655-3295 GClaps@adcogov.org
Adams County Treasurer	Alex Villagran 4430 S. Adams County Pkwy. Brighton CO 80601 720.523-6162 alvillagran@adcogov.org
Byers Fire Protection District	Chief Michael Disher PO Box 85 Byers CO 80103 303-822-5208 mdisher@byersfire.org
BYERS SCHOOL DISTRICT 32J	TOM TURRELL 444 E FRONT ST BYERS CO 80103 303-822-5292 x1111 turrell.tom@byers.k12.co.us
Century Link	Joseph Osbourne 303.518.3360 RCUs only: joseph.osborne@centurylink.com
Century Link	Network Real Estate Team 303.518.3360 VSPs ONLY: relocations@lumen.com
Century Link	NRE Easement 303.518.3360 PLTs ONLY: nre.easement@centurylink.com

Agency	Contact Information
Century Link, Inc	Ken Miller 5325 Zuni St, Rm 728 Denver CO 80221 303.518.3360 RCUs ONLY: kenneth.r.miller@lumen.com
Colorado Department of Public Health & Environment (CDPHE)	Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 303.691.7702 cdphe_localreferral@state.co.us
Colorado Division of Water Resources	Ioana Comaniciu Office of State Engineer 1313 Sherman St, Room 818 Denver CO 80203 303-866-3581 ioana.comaniciu@state.co.us
Colorado Division of Water Resources	Ioana Comaniciu Office of State Engineer 1313 Sherman St, Room 818 Denver CO 80203 303-866-3581 ioana.comaniciu@state.co.us
Colorado Division of Wildlife	Hannah Posey 6060 Broadway St. Denver CO 80216-1000 303-947-1798 hannah.posey@state.co.us
Colorado Geological Survey	Jill Carlson 1500 Illinois Street Golden CO 80401 303-384-2643 303-384-2655 CGS_LUR@mines.edu
Colorado Geological Survey: CGS_LUR@mines.edu	Jill Carlson Mail CHECK to Jill Carlson 303-384-2643 303-384-2655 CGS_LUR@mines.edu
COMCAST	Miguel Flores 8490 N UMATILLA ST FEDERAL HEIGHTS CO 80260 720-413-0113 Miguel_Flores@comcast.com
CORE Electric Cooperative	Brooks Kaufman 5496 North US Hwy 85 Sedalia CO 80135 720.733.5493 BKaufman@core.coop
Deer Trail School District 26J	BJ Buchmann PO Box 129 Deer Trail CO 80105 303-769-4421X110 bbuchmann@dt26j.com

## Agency

## Contact Information

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Division of Mining and Reclamation Safety

Amy Eschberger  
Colorado Department of Natural Resources  
1313 Sherman St., #215  
Denver CO 80203  
(303) 866-3567 EXT. 8129  
amy.eschberger@state.co.us

Morgan County Rural Electric

Brent Kliesen  
P.O. Box 738  
Fort Morgan CO 80701  
970-867-5688  
bliersen@mcrea.org

Public Service Company of Colorado (PSCo) dba Xcel Energy

--  
1123 W 3rd Ave  
Denver CO 80223  
303.571.3306  
bdrco@xcelenergy.com

Public Service Company of Colorado (PSCo) dba Xcel Energy

Referral Distribution  
1123 West 3rd  
Denver CO 80223  
303-571-3863  
ReferralsXcelDistribution@xcelenergy.com

United States Postal Service

Jason Eddleman  
303-853-6025  
Jason.G.Eddleman@usps.gov



BEAUPREZ LISA AND BEAUPREZ MARK UND 80% INT  
11780 MIMOSA RD  
BYERS CO 80103-8613

ROOD JAN A UND 1/3 INT AND  
MANVILLE DONNA L UND 1/3 INT  
12818 W 84TH DRIVE  
ARVADA CO 80005

BEAUPREZ MARK AND LISA K  
11780 MIMOSA RD  
BYERS CO 80103-8613

SKL NORTH FARM LIMITED PARTNERSHIP  
21331 COUNTY ROAD 3J  
LIMON CO 80828-9026

COWELL FAMILY LLC  
32384 COUNTY ROAD 190  
DEER TRAIL CO 80105-7611

DENES RONALD  
7204 SCHUMAKER ROAD  
BENNETT CO 80102

F AND C FARMS LP  
16567 HMM ROAD  
FT MORGAN CO 80701

HINERMAN TRUST THE  
24224 129TH AVE SE  
KENT WA 98030-5087

L AND S CAPITAL LTD  
800 US HIGHWAY 36  
BYERS CO 80103-9700

LINNEBUR GRAIN AND BUFFALO LLLP  
PO BOX 298  
BYERS CO 80103-0298

LOESBY-CALAWAY CONNIE R AND  
LOESBY RICHARD K  
1023 HERITAGE DR  
CARBONDALE CO 81623-3103

MORRIS RAYMOND J AND  
MORRIS DONNA R JONES  
3305 BEHRENS RD  
BYERS CO 80103

# CERTIFICATE OF POSTING



I, Brayan Marin do hereby certify that I posted the subject property located at the intersection of Hanks Crossing Road and East 112th Avenue on December 23, 2024 in accordance with the requirements of the Adams County Development Standards and Regulations.

A handwritten signature in black ink, appearing to read 'Brayan Marin', written over a horizontal line.

Brayan Marin