

**TOWN OF SILVER CLIFF  
PLANNING COMMISSION  
DECEMBER 18, 2024, AT 5:00 P.M.  
SILVER CLIFF TOWN HALL**

Google Meet joining info

Video call link: <https://meet.google.com/yek-zkdz-eym>

Or dial: (US) +1 315-758-1031 PIN: 756 110 806#

More phone numbers: <https://tel.meet/yek-zkdz-eym?pin=4329226484700>

**AGENDA**

Call to Order

Pledge of Allegiance

Roll Call

Recognition of Visitors

1. Approval of the minutes from November 20, 2024
2. New Business
  - a. Consideration of approval to recommend Jerry Peterson to the Planning Commission
  - b. Presentation and discussion with Cloudbreak Solar Farm project – Allison O’Neill – Public Hearing and Consideration to move to the Board of Trustees
3. Old Business
  - a) Discussion and consideration to move Modular/Mobile/Tiny Home to the Board of Trustees
  - b) Round Mountain Water and Sewer Update
  - c) Rezoning Committee Update
4. Open discussion on other issues to come before the Planning Commission.
5. Public Comments: (3-minute time limit): Town of Silver Cliff’s citizens or business owners to address the Planning Committee and request to be on a future agenda.
6. Adjourn

# Town of Silver Cliff

## Planning Commission Meeting Minutes

November 20, 2024

The meeting was called to order by Larry Weber at the Town of Silver Cliff's Planning Commission regular meeting at the Town Hall located at 612 E. Main St, at 5:03 pm.

The Pledge of Allegiance was said.

Roll Call-

Present: Chairman Larry Weber, co-chair Dave Schneider, Steve Lasswell, Deb Diemer, Mayor Buck Wenzel, Trustee Lisa Nolan

Absent: Trustee Jordan Benson

Staff Present: Building and Zoning Official Issac Selden, Town Clerk Ileen Squire, Attorney Dan Slater

Guests: Jerry Peterson Rezoning, Ally Oneil and Brysen Daughlon - Cloudbreak, Scott Nolan, Cathy Peterson, Elliott Jackson Trib, Kris Schmidt

Amendment to agenda – add a public hearing for the Solar

### 1. Approval of the Minutes- from August 21, 2024

Dave Schneider made the motion to approve the minutes with amendments, Steve Lasswell seconded the motion, motion carried unanimously.

### 2. New Business

a. Street and Alley Vacation request – Scott Nolan gave a presentation on all the documents presented. Motion by Dave Schneider to approve the Nolan Street and Alley Vacation request to the Board of Trustees, seconded by Deb Diemer, motion carried unanimously.

b. Presentation and discussion with CloudBreak Solar Farm project – Allison O'Neill Steve Lasswell – Announced that he is the president of the Sustainable Ways and with the proposal of CloudBreak donation to us I feel my vote is a conflict.

Come back December 18 with changes presentation – they will have a signup sheet available at this meeting for anyone that wishes to sign up for the service.

### 3. Old Business

### 4. Modular/Mobile/Tiny Home ordinance change discussion

Homework – the attorney is working through these changes and getting it in an ordinance format.

### 5. Round Mountain Water and Sewer Update

Funding is at 88% for our new facility. We are working on ADU's in Westcliffe they are really against our regulations, so we are trying to address these issues and changes.

6. Rezoning Committee Update  
Report in packet.

7. Master Plan -Still in Review  
Workshop set a date in January.

8. Open Discussion

9. Public Comments

Jerry – I have been asked to submit a letter of interest to be on this commission. With our traveling how do you all really feel about me doing so? Larry - I want your expertise and with the computers allowing you to do remote I don't see an issue. I won't to see this commission keep going and you would be a great asset.

Dave - I feel the same as Larry. Being gone is ok but staying involved and online for meetings would be necessary.

Steve – agrees

Deb - agrees

Lisa – agrees – can call in as well

10. Adjourn: DS SL 6:48

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Larry Weber, Chairman

830 4<sup>th</sup> Street  
Silver Cliff, CO 81252-8795  
December 2, 2024

Town of Silver Cliff Planning Commission  
612 Main Street  
Silver Cliff, CO 81249

ATTN: Ileen Squire, Town Clerk, et al.

RE: Letter of Intent for Service with the Planning Commission

This is a letter of intent to offer my service to the Town of Silver Cliff Planning Commission to fill a current vacancy.

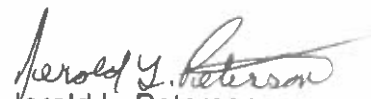
My experience includes one decade of Land Surveying field experience, and two decades of management experience, including five years of high-level management. Additionally, I have also managed senior staff at various levels of management/professions. This included contact with and serving the public while representing or interfacing with federal, state, and local agencies, including town boards, zoning boards and planning commissions. Locally, I have chaired the Rezoning Committee, an ad hoc committee that serves this Planning Commission, since its inception in 2015.

As a member of this Planning Commission, my intent will be to support the commission leadership to competently apply the codes and ordinances of Custer County and the Town of Silver Cliff to land use and building permit requests in making recommendations to the Board of Trustees. It is not my intent to be in a leadership role.

My intent is to participate in every meeting. However, I do spend much time traveling out-of-state, and occasionally out of the country. I will make efforts to plan travel around the meetings, or attend via teleconference. This travel should be taken into account in considering me for this position. For succession planning, I will encourage my replacement by a competent candidate who is younger, and can participate fully in every meeting.

I appreciate your consideration. I am available for any discussion on this matter.

Sincerely,



Jerold L. Peterson  
(916) 749-2776



CLOUDBREAK®

TOWN OF SILVER CLIFF

# Community Solar Project

Silver Cliff Solar Project

December 18, 2024





## Who We Are

- Our team is made of farmers, ranchers, and experienced solar professionals.
- 40+ years of combined renewable energy development, project finance, and management experience.
- Founded in Sterling in 2020.
- More than 80% of our projects are located in Colorado.

## Key Achievements

- We planted the largest pollinator habitat in the Rocky Mountain West in partnership with the Audubon Society.
- We hosted an economic development workshop in Greeley, CO in partnership with Energize Colorado, Startup Colorado, Upstate Colorado, & East Colorado SBDC.
- The projects in Colorado that we are working on right now would generate enough electricity to power about 120,000 Colorado homes.





CLOUDBREAK® X



# What is a Community Solar Garden?

- Community Solar Gardens are centrally-located solar projects that allow Black Hills Energy customers to receive credit on their electricity bill for the power that has been produced from the solar array through subscription.

## Benefits:

- Allows residents to receive the benefits of solar without having to build a system on their roof or pay any upfront costs.
- Increases the resiliency of the local energy grid.
- Delivers cheaper electricity for local residents who subscribe to the system.



# Silver Cliff Community Solar Project

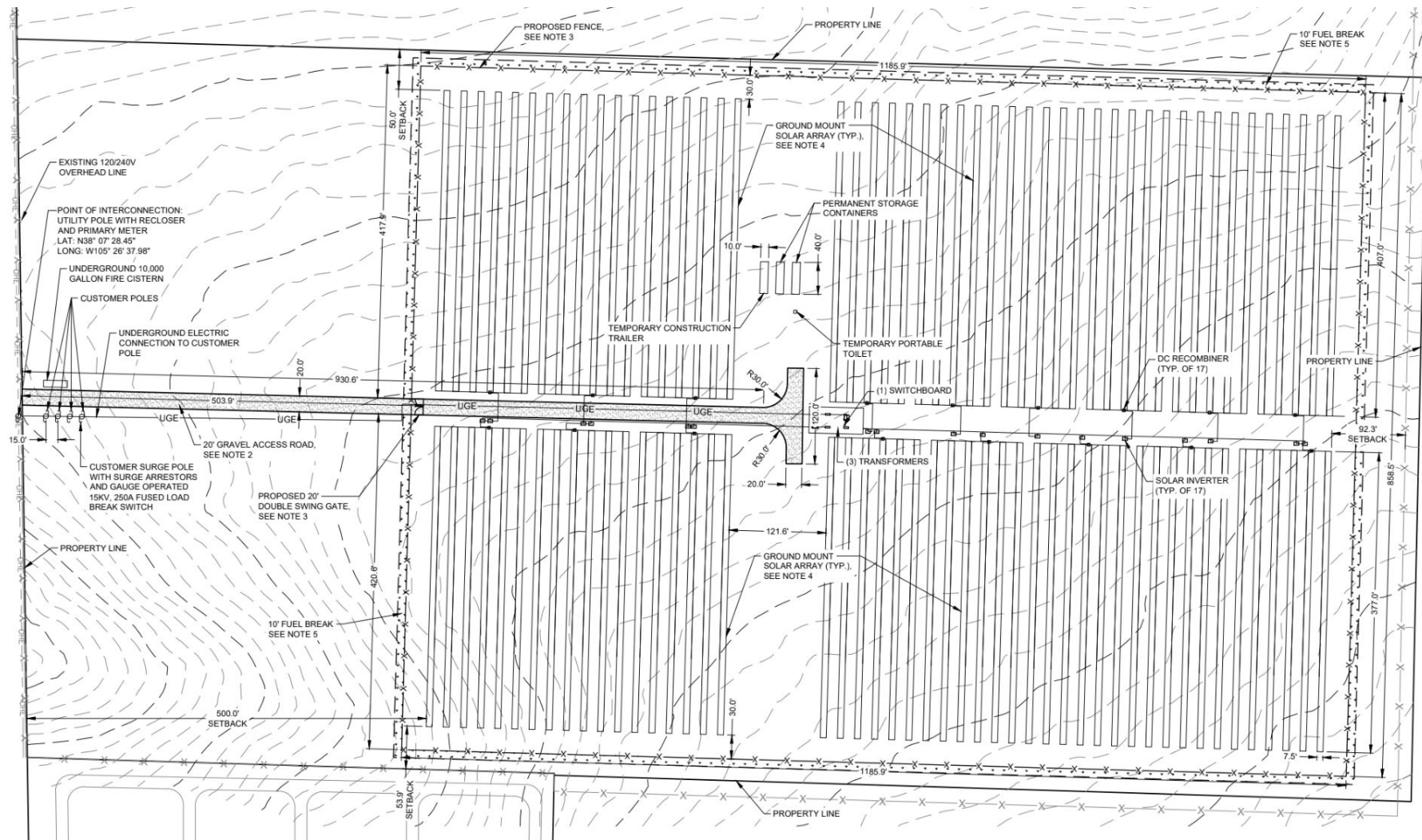


- Scale: The Silver Cliff Solar Project will be an approximately 22-acre community solar project located on the the Petersons' land.
    - Classified as a “small-scale” system (COSSA, 2024)
  - Electricity Production: Will produce the equivalent of the annual electricity consumption of about 1,275 homes.
  - Land Maintenance: Will establish a native dryland pasture beneath the panels.
    - We will plant a native seed mixture underneath the solar array following construction.
    - We'll maintain a “fuel buffer” around the perimeter of the array's fence line, as requested by the Wet Mountain Fire Protection District. In this buffer, we'll keep vegetation to 6 inches or below.
-



# Site Plan

## Silver Cliff Solar Project



# General Project Information



- 4-6 month construction timeline.
  - 20-35 year project lifetime.
  - The project will be decommissioned according to local guidelines, and will have a decommissioning bond in place to ensure there is always sufficient funding.
  - No permanent lighting will be used on the project.
  - At their maximum height, panels will be 11-feet. Throughout most of the day, panels will be lower than 10-feet.
  - The panels are recyclable.
  - The system will produce no emissions or odors.
  - The project, through module design and stow-angles, will not cast significant glare onto any neighboring home.
  - During construction, traffic will include about 15-20 pickups and 1-3 heavy vehicles per day.
  - Limited traffic following construction:
    - Land maintenance team visiting the property on an as-needed basis
    - Solar maintenance team only visiting the property 1-2 times per quarter.
-

# Outstanding Items from November 20, 2024



- ✓ **Colorado Parks and Wildlife Correspondence**
  - ✓ **Silver Cliff Cemetery Screening**
  - ✓ **Subscription Outreach Plan**
  - ✓ **Damaged and Broken Infrastructure Plan** → Page 17 of the updated Application Package clarifies we will remove broken or damaged panels within 90 days.
  - ✓ **Application Odds and Ends**
-

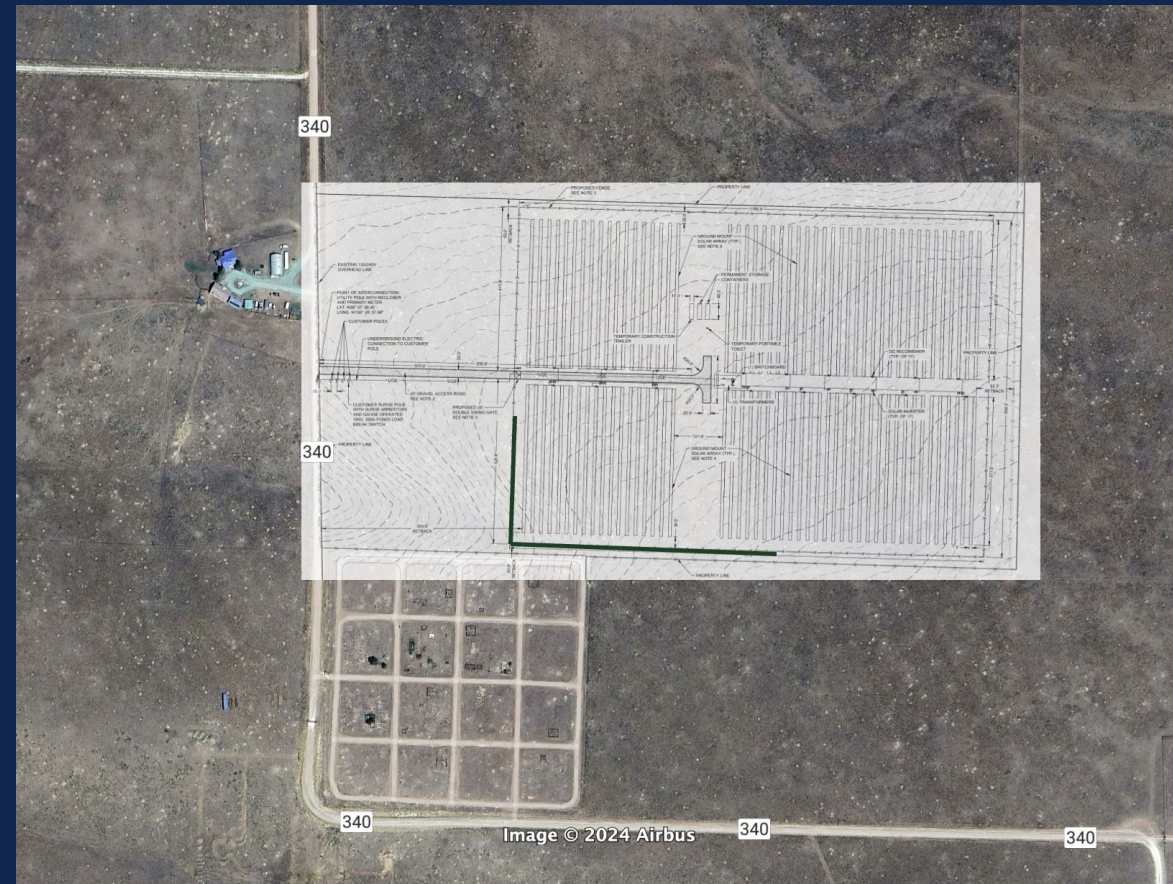
# Colorado Parks and Wildlife Comments



- **Page 111** of the updated Application Package details our correspondence with Justin Krall and includes the formal CPW Consultation Letter.
  - Justin Krall
    - “No obvious issues with the project.”
    - He communicated the importance of having a plan to deal with noxious weeds and using native seeds, which we have already committed to and provided via the Vegetative Management Plan.
    - Email correspondence included in the updated Application Package
  - Formal CPW Consultation Letter
    - Includes recommendations and best practices for raptors, migratory birds, burrowing owl active and potential nest sites, and vegetative management.
    - If construction is slated to begin between March 15 and August 31, we will conduct pre-construction nesting surveys for raptors/migratory birds and adhere to CPW’s Burrowing Owl survey protocol.
    - We have provided CPW with the Vegetative Management Plan, which details our plan to manage noxious weeds and use native seed within the project area.
-

# Silver Cliff Cemetery Screening

- **Page 119** of the updated Application Package provides a Screening Plan for the Silver Cliff Cemetery
- Rocky Mountain Junipers, or similar
- 1,000 feet of vegetative screening
- Planned use of local labor for the procurement, installation, and maintenance of the vegetation buffer
- Outside of fuel buffer and project fenceline, but within our leased area



# Subscription Outreach Plan



- **Page 109** of the updated Application Package details our plans to ensure Silver Cliff residents are prioritized in the subscription process through education and early enrollment efforts.
    - **Community Partnerships:** CBEP will leverage partnerships with local nonprofits, companies, and organizations to reach the largest number of people within the Silver Cliff community as possible.
    - **Traditional Marketing:** This could include, but is not limited to, mail brochures, email campaigns, phone calls, radio marketing, and door-to-door outreach. CBEP will distribute flyers to all Silver Cliff residents to encourage enrollment in the project or, at least, to reach out to a CBEP representative to learn more.
    - **Educational Events:** To encourage enrollment, CBEP will organize 2 to 5 events before project construction is completed, providing Silver Cliff residents with information about subscriptions, including how to sign up, billing FAQs, available discounts, and more.
  - **We are responsible for enrolling subscribers and determine the timeline for enrollment.** We will begin enrolling Silver Cliff residents following the project's approval of non-ministerial permits and ensure that every member of the community is contacted before offering subscriptions to customers in general Black Hills Energy territory.
-

# Application Odds and Ends



- ✓ Amend Page 45 to remove reference to Pueblo as Silver Cliff's power source
- ✓ Remove reference to Mill Street as a County road in Drainage Report and clarify on Page 15
- ✓ Amend Page 55 to refer to the fuel buffer, rather than all vegetation within the fenceline
- ✓ Ensure the number of permanent storage containers and temporary construction trailers are consistent

## *Additional Fixes*

- ✓ Amend “4th Street” to “Fourth Street” & include the updated Site Plan in the Traffic Report
  - ✓ Amend Page 37 and Page 54 to account for Silver Cliff Cemetery screening
  - ✓ Amend Page 46 to clarify that all residential residents, rather than just “low-income” or “moderate-income” residents, are eligible for subscription
  - ✓ Amend Page 25 to clarify that there is “limited” infrastructure for drainage, rather than “no” infrastructure for drainage on Mill Street
  - ✓ Amend Application Package to leave possibility for CBEP to purchase bulk water from RMWD
  - ✓ Amend Page 28 to add a reference to the CPW Correspondence section of the application
  - ✓ Amend Page 57 to include the cistern system
  - ✓ Amend Page 35 to lengthen the preconstruction survey range to August 31st, per CPW guidance
-



**CLOUDBREAK™**





# Community Benefits



As a local Colorado company, it is important to us that our projects provide significant and direct benefits to the local community.

## Local Impact:

Utilize local labor that will generate significant activity for local businesses during the construction of the systems.

Generate property tax revenue for the Town and County.

## \$70,000 in Donations:

→ \$50,000 donation to the Wet Mountain Fire Protection District for new fire stations, fire trucks, and other capital projects.

→ \$10,000 to Custer County Search and Rescue for budget and future capital expenses  
→ \$10,000 to Sustainable Ways for several initiatives, including High Country recycling, energy efficiency campaigns, etc.

## Cheaper Electricity:

Subscribers will receive a discount on their electricity bill. **There are no fees to sign up or cancel.**

We can arrange subscription campaigns in the Town of Silver Cliff to give priority to its residents.



# Cheaper and More Reliable Electricity



## Discounts

- ➔ 75% of this project will be reserved for income-qualified residential customers. Those who sign-up will receive up to a 20% discount on their electricity bill.
- ➔ The remaining 25% of this project will be reserved for residential customers, who can expect ~10% discount on their electricity bills.

**\$17,552** in anticipated total monthly savings\*

**\$210,626** in anticipated total annual savings\*

*These savings can be invested in the local economy instead of going to the utility.*

Cloudbreak can market these subscriptions to as many Silver Cliff residents as possible, to ensure savings are kept and spent in the community.

## Reliable Electricity

- ➔ Cloudbreak will pay for the upgrade of existing electrical infrastructure in close proximity to the solar project.
- ➔ This project will act as a local electricity generator, thus reducing the community's reliance on external power sources and providing American-made electricity.
- ➔ Electrical infrastructure can be vulnerable to disruptions, such as weather events or wildlife interference. The further the power source, the more likely the flow of electricity will be interrupted by one of these factors.

\*This calculation assumes an average consumption of 675 kWh.

# Additional Benefits



We would like to explore other ways to give back to the Town of Silver Cliff.

## Education:

Cloudbreak has previously hosted industry workshop nights, where residents of the community could come and learn more about the renewable energy industry and career opportunities.

## Scholarship:

Cloudbreak has worked with local trade schools to provide scholarships to residents interested in pursuing a career in renewable energy.

For Logan and Weld County projects, Cloudbreak has provided scholarships for local students attending NJC for careers in the renewable energy industry. If interested, we could develop a similar relationship with Pueblo Community College.

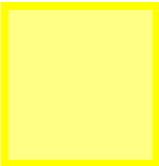
## Entrepreneurial Support:

Cloudbreak has organized workshops to assist local entrepreneurs. The aim of these workshops is to connect attendees with representatives from economic development organizations, who offer their expertise on subjects such as securing external funding and strategic business planning.

## Donation:

Cloudbreak would like to work with members of the Silver Cliff community to determine where and how additional donations may be invested.

# Project Location



Project Location  
~22 acres



# Example Photos





# Location Analysis



## How did we choose this location?

- Proximity to high-quality Black Hills Energy distribution infrastructure that has the capacity for a project of this size
- Proximity to Black Hills Energy substations
- Outside of floodplains
- Relatively flat with no geotechnical constraints
- Landowner enthusiasm
- Avoids critical habitats with minimal to no impact on surrounding wildlife



# Residential Bill Credit Example

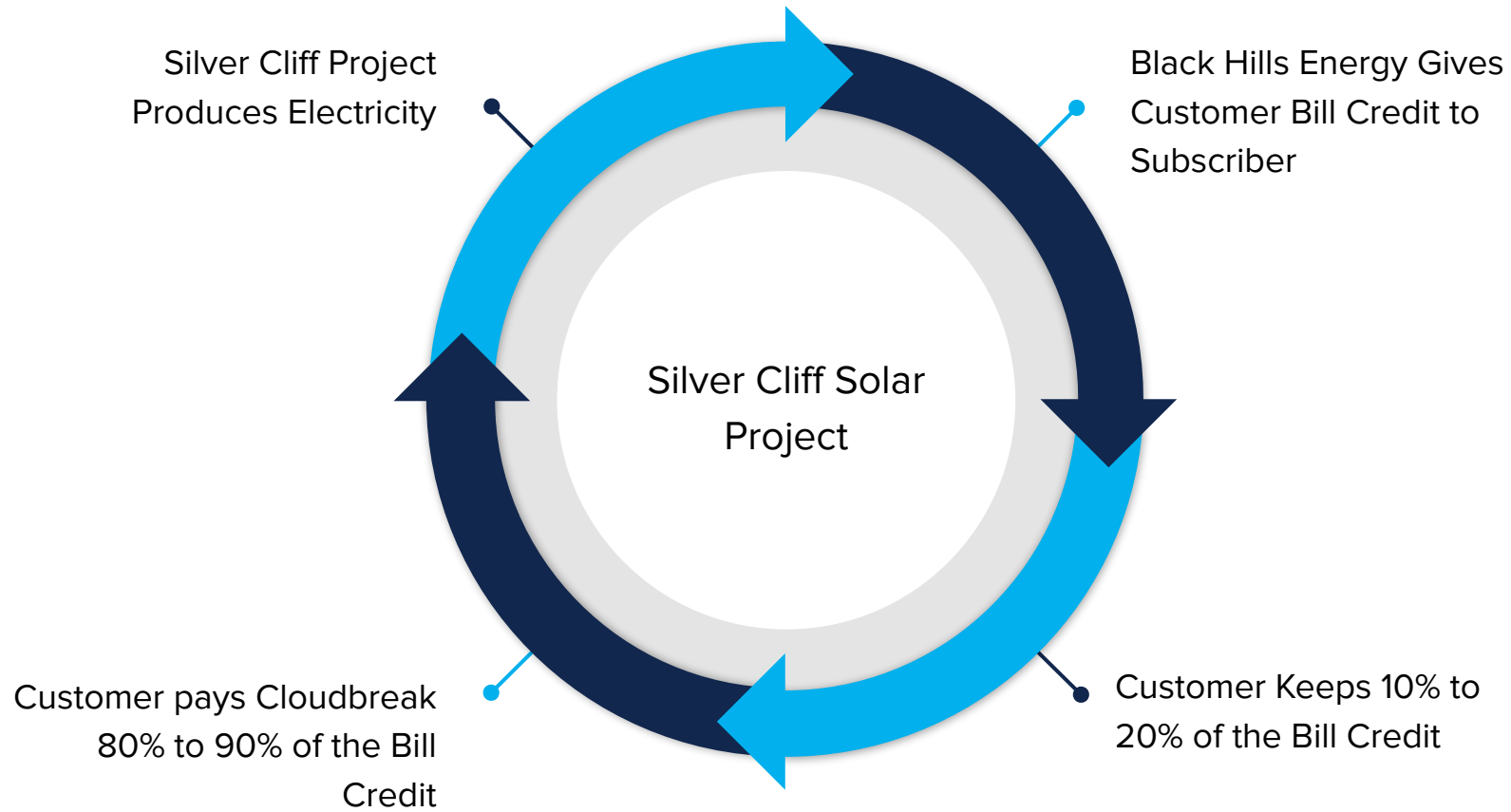


Average Monthly Electricity Usage (kWh)	675.00
BHE Residential Electricity Rate (\$/kWh)	\$0.15
<b>Electricity Usage Cost without Solar</b>	<b>\$99.93</b>

Solar Bill Credit Rate (\$/kWh)	\$0.11
Total Bill Credit from BHE	\$76.01
Bill Credit Retained by Customer (%)	10.00%
Bill Credit Retained By Customer (\$)	\$7.60
<b>Electricity Usage Cost with Solar</b>	<b>\$92.33</b>
<b>Average Monthly Savings with Solar</b>	<b>\$7.60</b>



# Residential Bill Credit Flow of Funds





# Silver Cliff Solar Project

**Updated Special Use Permit Application**  
Town of Silver Cliff, Colorado

**22 Acres**

Ground-Mounted Single-Axis  
Tracking PV System

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# Silver Cliff Solar Project - Special Use Permit Application

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# SPECIAL USE PERMIT APPLICATION

Date: September 27, 2024

Property Owner: Jerold Lee Peterson

Physical Address: 830 Fourth St, Silver Cliff, CO 81252

Mailing Address: 830 Fourth St, Silver Cliff, CO 81252

Occupant of Site: CBEP Solar 10, LLC

Physical Address: 1600 Canyon Blvd, Suite 200, Boulder, CO 80302

Mailing Address: 4845 Pearl East Circle, Suite 118 #53242, Boulder, CO 80301

## PURPOSE FOR REQUEST:

CBEP Solar 10, LLC ("CBEP"), a subsidiary of Cloudbreak Energy Partners, LLC, would like to propose the construction and operation of an approximately 22-acre solar facility on Jerold Peterson's property. This property is further defined as Assessor ID #0010160810, Parcel F. Further information on the proposed project is included in the application package.

I wish to develop, alter, amend or significantly change the current use of the above stated property for purposes as described above. I understand that it shall be the responsibility of the Property Owner to request a "Certificate of Occupancy" within 90 days after substantial completion of the project and/or commencement of activities as described herein. Special Use Permits will be reviewed by the Board of Trustees in January of each year. I understand that at the review the Owner shall disclose any changes or anticipated changes to the property that may materially affect the conditions of the Special Use Permit including, but not limited to:

- 1.) Change of Ownership
- 2.) Substantial Improvements to the Property
- 3.) Changes of the Use of the Property

*Jerold Peterson*

PROPERTY OWNER'S SIGNATURE: Jerold Peterson (Sep 26: 2024 18:05 MDT)

# Payment Receipt Confirmation

Your payment was successfully processed.

Print

## Transaction Summary

Receipt Confirmation	
Description	Amount
Silvercliff Town of Transaction	\$1,000.00
Service Fee	\$23.27
<b>TOTAL</b>	<b>\$1,023.27</b>

## Transaction Detail

The following amounts will be remitted back to the agency.

SKU	Description	Unit Price	Quantity	Amount
Miscellaneous	Miscellaneous	\$1,000.00	1	\$1,000.00
	Service Fee	\$23.27		\$23.27
<b>Total Amount Paid</b>				<b>\$1,023.27</b>

This online service is provided by a 3rd party working in partnership with the state of Colorado. The price includes a service fee of \$.75 plus 2.25% of the order total for credit card payments or \$1 for electronic check payments.



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175  
INFO@CLOUDBREAKENERGY.COM

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**DATE:** November 12, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Conceptual Site Plan

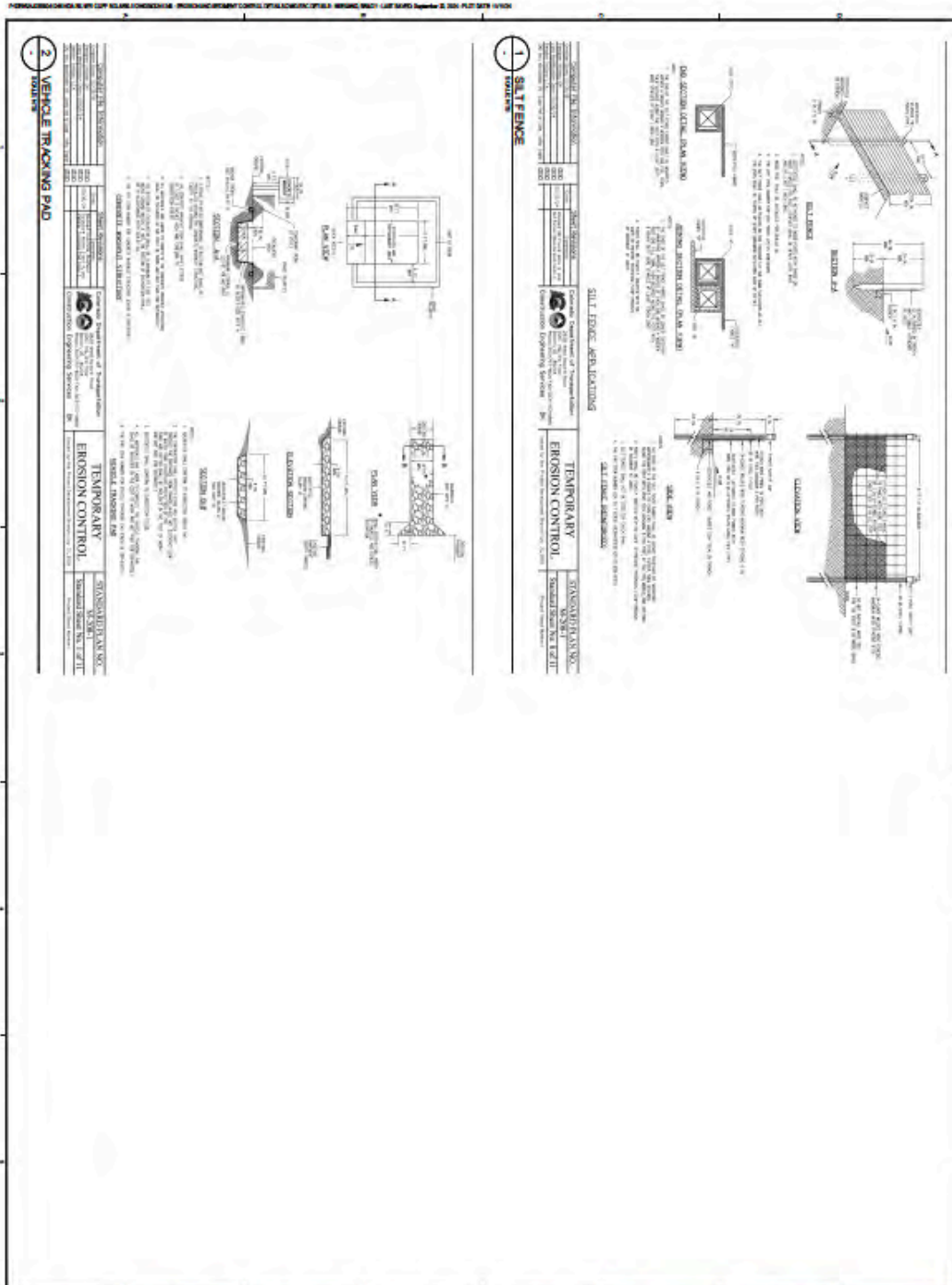
Please see below for the Conceptual Site Plan.











**C-201**

**COFFMAN ENGINEERS**  
 1150 South Street  
 Denver, CO 80202  
 303.733.8888  
 www.coffman.com

**PRELIMINARY**

**SILVER CLIFF SOLAR PROJECT**

**CLOUDBREAK ENERGY**

**REVISIONS**

NO.	DATE	DESCRIPTION
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**PROJECT TITLE:** SILVER CLIFF SOLAR PROJECT

**PROJECT NO.:** C-201

**DATE:** 08/15/2014

**SCALE:** AS SHOWN

**DESIGNED BY:** [Name]

**CHECKED BY:** [Name]

**DATE:** 08/15/2014

**SCALE:** AS SHOWN

**PROJECT TITLE:** SILVER CLIFF SOLAR PROJECT

**PROJECT NO.:** C-201

**DATE:** 08/15/2014

**SCALE:** AS SHOWN

**DESIGNED BY:** [Name]

**CHECKED BY:** [Name]

**DATE:** 08/15/2014

**SCALE:** AS SHOWN









**DATE:** November 5, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Location Map

***Location of the proposed Solar Energy Facility in the Town, and a description of the current land use.***

The Silver Cliff Solar Project is proposed to be located on Parcel F within APN # 0010160810 in the Town of Silver Cliff, Colorado. This parcel of land is zoned Agriculture (A-1) and is currently being used for grazing. For more information regarding the location of this project, please refer to the vicinity map on page G-001 of the Conceptual Site Plan.

***All property within the site and within 500 feet of the exterior boundary of the site of the proposed Solar Energy Facility***

*All Property Within the Facility:*

- Jerold Peterson owns all land within the Project Site. There is no existing infrastructure within the proposed Project Site.

*500 feet of the exterior boundary of the Site:*

- There is a barbed wire fence that runs along the eastern and southern boundary of Parcel F and is within 500 feet of the Project Site. The Peterson family has maintained these fences for over 50 years. The fence on the eastern boundary is entirely on the Peterson property (other than the 30 feet on the north end and about 15 feet on the south end), but the south fence is about 20 feet south of the Peterson property line other than at the Silver Cliff Cemetery, where it is on the property line. The eastern fence is substantially owned by Peterson, but the southern fence is likely not owned by Peterson.
- Jerold Peterson owns all land contained in Parcel E (APN # 0010160810), which is located within 500 feet north of the Project Site.
- Silver Cliff Land & Cattle Co. owns all land contained in APN # 0010187100, which is located within 500 feet east of the Project Site.
- Three properties lie south of the Project Site and are located within 500 feet of the Project boundary. These three properties, along with their owners, are listed below.
  - APN # 0010228600 - Catholic Cemetery
    - The Catholic Cemetery itself is *not* located within 500 feet of the Project Site. The Cemetery is located over 800 feet from the Project's fenceline.
  - APN # 0010187100 - Silver Cliff Land & Cattle Co.



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175  
INFO@CLOUDBREAKENERGY.COM

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- Silver Cliff Land & Cattle Co. owns land within 500 feet of the southern boundary of the project.
- APN # 0010231150 - Silver Cliff Cemetery
  - The Silver Cliff Cemetery is located within 500 feet of the Project Site.

***The location and description of the current land use, including agricultural use, dwelling units, microwave communication links, and airports.***

No dwelling units, microwave communication links, or airports are within the Project Site or project parcel. The project site is currently being used for grazing and/or is undeveloped.



**DATE:** December 16, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Conceptual Site Plan Narrative

***Application shall provide a description of the ownership and a description of the easements and rights-of-way identified on or within 500-feet of the exterior boundary of the site.***

The following easements and/or rights-of-way are located on or within 500-feet of the exterior boundary of the site or the location is ambiguous.

- Easement recorded September 6, 1985 in [Book 197 at Page 823 as Reception No. 141101](#).
  - This easement was granted by Glenn E. Peterson to Centel Corporation and does not have a specific legal description. CBEP Solar 10, LLC (“CBEP”) contacted Black Hills Energy (“BHE”) to confirm whether or not this easement now belonged to them. They confirmed that it likely does. Please see *Exhibit A: BHE Easement Correspondence* below for more information.
- Custer County has a right-of-way for Custer County Road No. 340, which runs adjacent to the property. However, Mill Street is a municipal road.

***An application shall provide a description of the project and each phase of development, including the approximate number of Solar Panels, and the accessory structures, power output (in MW), and infrastructure and interconnection requirements for each phase.***

CBEP is proposing to construct a 4.25-megawatt community solar garden as part of the Black Hills Energy Community Solar Program. The project will be constructed on approximately 22 acres of Parcel 0010160810, which is further defined as Parcel F. This parcel is approximately 36.43 acres total and is privately owned by Jerold Lee Peterson. The site is currently being used as a dryland pasture and is situated along the eastern boundary of Mill Street.

The project will consist of approximately 9,600 solar modules mounted approximately 6 feet above the existing grade on single-axis trackers, which will allow the panels to track the sun from east to west over the course of a day and maximize the output of the solar garden. Given the system will adjust to track the sun, the height of the system will change frequently. The system will reach a maximum height of 11 feet for a short period of time daily.

This project will also consist of seventeen (17) inverters, up to three concreted-mounted transformers, an access road, two permanent storage containers to store parts, tools, and equipment during construction and operations, and a temporary construction trailer. The storage





containers will be 40 feet long and 10 feet wide. The project will be surrounded by an 8-foot-tall game fence, as typically recommended by Colorado Parks and Wildlife. For interconnection, CBEP and/or Black Hills will be constructing approximately five (5) utility poles to connect to the nearest distribution line, as well as upgrading nearby electrical infrastructure.

The anticipated infrastructure procurement and construction timeline is below. Both phases will begin after the permitting process has been completed.

Procurement Phase	Season/Duration
Procurement Begins	By Q1 2025
Modules	3-7 months
Interconnection Equipment	2-4 months
Racking	2-4 months
EPC Scada	1-3 months
Inverters	3-7 months
String Wire	1-4 months
Monitoring Equipment	1-2 months
Conduit	2-4 months
AC Feeders & Disconnect	2-4 months
Procurement Ends	By Q3 2025*
Construction Phase	Season/Duration**
Construction Begins	By Q3 2025
Site preparation: This phase includes pre-construction surveys, access road construction, soil stabilization and erosion control, etc.	1-2 months
Structural work: This phase includes the process of pile-driving steel posts into the ground, placing solar panels onto racking, pouring concrete for equipment	3-5 months



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 PO BOX 1255  
 STERLING, CO 80751  
 (970) 425-3175

INFO@CLOUDBREAKENERGY.COM

pads, etc.	
<b>Electrical work:</b> This phase ensures that all electrical equipment is wired correctly and efficiently.	2-4 months
<b>Utility work:</b> This phase encompasses connecting the solar project to the local distribution grid. For interconnection, Black Hills will install an on-site primary metering cabinet, a three-phase triple single recloser, and new guy anchors. Black Hills Energy will also upgrade existing powerpoles along Mill Street, overhead conductor, and an underground primary metering cabinet.	2-4 months
<b>Construction Completion</b>	By Q1 2026

\*This is CBEP's best estimate given current supply chain conditions. These timelines may vary based on supply chain developments.

\*\*Many of these construction phases will take place concurrently.

Construction is expected to begin by Q3 2025, depending on weather conditions, and will last approximately 16-24 weeks. Construction crews will be a combination of general labor workers, certified electricians, and an on-site general contractor. There will be a small crew (1-4 people) visiting the site 4-8 times annually to complete routine inspections and maintenance. Vegetation management will be completed on an as-needed basis. The site will be remotely monitored. All construction and maintenance personnel will access the property via Mill Street.

If any solar panel breaks, CBEP commits to a 90-day timeline for the removal of any broken panel from the site.



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175

INFO@CLOUDBREAKENERGY.COM

## Exhibit A: BHE Easement Correspondence

9/25/24, 10:06 AM Cloudbreak Mail - Easement on Silver Cliff Property Inquiry

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**CLOUDBREAK** Ally O'Neill <ally@cloudbreakenergy.com>

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**Easement on Silver Cliff Property Inquiry**  
9 messages

---

**Ally O'Neill** <ally@cloudbreakenergy.com> Mon, Apr 15, 2024 at 11:50 AM  
To: seth.boutilier@blackhillscorp.com

Hello,


My name is Allison O'Neill and I work for Cloudbreak Energy Partners, a Colorado-based solar and storage development company.

I'm reaching out to see if Black Hills Energy owns this easement (attached) on a property where we're developing a solar project. Please let me know if this belongs to Black Hills and, if so, please send over a more defined legal description and/or location on the property (if you have one).

Feel free to forward this inquiry along to someone who might be more well-suited to this request. Thank you for your help!

All the best,  
Ally


--



**Allison O'Neill**  
Project Development Analyst  
Cloudbreak Energy

+1 (970) 425-3166  
[ally@cloudbreakenergy.com](mailto:ally@cloudbreakenergy.com)  
cloudbreakenergy.com

---

 **Exception 10 - Silver Cliff Title Commitment.pdf**  
207K

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**Boutilier, Seth** <Seth.Boutilier@blackhillscorp.com> Wed, Apr 17, 2024 at 2:19 PM  
To: "Kimble, Casey" <Casey.Kimble@blackhillscorp.com>  
Cc: Ally O'Neill <ally@cloudbreakenergy.com>

Casey please see Ally's request attached.

Seth Boutilier  
Sr. Transmission Project Manager  
[Seth.Boutilier@blackhillscorp.com](mailto:Seth.Boutilier@blackhillscorp.com)  
719.248.5101

https://mail.google.com/mail/u/0/?ik=979c7f19d6&view=pt&search=all&permthid=thread-a:r-1875077102965773352&simpl=msg-ar:517719642764864275&simpl=... 1/4



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175

INFO@CLOUDBREAKENERGY.COM

9/25/24, 10:06 AM

Cloudbreak Mail - Easement on Silver Cliff Property Inquiry

**From:** Ally O'Neill <[ally@cloudbreakenergy.com](mailto:ally@cloudbreakenergy.com)>  
**Sent:** Monday, April 15, 2024 11:51 AM  
**To:** Boutillier, Seth <[Seth.Boutillier@blackhillscorp.com](mailto:Seth.Boutillier@blackhillscorp.com)>  
**Subject:** Easement on Silver Cliff Property Inquiry

**\*\* EXTERNAL EMAIL. Is this an expected email? STOP and THINK before clicking links or opening attachments. \*\***

[Quoted text hidden]

This electronic message transmission contains information from Black Hills Corporation, its affiliate or subsidiary, which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware the disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this electronic transmission in error, please reply to sender immediately; then delete this message without copying it or further reading.

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

**From:** "Ally O'Neill" <[ally@cloudbreakenergy.com](mailto:ally@cloudbreakenergy.com)>  
**To:** "Boutillier, Seth" <[Seth.Boutillier@blackhillscorp.com](mailto:Seth.Boutillier@blackhillscorp.com)>  
**Cc:**  
**Bcc:**  
**Date:** Mon, 15 Apr 2024 17:50:47 +0000  
**Subject:** Easement on Silver Cliff Property Inquiry

**\*\* EXTERNAL EMAIL. Is this an expected email? STOP and THINK before clicking links or opening attachments. \*\***

Hello,

My name is Allison O'Neill and I work for Cloudbreak Energy Partners, a Colorado-based solar and storage development company.

I'm reaching out to see if Black Hills Energy owns this easement (attached) on a property where we're developing a solar project. Please let me know if this belongs to Black Hills and, if so, please send over a more defined legal description and/or location on the property (if you have one).

Feel free to forward this inquiry along to someone who might be more well-suited to this request. Thank you for your help!

All the best,  
Ally

--



**Allison  
O'Neill**  
Project Development Analyst  
Cloudbreak Energy

+1 (970) 425-3166  
[ally@cloudbreakenergy.com](mailto:ally@cloudbreakenergy.com)  
[cloudbreakenergy.com](http://cloudbreakenergy.com)

**2 attachments**

<https://mail.google.com/mail/u/0/?ik=979c7f19d6&view=pt&search=all&permthid=thread-a:r-1875077102965773352&simpl=msg-a:r517719642764864275&simpl=...> 2/4



9/25/24, 10:06 AM

Cloudbreak Mail - Easement on Silver Cliff Property Inquiry

**Exception 10 - Silver Cliff Title Commitment.pdf**  
207K

**Easement on Silver Cliff Property Inquiry.eml**  
302K

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Boutilier, Seth" <Seth.Boutilier@blackhillscorp.com>  
Cc: "Kimble, Casey" <Casey.Kimble@blackhillscorp.com>

Fri, Apr 19, 2024 at 10:27 AM

Hi all,

Happy Friday!

I just wanted to check in on this and see if there's been any updates.

All the best,

Ally

[Quoted text hidden]

**Kimble, Casey** <Casey.Kimble@blackhillscorp.com>

Fri, Apr 19, 2024 at 10:52 AM

To: Ally O'Neill <ally@cloudbreakenergy.com>, "Boutilier, Seth" <Seth.Boutilier@blackhillscorp.com>

Hi Ally,

I have found this easement in our FileNet database. Without doing a full title dive, I can't be positive but based on it being in our system, it would appear that we do own this easement. Let's say, 80% sure? Unfortunately, our records are not always complete as we've inherited these interests from other companies over the years.

Hope that helps.

Casey Kimble | Sr. Land Manager

Black Hills Energy | Mobile: (720) 298-3919

Email: [casey.kimble@blackhillscorp.com](mailto:casey.kimble@blackhillscorp.com)

[Quoted text hidden]

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Kimble, Casey" <Casey.Kimble@blackhillscorp.com>

Fri, Apr 19, 2024 at 11:02 AM

Hi Casey,

This definitely helps!

Do you happen to know if there is a specific legal description associated with it, or is this just a blanket easement? I've attached what we see from our end.

Thank you!

All the best,



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175

INFO@CLOUDBREAKENERGY.COM

9/25/24, 10:06 AM

Cloudbreak Mail - Easement on Silver Cliff Property Inquiry

Ally  
[Quoted text hidden]

**Exception 10 - Silver Cliff Title Commitment (3).pdf**  
207K

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Kimble, Casey" <Casey.Kimble@blackhillscorp.com>

Wed, Apr 24, 2024 at 12:16 PM

Hi Casey,

Happy Wednesday!

I wanted to follow up on this and see if you had any updates. Thank you for your help in this matter!

All the best,  
Ally  
[Quoted text hidden]

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Kimble, Casey" <Casey.Kimble@blackhillscorp.com>

Mon, Apr 29, 2024 at 10:57 AM

Hi all,

Just wanted to follow up on this. Hope you had a great weekend!

All the best,  
Ally  
[Quoted text hidden]

**Kimble, Casey** <Casey.Kimble@blackhillscorp.com>  
To: Ally O'Neill <ally@cloudbreakenergy.com>

Mon, Apr 29, 2024 at 3:01 PM

Hi Ally,

Sorry for the delay as I've been looking for additional information on this easement. I do not see in our records that this easement was other than the blanket that it looks like now. I have not checked with the County. I can't see where it has been amended.

Hope this helps.  
[Quoted text hidden]

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Kimble, Casey" <Casey.Kimble@blackhillscorp.com>

Mon, Apr 29, 2024 at 3:58 PM

Hi Casey,

No worries - thank you for your help on this!

All the best,  
Ally  
[Quoted text hidden]



**DATE:** September 30, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Access Narrative

***Description of potential access route(s), including road surface material***

The location of the proposed access road, as well as its dimensions and road surface material, is detailed within the Conceptual Site Plan. The access road will be approximately 20 feet wide, with one hammerhead turn-around section being 120 feet wide for easy turnaround. This road will be gravel.

***Proposed Measures for Dust Control***

Fugitive dust will be released during the following construction activities:

- Equipment and material deliveries
- Access road and staging area construction
- Excavation for equipment pads and underground utilities

To mitigate the release of fugitive dust and to maintain compliance with all state and federal regulations and permits, strict controls will be in place throughout the duration of the aforementioned construction activities.

- All haul routes onsite will be watered on an as-needed basis before and during all heavy hauling activities. All water will be trucked in. Tanks will be refilled regularly to ensure dust mitigation can be performed throughout the construction lifecycle.
- When applicable, heavy equipment will be fitted with dust mitigation equipment. All excavation activities will be closely monitored throughout the access road, staging, and electrical construction scopes of work, to identify fugitive dust and ensure compliance. Areas of work will be stabilized upon completion to minimize fugitive dust in accordance with air permit requirements.

CBEP Solar 10, LLC (“CBEP”) will also file a Land Use Air Pollutant Emissions Notice (APEN) with the Colorado Department of Public Health and the Environment (“CDPHE”) before commencing construction. After we file the APEN, CBEP will receive a Land Development General Permit (“GP03”) from CDPHE.



***Proposed Road Maintenance Schedule or Program***

CBEP has taken the necessary preliminary steps to design an access road that will require little maintenance throughout its lifetime.

- CBEP will use the aforementioned fugitive dust controls to limit wind erosion on-site.
- CBEP has submitted a Drainage Study as part of this application package. This Study has analyzed the current runoff rates and flow directions and appropriately sited the access road away from areas that may experience pooling and poor drainage. Therefore, water erosion is unlikely to occur.
- The access road will be built to withstand the weight of all necessary construction and maintenance vehicles, as well as fire protection equipment.

Following construction, maintenance crews will visit the site four to eight times per year and on an as-needed basis. During these visits, the maintenance crew will check on the condition of the access road. This crew will ensure gravel has not spread off-site and ensure weeds have been removed from the road, if applicable.

Given the road's lack of use following construction, as well as CBEP's preliminary diligence in siting and designing the access road, little maintenance is expected to be required throughout its lifetime.

Before construction CBEP will apply for a Driveway Permit with the Town of Silver Cliff's Public Works Department. CBEP will sign a Road Use Agreement, or similar, with the Town of Silver Cliff, for use of the Town's roads during construction.





CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175  
INFO@CLOUDBREAKENERGY.COM

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**DATE:** September 30, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Utility Interconnection and Crossing

***Interconnection***

CBEP Solar 10, LLC (“CBEP”) executed an RFP Community Solar Garden Agreement with Black Hills Energy (“BHE”) on May 23, 2024.

***Utility Crossing***

To access the site, CBEP will need to drive beneath a BHE-owned powerline. CBEP will work with BHE to ensure any required crossing agreements are executed prior to construction.

The ALTA Survey did not identify any other utility infrastructure within the project site and/or surrounding property. However, before construction begins, CBEP will conduct an 811 Survey to uncover any additional, potential utility infrastructure. If any further infrastructure is found, CBEP will establish crossing agreements, or similar, as necessary.



**DATE:** September 30, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Impact Analysis

This report will highlight the potential impacts the proposed project may have on noise, traffic, wildlife, drainage, agriculture, view, and air quality, as well as the mitigation techniques CBEP Solar 10, LLC (“CBEP”) will utilize to minimize these impacts.

### ***Baseline Condition Description***

The proposed project site is currently being used for dryland grazing, with on-site soil being entirely composed of feltonia sandy loam at a 2% to 6% slope. According to this project’s Traffic Study, conducted by Galloway and Company, Inc. “current traffic on [Mill Street] and turning movements onto this road is minimal.” Existing topography drops from the high point at the southeastern corner of the site to the northwestern corner of the site. Runoff, according to this project’s Drainage Study, flows “westerly from the West Mountains to the east across the valley to Grape Creek located west of the project site.” There appears to be limited infrastructure installed for runoff crossing Mill Street, according to the Drainage Study. There does appear to be “shallow berms installed intermittently in the drainage channels, presumably to slow runoff and provide temporary relief downstream during large drainage events” (Drainage Study - Silver Cliff - 24.09.24).

### ***Noise***

This project will create noise during the day, and throughout the operation of the project, as the system converts sunlight to electricity. In particular, photovoltaic (PV) inverter equipment tends to create a steady, constant noise. This project will have approximately seventeen (17) inverters located on-site, each of which will produce 65 dB(a) at one meter away. Transformers, another piece of relevant electrical equipment, also produce noise. This project will have up to three transformers located on-site, which produce 79 dB(a) at one meter away.

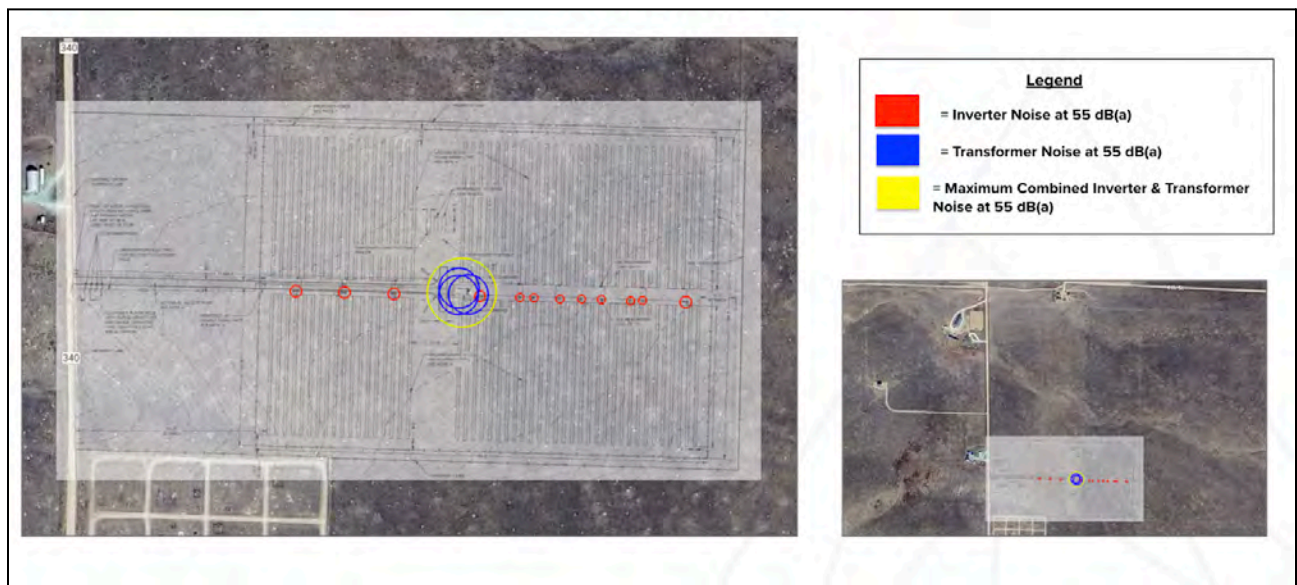
CBEP conducted an internal noise analysis to ensure the Silver Cliff Solar Project would mitigate most, if not all, noise pollution for neighboring residents and abide by Ordinance No. 01-2024. This Ordinance states that the project shall comply with the statutory provisions for maximum permissible noise levels for residential zoning in Section 25-12-103, C.R.S. The Colorado Noise Statute’s maximum permissible noise level at residential property lines from 7:00 a.m. to 7:00 p.m. is 55 dB(a).

Taking into consideration noise from both the inverters and the transformers, we found noise disturbance at a level of 55 dB(a) *does not* extend past the parcel boundary or the project area, as seen by the circles in *Figure 1: Noise Analysis Visualization*. The figures represent the following:

- The red circles represent the noise disturbance from equipment pads with one or two inverters.
- The blue circles represent the noise disturbance from equipment pads with transformers;
- And the yellow circle represents the maximum level of noise disturbance from an area of the project with both transformers and inverters.

Given the project's distance to residential properties and its low decibel production, CBEP considers the impact of noise to be minimal. The noise levels generated by the project will be far below the permissible levels outlined in Ordinance No. 01-2024.

*Figure 1: Noise Analysis Visualization*



### **Traffic**

To evaluate the impact this project will have on traffic, CBEP contracted Galloway & Company, Inc. ("Galloway") to complete a Traffic Study, included in this application package. Galloway concluded that during "both the construction and the operational phase, the site will generate trips that would have an insignificant impact on the surrounding network."



Galloway generally anticipates two potential haul routes during construction, with the following percent allocations.

- 80% of trips, and all heavy vehicles, would likely come from the east on SH-96, turning onto Mill Street and entering the site from the proposed access.
- 20% of trips would originate from SH-69, turning onto SH-96, onto Mill Street, and entering the site from the proposed access.

Most traffic generated from this project will occur during the construction phase, which will last between four to six months. Galloway assumed that the facility would generate up to 34 daily round trips (67 daily trips) *during peak construction periods*. They used the following assumptions to come to this conclusion.

- They assumed most construction workers would arrive in passenger vehicles, like pickup trucks.
- They included up to three heavy vehicles arriving daily. Heavy vehicles were adjusted for the three (3) passenger car equivalents (PCE) per heavy vehicle. *It's much more likely that one to two heavy vehicles will be accessing the site daily, rather than three.*
- They assumed a maximum of 20 construction workers could be on-site at any given time.
- They assumed most construction workers would commute to the site around 6 AM MT and leave the site around 4 PM MT. However, to ensure CBEP abides by the Town of Silver Cliff's noise requirements (Chapter 9 of the Municipal Code), all construction activities creating noise will begin after 7 AM MT.
- They assumed each worker would commute to the site individually. *It's much more likely that workers will carpool to the project site.*

Figure 2 below shows the distribution of new trips generated during the AM and PM peak hours. Other construction vehicles may leave between these two peak travel intervals.

**Figure 2: Galloway - Construction Phase Net New Trips Table**

Land Use	Land Use Code	Amount	Units	AM Peak Hour			PM Peak Hour			Average Daily Trips
				In	Out	Total	In	Out	Total	
<b>Construction Phase Net New Trips</b>										
Workers		20	Employees	10	0	10	0	7	7	40
Heavy Vehicles (1 HV = 3 PCE)		3	PCE	9	0	9	0	9	9	27
<b>Total</b>				<b>19</b>	<b>0</b>	<b>19</b>	<b>0</b>	<b>16</b>	<b>16</b>	<b>67</b>

These numbers rapidly drop during the operational phase of the solar facility. CBEP's solar maintenance team will only travel to the project four to eight times per year for system



maintenance or on an as-needed basis. Galloway concluded that “traffic impacts related to the operation of the solar facility are not anticipated to have a significant impact on the surrounding network” (Traffic Report - Silver Cliff - 24.09.25). All public street roadways and intersections are anticipated to successfully accommodate project traffic.

For more information on this project’s impacts on traffic, please refer to the Traffic Study. If approved, CBEP will sign a Road Use Agreement, or similar, with the Town of Silver Cliff’s Public Works Department to ensure minimal impacts on municipal roads.

***Wildlife***

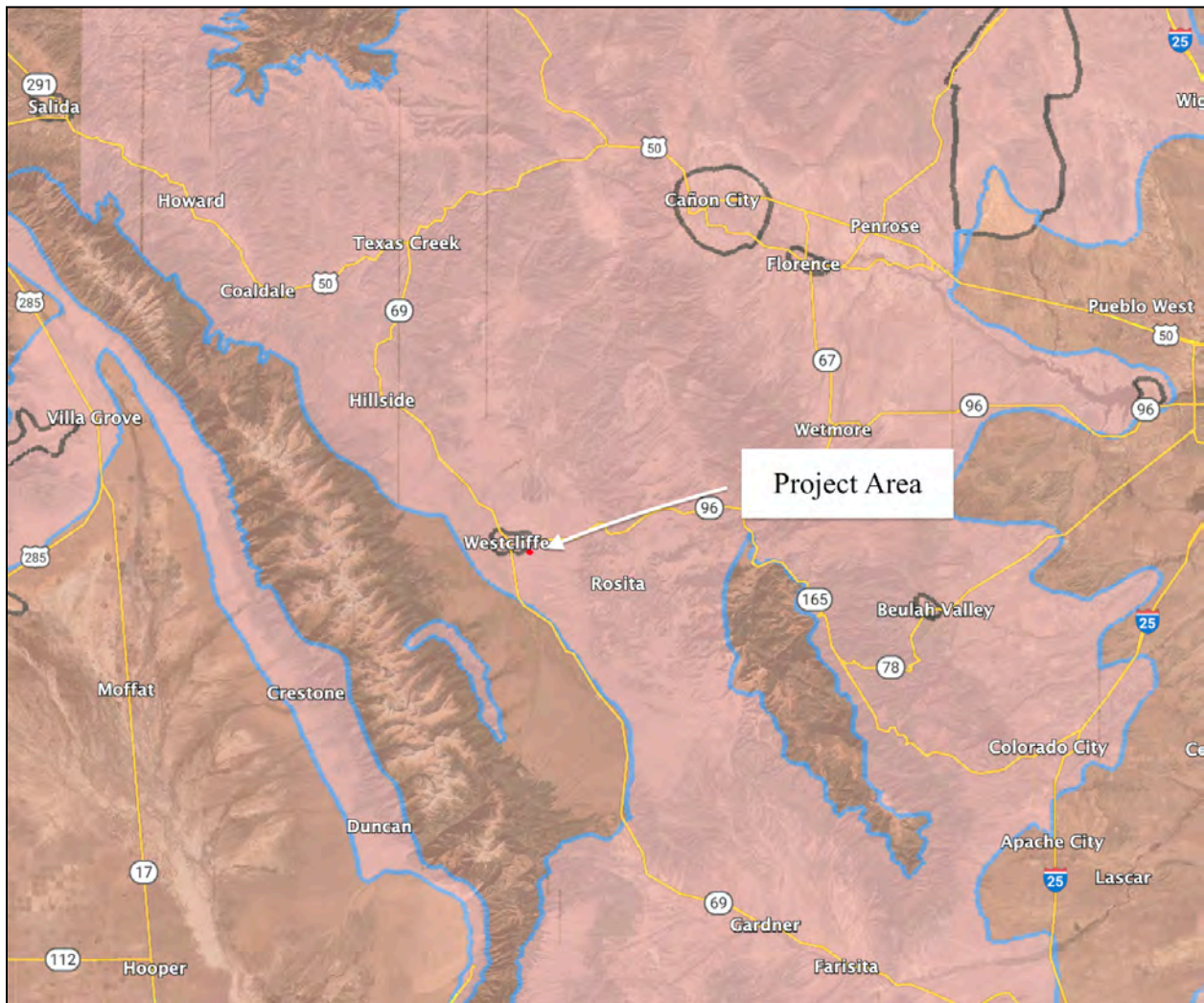
To evaluate this project’s impact on wildlife, CBEP contracted Pinyon Environmental, Inc. (“Pinyon”) to complete a wetland delineation and several desktop analyses. Pinyon also contacted Colorado Parks and Wildlife (“CPW”) to inform them of this development and request a formal list of recommended best practices for this particular project. This letter and additional correspondence is included in this application. Please refer to Page 111 for more information.

Pinyon reviewed publicly available resources to evaluate the likelihood of sensitive biological resources being present at the project site. Pinyon’s findings are summarized below.

1. No U.S. Fish and Wildlife federally listed species have the potential to occur on the site.
2. There are no mapped raptor nests within the project site or a 0.5-mile buffer of the site.
3. The burrowing owl and Colorado-checkered whiptail have suitable habitats on the project site.
4. This project occurs within an overall range of mule deer, white-tailed deer, elk, pronghorn, and black bear.
5. This project occurs within the winter and summer ranges for mule deer and overlaps with a mule deer concentration area.

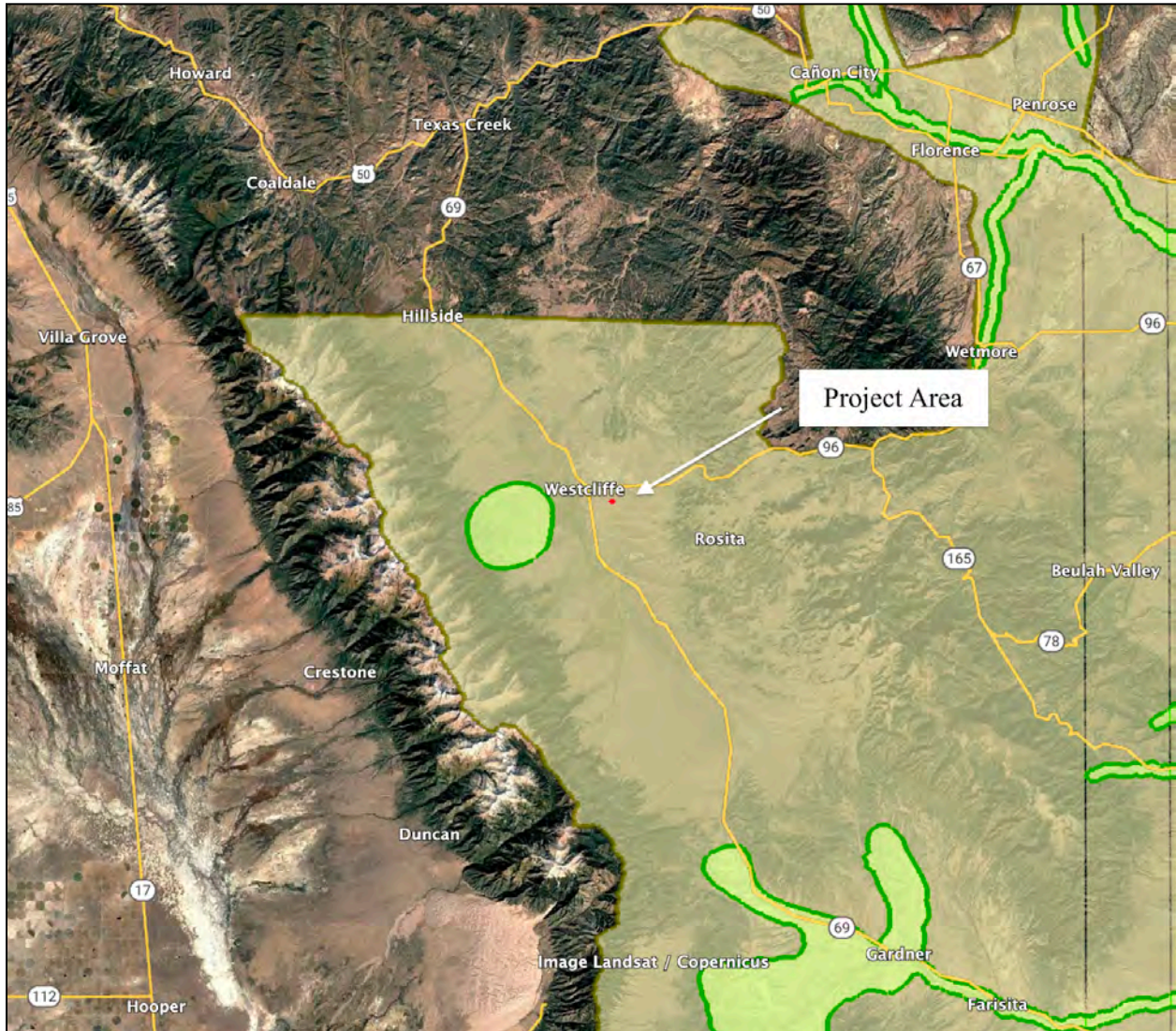
Please see the figures below for more information.

**Figure 3: Mule Deer Overall Range, Winter Range, & Resident Population Area / Concentrated Area**



The light red area surrounded by blue lines represents the mule deer population’s winter range; the black circles represent the mule deer’s resident population areas and concentration areas; and the light brown area (everything outside of the red sections) represents the mule deer’s overall range. *Figure 3* indicates that the project area actually lies just outside of the mule deer’s resident population area and concentration area. This figure also demonstrates how much of this region is classified within the mule deer’s overall range and winter range, and that these habitats are widely available throughout the Wet Mountain Valley.

**Figure 4: White-Tailed Deer Overall Range and Concentration Areas**



The darker green figures represent the white-tailed deer concentration area, while the lighter green area represents its overall range. As shown above, the project area is located outside of a concentration area, and the white-tailed deer overall range encompasses thousands of acres in the region. Once again, this habitat is widely available for the white-tailed deer.

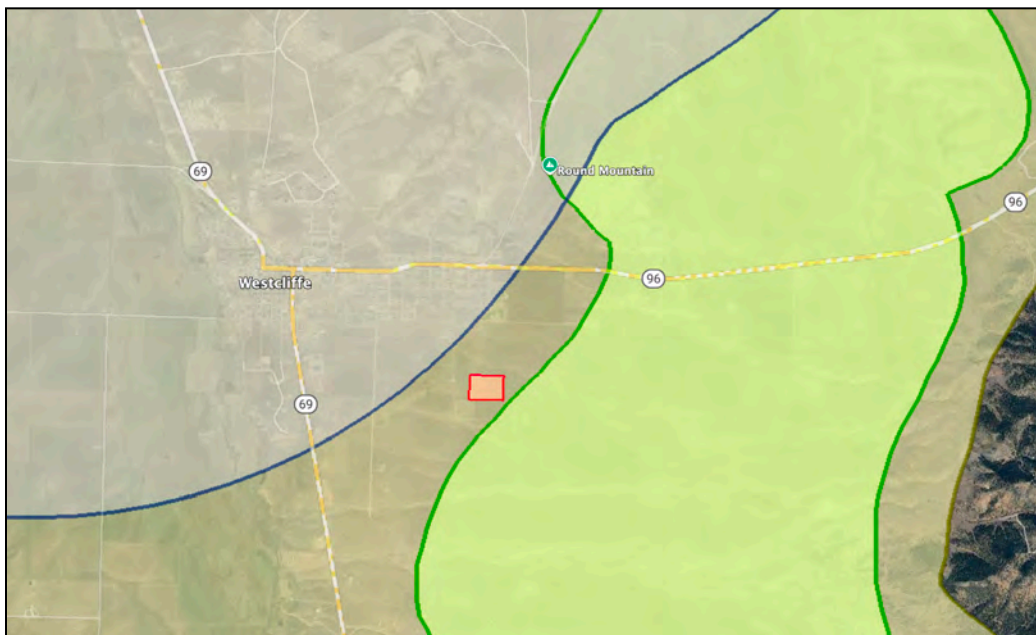
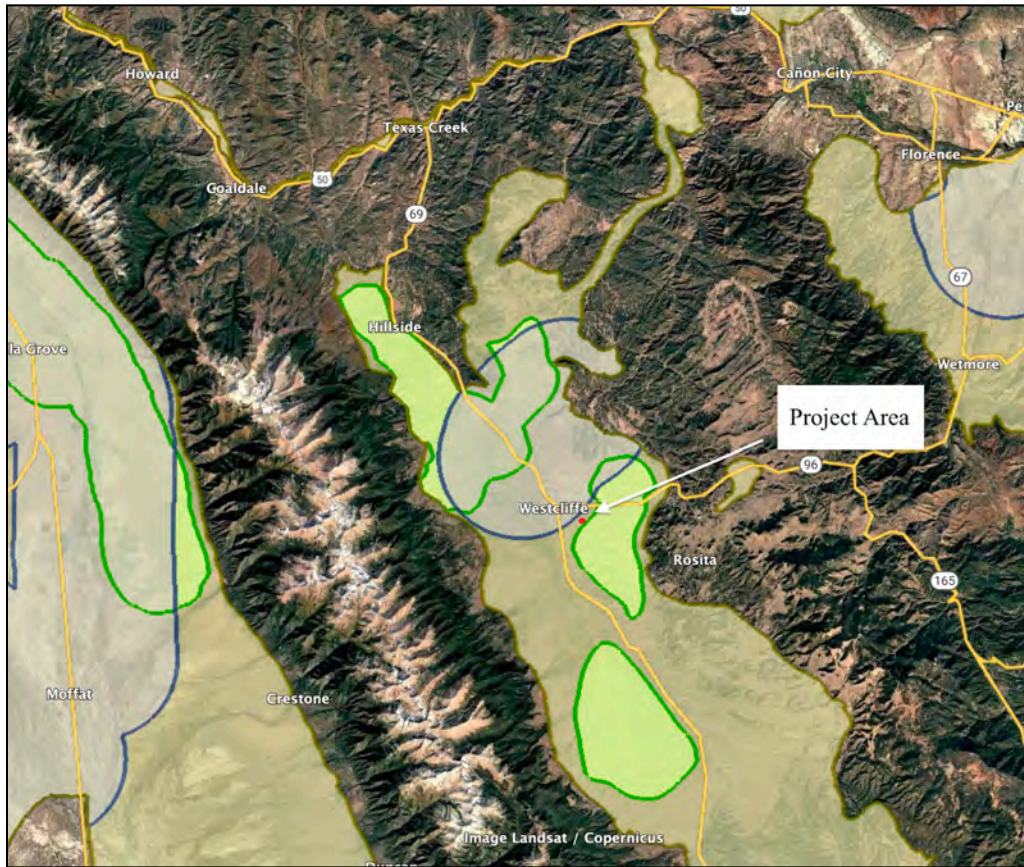
**Figure 5: Elk Overall Range**



The Silver Cliff Solar Project lies outside of all elk production areas, elk resident population areas, migration corridors, severe and regular winter ranges, and winter and summer concentration areas. While it does lie in the elk's overall range, *Figure 5* demonstrates how much of the area is classified within this zone. Habitat is widely available for the elk.



**Figure 6: Pronghorn Overall Range, Concentrated Area, and Perennial Waters Area**



CBEP has deliberately included the layers for pronghorn concentrated areas and perennial water sources, even though the project area is outside these boundaries, to demonstrate how ideally located the project is to avoid pronghorn critical habitat. As demonstrated by *Figure 6*, this project is situated just outside of the pronghorn's sensitive habitat areas. While the project area is located in the pronghorn's overall range, this is true for almost the entire Wet Mountain Valley.

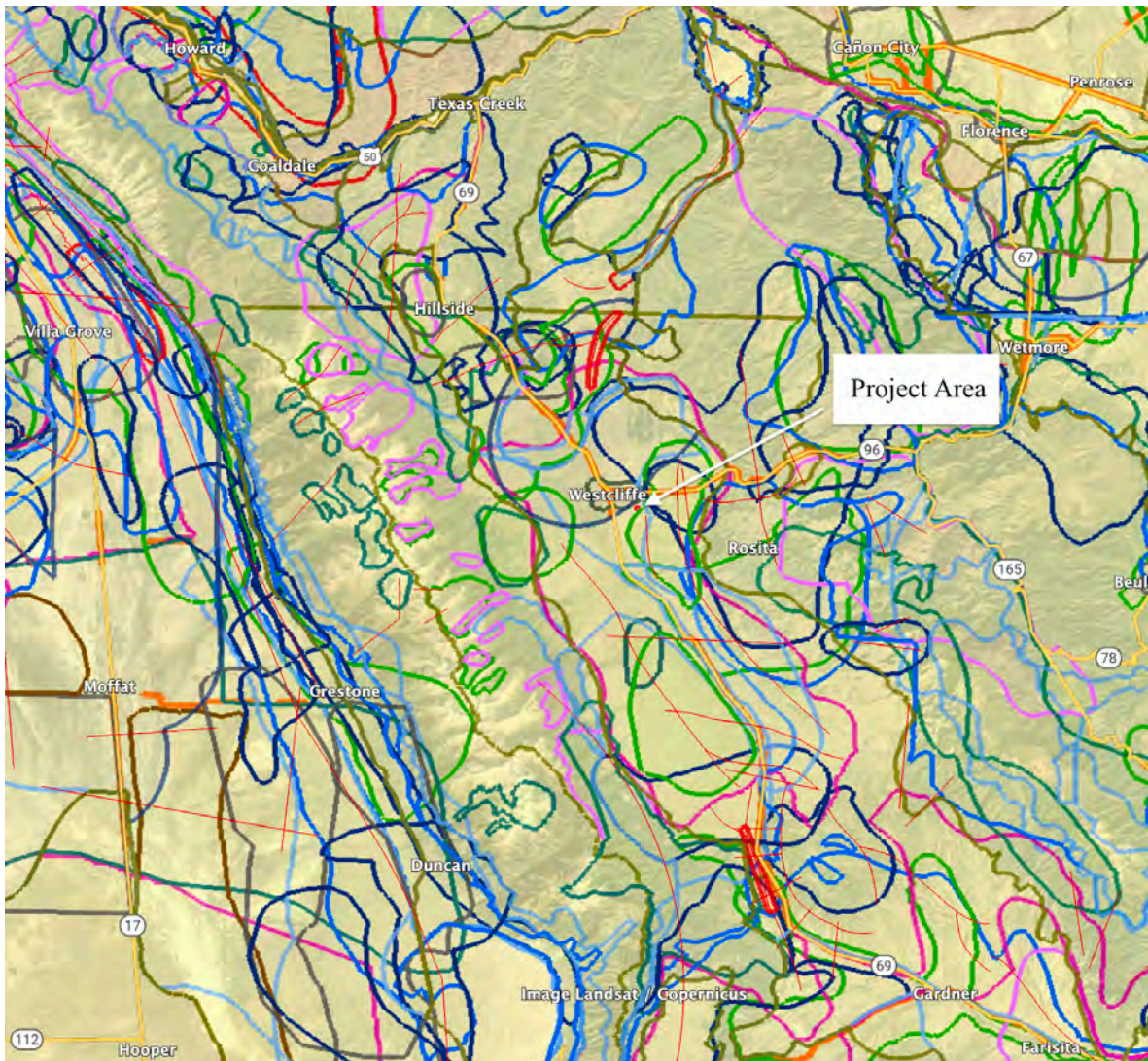
**Figure 7: Black Bear Overall Range**



The project area lies outside of the black bear's human conflict area, summer concentration area, and fall concentration area (not shown in *Figure 7*). While the project does lie in the black bear's

overall range, this is true for hundreds of thousands of acres in the area. All acres captured in *Figure 7* are part of the Black Bear Overall Range, as indicated by the light brown shade.

**Figure 8: Comprehensive Habitat Map**



*Figure 8* includes **each** layer for **each** animal referenced above, demonstrating the Wet Mountain Valley's extensive biodiversity. Given how many acres in the region are encompassed by critical habitat, the Silver Cliff Solar Project is well-positioned to minimally impact the region's wildlife.



While CPW does not have any public layers for burrowing owl and/or Colorado-checkered whiptail, CBEP has spoken with the landowner, Jerold Peterson, to confirm whether or not these have been spotted on the property. Jerold stated that he has not seen a burrowing owl or Colorado-checkered whiptail on-site.

CBEP will adopt CPW's recommended best practices to ensure that wildlife will not be impacted by the project. Typically, CPW recommends we do the following:

- CPW recommends that any installed fencing should be eight feet in height, have round-capped posts (e.g., so wildlife isn't impaled), smooth top wire to the fence (e.g., no top barbed wire) (or if two top strands are needed, ensure they are at least six inches apart). The bottom wire can be barbed but should be four inches or less from the ground.
- CPW recommends that other non-security fencing is kept to a minimum. Where such fencing is required, wildlife-friendly fencing specifications, as described in CPW's document entitled "Fencing with Wildlife in Mind," are encouraged.
- CPW recommends that the solar facility is checked weekly (or escape structures are installed inside the fenced area) to allow deer to escape if one becomes trapped within the facility.
- If construction is slated from March 15 to August 31, CPW recommends completing pre-construction nesting surveys for songbirds, Burrowing Owls, and ground- or tree-nesting raptors within the project area or in the immediate vicinity (e.g., their buffers may extend into the Project area) within a couple of weeks of construction.
- For any new transmission lines to this solar project, CPW recommends they be installed according to Avian Power Line Interaction Committee (APLIC) standards and outside the raptor nesting season. Also, bird diverters should be installed within ¼-mile of any lake, drainage, or riparian area, and within the raptor nesting buffer for occupied nests.

### ***Drainage***

CBEP contracted Coffman Engineers, Inc. ("Coffman") to conduct a Drainage Study to further understand this project's impacts on stormwater drainage. This study is included in the application package. Coffman concluded that "the post-development site drainage conditions will mimic the existing conditions with runoff flowing to the existing northern and southern drainage channels via their respective drainage basin." Coffman found that the addition of solar panels would cause "no change to the existing runoff rates or volumes."

Coffman did find that existing drainage patterns would be slightly impacted due to the construction of the gravel access road, increasing runoff in the northern drainage basin from 82.56 cfs to 83.15 cfs for 100-year storm events. However, Coffman found that this "small increase



in runoff rate... will not negatively affect the downstream hydraulic features of the basin.” Other features may cause an increase in runoff, but these areas are, combined, less than 0.05 acres. Their impacts, according to Coffman, are “assumed to be negligible.”

CBEP will install a silt fence to further minimize these relatively-negligible drainage impacts. Please see pages C-200 and C-201 of the Conceptual Site Plan for more information on the location of the silt fence. This silt fence will be less than two feet. CBEP will also plant and maintain a native seed mixture within the project area. The grasses beneath the panels will further stabilize peak flow rates and minimize soil erosion. For more information on this project’s impacts on existing drainage patterns, please refer to the Drainage Study.

### ***Agriculture***

One concern with solar facilities is that they take prime agricultural land out of production. CBEP has developed a USDA Natural Resources Conservative Service (“NRCS”) Custom Soil Report to learn more about the soils on this property. As stated above, the entire project area is classified as feltonia sandy loam, which is *not* prime farmland. In the land capability classification index, it is rated as 6e, which is cited as having “severe limitations, unsuited to cultivation; limited use to mainly pasture, rangeland, forestland, or wildlife habitat” (LandPKS LCC Class Definition). The landowner has found that a solar facility is the highest and best use of their private property.

To keep the land productive, CBEP will plant and/or maintain a native seed mixture beneath the solar array following construction. CBEP seeks to work with a local seeding company that has a focus on enhancing biodiversity, preserving ecosystems, and promoting sustainable land management. CBEP aims to use a native seed that will strengthen local pollinator habitats and help restore soil health over the life of the solar project.

CBEP also uses best practices during construction to ensure minimal soil disturbance. For more information regarding agricultural compatibility, please contact Ally O’Neill at [ally@cloudbreakenergy.com](mailto:ally@cloudbreakenergy.com).

### ***Visual Impact on Neighboring Properties***

CBEP held a community meeting on May 8, 2024, to meet with neighboring property owners, community members, and community officials to discuss the project’s location. All neighboring property owners were invited by mail to attend.

During this meeting, community members voiced concerns about this project’s proximity to residential developments to the north and west. While still abiding by Ordinance No. 01-2024, this



project was *originally* situated 300 feet from the closest neighbor. However, given the community's concern with the proximity of this project to neighboring residences, CBEP agreed to set the project back 500 feet from Mill Street, despite increased interconnection and construction costs. Furthermore, this project has since moved south, adding a significant buffer between residential properties north of the project parcel. The current project location is now further than 550 feet from the closest residential property, which is 250 feet more than what is required by the Ordinance.

For solar projects to be financially viable, they must be located near adequate electrical infrastructure, which is typically developed in residential and commercial areas with high electricity demand. This project is positioned as far as possible from the residential population of Silver Cliff while still maintaining access to the necessary electrical infrastructure. However, the project now directly abuts the Silver Cliff Cemetery, a monument of significant historical and cultural importance to the Town. Therefore, CBEP will provide vegetative screening to ensure minimal visual impact on visitors of the Silver Cliff Cemetery.

### **Glare**

To mitigate glare, all panels will be treated with an anti-reflective coating. With this coating, panels will only reflect approximately 2% of incoming sunlight, which is less than both water and windows.

### **Air Quality / Fugitive Dust**

Fugitive dust will be released during the following construction activities: equipment and material deliveries; access road and staging area construction; and excavation for equipment pads and underground utilities.

As described in the Access Narrative, to mitigate the release of fugitive dust and to maintain compliance with all state and federal regulations and permits, strict controls will be in place throughout the duration of the aforementioned construction activities.

- All haul routes onsite will be watered on an as-needed basis before and during all heavy hauling activities. Water will be trucked in.
- When applicable, heavy equipment will be fitted with dust mitigation equipment. All excavation activities will be closely monitored throughout the access road, staging, and electrical construction scopes of work, to identify fugitive dust and ensure compliance.
- To aid in dust suppression we will maintain truck-mounted water tanks to water work areas. All water will be either filled onsite or trucked in. Tanks will be refilled regularly to ensure dust mitigation can be performed throughout the construction lifecycle.



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- Areas of work will be stabilized upon completion to minimize fugitive dust in accordance with our SWPPP and air permit requirements.
- Onsite vehicle speeds will be maintained at 10 mph to minimize airborne dust particles.
- Vehicle tracking pads will be installed at the site's access location.
- Areas of major disturbance that will not reach final stabilization within 30 days will be temporarily stabilized, as needed.
- Certain activities onsite will be suspended during high wind events (20+mph) to mitigate wind erosion.
- CBEP will perform 'soil roughening' as needed.

CBEP will also file a Land Use Air Pollutant Emissions Notice (APEN) with the Colorado Department of Public Health and the Environment ("CDPHE") before commencing construction. After we file this notice, CBEP will receive a Land Development General Permit ("GP03") from CDPHE.

Following construction, CBEP will plant a native seed mix that will mitigate any fugitive dust or impacts on air quality. Please see the Vegetative Management Plan for more information.

#### ***Town Services and Town Capital Facilities***

Based on CBEP's analysis, no impact on Town Services and Town Capital Facilities is expected as a result of the construction and/or operation of this development. This project will be adequately equipped to mitigate nearly all fire risks, but CBEP, and/or a relevant contractor, can provide training to the local fire district in case of emergency. CBEP has pledged to donate \$50,000 to support the Wet Mountain Fire Protection District. This project will not place undue stress on the Round Mountain Water and Sanitation District, Oak Disposal/P Bar O Disposal, or the Wet Mountain Animal Welfare Association. This project will not require any propane and will work directly with Black Hills Energy for all electrical needs.



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**DATE:** September 30, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Decommissioning Plan

***Approach***

CBEP Solar 10, LLC (“CBEP”) has developed this decommissioning plan for the Silver Cliff Solar Project, to be implemented after the contracted lease term has ended. CBEP, the owner of the Solar Energy Facility (“SEF”), will be responsible for the decommissioning.

Decommissioning of the project will include removal of all above and below-ground infrastructure, including the arrays, inverter structures, concrete foundations and pads, and electrical infrastructure. All fences, graveled areas, and access roads shall be removed unless landowner agreement to retain is presented, in writing, in which the property owner agrees for this to remain. The property shall be restored to a condition reasonably similar to its condition before the development of the SEF. Grading and re-vegetation will comply with all applicable rules and regulations. Exclusions from the decommissioning plan include planting trees, removing internal site roads, and re-grading to previous conditions. All non-utility owned equipment, conduits, structures, fencing, and foundations to a depth of at least 3' below grade shall be removed. Decommissioning activities will follow the CDOT best management practices (BMPs) for erosion and sediment control and stormwater management that are applied during project construction, or any new BMPs relevant at the time.

CBEP will decommission the project once the contracted lease term is over, if the lease term is not extended or renewed. Decommissioning may also be initiated if the project is no longer viable, or in the case of a force majeure event (described below). CBEP will provide notice to the Town of Silver Cliff before the commencement of decommissioning of the project.

***Estimated Timeline and Cost***

Decommissioning/reclamation shall commence within 12 months after power production has permanently ceased and be completed within 12 months from the start date of the decommissioning/reclamation work. Decommissioning/reclamation cost estimates, which shall be updated every five years from the establishment and submittal of the decommissioning financial security, shall include all costs associated with the dismantlement, recycling, and safe disposal of facility components and site reclamation activities, including the following elements.





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- All labor, equipment, transportation, and disposal costs associated with the removal of all facility components from the facility site.
  - All costs associated with full reclamation of the facility site, including removal of non-native soils, fences, and constructed access roads
  - All costs associated with reclamation of any primary agricultural soils at the facility site to ensure each area of direct impact shall be materially similar to the condition it was before construction
  - All decommissioning/reclamation activity management, site supervision, and site safety costs
  - All other costs, including administration costs, associated with the decommissioning and reclamation of the facility site
  - The established date of submission of the financial assurance mechanism to the Town of Silver Cliff

Before construction, CBEP will provide the Town with an irrevocable standby letter of credit, bond, or alternate form of financial assurance mechanism in an amount sufficient to fund the estimated decommissioning costs required by the Ordinance. The decommissioning financial security shall:

- Name the Board of Trustees of the Town of Silver Cliff as the sole beneficiary of the letter of credit
- Be issued by an A-rated financial institution based upon a rating provided by S&P, Moody's, Fitch, AM Best, or other rating agency with similar credentials
- Include an automatic extension provision or "evergreen clause"
- Be "bankruptcy remote", meaning the financial assurance mechanism will be unaffected by the bankruptcy of the SEF operator

The Town of Silver Cliff, in its sole discretion, may approve alternative forms of a financial assurance mechanism such as, but not limited to bonds, letters of credit, or other securities, if it finds that such alternative forms will provide an assurance of the availability of financial resources for decommissioning/reclamation that equals or exceeds that provided by the form required herein.

Furthermore, the Town of Silver Cliff shall have the right to draw upon the irrevocable standby letter of credit, or other form of financial assurance mechanism, to pay for decommissioning in the event that the holder has not commenced decommissioning/reclamation activities within 90 days of the Board of Trustees order or resolution directing decommissioning/reclamation.



### ***Continued Beneficial Use***

If prior to decommissioning the project, the landowner determines that any of the project components can be beneficially used on the land after disassembly, such items would be exempt from the requirements for decommissioning. If a third party acquires the project or a portion of the project, such third party would be responsible for providing evidence of a plan of continued beneficial use for their relevant project components.

### ***Force Majeure***

An exception to these requirements will be allowed for a force majeure event, which is defined as any event or circumstance that wholly or partly prevents or delays the performance of any material obligation arising under the project permits, but only to the extent:

- Such event is not within the reasonable control, directly or indirectly, of CBEP (including without limitation events such as fire, earthquake, flood, tornado, hurricane, acts of God and natural disasters; war, civil strife or other similar violence);
- CBEP has taken all reasonable precautions and measures to prevent or avoid such event or mitigate the effect of such event on CBEP's ability to perform its obligations under the project permits and which, by the exercise of due diligence, it has been unable to overcome; and
- Such event is not the direct or indirect result of the fault or negligence of CBEP.

In the event of a force majeure event, which results in the absence of electrical generation by the project for 12 months, CBEP must demonstrate to the Town of Silver Cliff by the end of the 12 months of non-operation that the project will be substantially operational and producing electricity within 24 months of the force majeure event. If such a demonstration is not made to the Town of Silver Cliff's satisfaction, then decommissioning of the project must be initiated 18 months after the force majeure event.



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**DATE:** December 12, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Notice to Landowners/Mineral Right Holders.

CBEP Solar 10, LLC (“CBEP”) contacted all property owners within the project site and within 500 feet of the exterior boundary of the project site regarding the project. CBEP contacted a couple of residents who are further than 500 feet from the proposed project area. The list of notified recipients, including names and relevant addresses, is included below.

- Jacob Ray Shy
  - 920 Mill St, Silver Cliff, CO 81252
  - 110 CO RD 340, Westcliffe, CO 81252
- Wilbur P Yoder & Karen Sue Trustee
  - 1180 Mill St, Silver Cliff, CO 81152
- Silver Cliff Land & Cattle Company
  - 7800 E Dorado PL Suite 250, Englewood, CO 80111
- Silver Cliff Cemetery
  - 1435 Mill St, Silver Cliff, 81252
  - 612 East Main Street, Silver Cliff, CO 81252
- Assumption Catholic Cemetery
  - 1801 Mill St, Silver Cliff, 81252
  - No mailing address was listed. It looks like it is organized by the Lady of the Assumption Church. Their office is at 109 South Fifth Street, Westcliffe, CO 81252, so notice was sent there.
- Jerold and Kathleen Peterson
  - 830 Fourth Street, Silver Cliff, CO 81252

CBEP worked with 39North, LLC to develop a Mineral Owners List. Jerold Peterson, the landowner, was the only listed mineral owner associated with the property.



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**DATE:** December 16, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Special Use Permit Criteria Narrative

The Silver Cliff Solar Project meets all required Special Use Permit criteria, as listed in Section 16-8-20 of the Town of Silver Cliff's Municipal Code. Each piece of criteria is listed below.

***Will the special use be in harmony and compatible with the character of the surrounding areas and neighborhood?***

*This project will be in harmony with the character of the surrounding areas and neighborhood due to its distance from Silver Cliff's residential and commercial hub, its minimal impact on neighboring property owners, effective erosion and drainage control, and routine weed maintenance.*

The project is proposed to be located over 2,000 feet south of Silver Cliff's residential and business zones. The project parcel is located on land zoned A-1 and is adjacent to undeveloped grasslands on the north and east sides. The Silver Cliff Cemetery lies directly south of the project area, with the Assumption Catholic Cemetery situated southeast of the project. Two residential properties are located on the opposite side of Mill Street, to the west. The character of the project's surrounding area can be categorized as rural and/or rural residential. This project will fit in well with a rural community, as it will have minimal sound, lighting, odor, and traffic impacts.

Noise and traffic are discussed at length in the Impact Analysis. To summarize CBEP's findings in the Impact Analysis, this project will remain below the Silver Cliff Solar Ordinance's allowable noise levels, which is 55 dB(a) at property lines, during the project's operation. During construction, noise will be mainly limited to workers talking on-site, the operation of forklifts, entering/exiting of heavy vehicles, and temporary pile-driving.

Traffic during the project's operational lifetime will be limited to approximately 4-8 round trips (8 to 16 trips) per year for routine and as-needed maintenance. Maintenance personnel will access the site in passenger vehicles. Construction will last approximately 4-6 months and result in, at a maximum, 67 daily trips. This assumes that ten pickups and three heavy vehicles enter the site during the AM peak and that seven pickups and three heavy vehicles exit the site in the evening peak. These estimates are *very conservative*. Galloway and Company, Inc. ("Galloway") conservatively assumed that all construction workers would commute to the site individually.



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However, it's much more likely they will carpool. Additionally, CBEP typically only requires 1-2 heavy vehicles. This significantly reduces traffic impacts. However, despite Galloway's conservative metrics, they concluded that during "both the construction and the operational phase, the site will generate trips that would have an insignificant impact on the surrounding network."

The project's operation is not anticipated to create any odor, and this project will not have permanent, overhead lighting.

Wind/water erosion and vegetation will be controlled within the project area. According to the Silver Cliff Municipal Code, developments within the A-1 zone "*shall be managed in accordance with good grazing management and agricultural land conservation practices to prevent and control, to the extent reasonable and practicable, the degradation of the parcel's land and water resources by runoff, erosion or overgrazing.*" No grazing will occur within the project boundary. Drainage patterns and stormwater runoff, will be kept at or near existing levels, as detailed in the Drainage Study and Impact Analysis. In the Drainage Study, Coffman Engineering, Inc. ("Coffman") concluded that the addition of solar panels would cause "no change to the existing runoff rates or volumes."

Vegetation within the project area will be well-managed, to ensure weeds do not become a nuisance to any neighboring property owners. The site will be inspected annually by CBEP, or contractors, for the presence of invasive species. Minor presences will be managed by cutting and pulling in a manner to not disburse or promote spreading of weed seeds. If a major presence occurs, mowing and the potential application of herbicides will be deployed. Herbicide selection may vary depending on the time of year and the life cycle of the noxious weed species. For more information, please refer to the Vegetative Management Plan.

Fugitive dust and/or soil erosion will be well-managed within the project area. Minimal dust is expected to be generated during construction and operations due to the planned use of dust suppression best management practices and soil stabilization following construction and throughout operations. During construction, CBEP and its contractors will control dust by applying water to disturbed soils and soil piles to prevent fugitive dust from blowing and impairing air quality. During the operations of the project, the land under and around the project will be seeded with a native grass seed mixture, which will help mitigate dust. This is detailed in depth in the Impact Analysis.



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This project will align with the existing character of the area, as it will have minimal impact on current conditions. Throughout its operation, the project will have a negligible effect on the neighborhood's traffic patterns, noise levels, land and water resources, and vegetation maintenance. It also aligns with the existing character of the area as most of the surrounding land appears to be zoned A-1, which allows for solar development.

**Will the special use be consistent with the Town's comprehensive plan?**

CBEP has thoroughly reviewed the Town of Silver Cliff's Master Plan and has found this project to be highly compatible. Each section of the Master Plan is addressed below.

*Growth and Development / Housing*

Growth and Development is the first overarching theme listed within the Town of Silver Cliff's Master Plan. Several goals within this chapter refer to the State Highway 96 Corridor, and a goal to create a "sense of arrival and continuity along the highway." The Silver Cliff Solar Project, being over 1,000 feet setback from this highway corridor, will *not* interfere with these goals. This project will not directly impact the Town's ability to achieve any of these goals, including G1, G2, G3, G4, G5, G6, G7, G8, or G9.

Goal G-8 states that "contiguous growth and in-fill development should be encouraged." In the Housing section's sixth goal, the Town of Silver Cliff highlights its goal of expanding housing opportunities and access for low and moderate-income households. Goal H-8 states that the Town should "encourage residential growth and development no vacant platted lots within Silver Cliff's boundary." This project would be momentous in supporting that goal for the following reasons.

- *Energy Security - Having a reliable electrical supply makes Silver Cliff an attractive location for new residents, especially those who value energy stability and independence, as well as commercial operations that require a consistent flow of electricity.* This project would reduce the Town's reliance on external power sources and external electrical infrastructure, which can be highly vulnerable to disruptions. For example, Silver Cliff may currently rely on a power generation source that is 50 miles away. If anything goes wrong in those 50 miles, the power supply would be immediately cut off. Alternatively, the Silver Cliff Solar Project would be less than a mile from the Town's residential and commercial concentration. Electrical equipment is far less likely to fail over this shorter distance compared to a span of 50 miles. A steady, locally generated energy source provides a more reliable power supply. Additionally, if approved, CBEP will be responsible for paying Black Hills Energy to upgrade overhead conduit and power



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lines on Mill Street. This will further strengthen the local electrical grid and ensure power is more available in constant supply.

- *Cheaper Electricity - This project will provide discounted electricity, and cheaper electricity will support households. Seventy-five percent (75%) of this project will be reserved for low-income subscribers in Black Hills Energy territory. These subscribers will receive up to a 20% discount on their electricity bill through subscription, while other residential subscribers can expect a ~10% discount on their electricity bill through subscription. While these subscriptions are available throughout Black Hills Energy territory, CBEP commits to prioritizing Silver Cliff residents through the provision of educational resources and/or hosted informational sessions for interested residents. This will ensure as many Silver Cliff residents can subscribe to the system as possible. The Town of Silver Cliff will be able to distribute these educational resources to interested homeowners and renters to ensure future residents can also tap into this discounted resource.*
- *Job Creation - This project will lead to local job opportunities in construction, maintenance, and related industries, which can attract new residents seeking employment and contribute to a growing local economy. CBEP will try to use local labor for the development, construction, and maintenance as much as is reasonably possible. CBEP has already used a local surveying company, Southern Colorado Surveying and Mapping, for two ALTA Surveys and a Boundary/Topographic Survey. We'd like to continue this trend by using local labor for the following: post-construction seeding, fence construction and maintenance, vegetative management, system construction, etc. If approved, CBEP would work with the landowner and other community members to learn more about local firms that offer these services.*

This project will not impact the Town's goals regarding Housing. This project, as detailed in Question 1, preserves the small-town atmosphere by minimizing impacts on the rural community, and it is located over 2,000 feet from the Town's current residential and commercial hub. This project is consistent with the community's character and image, as the project promotes ideals of self-sufficiency and sustainable living, key principles in rural areas. It also allows residents to harness natural resources while preserving the environment, which appears to be a central theme in the Town of Silver Cliff's Master Use Plan.

#### *Economic Development*

This project is highly compatible with the Master Plan's Economic Development section. The Master Plan states that "industrial businesses should be limited to companies that are environmentally clean, provide jobs and are small to medium sized." This project is compatible with all three of these objectives.



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This project will be environmentally clean, as it will not impact air quality, impact water quality, negatively impact wildlife habitat, increase light pollution, and/or result in soil degradation/erosion, as many commercial operations might. To minimize impacts to air quality, this project will use dust suppression best management practices, and soil stabilization during construction and throughout operations. As mentioned above, CBEP and its contractors will control dust during construction by applying water to disturbed soils and soil piles to control fugitive dust from blowing and impairing air quality. The Conceptual Site Plan outlines further best practices that will be followed during construction to minimize fugitive dust. During the project's operation, dust and/or soil erosion will be minimized through the use of a native grass cover. This practice is two-fold. The native grasses will not only reduce dust by providing a vegetative cover, but they will also provide an ecosystem for local pollinators and improve soil health. This will positively impact wildlife habitat. Water quality will not be impacted by the construction or operation of the project either, as confirmed by CBEP's Drainage Study. This project will avoid the use of permanent overhead lighting, minimizing any impact on light pollution. Given this project's location, its impact on wildlife and critical habitat will be minimal, as described in the Impact Analysis. Last, throughout the project's lifetime, CBEP will rarely disrupt the soil beneath the panels. By leaving land relatively undisturbed, CBEP will preserve soil structure and promote the growth of organic matter, which allows for nutrient retention and cycling, as well as water absorption. Allowing the soil to rest for a term has been shown to improve overall soil health. Given this project is temporary, this "break" will maximize the soil's productivity for future agricultural uses.

This project will provide job opportunities for local residents. Solar projects provide a myriad of jobs in a variety of sectors, including research, engineering, manufacturing, construction, and maintenance, etc. According to the Department of Energy, solar is the "electric power generation technology that employs the most workers" (DOE, 2023), and this is only set to rise. According to a 2024 Reuters article, employment in the solar industry has been steadily increasing in the last decade, growing 5.3% in the last year. As cited above, CBEP will try to use local labor wherever and whenever possible in the development, construction, and operation of the Silver Cliff Solar Project. CBEP may also partner with the Colorado Solar and Storage Association ("COSSA") and an Engineering, Procurement, and Construction company ("EPC") to organize on-site apprenticeship programs and learning opportunities, where interested Silver Cliff residents could learn more about solar installation, system construction, and maintenance.

This project is small- to medium-sized. The Town of Silver Cliff spans 9,390 acres, with 8,114 of those acres being zoned Agriculture. The Silver Cliff Solar Project is proposed to be ~22 acres, encompassing *less than 0.003%* of the Town's agriculturally zoned land. COSSA also classifies this project as small-scale. In February 2024, COSSA released a document titled "Becoming





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Utility-Scale Solar and Energy Storage Ready.” In this document, they specify that “small-scale solar is typically defined as less than 40 acres.”

This project also aligns with the general theme of “improving Silver Cliff’s tax base,” which is discussed throughout the Economic Development section, but is specifically referenced in ED(1). This project will improve the tax base by over \$640,000 over the course of its lifetime. It’s worth noting that this project will enhance the tax base without utilizing Town or County resources. This project will not require any sanitation services provided by the Round Mountain Water and Sanitation District, increase attendance to the C-1 School District, put a strain on hospital resources, etc. *This project will increase revenue for each of these organization without using any of their resources.* Therefore, this will allow for the allocation of more resources on a *per resident basis*. This is unique to this kind of development. Other forms of development, like residential development, increase the tax base, but increase school attendance, have high water use, cause more traffic and use of municipal roads, etc. This lowers the net gain the Town of Silver Cliff sees from this development’s increased tax base.

This project does not interfere with any other goals outlined in this section.

#### *Community Character*

While much of this section does not directly apply to this project, one recurring theme is the importance of the Town’s “world-class night skies.” It is important to note that many forms of energy generation *require* permanent, 24-hour lighting. Solar is the exception. No permanent lighting will be used during the project’s operation. The need for lighting during construction is expected to be limited, because the majority of construction activities will occur during daylight hours. If lighting is needed during construction, lights will be positioned and/or shielded from oncoming traffic and residences in the vicinity of the project site. Cutoff-type luminaires would be used where practicable. Individual light sources would not exceed 150,000 lumens per light source (typical of a 1250W metal halide light) and would project 0.1 lumens or less at property lines. Unnecessary lighting will not be used during construction.

This project will not interfere with any other goals listed in this section, including CC/1-1, CC/1-2, CC/1-3, or CC/1-4.

#### *Services and Infrastructure*

This project will enhance the following services and infrastructure components outlined on Page 10 of the Master Plan: utilities, public safety, and education.

This project will directly support the Town of Silver Cliff’s distribution grid and electrical infrastructure. By acting as a distributed energy resource, the project will improve energy stability.



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Currently, most of the power we use is generated at large, centralized plants and transmitted to smaller communities through a combination of transmission and distribution lines. However, this system is vulnerable to disruptions if *any part* of the transmission or distribution network is damaged. The risk of such disruptions is increasing due to extreme weather events like wildfires, heatwaves, and strong winds, as well as potential cyber threats. Having a local source of electricity generation is therefore crucial. In addition, CBEP will be working in partnership with Black Hills Energy to install new power poles on Mill Street, upgrade existing power lines between the project's Point of Interconnection ("POI") and the closest substation, and install stabilizing electrical equipment, including a recloser and underground cabinet.

This project supports public safety, as CBEP has committed to a donation of \$50,000 to the Wet Mountain Fire Protection District and \$10,000 to Custer County Search and Rescue, both of which are *directly* cited in the Silver Cliff Master Plan. This project also supports the Custer County Hospital District, the Round Mountain Water and Sanitation District, and the Wet Mountain Fire Protection District through increased tax revenue.

This project will support education through increased tax revenue, potential opportunities for apprenticeship during construction and solar installation, and a potential scholarship for a local student interested in pursuing a career in renewable energy. For projects in Logan and Weld County, Cloudbreak Energy Partners, LLC, the parent company of CBEP, has historically provided scholarships for students to attend the Northeastern Junior College in Sterling, Colorado, to pursue a career in renewable energy. CBEP would be happy to work with the Town of Silver Cliff following permitting to decide if this is an opportunity the Town would like to pursue.

This project does not interfere with any goals listed in the Services and Infrastructure section of the Master Plan. CBEP may elect to purchase water through the Round Mountain Water and Sanitation District's "bulk water service," but it will not be at a rate higher than the District can provide. A Drainage Study has been submitted to the Town for review; this project will minimally impact natural drainage courses; this project will not negatively impact the Town's Insurance Class Rating; this project will not impact the Silver Cliff Cemetery's operation; and this project will not interfere with the Town's ability to create a Capital Improvements Program.

#### *Transportation / Historic Structures / Environment*

This project does not interfere with any goals listed in the Master Plan's Transportation section, including the provision of walking/bicycle paths, the maintenance of roads, street identification, sidewalk feasibility, etc. If approved, CBEP will sign a Road Use Agreement with the Town of Silver Cliff's Public Works Department to ensure minimal impacts on municipal roads.



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This project will not interfere with the Town's ability to develop an inventory of historic resources, expand cultural/historic opportunities, educate residents on Silver Cliff's history, etc. This project is located near the Silver Cliff Cemetery, but will not interfere with its internal appearance and/or operation. This location was selected as it was the *furthest possible location* from existing residential properties on the leased parcel. This location was encouraged by those who attended the May 8th Community Meeting. This location was also presented at the August 21st Board of Trustees Meeting and no concerns were expressed. CBEP has evaluated all potential options for the Peterson property and concluded that this site is the most suitable due to its distance from existing residential areas and proximity to the necessary electrical infrastructure.

This project will not interfere with the two goals listed in the Environment section of the Master Plan.

#### *Land Use, Environmental, and Natural Resources*

This development is in harmony with all goals listed in this section. CBEP will employ the following best practices to ensure compatibility.

- EN(1) & EN(2): This site will be re-seeded following construction with a native vegetation seed mix. Erosion control measures will be implemented during construction and maintained until revegetation is complete. Please see Page C-201 of the Conceptual Site Plan for more details on Erosion and Sediment Control during construction, as well as the Drainage Study.
- EN(3): Not applicable.
- EN(4): Not applicable.
- EN(5): CBEP completed a Wetland Delineation for this project. No riparian vegetation was reported on-site.
- EN(6): The project's access road will be constructed to mimic existing grades and land's natural topography, as outlined in the Drainage Study. This project will require minimal grading, and therefore the natural topography will be retained to the greatest extent possible.

#### *Open Space & Recreation*

This project aligns with this section due to its temporary nature and minimal land disturbance. If approved, this project will be under contract with Black Hills Energy for 20 years, which is the length of the initial lease term with the landowner. This project can be extended for another 15 years, making its maximum operational life 35 years. This project allows this land to be temporarily preserved for open space in future years. Unlike residential or commercial development, concrete will not be widely used, limited grading will occur, and no permanent



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structures will be constructed. During the project's decommissioning, the land will be restored to its original (or better) condition. It is up to the future landowner to determine whether or not they'd like to use this land for open space and recreation. This is in line with the goals listed in this section, specifically OSR(3). This project will act as a temporary placeholder for open space. If there is future residential development on Mill Street, this will become even more important.

In this section, the Town also outlines a goal (OSR(1)) of publicly acquiring land, developing management agreements with landowners, and/or privately dedicating the land to open use/recreation. *To date, none of these actions have taken place on the project parcel.*

This project will not impact the Town's ability to achieve the following goals: OSR(4), OSR(5), OSR(6), or OSR(7), as it is not located within close proximity to any existing recreational facility.

It's crucial to highlight that the landowner believes this project represents the highest and best use of their property. They have the autonomy to decide how to develop their land in a way that benefits both their interests and the community.

CBEP recognizes the importance of responsible and balanced growth. The Master Plan emphasizes that "growth must occur in a way that enhances residents' quality of life while safeguarding the environment. Special attention should be given to protecting wildlife, preserving productive ranch land, conserving natural resources, ensuring clean air and water, and maintaining open spaces without hindering the development necessary for economic stability." In our professional and sincere opinion, the Silver Cliff Solar Project aligns with these principles through its modest scale, use of best practices in construction and operation, community benefits, increased tax revenue and job opportunities, its contribution to energy independence and security, and its temporary nature.

**Will the special use not result in an over-intensive use of land?**

By adhering to best practices during construction and operation, the project will minimize land disturbance and maintain the area's ecological integrity, effectively preventing over-intensification of land use. This project will involve minimal grading and will not consume any on-site resources. This project will utilize less than 0.003% of the current agricultural land in the Town of Silver Cliff; its small footprint prevents any overuse of the land.

**Will the special use not have a material adverse effect on community capital improvement programs?**

The project will not impact the Town of Silver Cliff's community capital improvement programs.



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**Will the special use not require a level of community facilities and services greater than that which is available?**

This project will not require any community facilities or services greater than that which is available. This project will not require any material removal from the Round Mountain Water and Sanitation District. It will not require any service from LP Gas or CenturyLink. This project will not increase the strain on the C-1 School District or existing health services. This project will not place excessive pressure on local law enforcement, as the site will be adequately secured and monitored by CBEP or its contractors.

The project will not place undue pressure on the Wet Mountain Fire Protection District. CBEP has already committed to a donation of \$50,000 to support the acquisition of new firehouses, engines, volunteer support, etc. CBEP, or its contractors, will work with the Wet Mountain Fire Protection District to ensure they are properly trained in case of an emergency at the solar facility. However, a fire on-site is highly unlikely. A 2021 study completed by the Fraunhofer Institute for Solar Energy Systems found that of the more than 2 million solar plants in Germany, only 0.006% of them caused a fire resulting in serious damage. For perspective, according to data available from the U.S. Census and National Fire Protection Association, 0.14% of households in the U.S. experience a significant cooking fire each year. The Silver Cliff Solar Project will also have several ways of mitigating fire risk. Should a ground fault be detected by the project's software, inverters will automatically shut down and disconnect the DC module strings from the AC electric system. The inverters also do this when sensing any fluctuations out of the limit within the electric grid the system is tied to. *An automatic shutdown will be located within each inverter.* Our team will also have remote capabilities to disconnect the system and shut down each electrical component in case of emergency. As a contingency, there are also manual disconnects as follows:

- Inverters: each inverter will have a DC and AC disconnect switch;
- Inverters and Main Equipment Pad: each AC panelboard will have a break serving as a disconnect switch;
- Main equipment pad: The main system disconnect switch will be located within the switchgear.

A Knox Padlock or a Knox Key Switch will be located on the gate of the access road to allow first responders to access the property in case of emergency.

CBEP will sign a Road Use Agreement with the Town of Silver Cliff's Public Works Department to ensure minimal impacts on municipal roads.



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**Will the special use not result in undue traffic congestion or traffic hazards?**

This project will not result in undue traffic congestion or traffic hazards. The majority of traffic caused by this project will occur during construction, which will last between four to six months. Following construction, maintenance crews will be on-site *four to eight times per year*, which is quite infrequent.

Traffic during construction is discussed at length above, in the Traffic Report, and in the Impact Analysis. The Traffic Report estimates are *conservative* and yet, Galloway Engineering, Inc. still concluded that “within both the construction and the operational phase, the site will generate trips that would have an insignificant impact on the surrounding network.”

**Will the special use not cause significant air, water, or noise pollution?**

Noise, air quality, and drainage are discussed at length in the Impact Analysis. No significant air, water, or noise pollution is anticipated to be caused by this project.

This project will comply with all applicable state and federal regulations. The Environmental Protection Agency (EPA) sets forth the National Ambient Air Quality Standards (NAAQs) pursuant to the Clean Air Act. *Air quality impacts associated with construction projects generally arise from fugitive dust generation during the operation of heavy equipment.* Colorado administers the NAAQS through the issuance of the Air Pollutant Emission Notice (APEN). The project will not exceed the NAAQS and will follow best management practices to ensure that the production of dust will be controlled. Several best practices are outlined in the Conceptual Site Plan to achieve this. CBEP will also file an APEN prior to construction, and receive a Land Development General Permit from the Colorado Department of Public Health and the Environment. Please see the Impact Analysis, Access Narrative, and the Conceptual Site Plan for more information on best practices during construction. Once the construction phase is complete, the site will be visited 4-8 times per year for routine maintenance and on an as-needed basis. Disturbed areas, not covered with gravel as part of the project design, will be reseeded with native seed to revegetate disturbed areas and hold soil in place, minimizing fugitive dust impacts during operations. CBEP would employ native revegetation methods or chemical control methods for infestations of weeds during regular maintenance, if necessary.

This project will comply with all noise requirements listed in Ordinance 01-2024 and in Chapter 9 of the Municipal Code. During the operation of the project, noise will be well below 55 dB(a) at property lines, as depicted in *Figure 1: Noise Analysis Visualization* within the Impact Analysis. As required by Chapter 9 of the Municipal Code, construction will be kept between 7 AM and 9 PM.

This project will not cause significant water pollution. Please refer to the Drainage Study and Impact Analysis for information regarding stormwater runoff. CBEP has designed the site to



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minimize increases in stormwater runoff and the Drainage Report concluded that there will be no negative impacts to “downstream hydraulic features” of the region’s basin. CBEP will also receive a Stormwater Discharge Permit from the Colorado Department of Public Health and the Environment for temporary construction.

**Will the special use be adequately landscaped, buffered, and screened?**

This project will be adequately landscaped. Please see the Vegetative Management Plan for information regarding landscaping.

This project has been moved multiple times to provide adequate buffering from Mill Street and nearby residential properties. Ordinance 01-2024 requires solar projects to maintain a distance of 300 feet from residential properties, unless screening is incorporated, and 70 feet from roads. Initially, this project was situated precisely 300 feet from the closest residential property. However, in light of community concerns raised during the May 8th Community Meeting, CBEP has pledged to maintain a 500-foot setback from all residential properties. This commitment is reflected in the Conceptual Site Plan, included within this permitting application package. Since Ordinance 01-2024 defines a 300-foot residential setback as sufficient, CBEP believes that the site is well-buffered at its current distance of 500 feet. However, CBEP will provide vegetative screening to ensure minimal visual impact on visitors of the Silver Cliff Cemetery.

**Will the special use not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town?**

This project will not be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town. Designs will comply with Colorado Public Utilities Commission requirements, as well as national codes and standards for construction, electrical, and fire. The site will be adequately secured and locked to ensure only maintenance crews and/or fire personnel can access the site. This project will not have any significant impacts on air, water, noise, or light pollution.



**DATE:** November 12, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Vegetative Management Plan

The Silver Cliff Solar Project is proposed on approximately 22 acres of land in the Town of Silver Cliff. The land is currently undeveloped grasslands and is entirely classified as sandy loam. It is considered well-drained and is within the high sandy plains, an ideal area for supporting native species that are adapted to low average rainfall.

Following construction, the seeding plan will include a native pollinator seed mix. The plant mix will be adapted to dry, arid conditions that occur in the Town of Silver Cliff and Wet Mountain Valley. It is important to note that the species selected for this site will be based on their ability to successfully establish from seed, as well as their ability to thrive within the unique conditions found on solar sites in Colorado.

When construction is completed or, at a minimum, is reduced to only foot traffic, permanent seeding site prep will begin. Any existing vegetation on the site will be reviewed by a trained individual who can identify native perennial species. Non-native species will be sprayed using glyphosate and any additional specific herbicides necessary to eliminate non-native perennial weeds. The site will be allowed to stand undisturbed for a minimum of ten days before resuming seeding activities. Following the required herbicide period, the soils will be de-compacted as needed using discs, rippers, or harrows. This procedure may vary based on the season in which the site is seeded.

The site will be checked multiple times throughout the first year of establishment to encourage healthy native species while discouraging non-native/invasive species. During the germination year, the site will be mowed to control annual weed development and to aid in the growth of the prairie seedlings by reducing competition. Mowing may also be necessary if the weeds are about to set seed. In the years following the first growing season, Integrated Vegetation Management (IVM) services will be utilized to control annual, biennial, and perennial weed species within the developing native landscape. As seen on the Conceptual Site Plan, a 10-foot fuel buffer will surround the project fenceline. Vegetation within the fuel buffer will be kept at 6 inches or below.





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**DATE:** December 12, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** General Standards Narrative

Section 16-10-50 of Ordinance 01-24 outlines several general standards applicable to solar energy facilities. These general standards are addressed below.

***Public Health, Safety, and Welfare. The Proposed Solar Energy Facility shall not be detrimental to the health, safety, or general welfare of the community. The Solar Energy Facility, including all Solar Panels, shall be maintained and operated in accordance with manufacturer specifications, Owner Environmental Health and Safety Plans, and applicable Occupational Health and Safety Administration (OSHA) requirements to ensure the safety of site personnel and the public.***

CBEP will abide by this requirement.

***Compliance with Comprehensive Plan and Intergovernmental Agreements. The proposed Solar Energy Facility shall be consistent with relevant provisions of the Town of Silver Cliff Comprehensive Plan and any intergovernmental agreement between the municipality and any other governmental entity that applies to the area where the use will occur.***

No intergovernmental agreements apply to this proposed project area. This project complies and is compatible with the Town of Silver Cliff’s Master Plan. Please refer to the “Special Use Permit Criteria and Master Plan Compatibility Narrative” for information on how this project is compliant and compatible with the Town’s goals and objectives.

***Compliance with Other Regulations. The Solar Energy Facility shall comply with all applicable rules and regulatory requirements of applicable Special Districts, Custer County, State of Colorado, Federal agencies, and of the Town of Silver Cliff.***

This project will comply with all relevant and applicable rules and regulatory requirements of applicable Special Districts, Custer County, the State of Colorado, federal agencies, and the Town of Silver Cliff.

***Zone Restrictions. Solar energy facilities shall be permitted only in A-1 or industrial zones. All projects pertaining to these definitions will be in accordance with The Town of Silver Cliff***



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***Master Plan. Size, location, and visual pollution will be held to the scope outlined in the Master Plan.***

This project is located on Parcel 0010160810, defined as Parcel F, and is zoned as A-1.

The Silver Cliff Solar Project is proposed to be approximately 22 acres, encompassing *less than 0.003%* of the Town’s agriculturally zoned land, and is of modest size. This project is classified as small-scale, according to a 2024 report by COSSA, entitled “Becoming Utility-Scale Solar and Energy Storage Ready.” In this document, COSSA specifies that “small-scale solar is typically defined as less than 40 acres.”

This project is situated over 500 feet from the nearest residential property, which is above the requirement outlined in Ordinance 01-2024, and over 2,000 feet from the Town’s commercial and residential hub. Please refer to the “Special Use Permit Criteria and Master Plan Compatibility Narrative” for more information on how this project is compliant and compatible with the Town’s goals and objectives.

***Water and Wastewater Service. a. The water and septic system shall be adequate to serve the Solar Energy Facility. b. The water and septic system shall comply with Town, State, and Federal standards.***

The Silver Cliff Solar Project will not require the installation of any septic system. CBEP will install a cistern, as recommended by the Wet Mountain Fire Protection District. Please see the Fire Protection Letter for more information.

***Service Delivery System Capacity. The Solar Energy Facility construction and operation shall not have a significant adverse effect on the capability of local governments to provide services or exceed the capacity of service delivery systems.***

As described in the Impact Analysis, CBEP does not anticipate this project will have any significant adverse effects on the capability of local governments to provide services or exceed the capacity of service delivery systems.

***Impact Fees. The Owner/Applicant shall complete a study to assess the potential effects of the proposed project on Town services and Capital facilities. If impacts to Town services or Town capital facilities from the construction and operation of a Solar Energy Facility are identified, the Applicant shall develop a plan to maintain Town services and Town capital facilities. If impacts cannot be fully mitigated, the Applicant may be required to pay The Town of Silver Cliff a mutually agreed upon impact fee to allow the Town to maintain existing Town***



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***Services and Capital facilities. The Owner shall provide all necessary training to allow the Town and applicable special districts to adequately handle the increased services provided by the local fire district and other emergency services caused by the construction and operation of the Solar Energy Facility.***

Based on CBEP's internal analysis and review, this project should not have any potential effects on Town services and Capital facilities. As described previously, CBEP will sign a Road Use Agreement with the Town of Silver Cliff's Public Works Department to ensure minimal impacts on municipal roads during the construction and operation of the project. CBEP, or contractors, will provide any necessary training to the local fire district *in case of emergency*. Due to the low risk of fire and the fire mitigation features built into the system design, CBEP does not expect any need for emergency services during the construction and operation of the facility.

***Water Quality Standards. The Solar Energy Facility shall not cause significant degradation of the quality of surface ground water resources and shall comply with applicable Town, State, and Federal water protection laws.***

CBEP will comply with all applicable Town, State, and Federal water protection laws. As described in the Drainage Study, this construction of the project will have minimal impacts on existing runoff patterns and rates, and will not adversely affect any "downstream hydraulic features of the basin." CBEP will obtain a Construction Stormwater Discharge Permit from the Colorado Department of Public Health and the Environment's Water Quality Control Division. Prior to construction, CBEP will submit a Water and Erosion Control Plan to the Town of Silver Cliff, outlining our best practices to mitigate erosion and limit stormwater runoff. Very minimal grading will occur on-site during the construction of this project.

Decommissioning activities will follow the CDOT best management practices (BMPs) for erosion control, sediment control, and stormwater management that are applied during project construction, or any new BMPs relevant at the time.

***Air Quality. The proposed Solar Energy Facility shall comply with applicable Town, State, and Federal air quality laws.***

This project will comply with all applicable Town, State, and Federal air quality laws. Please refer to the Access Narrative and/or the Impacts Analysis to learn more about CBEP's fugitive dust mitigation practices. CBEP will file a Land Use Air Pollutant Emissions Notice (APEN) with the Colorado Department of Public Health and the Environment ("CDPHE") before commencing construction. CBEP will then receive a Land Development General Permit (GP03) from CDPHE. The project's operation is not anticipated to affect air quality, as the land within its footprint will be



revegetated and maintained. Please refer to the Vegetation Management Plan for more information.

***Glare, Dust or Noise. Construction and operation of the Solar Energy Facility shall not significantly increase existing glare, dust or noise at surrounding properties.***

- **(i) The proposed Solar Energy Facility shall comply with the statutory provisions for maximum permissible noise levels for residential zoning in Section 25-12-103, C.R.S.**
  - The project will comply with the statutory provisions for the maximum permissible noise levels for residential zoning in Section 25-12-103, C.R.S. Please see the Impact Analysis for more information.
- **(ii) Fugitive dust and particulate emissions shall be controlled on the site.**
  - Please see above for CBEP's best practices to mitigate fugitive dust and particulate emissions during construction and operation of the project.
- **(iii) Waste materials shall be handled, stored, and disposed of in a manner that controls fugitive dust, fugitive particulate conditions, blowing debris, and other potential nuisance conditions.**
  - Debris, junk, and other wastes will be stored in appropriate waste receptacles, such as dumpsters, during construction. CBEP, or its contractor, will hire a waste management provider to regularly remove waste associated with construction of the project from the receptacles and bring the waste to an approved landfill or disposal site. During operation, there will be no open stockpiling, uncovered storage, or waste areas. Maintenance contractors will properly dispose of any wastes generated during operation of the project by bringing the waste to an approved landfill or disposal site.
- **(iv) Glare from the Solar Energy Facility shall be designed, located, or placed so that solar glare from its solar collectors will not be directed toward or onto nearby properties or roadways at any time of the day.**
  - The system will be designed, located, and placed so that solar glare will not be directed toward or onto nearby properties or roadways. Panels are also setback 500 feet from Mill Street to ensure minimal visual impact.

***Erosion and Sedimentation Control. Erosion and sedimentation control measures that ensure that disturbed areas and soil stockpiles are stabilized during construction shall be implemented. Disturbed areas shall be revegetated in accordance with landowner agreements.***

CBEP will revegetate disturbed areas as described in this permitting application. Erosion and sedimentation control BMPs are described in detail on page C-001 of the Conceptual Site Plan.



***Drainage/Storm-Water Run-Off. Run-off shall be managed in accordance with applicable Town, State and Federal regulations. If applicable, the Applicant shall obtain a Construction Stormwater Discharge Permit from the Colorado Department of Public Health and the Environment, Water Quality Control Division.***

Run-off will be managed in accordance with applicable Town, State, and Federal regulations. Prior to construction, CBEP will obtain a Construction Stormwater Discharge Permit from the Colorado Department of Public Health and the Environment's Water Quality Control Division.

***The site shall be adequate in size and shape to accommodate the Solar Energy Facility and all appurtenant facilities.***

The site is adequate in size and shape to accommodate the project and all relevant facilities.

***To the extent practicable, the site shall be developed in a manner that preserves the natural features of the site, avoids areas of environmental sensitivity, and minimizes adverse visual impacts.***

The project will preserve the natural topography of the site through the use of *limited* grading. This site is not located in any existing drainage ways, and therefore, no culverts will need to be constructed, and no rerouting of existing drainage patterns will occur.

As detailed in the Impact Analysis, this project avoids areas of critical wildlife habitat.

This project is not situated in a floodplain and does not impact any wetlands.

This project is set back more than 500 feet from the closest residential property and over 2,000 feet from Silver Cliff's commercial and residential hub to minimize adverse visual impacts.

***The project complies with all required setbacks outlined in Ordinance 01-2024.***

Please see the Conceptual Site Plan for planned setbacks. This project complies with all required setbacks outlined in Ordinance No. 01-2024.

***Fencing, or other barriers acceptable to the Town, shall be installed to prevent unauthorized access to the Solar Energy Facility substations.***



CBEP will install a fence around the project's perimeter to prevent unauthorized access to the facility. More information on the fence is located in the Conceptual Site Plan.

***Every attempt will be made to adhere to the current National Electrical Code. Guy wires shall be distinctly marked. Signs warning of the electrical hazard and other hazards associated with the Solar Energy Facility shall be posted at the entrance of the facility.***

CBEP will comply with the current National Electrical Code and guy wires will be marked. Appropriate signage will be posted at the entrance of the facility indicating electrical hazards.

***Fire Protection. The Solar Energy Facility shall have adequate fire control and prevention measures approved by the local fire district.***

Fire prevention measures are outlined in detail in the Special Use Permit Criteria and Master Plan Compatibility Narrative. If applicable, CBEP will adopt fire control and prevention recommendations proposed by the local fire district.

***Underground Location of Electrical Collection System Wiring. Unless geologic conditions or other technical engineering considerations prevent underground installation, electrical collection system wiring and powerlines for the Solar Energy Facility shall be installed underground except where the Solar Energy Facility collector system wiring is brought together from the project substation to the point of electrical interconnection. Overhead transmission lines are permissible from the project substation to the point of electrical interconnection. All underground installations located within the public road easement or right-of-way shall comply with the applicable permit and design requirements of The Town of Silver Cliff Public Works Department and/or Building and Zoning Department, and should include the following elements:***

- ***Restoration. Any disturbed portion of the right of way shall be restored as nearly as possible to the condition as existing immediately prior to installation.***
- ***Safety. Safety measures shall be implemented under Town, State, and Federal requirements to protect the public.***
- ***Roadway Crossing. If the installation crosses a roadway, it shall be located as perpendicular to the roadway as physically possible and installed in compliance with the requirements of The Town of Silver Cliff Public Works Department and/or Building and Zoning Department.***
- ***As-Built Drawings. As-built drawings shall be provided to The Town of Silver Cliff Public Works Department once the installation has been completed, no later than 12 months.***



CBEP does not anticipate any underground installations located in a public road easement or right-of-way. *CBEP respectfully requests a variance for this specific general standard and asks the Town of Silver Cliff to approve the construction of aboveground wires within the solar facility's fenced area.* Installing and maintaining the conduit aboveground significantly reduces soil disturbance and preserves the natural topography, which would otherwise be impacted by trenching and burying the lines. Additionally, aboveground wiring facilitates easier and more efficient maintenance, as teams would not need to excavate the lines for repairs or upgrades, thereby minimizing long-term disruption to the site.

***Transmission from the project substation to the point of electrical interconnection shall comply with the National Electrical Code. Interconnection shall conform to the requirements of the electric utility company, and applicable state and federal regulatory codes.***

The system will comply with the National Electrical Code and interconnection will be organized with Black Hills Energy to ensure all utility, state, and federal standards are met.

***Electronic Interference. The applicant shall minimize or mitigate any interference with electromagnetic communications caused by the Solar Energy Facility, including radio, telephone, or television signals.***

The project will cause minimal, if any, interference with electromagnetic communication.

***All foundations systems and solar facilities (i.e. structural systems) shall be reviewed by a registered structural engineer, licensed in Colorado, to confirm their compliance with the applicable State, Federal and local regulations and to conform with good engineering practices.***

All foundation systems and facilities will be reviewed by a registered structural engineer licensed in the State of Colorado to confirm compliance with applicable State, Federal, and local regulations.

***The electrical system shall be certified by a registered electrical engineer, licensed in Colorado, compliant with the applicable State, Federal and local regulations, and to conform with good engineering practices.***

The electrical system will be certified by a registered electrical engineer licensed in the State of Colorado.



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***Decommissioning. The obligation to perform decommissioning will be financially secured in a form and manner approved by the Town of Silver Cliff Board of Trustees, in its sole discretion. The decommissioning obligation will be secured by a letter of credit, bond, or cash deposit, in an amount based on a certified estimate prepared by a professional engineer hired by the Applicant. The decommissioning plan, obligation and financial guarantee will be incorporated into an enforceable Development Agreement.***

CBEP will comply with this requirement. Please refer to the Decommissioning Plan for more information.

***Equipment Maintenance. Failure to maintain or repair or remove nonfunctioning equipment will be given a 90-day compliance notice. This notice will be given in writing and include dates for compliance. Fees for noncompliance will be in accordance with The Town of Silver Cliff Fee Schedule.***

Acknowledged.

***Height Limitation. Ground-mounted solar collectors shall not exceed twenty (20) feet in height, measured from the highest grade below each solar panel to the highest extent of the solar panel rotation.***

The project's ground-mounted solar panels will not exceed 20 feet in height, as measured from the highest grade below each solar panel to the highest extent of the solar panel rotation.



June 12, 2024

Karen Voltura  
Southeast Region Energy Liaison  
Colorado Parks and Wildlife  
Southeast Region Office  
4255 Sinton Road  
Colorado Springs, Colorado 80907

Subject: Project Review Request, Silver Cliff Solar Energy Project, Custer County, Colorado

Dear Karen:

Pinyon Environmental, Inc. (Pinyon), is writing on behalf of CBEP Solar 10, LLC (CBEP), to request information on sensitive biological resources, including ecologically significant areas, wildlife management areas, and species of special concern, at a potential solar energy site in Custer County, Colorado (Figure 1). The proposed project will be sited on a parcel of private land totaling approximately 84 acres. A project area boundary map is enclosed to facilitate your review. We would appreciate your efforts to treat the project site and location as confidential at this time.

Pinyon biologists conducted a desktop analysis of publicly available resources as well as a raptor nest dataset provided by Colorado Parks and Wildlife (CPW) to assess the potential for sensitive biological resources to occur at the project site. A Pinyon biologist conducted a field visit to assess the site for aquatic resources on May 31, 2024, and made incidental habitat observations; however, no species-specific habitat assessments were conducted. The following summarizes Pinyon's findings regarding sensitive biological resources.

#### *Federally Listed Species*

None of the federally listed species listed on the U.S. Fish and Wildlife Service Information for Planning and Consultation list have potential to occur in the project site. No suitable habitat is present for the Canada lynx (*Lynx canadensis*), tricolored bat (*Perimyotis subflavus*), Mexican spotted owl (*Strix occidentalis lucida*), greenback cutthroat trout (*Oncorhynchus clarkii stomias*), or monarch butterfly (*Danaus plexippus*) within the project site, and no gray wolf (*Canis lupus*) activity has been recorded within 100 miles of the project site.

#### *State-listed Species*

Based on a review of the Colorado Natural Heritage Program's Colorado Conservation Data Explorer list, the Townsend's big-eared bat (*Corynorhinus townsendii*), burrowing owl (*Athene cunicularia*), and Colorado checkered whiptail (*Aspidoscelis neotesselatus*) have the potential to occur within the project site. Suitable habitat for the Townsend's big-eared bat does not occur within the project site. Small mammal burrows were observed in the project site during the site visit, providing potential habitat for the burrowing owl. The project site also provides suitable habitat for the Colorado checkered whiptail.

#### *Raptors*

Based on a review of the updated raptor nest data set provided by CPW to Pinyon, there are no mapped raptor nests within the project site or a 0.5-mile buffer of the site. No trees occur within the project site, though habitat for ground-nesting raptors was observed. No raptors were observed during the site visit.

*Large Mammals*

Pronghorn (*Antilocapra americana*) were observed in the vicinity of the project site during the site visit. Based on CPW Species Activity Data, the project site is located within overall range for mule deer (*Odocoileus hemionus*), white-tailed deer (*Odocoileus virginianus*), elk (*Cervus canadensis*), pronghorn, and black bear (*Ursus americanus*), and within winter and summer ranges for mule deer. The project site also partially overlaps with a mule deer concentration area and resident population area.

Pinyon, on behalf of CBEP, respectfully requests input from CPW regarding sensitive wildlife and habitat in this area, including any information that would augment Pinyon's findings outlined above. This information will be used to guide project development. We appreciate your assistance with this review and look forward to your response.

Sincerely,



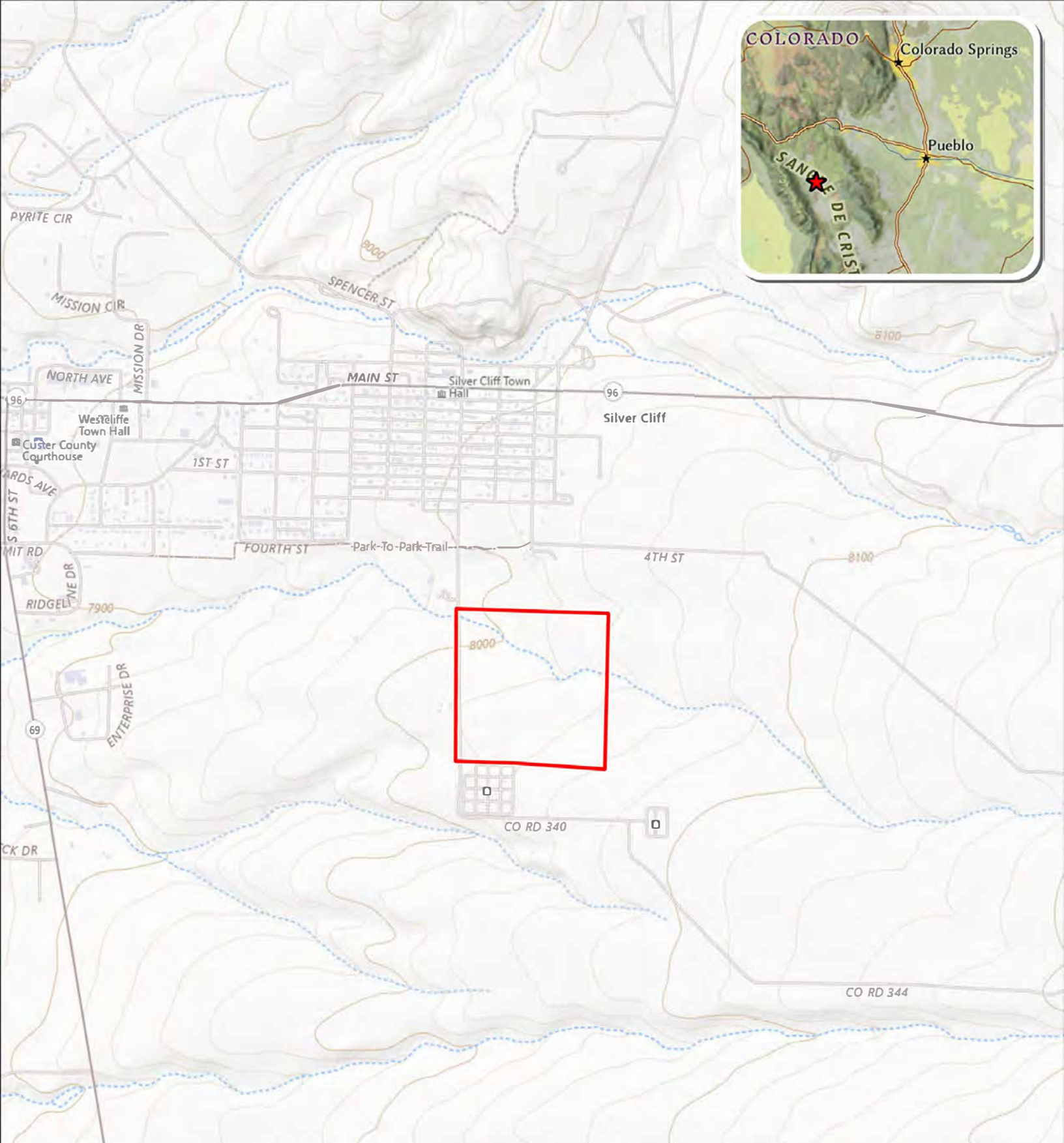
**Pinyon** Environmental, Inc.

Allison Haraminac  
Environmental Scientist and Energy Market Manager

Attachments:

Figure 1. Project Location

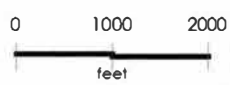
cc: Kyle Cheesbrough, Coffman Engineers, Inc.  
Allison O'Neill, CBEP Solar 10, LLC



**FIGURE 1. PROJECT LOCATION**

Silver Cliff Solar Project  
Custer County Colorado

Study Area

Document Path: \\192.168.2.10\Company2\PROJECTS\2024\124168504 - Silver Cliff Solar Project\Figures\MyrPro\124166501 Silver Cliff Solar Project BIO\124166501 Silver Cliff Solar Project.aprx  
 Esri, NASA, NGA, USGS, FEMA, Sources: Esri, USGS, Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, NPS, USFWS, Esri, USGS, USGS The National Map, National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line Data; USFS Road data; Natural Earth Data; U.S. Department of State HIU, NOAA National Centers for Environmental Information.

# Custom Soil Resource Report for Custer County Area, Colorado



# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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# How Soil Surveys Are Made

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Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil



## Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

## Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

---

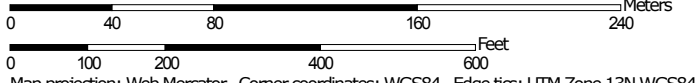
The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map



Soil Map may not be valid at this scale.

Map Scale: 1:2,970 if printed on A landscape (11" x 8.5") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**







 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Custer County Area, Colorado  
 Survey Area Data: Version 14, Aug 24, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 18, 2020—May 21, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
10	Feltonia sandy loam, 2 to 6 percent slopes	37.0	100.0%
<b>Totals for Area of Interest</b>		<b>37.0</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

## Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Custer County Area, Colorado

### 10—Feltonia sandy loam, 2 to 6 percent slopes

#### Map Unit Setting

*National map unit symbol:* jqlk  
*Elevation:* 7,800 to 8,500 feet  
*Mean annual precipitation:* 14 to 17 inches  
*Mean annual air temperature:* 40 to 44 degrees F  
*Frost-free period:* 55 to 75 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Feltonia and similar soils:* 70 percent  
*Minor components:* 30 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Feltonia

##### Setting

*Landform:* Fan terraces, alluvial fans  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium

##### Typical profile

*H1 - 0 to 8 inches:* sandy loam  
*H2 - 8 to 19 inches:* gravelly sandy loam  
*H3 - 19 to 32 inches:* gravelly sandy loam  
*H4 - 32 to 60 inches:* very gravelly sandy loam

##### Properties and qualities

*Slope:* 2 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.60 to 6.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 30 percent  
*Available water supply, 0 to 60 inches:* Low (about 4.7 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 6e  
*Hydrologic Soil Group:* A  
*Ecological site:* R048AY228CO - Mountain Loam  
*Hydric soil rating:* No

#### Minor Components

##### Coutis

*Percent of map unit:* 20 percent  
*Hydric soil rating:* No



Custom Soil Resource Report

**Silvercliff**

*Percent of map unit: 10 percent*

*Hydric soil rating: No*

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# Silver Cliff Solar Array

## Drainage Study

COFFMAN PROJECT NO. 241245

November 21<sup>st</sup>, 2024

## PROJECT DESCRIPTION

The proposed Silver Cliff Solar Array project is located due south of the Town of Silver Cliff, Colorado just north of the Silver Cliff Cemetery. The project includes the installation of a 4.25 MWac solar array with an central access gravel road with hammer head turnaround. The parcel is ~36.5 acres in size with the solar arrays occupying the eastern portion of the site with an approximate footprint of 22 acres. Access to the site is from the west off of an existing gravel road known as Mill Street.

The location of this project is Section 21, Township 22 South, Range 72 West, 6 P.M., City of Silver Cliff, Custer County, Colorado. See Vicinity Map, Attachment "A."

## PRE-DEVELOPMENT CONDITIONS

The existing site consists of undeveloped open grass lands with topography dropping from the high point at the southeastern corner of the site to the northwestern corner of the site. The site is located in the Wet Mountain Valley with runoff flowing westerly from the Wet Mountains to the east across the valley to Grape Creek located west of the project site. There are several drainage ditches that flow from the foothills of the Wet Mountains to Grape Creek with one of these ditches located in the parcel due north of the project parcel and another due south of the Silver Cliff Cemetery. Runoff in these existing drainage features does not impact the parcel where the improvements will be installed.

Existing drainage patterns for the site carries runoff from the open grass lands to the northwest where it crosses Mill Street and eventually enters a northern drainage channel, which flows west across Strait Street and Highway 69 before joining with Grape Creek. A small portion of the site diverts to the southwest where it follows a similar runoff route but through the drainage channel originating due south of the cemetery.

No stormwater infrastructure appears to be installed for runoff crossing Mill Street. Culverts are installed in the existing north and south drainage channels for the crossing of Strait Street and Hwy 69. Additionally, there are shallow berms installed intermittently in the existing drainage channels, presumably to slow runoff and provide temporary relief downstream during large drainage events.

See attachment "B" for more information on the pre-development conditions for the site.

## POST-DEVELOPMENT BASIN INFORMATION

The post-development site drainage conditions will mimic the existing conditions with runoff flowing to the existing northern and southern drainage channels via their respective drainage basin. See attachment "B" for basin delineations.

The proposed solar panels that will be installed are considered an impervious surface, but since the grass lands will remain unchanged beneath the panels all runoff from these surfaces will flow directly off to the grass. There will be a slight increase in concentration of runoff directly at the drip point for these panels, but the accumulation will be minor with runoff then dispersing

and following existing drainage patterns across the same grass lands as the existing conditions. No change to the existing runoff rates or volumes is therefore anticipated from the addition of the solar arrays while the existing grass lands are maintained.

The addition of the gravel access roadway will change the existing drainage patterns and is anticipated to increase the generated runoff rates for the site. The gravel access roadway will be installed at grades mimicking the existing topography of the site to limit earthwork and disturbance of the existing grass lands. The majority of the runoff from the roadway will flow north and northwesterly, changing the contributions from the site to the northern drainage channel from 82.56 cfs (pre) to 83.15 cfs (post) for a 100-year storm event. The northern drainage channel manages runoff contributions from the low point at Grape Creek all the way to the foothills of the Wet Mountains to the east with the total basin area numbering in the hundreds of acres. It is assumed that this small increase in runoff rate produced by the addition of the proposed gravel access roadway (~0.5 an acre) will not negatively affect the downstream hydraulic features of the basin. See Results section for more information on these values.

A small increase in runoff is anticipated as a result of the two permanent 10'x40' storage containers as well as the proposed equipment pads, but the contributing area for these areas are so small that, less than 0.05 acres, that their impacts are assumed to be negligible.

## RESULTS

The following table documents the anticipated impacts to both the northern and southern drainage channel basins due to the installation of the proposed improvements as described above. All runoff values were calculated using the Curve Number method applied to a Type II storm event using 2024 AutoCAD Storm and Sanitary Analysis (SSA) software with historical precipitation values for this region. See attachment “C” for more information.

**DOWNSTREAM POST-DEVELOPMENT IMPACT TABLE**

Basin	Pre-dev Runoff 100-yr storm (cfs) <sup>1</sup>	Post-dev Runoff 100-yr storm (cfs) <sup>1</sup>	Additional Runoff 100-yr storm (cfs) <sup>1</sup>	Project Site Contributing Area (acre) <sup>3</sup>	Site Area Impacted by Project (acre) <sup>3</sup>	Estimated Total Basin Area (acre) <sup>2</sup>
North Channel	82.56	83.15	0.59	30.2	0.5	~1800
South Channel	17.10	17.10	0.00	6.25	0.0	~660

*1 Runoff generated calculated using the Curve Number Method in SSA*

*2 Estimated total basin area is based on rough estimates using Google Earth*

*3 Project site areas were calculated using topographic data from a professional survey*

## **PERPETUAL MAINTENANCE OF FACILITIES**

The proposed improvements for the site will operate with little to no oversight once completed with regards to stormwater improvements. Upkeep for the site includes maintaining the existing grass lands with any erosion found onsite needing to be mitigated with the re-establishment of native vegetation. See Erosion and Sediment Control Civil plans for more information on mitigation of any post construction erosion.

## **CONCLUSIONS**

The above-described project improvements for the Silver Cliff Solar Array are not anticipated to negatively impact the existing drainage patterns for this site, or the downstream basins which they contribute to. Therefore, no additional stormwater mitigation is recommended for the proposed project improvements.

**Attachment A**  
**VICINITY MAP**



# VICINITY MAP

SILVER CLIFF

Main St

96

Tony's Mountain Pizza

NORTHERN DRAINAGE CHANNEL

SOLAR ARRAY FOOTPRINT

PARCEL BOUNDARY

SILVER CLIFF CEMETERY

STRAIT STREET

MILL STREET

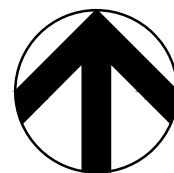
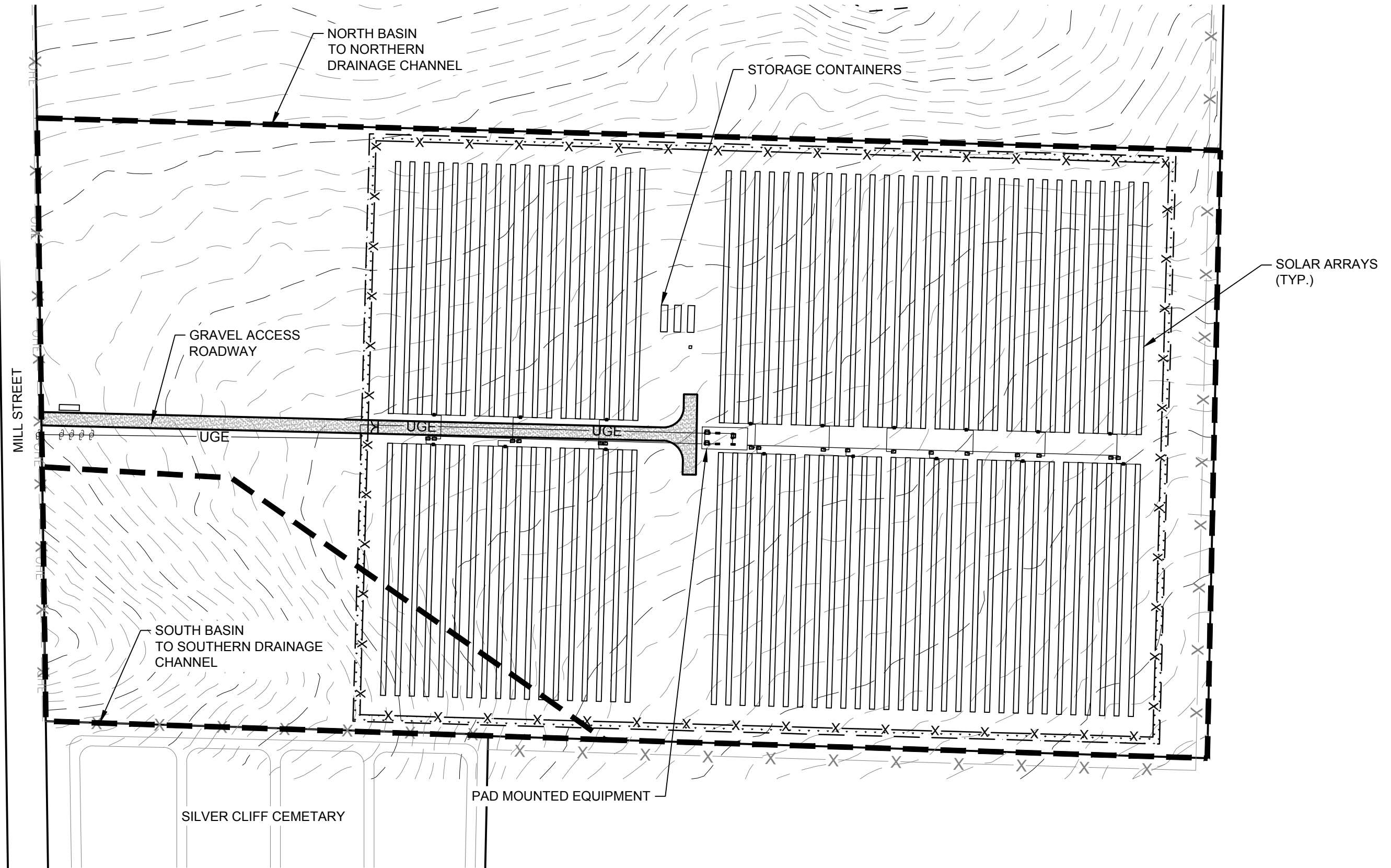
GRAVEL ACCESS ROADWAY

SOUTHERN DRAINAGE CHANNEL

The Assumption Cemetery is on Mill...



**Attachment B**  
**BASIN MAPS**

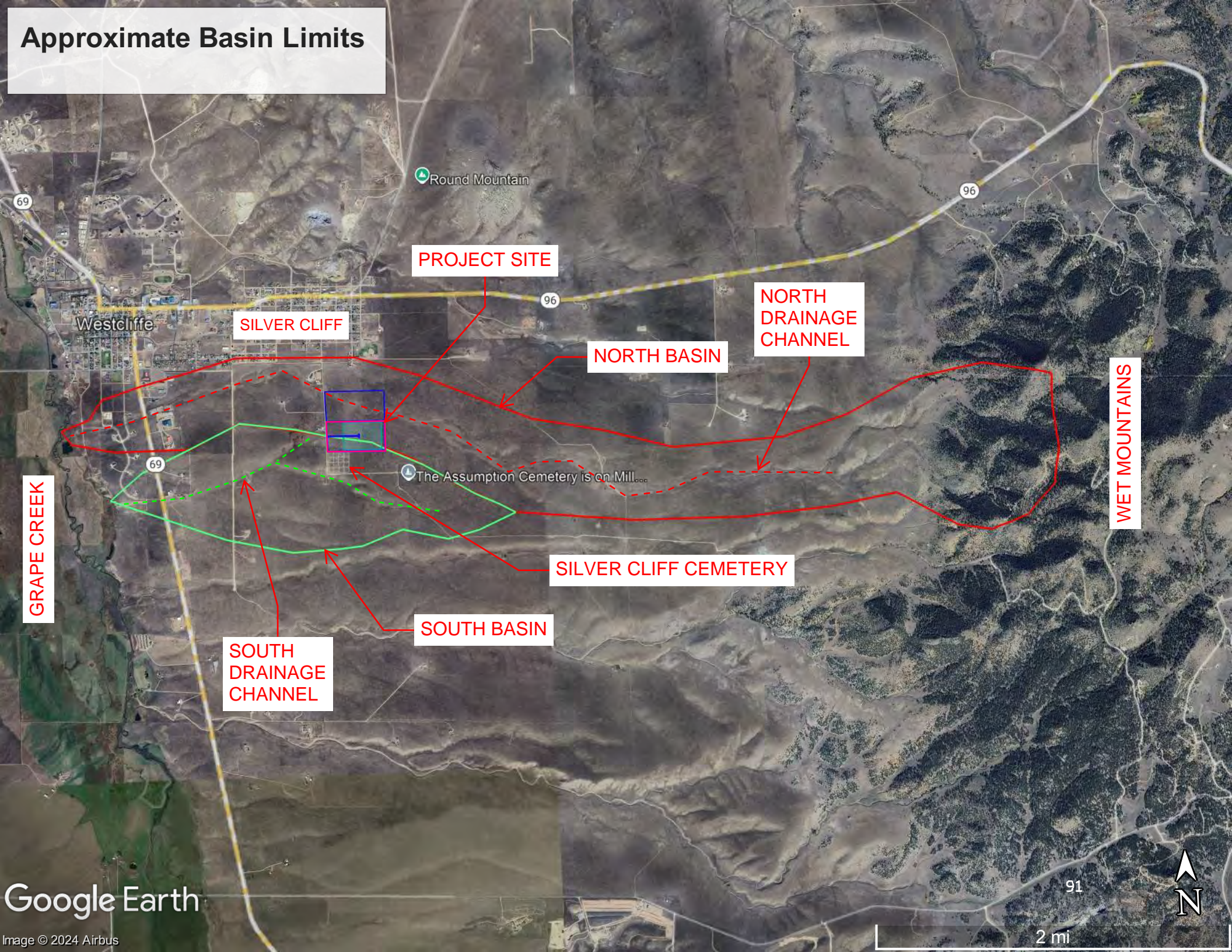


SCALE: 1"=150'

**COFFMAN ENGINEERS**  
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 ph 720.805.1955  
 www.coffman.com

project - SILVER CLIFF SOLAR PROJECT	by - TCK	sheet no.
location - SILVER CLIFF, COLORADO	date - 11/21/2024	-
client - CLOUD BREAK ENERGY	checked - BLW	job no.
	date - 11/21/2024	-

# Approximate Basin Limits



GRAPE CREEK

WET MOUNTAINS

PROJECT SITE

NORTH DRAINAGE CHANNEL

NORTH BASIN

SILVER CLIFF

SILVER CLIFF CEMETERY

SOUTH BASIN

SOUTH DRAINAGE CHANNEL



## Attachment C

# HYDROLOGY CALCULATIONS

## Project Options

Flow Units .....	CFS
Elevation Type .....	Elevation
Hydrology Method .....	SCS TR-20
Time of Concentration (TOC) Method .....	User-Defined
Link Routing Method .....	Hydrodynamic
Enable Overflow Ponding at Nodes .....	YES
Skip Steady State Analysis Time Periods .....	YES

## Analysis Options

Start Analysis On .....	00:00:00	0:00:00
End Analysis On .....	00:00:00	0:00:00
Start Reporting On .....	00:00:00	0:00:00
Antecedent Dry Days .....	0	days
Runoff (Dry Weather) Time Step .....	0 01:00:00	days hh:mm:ss
Runoff (Wet Weather) Time Step .....	0 00:05:00	days hh:mm:ss
Reporting Time Step .....	0 00:05:00	days hh:mm:ss
Routing Time Step .....	30	seconds

## Number of Elements

	Qty
Rain Gages .....	2
Subbasins.....	1
Nodes.....	2
<i>Junctions</i> .....	1
<i>Outfalls</i> .....	1
<i>Flow Diversions</i> .....	0
<i>Inlets</i> .....	0
<i>Storage Nodes</i> .....	0
Links.....	1
<i>Channels</i> .....	0
<i>Pipes</i> .....	1
<i>Pumps</i> .....	0
<i>Orifices</i> .....	0
<i>Weirs</i> .....	0
<i>Outlets</i> .....	0
Pollutants .....	0
Land Uses .....	0

## Subbasin Summary

SN	Subbasin ID	Area (ac)	Peak Rate Factor	Weighted Curve Number	Total Rainfall (in)	Total Runoff (in)	Total Runoff Volume (ac-in)	Peak Runoff (cfs)	Time of Concentration (days hh:mm:ss)
1	Sub-01	30.18	484.00	79.00	3.70	1.72	52.00	82.56	0 00:05:00

# Subbasin Hydrology

## Subbasin : Sub-01

### Input Data

Area (ac) ..... 30.18  
Peak Rate Factor ..... 484  
Weighted Curve Number ..... 79  
Rain Gage ID ..... 100yr

### Composite Curve Number

32 Soil/Surface Description	Area (acres)	Soil Group	Curve Number
50 - 75% grass cover, Fair	30.18	C	79
Composite Area & Weighted CN	30.18		79

### Subbasin Runoff Results

Total Rainfall (in) ..... 3.7  
Total Runoff (in) ..... 1.72  
Peak Runoff (cfs) ..... 82.56  
Weighted Curve Number ..... 79  
Time of Concentration (days hh:mm:ss) ..... 0 00:05:00



## Project Options

Flow Units .....	CFS
Elevation Type .....	Elevation
Hydrology Method .....	SCS TR-20
Time of Concentration (TOC) Method .....	User-Defined
Link Routing Method .....	Hydrodynamic
Enable Overflow Ponding at Nodes .....	YES
Skip Steady State Analysis Time Periods .....	YES

## Analysis Options

Start Analysis On .....	00:00:00	0:00:00
End Analysis On .....	00:00:00	0:00:00
Start Reporting On .....	00:00:00	0:00:00
Antecedent Dry Days .....	0	days
Runoff (Dry Weather) Time Step .....	0 01:00:00	days hh:mm:ss
Runoff (Wet Weather) Time Step .....	0 00:05:00	days hh:mm:ss
Reporting Time Step .....	0 00:05:00	days hh:mm:ss
Routing Time Step .....	30	seconds

## Number of Elements

	Qty
Rain Gages .....	2
Subbasins.....	1
Nodes.....	2
<i>Junctions</i> .....	1
<i>Outfalls</i> .....	1
<i>Flow Diversions</i> .....	0
<i>Inlets</i> .....	0
<i>Storage Nodes</i> .....	0
Links.....	1
<i>Channels</i> .....	0
<i>Pipes</i> .....	1
<i>Pumps</i> .....	0
<i>Orifices</i> .....	0
<i>Weirs</i> .....	0
<i>Outlets</i> .....	0
Pollutants .....	0
Land Uses .....	0

## Subbasin Summary

SN	Subbasin ID	Area (ac)	Peak Rate Factor	Weighted Curve Number	Total Rainfall (in)	Total Runoff (in)	Total Runoff Volume (ac-in)	Peak Runoff (cfs)	Time of Concentration (days hh:mm:ss)
1	Sub-01	30.18	484.00	79.17	3.70	1.74	52.36	83.15	0 00:05:00

# Subbasin Hydrology

## Subbasin : Sub-01

### Input Data

Area (ac) ..... 30.18  
Peak Rate Factor ..... 484  
Weighted Curve Number ..... 79.17  
Rain Gage ID ..... 100yr

### Composite Curve Number

32 Soil/Surface Description	Area (acres)	Soil Group	Curve Number
50 - 75% grass cover, Fair	29.68	C	79
Gravel roads	0.5	C	89
Composite Area & Weighted CN	30.18		79.17

### Subbasin Runoff Results

Total Rainfall (in) ..... 3.7  
Total Runoff (in) ..... 1.74  
Peak Runoff (cfs) ..... 83.15  
Weighted Curve Number ..... 79.17  
Time of Concentration (days hh:mm:ss) ..... 0 00:05:00

## Project Options

Flow Units .....	CFS
Elevation Type .....	Elevation
Hydrology Method .....	SCS TR-20
Time of Concentration (TOC) Method .....	User-Defined
Link Routing Method .....	Hydrodynamic
Enable Overflow Ponding at Nodes .....	YES
Skip Steady State Analysis Time Periods .....	YES

## Analysis Options

Start Analysis On .....	00:00:00	0:00:00
End Analysis On .....	00:00:00	0:00:00
Start Reporting On .....	00:00:00	0:00:00
Antecedent Dry Days .....	0	days
Runoff (Dry Weather) Time Step .....	0 01:00:00	days hh:mm:ss
Runoff (Wet Weather) Time Step .....	0 00:05:00	days hh:mm:ss
Reporting Time Step .....	0 00:05:00	days hh:mm:ss
Routing Time Step .....	30	seconds

## Number of Elements

	Qty
Rain Gages .....	2
Subbasins.....	1
Nodes.....	2
<i>Junctions</i> .....	1
<i>Outfalls</i> .....	1
<i>Flow Diversions</i> .....	0
<i>Inlets</i> .....	0
<i>Storage Nodes</i> .....	0
Links.....	1
<i>Channels</i> .....	0
<i>Pipes</i> .....	1
<i>Pumps</i> .....	0
<i>Orifices</i> .....	0
<i>Weirs</i> .....	0
<i>Outlets</i> .....	0
Pollutants .....	0
Land Uses .....	0

## Subbasin Summary

SN	Subbasin ID	Area (ac)	Peak Rate Factor	Weighted Curve Number	Total Rainfall (in)	Total Runoff (in)	Total Runoff Volume (ac-in)	Peak Runoff (cfs)	Time of Concentration (days hh:mm:ss)
1	Sub-01	6.25	484.00	79.00	3.70	1.72	10.77	17.10	0 00:05:00

# Subbasin Hydrology

## Subbasin : Sub-01

### Input Data

Area (ac) ..... 6.25  
Peak Rate Factor ..... 484  
Weighted Curve Number ..... 79  
Rain Gage ID ..... 100yr

### Composite Curve Number

32 Soil/Surface Description	Area (acres)	Soil Group	Curve Number
50 - 75% grass cover, Fair	6.25	C	79
Composite Area & Weighted CN	6.25		79

### Subbasin Runoff Results

Total Rainfall (in) ..... 3.7  
Total Runoff (in) ..... 1.72  
Peak Runoff (cfs) ..... 17.1  
Weighted Curve Number ..... 79  
Time of Concentration (days hh:mm:ss) ..... 0 00:05:00

To: Town of Silver Cliff  
From: Brian Horan, PE, PTOE  
Triston Sorah  
Date: November 21, 2024  
Re: **Cloudbreak Energy, Town of Silver Cliff  
Traffic Letter**



## INTRODUCTION

This traffic study letter is written in support of a proposed solar project located in Custer County, Colorado. The purpose of this letter is to provide trip generation and trip distribution for the construction phase of the proposed solar project to determine the forecasted impact on local traffic. The proposed project is located on the east side of Mill Street and south of Fourth Street, in the Town of Silver Cliff, CO. A vicinity map illustrating the location of the solar project is attached as Figure 1.

The project will consist of a 4.25 MW solar facility with supporting infrastructure. A conceptual site plan for the proposed development is provided as Attachment I.

## EXISTING CONDITIONS

The project would be accessed via one connection to Mill Street. Mill Street provides connection to Silver Cliff and access to several businesses, two small cemeteries and a few residential houses. Current traffic on the road and turning movements onto this road is minimal. A vicinity map is shown in Figure 1 and a site aerial is provided as Attachment II.



Figure 1 – Vicinity Map

## CONSTRUCTION ACTIVITY AND ACCESS

Construction activity to assemble the entire solar facility is anticipated to commence Quarter 3 of 2025 and end by Quarter 1 of 2026. The construction activities each month may vary based on phasing and the size of the phase, and this traffic letter was prepared with the assumptions including peak construction activity. Construction will include mobilization, site preparation, foundation construction, rack and panel installation, substation construction, commissioning, and demobilization.

Regional access to the solar facility will be provided by SH-69 and SH-96. SH-96 is called Main Street in Silver Cliff. It intersects with Mill Street, which will be used by all or most of the site traffic. Access to the site is proposed via one full movement access on the east side of Mill Street.

## TRIP GENERATION

The projected trips generated from construction activity and operations are assumed based on an anticipated number of workers. The expected trips during the peak period of construction were used to determine the effect of traffic created by the construction phase. For the operational phase, the ITE Trip Generation Manual 11<sup>th</sup> edition was used to show how a utility use would operate when there is regular daily occupation by one (1) employee at a time. Table 1 shows both the trip generation for both the construction phase and the operational phase.

### Construction Phase Traffic Generation

The typical construction peak season workday will see workers arriving after 6:00 am and departing around 4:00 pm. The workers leaving in the afternoon will have the highest impact on the network peak. It is assumed that during the peak construction phase a maximum of twenty (20) construction workers could be onsite at any given time. It was assumed that approximately half of the workers would show up during the AM peak hour and approximately a third would leave during the PM peak hour.

There may also be times when a heavy vehicle would arrive or leave during the peak hour. Heavy vehicles are adjusted for the three (3) passenger car equivalents (PCE) per heavy vehicle. The heavy vehicle trips will likely be outside of the peak hour most of the time, but remain reflected in the average daily round trips.

The facility is expected to generate 34 daily round trips (67 daily trips). This volume of daily traffic of 67 daily trips is expected to be the highest volume generated during solar facility construction.

### Operational Phase Traffic Generation

During the operational phase, the number of trips generated by the solar facility is expected to be significantly less than during the construction period, approximately one vehicle per peak hour and two trips per day. Therefore, traffic impacts related to the operation of the solar facility are not anticipated to have a significant impact on the surrounding network. The client expects maintenance crews on site creating 1-2 trips per quarter, with some additional as-needed trips.

## TRIP DISTRIBUTION AND TRAFFIC ASSIGNMENT

Trip distribution is based on the anticipated route of employees and the heavy vehicle delivery route. Heavy vehicle traffic will follow regional access routes SH-69 and/or SH-96 varying by source point of origin. From SH-69 they will turn onto SH-96, and then to Mill Street. If already on SH-96 from the east, they will also turn onto Mill Street. From Mill Street they will enter the site at the proposed access. Construction worker trips will also depend on point of origin. They will use the same routes and access as the heavy vehicles. It is anticipated most of the workers and heavy vehicles will originate from the east, where Pueblo lies 54 miles away. Based on regional geography, it is assumed that 80% of trips will come from the east on SH-96, and 20% will originate from SH-69 from the south.



Table 1

Silver Cliff Solar Project

Site Trip Generation

Land Use	Land Use Code	Amount	Units	AM Peak Hour			PM Peak Hour			Average Daily Trips
				In	Out	Total	In	Out	Total	
<b>Construction Phase Net New Trips</b>										
Workers		20	Employees	10	0	10	0	7	7	40
Heavy Vehicles (1 HV = 3 PCE)		3	PCE	9	0	9	0	9	9	27
<b>Total</b>				<b>19</b>	<b>0</b>	<b>19</b>	<b>0</b>	<b>16</b>	<b>16</b>	<b>67</b>
<b>Operational Net New Trips</b>										
Utility <sup>(1)</sup>	170	1	Employees	1	0	1	0	1	1	4

Note(s):

(1) Trip generation based on the Institute of Transportation Engineers' Trip Generation Manual, 11th Edition

## CONCLUSION

The conclusions of this comparative analysis are as follows:

1. The client proposes to develop a solar facility with a full movement access on Mill Street in Silver Cliff, CO.
2. It was determined that the construction phase of the solar facility would generate 34 daily round trips (67 total trips), 19 total AM peak hour trips, and 16 total weekday PM peak hour trips.
3. The operational phase is projected to begin in Quarter 1 of 2026 and would generate 1-2 trips per quarter.
4. Within both the construction and the operational phase, the site will generate trips that would have an insignificant impact on the surrounding network.

We trust that the information contained herein satisfies the request of Silver Cliff, CO. If you have any questions or need further information, please contact Brian Horan at [brianhoran@gallowayus.com](mailto:brianhoran@gallowayus.com).

# Attachment I Site Plan

**PRELIMINARY**



**SILVER CLIFF SOLAR PROJECT**

**CLOUDBREAK ENERGY**

**LEGEND**

	GRAVEL PAVEMENT
	FUEL BREAK SEE NOTE 5
	PROPERTY LINE
	DITCH
	PROPOSED UNDERGROUND ELECTRICAL ROUTING
	PROPOSED OVERHEAD LINE
	POWER POLE
	EXISTING BARB WIRE FENCE

**NOTES**

- REFER TO SHEET C-001 FOR GENERAL NOTES.
- INSTALL 20' GRAVEL ACCESS ROAD PER DETAIL 1, SHEET C-500. SEE SHEET C-400, FOR MORE INFORMATION ON PROPOSED GRADES.
- FENCING TO BE 8-FOOT-TALL HOGMESH GAME FENCE. INSTALL FENCING PER DETAIL 2, SHEET C-500. INSTALL 20' DOUBLE SWING GATE PER DETAIL 3, SHEET C-500.
- SEE ELECTRICAL ONE LINE DIAGRAM FOR MORE INFORMATION ON ELECTRICAL SYSTEMS.
- INSTALL 10' WIDE FUEL BREAK OUTSIDE EXTERIOR FENCE LINE. VEGETATION WITHIN FUEL BREAK SHOULD BE KEPT AT 6 INCHES OR LESS OF HEIGHT.

REV	DATE	DESCRIPTION
C	11/11/24	IFP
B	09/24/24	IFP
A	09/19/24	IFR

PROJ. NO.	241245
DRAWN	TCK
CHECKED	BLW
DATE	09/24/2024

© COFFMAN ENGINEERS INC.

SHEET TITLE:

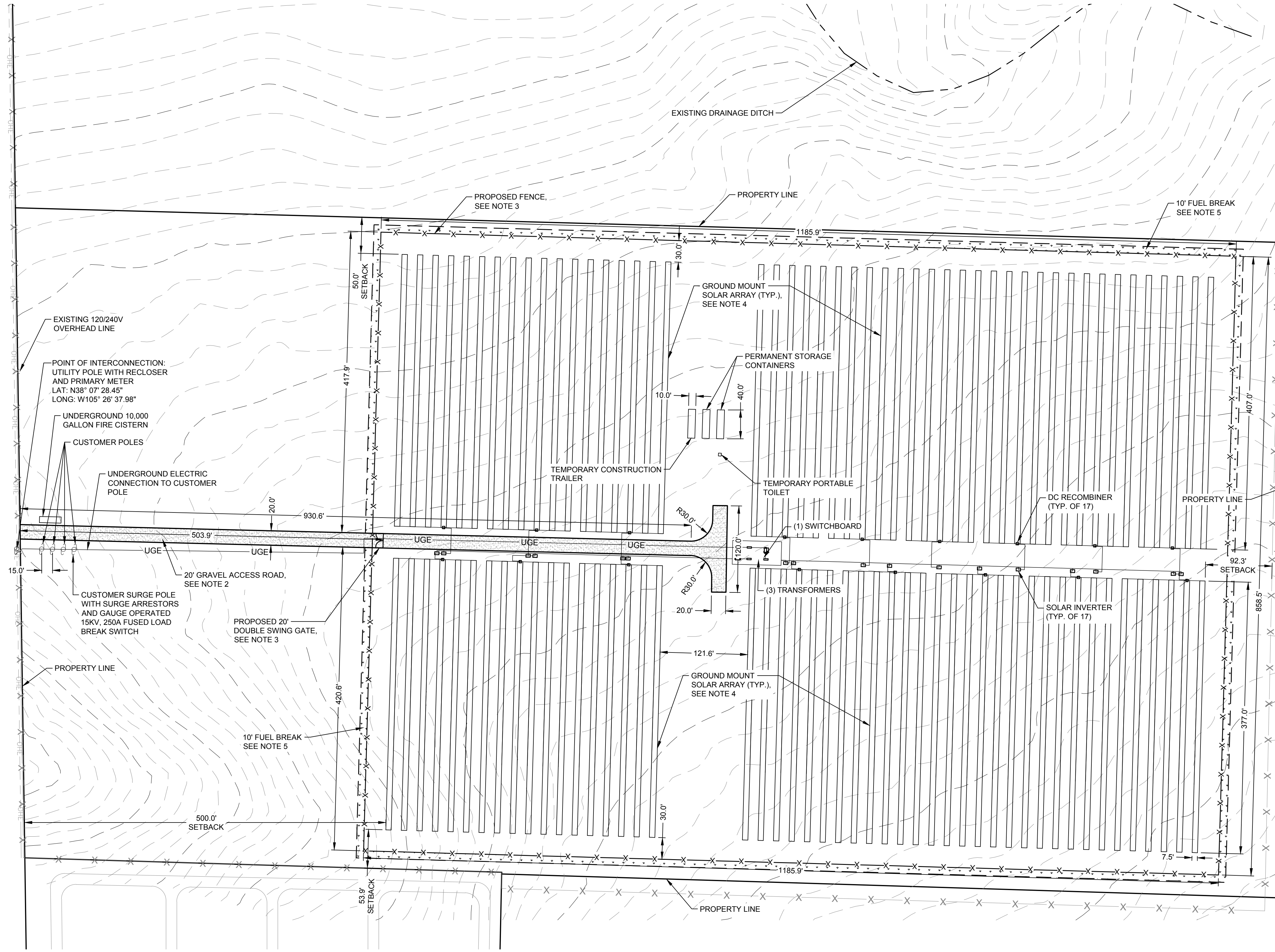
**CIVIL SITE PLAN**

SHEET NO.:

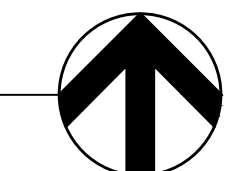
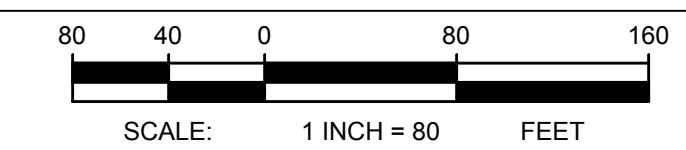
**C-300**



Know what's below.  
Call before you dig.



**1 CIVIL SITE PLAN**  
SCALE: 1"=80'



P:\DEN24\085241245.NDA SILVER CLIFF SOLAR\0.DWG\SC041245 - SITE PLAN.DWG.SITE - WIEGAND, BRADY - LAST SAVED: November 11, 2024 - PLOT DATE: 11/11/24

# Attachment II Site Aerial

## VICINITY MAP





**DATE:** November 26, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Subscription Outreach Plan

CBEP will prioritize Silver Cliff residents when allocating subscriptions to the Silver Cliff Solar Project via education and early enrollment efforts. If the project is approved by the Silver Cliff Board of Trustees, CBEP will begin efforts to enroll Silver Cliff residents in the project via the following means.

- **Community Partnerships:** CBEP will leverage partnerships with local non-profits and companies to reach the largest number of people within the Silver Cliff community as possible. CBEP will attend community events, similar to Silver Cliff's \$FUND\$ Day, to educate and encourage enrollment among residents. We will collaborate with local news outlets, such as the Wet Mountain Tribune, to explore ways to publicize this opportunity.
- **Traditional Marketing:** Based on CBEP's on-the-ground experience in Colorado, we know that much of the addressable market is best engaged by traditional techniques such as mail brochures, email campaigns, phone calls, radio marketing, and door-to-door outreach. Therefore, CBEP will distribute flyers to all Silver Cliff residents to encourage them to enroll in the project or reach out to a CBEP representative to learn more. Please see *Exhibit A* for a sample flyer.
- **Educational Events:** To encourage enrollment, CBEP will organize 2 to 5 events before project construction is completed, providing Silver Cliff residents with information about subscriptions, including how to sign up, billing FAQs, available discounts, and more.

CBEP is responsible for the enrollment and maintenance of subscribers to the project. Therefore, it is up to us to decide when to begin enrolling subscribers. We will begin enrolling Silver Cliff residents following the project's approval of non-ministerial permits.<sup>1</sup> CBEP will ensure that all Silver Cliff households in the Residential (regular) rate class interested in a subscription have the opportunity to sign up, providing that we maintain our subscription commitment (75% LMI, 25% non-LMI) to Black Hills Energy.

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<sup>1</sup>It's important to note that while we can begin the enrollment process following the approval of non-ministerial permits, discounts will not be applied to electricity bills until the project is generating electricity.



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175

INFO@CLOUDBREAKENERGY.COM


### Exhibit A: Sample Subscription Flyer

info@cloudbreakenergy.com | (970) 425-3175 CLOUDBREAKENERGY.COM


# CLOUDBREAK ENERGY<sup>®</sup>

## You May Qualify for Lower Electricity Costs!


As a Black Hills Energy customer, Silver Cliff resident, and member of the Residential (regular) rate class, you may be eligible for a 10-20% discount on your electricity bill by signing up for the **Silver Cliff Community Solar Garden.**



**No Sign Up or Cancellation Fee**



**Receive a 10% to 20% discount on your electricity bill.**




**Renters and homeowners are eligible.**

### What is the Silver Cliff Community Solar Garden?


The Silver Cliff Community Solar Garden (CSG) will be a ground-mounted solar project located in the Town of Silver Cliff. Residents can enroll for discounts on their electricity bills at no additional cost, and there will be no disruption to their electricity service as Black Hills Energy will remain their utility provider. Discounts will automatically apply to your account once you sign up and the system starts generating power.

### How Does Subscription Work?



**Interested? Give us a call!**  
(970) 425-3166 | development@cloudbreakenergy.com  
www.cloudbreakenergy.com

Scan here to fill out the interest form!





**DATE:** December 11, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Colorado Parks and Wildlife (“CPW”) Correspondence

On November 20, 2024, the Silver Cliff Planning Commission requested responses from CPW, including both a response to CBEP Solar 10, LLC’s (“CBEP”) original letter and a response from Justin Krall, the District Wildlife Manager for the region.

On December 2, 2024, CBEP sent Krall KMZs depicting the project’s location in Silver Cliff, the current Site Plan, and the outstanding letter to CPW. On December 10, Krall stated that he did not see “any obvious issues with the project.” He requested that CBEP develop a noxious weed control plan and requested that we use native seed for any reseeding of disturbed areas. As evidenced by our previous application package, CBEP plans on establishing a native, dryland pasture beneath the array, and therefore, a native seed mix is planned for revegetating disturbed areas. Additionally, CBEP has included a Vegetative Management Plan in previous submittals, which discusses how the project will handle noxious weeds. Please see **Exhibit A** for CBEP and Krall’s email correspondence.

On December 11, 2024, CBEP received CPW’s Consultation Letter, which is attached in **Exhibit B**. This letter included recommendations regarding raptors and migratory birds, burrowing owl active and potential nest sites, and noxious weed management.

- CPW acknowledged that there is limited suitable habitat for nesting raptors and migratory birds in the project area. If construction is slated to begin between March 15th and August 31, 2025, CBEP will conduct pre-construction surveys for active nests within the project area. CBEP will consult CPW and USFWS if any nests need to be removed or disturbed. CBEP will adhere to recommended buffer distances and timing stipulations in the referenced CPW document.
- If construction occurs between March 15th and August 31st, CBEP will adhere to CPW’s Burrowing Owl survey protocol. CBEP will abide by CPW recommendations if burrowing owls are found on-site. The landowner, Jerold Peterson, has asserted that he has not seen burrowing owls on the property and “would be surprised if they are there and [he has] missed them.”
- CBEP has provided CPW and the Town with a Weed Management Plan, which details planned practices to manage weeds and revegetate disturbed areas with native seed.



In addition, CPW identified another species that has potential habitat within the project area – mountain lions. Please see the figure below for more information, which depicts the overall range of mountain lions in the region.

**Figure 1: Mountain Lion Overall Range**



This figure demonstrates how much of the region and surrounding area is classified as potential habitat for the mountain lion.



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175

INFO@CLOUDBREAKENERGY.COM

### Exhibit A: Krall Email Correspondence

12/10/24, 2:06 PM Cloudbreak Mail - Silver Cliff Solar Project

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**CLOUDBREAK™** Ally O'Neill <ally@cloudbreakenergy.com>

---

**Silver Cliff Solar Project**  
8 messages

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**Ally O'Neill** <ally@cloudbreakenergy.com> Mon, Dec 2, 2024 at 12:24 PM  
To: "Justin Krall@state.co.us" <justin.krall@state.co.us>  
Cc: Cloudbreak Development Team <development@cloudbreakenergy.com>

Hi Justin,

Thank you again for your time this afternoon.

I've attached KMZs depicting the location of the project and its access road, the Site Plan, and our outstanding CPW letter to Karen Voltura, which includes the summarized desktop analysis we've completed. For context, we have not heard back from Karen Voltura yet.

Please let me know if you'd like me to send over anything else! Thank you for your review.

All the best,  
Ally

--

Allison O'Neill  
 Senior Project Development Analyst | [Cloudbreak Energy](#)  
 C: (970) 425-3166 E: [ally@cloudbreakenergy.com](mailto:ally@cloudbreakenergy.com)

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**4 attachments**

- Silver Cliff Solar Project CPW letter.pdf**  
933K
- Access Road Footprint.kmz**  
1K
- Solar Site Footprint.kmz**  
1K
- Site Plan - Silver Cliff - 24.12.02.pdf**  
3814K

---

**Krall - DNR, Justin** <justin.krall@state.co.us> Mon, Dec 2, 2024 at 1:13 PM  
To: Ally O'Neill <ally@cloudbreakenergy.com>

Thank you

<https://mail.google.com/mail/u/0/?ik=979c7f19d6&view=pt&search=all&permthid=thread-ar:5286605561157375199&simpl=msg-ar:4136476735539081155&simpl...> 1/3



12/10/24, 2:06 PM

Cloudbreak Mail - Silver Cliff Solar Project

[Quoted text hidden]

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Krall - DNR, Justin" <justin.krall@state.co.us>  
Cc: Cloudbreak Development Team <development@cloudbreakenergy.com>

Mon, Dec 9, 2024 at 9:37 AM

Hi Justin,

I hope you had a great weekend!

Have you had the opportunity to review the project / project location? Let me know if you'd like me to send over any additional information.

All the best,  
Ally

[Quoted text hidden]

**Krall - DNR, Justin** <justin.krall@state.co.us>  
To: Ally O'Neill <ally@cloudbreakenergy.com>  
Cc: Mike Brown - DNR <mike.brown@state.co.us>

Tue, Dec 10, 2024 at 1:32 PM

I have reviewed what you sent over, thank you. I don't see any obvious issues with the project. I'm not sure if Karen has any comments or concerns. I would ask that there be some noxious weed control plan for disturbed areas as well as utilizing native seeds for any reseeding of disturbed areas. Let me know if you need anything further.

[Quoted text hidden]

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Krall - DNR, Justin" <justin.krall@state.co.us>  
Cc: Mike Brown - DNR <mike.brown@state.co.us>

Tue, Dec 10, 2024 at 1:36 PM

Hi Justin,

Thank you for your review! This should be everything we need - I'll let you know if anything else comes up.

All the best,  
Ally

[Quoted text hidden]

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Krall - DNR, Justin" <justin.krall@state.co.us>  
Cc: Mike Brown - DNR <mike.brown@state.co.us>


Tue, Dec 10, 2024 at 1:45 PM

Hi Justin,

I actually have a few more quick questions for you. We submitted the attached Vegetative Management Plan as part of our application. Would this suffice for a Noxious Weed Control Plan? I also wanted to confirm that we do indeed plan on using native seeds for disturbed areas within the fenceline.

All the best,  
Ally

[Quoted text hidden]

 **9. Vegetative Management Plan - Silver Cliff - 24.09.19 - Google Docs.pdf**  
117K

**Krall - DNR, Justin** <justin.krall@state.co.us>  
To: Ally O'Neill <ally@cloudbreakenergy.com>

Tue, Dec 10, 2024 at 2:01 PM



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175  
INFO@CLOUDBREAKENERGY.COM

12/10/24, 2:06 PM

Cloudbreak Mail - Silver Cliff Solar Project

Perfect, thank you.  
[Quoted text hidden]

---

**Ally O'Neill** <ally@cloudbreakenergy.com>  
To: "Krall - DNR, Justin" <justin.krall@state.co.us>

Tue, Dec 10, 2024 at 2:06 PM

Of course! Let me know if you have any questions on the Vegetative Management Plan. Thank you again for your help.  
[Quoted text hidden]



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175

INFO@CLOUDBREAKENERGY.COM

## Exhibit B: CPW Consultation Letter





Impacts to Wildlife Resources

Raptors and Migratory Birds:

There is limited suitable habitat for nesting raptors and migratory birds on and near the proposed site. Consultation with USFWS is recommended to ensure compliance with the Migratory Bird Treaty Act and the Bald and Golden Eagle Act. To avoid impacts to the nesting efforts of migratory birds CPW recommends any proposed development or exploration of the site focus construction and vegetation clearing activities outside of the breeding season (March 15<sup>th</sup> -August 31<sup>st</sup>). If construction must occur during the breeding season, surveys for active nests should be conducted prior to groundbreaking. All migratory birds are protected under the Migratory Bird Treaty Act and removal or disturbance of any migratory bird nest would require consultation with CPW and USFWS prior to disturbance. CPW also recommends the use of preconstruction surveys to identify raptor nests within the project area and the implementation of appropriate restrictions. CPW recommends adherence to the recommended buffer distances and timing stipulations identified in the CPW document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors" available on the CPW website.

Burrowing Owl Active and Potential Nest Sites:

Burrowing owls are listed as State Threatened, and nest in active or inactive prairie dog (black-tailed or white-tailed) burrows. If development is proposed to occur in a prairie dog colony that has been active within the past 10 years, CPW recommends the adherence to CPW's Burrowing Owl survey protocol if development occurs from March 15 through August 31. If nesting burrowing owls are present, no human encroachment or surface disturbance should occur within a 660 ft. buffer of nesting burrows from March 15 to August 31. If burrowing owls occupy the site, CPW recommends that earthmoving and other disturbance activities be delayed until after they have migrated away from the site.

Noxious Weed Management:

Also of importance are revegetation of disturbed soils and the control of noxious weed species through the development of a noxious weed management plan prior to initiating construction activities. The revegetation of disturbed areas and control of invasive weed species are important components of the project and it is highly preferred that the site be restored to a native plant community. CPW prefers native vegetation be retained on site for the operational lifespan of the project, both as habitat for wildlife and to ensure successful reclamation of the project area. Proper reclamation, from a wildlife perspective, involves not only stabilizing the soil and establishing ground cover, but fostering plant communities with a diversity of species and plant types. Grasses, woody plants, and broadleaf forbs all serve the nutritional needs of wildlife. Strict adherence to the Natural Resources Conservation Service's recommendations is advised. CPW would appreciate the opportunity to review the project's Noxious Weed Management Plan prior to the start of construction.



CBEP SOLAR 10, LLC  
PO BOX 1255  
STERLING, CO 80751  
(970) 425-3175  
INFO@CLOUDBREAKENERGY.COM

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We appreciate your consideration of our comments and recommendations. As always, CPW staff is available to work with the developer on how best to minimize development impacts to both wildlife and their habitats. If you have questions or would like clarification about any of our comments please contact District Wildlife Manager Justin Krall at [justin.krall@state.co.us](mailto:justin.krall@state.co.us).

Sincerely,

*Michael D Brown #122*

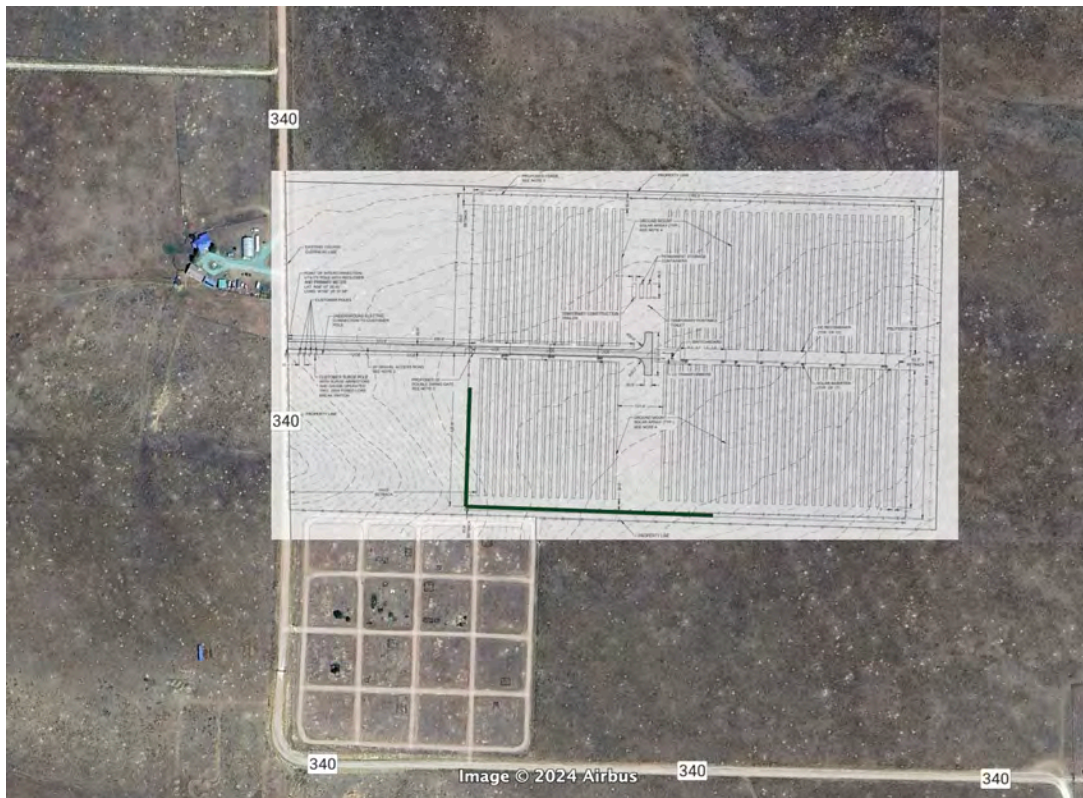
Michael D Brown  
Area Wildlife Manager  
Area 11-Pueblo

**DATE:** December 16, 2024

**PROJECT:** Silver Cliff Solar Project

**SUBJECT:** Silver Cliff Cemetery - Visual Mitigation

On November 20, 2024, the Silver Cliff Planning Commission requested CBEP Solar 10, LLC (“CBEP”) address the visual impact the project would have on the Silver Cliff Cemetery, which is of significant historical and cultural significance to the Town. To mitigate negative visual impacts on the Silver Cliff Cemetery, CBEP will install 1,000 feet of vegetative screening along portions of the southern and western boundaries of the project. Please see below for the location of the proposed screening.



CBEP plans to plant and maintain Rocky Mountain Junipers, or similar, to act as a barrier between the Silver Cliff Cemetery and the Silver Cliff Solar Project. These trees are native to Colorado and





CBEP SOLAR 10, LLC  
PO BOX 1255  
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well-adapted to drought conditions, making them a highly suitable choice. CBEP aims to source these trees locally, as well as use local labor to install, water, and maintain them.



**Town of Silver Cliff Planning Commission - Rezoning Committee  
Report for December 18, 2024 Planning Commission Meeting**

**The Committee has held one meeting on November 26, 2024 since the last report.**

Four of five members present.

- I. The Committee will follow up with the Planning Commission on taking the proposal for the Light Industrial Area to the Board of Trustees.
  - Is it better left for a later time?
  - Is there additional work to be done?
  
- II. The Committee reaffirmed that it is better to make suggestions and recommendations for the Commercial Residential Zoning rather than accept the IZC 2018 description. There are certain uses listed as acceptable in the IZC 2018 that the Committee thinks would not be a good fit.
  - Peterson will research the Commercial/Residential Zoning for Pitkin or another county
  - Donohoe will research the Commercial/Residential Zoning for San Miguel or another county
  - Work in the ideas from the Diemer Document here and elsewhere, where applicable
  - The Committee understands that this is currently not a high priority for the Building and Zoning Officer as he has many other things of immediate importance to attend to
  
- III. All the members of the Committee stated that it is acceptable for Jerry to submit a Letter of Interest to be appointed to the Planning Commission.
  
- IV. As in the last meeting, all agreed that this is a particularly complex time with constraints on personal time. So the next meeting time and date will be determined later, as necessary.
  
- V. Members of the Committee expressed that we could and should try to work electronic communication, i.e. working on documents and “Zoom” meetings, again, with more vigor.

Respectfully Submitted:

Jerold Peterson, Chair