

# SAGUACHE COUNTY SHERIFF'S OFFICE

MIKE NORRIS - SHERIFF



*"Service with  
Honesty and Integrity"*

Saguache County  
Land Use

NOV 16 2011

PO Box 326  
Saguache, CO 81149

OFFICE / JAIL

530 5<sup>th</sup> Street  
P.O. Box 265  
Saguache, CO 81149  
719.655.2544  
Fax: 719.655.2240  
E-mail:  
mnorris@saguachecounty-co.gov

November 16, 2011

UNDERSHERIFF

Trevor Hawkins

Saguache County Board of Commissioners  
501 4<sup>th</sup> Street, P.O. Box 655  
Saguache, CO 81149

Re: Review of Solar Reserve 1041 Permit Application

I have reviewed the 1041 permit application submitted by Solar Reserve. I have no concerns as to the Saguache County Sheriff's Office responsibilities if Solar Reserve builds their solar plants within Saguache County. The Sheriff's Office will respond for calls for service at Solar Reserve's facilities as we respond for any other call for service. Being that there is not one of these facilities in operation at this time, there wasn't any data to show an impact on law enforcement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Norris", written in a cursive style.

Mike Norris, Sheriff



DEPARTMENT OF THE ARMY  
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS  
799 E. 3rd Street, #2  
Durango, Colorado 81301  
970-375-6235  
FAX 970-375-9531

March 7, 2011

REPLY TO  
ATTENTION OF:

Regulatory Division  
Southern Colorado Branch

SUBJECT: Action No. SPA-2011-00083; Saguache Solar Reserve Energy Project

Steve Yarbrough  
Tetra Tech EC, Inc.  
1099 18<sup>th</sup> Street, Suite 580  
Denver, Colorado 80202

Dear Mr. Yarbrough:

We are in receipt of your memorandum dated February 9, 2011, concerning construction of a solar energy facility. The activity involves construction within existing center pivot irrigation land in Saguache County, Colorado. I have assigned Action No. SPA-2011-00083 to this activity. To avoid delay, please include this number in all future correspondence concerning this project.

I am unable to determine from the information you provided whether Department of the Army authorization will be required. However, based on our initial evaluation, I have determined that waters of the United States subject to Section 404 regulation, may occur within the proposed project area. It is also possible that isolated wetlands occur on the property, as discussed in your report. The following additional information will be needed to continue our review of this project:

1. A wetland delineation to identify the size and type of each aquatic resource on the site.
2. Documentation of the jurisdiction or lack thereof for each aquatic resource.

As stated in your report, if a Department of the Army permit is required, the project may be authorized by one or more general permits, summaries of which are available on our website at <http://www.spa.usace.army.mil/reg/nationwides-new/nationwide%20permits.asp>. For work to be authorized by a general permit it must comply with the terms and conditions of the permit. Projects that would not meet the terms and conditions of a general permit may require authorization by individual permit.

I encourage you to avoid and minimize adverse impacts to streams, wetlands, and other waters of the U.S. in planning this project. Upon receipt of additional information, I will continue evaluation of your request. Please note that it is unlawful to start work without a Department of the Army permit when one is required.

If you have any questions concerning our regulatory program, please contact me at 970-375-9506 or by e-mail at [Hildreth.L.Cooper@usace.army.mil](mailto:Hildreth.L.Cooper@usace.army.mil). At your convenience, please complete a Customer Service Survey on-line available at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Hildreth Cooper", with a long horizontal flourish extending to the right.

Hildreth Cooper  
Project Manager



Amber Torrez &lt;atorrez@saguachecounty-co.gov&gt;

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**FW: Re: DOD/FAA question / Homeland Security**

1 message

**Wendi Maez** <wmaez@saguachecounty-co.gov>

Wed, Nov 30, 2011 at 4:25 PM

To: mspearman@saguachecounty-co.gov, space@saguachecounty-co.gov, bgibbons@saguachecounty-co.gov

Cc: Amber Torrez &lt;atorrez@saguachecounty-co.gov&gt;

FYI

Amber – please print 3 copies for Tuesday's meeting.

wm

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**From:** nancy lauro [mailto:[nancyl@russellpe.com](mailto:nancyl@russellpe.com)]  
**Sent:** Wednesday, November 30, 2011 3:10 PM  
**To:** Linda Joseph; [wmaez@saguachecounty-co.gov](mailto:wmaez@saguachecounty-co.gov)  
**Cc:** Adam Green  
**Subject:** RE: Re: DOD/FAA question / Homeland Security

Hi Wendi &amp; Linda,

I spoke with Lieutenant Stephanie Schonberger at Cannon Air Force Base today regarding any concerns with Solar Reserves proposal and conflict with military flyover zones (current and proposed). She indicated verbally that the project won't affect them at all as long as proper approvals are obtained from the FAA. I sent her a copy of the FAA docs and a link to the website so she could check out the project and provide additional comments if they thought necessary. She also stated that she didn't think Homeland Security would need any involvement; apparently the FAA would take care of that also.

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**From:** Linda Joseph [mailto:[ljoseph@saguachecounty-co.gov](mailto:ljoseph@saguachecounty-co.gov)]  
**Sent:** Tuesday, November 29, 2011 11:12 PM  
**To:** [wmaez@saguachecounty-co.gov](mailto:wmaez@saguachecounty-co.gov); nancy lauro  
**Subject:** Fwd: Re: DOD/FAA question / Homeland Security

I am sorry to say that I don't remember where I heard that an industrial project of this nature requires a DOD review, but as I recall, the connection is that it would be in a military flyover zone (air national guard now, I believe, and, potentially air force training area in the future).

FAA just kept responding with FAA contacts and mentioned their obstruction evaluation. No one ever provided a DOD contact, or knew about their procedures/requirements.

I also have no idea who to contact regarding Homeland Security questions/issues/requirements. Regional Homeland Security folks had no idea, either.

I don't know how helpful this is, but it's as far as I got when I started looking into these things a year ago.

From: [brian.langdon@faa.gov](mailto:brian.langdon@faa.gov)

Date: Thu, 28 Oct 2010 15:39:50 -0400

I don't know of a DoD process. I know they are notified of these kinds of things by the FAA and they comment on them. I suggest contacting the experts below. They will be able to provide more complete answers.

Thanks....

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

**Position Name Email Telephone** Technician Burch, Tamera [tamera.burch@faa.gov](mailto:tamera.burch@faa.gov) (310)725-6591 Specialist van Haastert, Robert [robert.van.haastert@faa.gov](mailto:robert.van.haastert@faa.gov) (907)271-5863 Crane Specialist Cantu, Richard [richard.cantu@faa.gov](mailto:richard.cantu@faa.gov) (816)329-3696

Brian Langdon  
Federal Aviation Administration  
Office of Government and Industry Affairs - AGI  
800 Independence Av, SW  
Washington, DC 20591  
[\(202\) 267-3277](tel:(202)267-3277) - phone  
[\(202\) 267-8210](tel:(202)267-8210) - fax

[brian.langdon@faa.gov](mailto:brian.langdon@faa.gov)

From: Russell Kline/AWA/FAA

To: "Linda Joseph" <[ljoseph@saguachecounty-co.gov](mailto:ljoseph@saguachecounty-co.gov)> Cc: Brian Langdon/AWA/FAA Date: 10/27/2010 05:35 PM Subject: Re: DOD/FAA question

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I'm not sure I understand the question however if a tower is being built for this project it will most likely need to go through the obstruction evaluation process.

Best,  
Russ

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**From:** Linda Joseph [[ljoseph@saguachecounty-co.gov](mailto:ljoseph@saguachecounty-co.gov)]  
**Sent:** 10/27/2010 12:35 PM CST  
**To:** Russell Kline  
**Subject:** DOD/FAA question

Hello Russell,

You were recently contacted by Matt Johnson, of Senator Bennet's office, who was following up on a question I posed. Just to confirm that I am understanding correctly -

In the case of mega solar development (we have project proposing up to 10s of thousands of mirrors across large acreage), **does Dept. of Defense need to be notified/consulted BY the applicant or local government?**

Or, is our responsibility fulfilled with FAA notification/consultation by the applicants?

Thanks for any guidance you can offer!  
Linda



Amber Torrez &lt;atorrez@saguachecounty-co.gov&gt;

## FW: Solar Reserve Tower

1 message

Wendi Maez &lt;wmaez@saguachecounty-co.gov&gt;

Wed, Nov 30, 2011 at 4:35 PM

To: mspearman@saguachecounty-co.gov, space@saguachecounty-co.gov, bgibbons@saguachecounty-co.gov

Cc: Amber Torrez &lt;atorrez@saguachecounty-co.gov&gt;, Adam Green &lt;Adam.Green@solarreserve.com&gt;

FYI

Amber - please print for Tuesday's meeting.  
wm

-----Original Message-----

From: nancy lauro [mailto:[nancyl@russellpe.com](mailto:nancyl@russellpe.com)]

Sent: Wednesday, November 30, 2011 4:32 PM

To: [wmaez@saguachecounty-co.gov](mailto:wmaez@saguachecounty-co.gov); Linda Joseph

Subject: FW: Solar Reserve Tower

-----Original Message-----

From: Schonberger, Stephanie L 2dLt USAF AFSOC 27 SOW/PA  
[mailto:[Stephanie.Schonberger@cannon.af.mil](mailto:Stephanie.Schonberger@cannon.af.mil)]

Sent: Wednesday, November 30, 2011 3:41 PM

To: nancy lauro

Cc: McDonald, John D CIV USAF AFSOC 27 SOSS/OSOA; Gobberg, Raymond P 1stLt  
USAF AFSOC 27 SOW/PA

Subject: RE: Solar Reserve Tower

Nancy,

Thanks for your call today regarding the solar plant. Per our conversation, such a construction project would not affect our low altitude training proposal in New Mexico and Colorado, as such a large tower would be identified on aviation charts from the FAA. The proposed training area is sufficiently large that we will be able to simply avoid the solar plant.

Coordination with the FAA is required for construction of any obstruction over 200' - I see in your message that you have already contacted the FAA, which is good. An FAA Form 7460-1 is required, and you can access more information at <http://oeaaa.faa.gov>.

I've copied our airspace manager, John McDonald, so you can provide more exact details on the location of the proposed solar plant, for our reference. The location of the plant is good to know, not only for flights related to the LATA, but for all Cannon AFB training sorties.

Thanks again, and please don't hesitate to contact me if you need more info.

Stephanie L. Schonberger, 2nd Lt., USAF  
27th Special Operations Wing Public Affairs  
DSN: 681-6376 Comm: [575-784-6376](tel:575-784-6376)  
[www.cannon.af.mil](http://www.cannon.af.mil)

Find us on Facebook:

<https://www.facebook.com/#!/27thSpecialOperationsWing>

Follow us on Twitter: @27SOW\_CANNONAFB

-----Original Message-----

From: nancy lauro [mailto:[nancyl@russellpe.com](mailto:nancyl@russellpe.com)]

Sent: Wednesday, November 30, 2011 3:03 PM

To: Schonberger, Stephanie L 2dLt USAF AFSOC 27 SOW/PA

Cc: Wendi Maez

Subject: Solar Reserve Tower

Hello Lieutenant,

Thank you so much for your prompt answers to my questions today regarding the proposed solar towers in Saguache County, Colorado. For your records I have attached the FAA "Determination of No Hazard to Air Navigation" that includes the Latitude, Longitude and Height (AGL & AMSL) of the proposed project. You may also view the project application at [www.saguachecounty.net](http://www.saguachecounty.net) <<http://www.saguachecounty.net/>> . Let me know if there are any concerns or questions, the County Commissioners have not yet scheduled a public hearing on the project, but it may be as soon as January 2012. Thanks again!

Nancy

Nancy D. Lauro, AICP, LEED Green Associate

Senior Planner

934 Main Avenue, Unit C

Durango, CO. 81301

ph: [970.385.4546 ext. 21](tel:970.385.4546)

fx: [970.385.4502](tel:970.385.4502)

e: [nancyl@russellpe.com](mailto:nancyl@russellpe.com)

[www.russellpe.com](http://www.russellpe.com) <<http://www.russelleng.biz>>

BY RECEIVING THIS ELECTRONIC INFORMATION, including all attachments, the receiver agrees that this data may not be modified or transferred to any other party without the prior written consent of Russell Planning and Engineering, Inc., that this electronic information may not necessarily

## Wendi Maez

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**From:** Basagoitia, Rick <Rick.Basagoitia@state.co.us>  
**Sent:** Wednesday, December 14, 2011 11:34 AM  
**To:** Wendi Maez  
**Cc:** Geringer, Traci  
**Subject:** Solar Reserve Comment Letter  
**Attachments:** 2011 Dec Solar Reserve App Comment Final Letter.pdf

**Importance:** High

Wendi,

Attached is our comment letter. Traci will send a hard copy if you need it. Please let me know.

Thank you for working with us on the dates in getting this in to you.

Take care and have a Merry Christmas!



*Rick Basagoitia*  
*Area Wildlife Manager*  
*Area 17 - San Luis Valley*  
*Colorado Parks and Wildlife*

*(719) 587-6904*

*[rick.basagoitia@state.co.us](mailto:rick.basagoitia@state.co.us)*

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database 6714 (20111215)  
\_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>



## COLORADO PARKS & WILDLIFE

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Monte Vista Service Center  
0772 South Co Rd 1 East, Monte Vista, CO 81144  
719-587-6900 • 719-587-6934  
wildlife.state.co.us • parks.state.co.us

December 9, 2011

To Whom it May Concern:

Saguache County has requested written comments from Colorado Parks and Wildlife (CPW) pertaining to the Final 1041 application submitted by Solar Reserve. The application is for the development of a 200 MW commercial solar power generating facility in Saguache County. Local District Wildlife Manager (DWM) Jason Surface requested an extension of the comment deadline from December 2, 2011 to December 9, 2011. CPW sent a letter on December 2 stating our intent to comment on the application by December 9, 2011, and Wendi Maez from the Saguache County Land Use Office agreed to the extension. We would like to thank the Saguache County Land Use Office and County Commissioners for their understanding in granting the extension until December 9, 2011.

CPW is generally very supportive of renewable energy projects, provided that impacts to wildlife resources are considered and mitigated to the extent possible during the design, construction, and operation of renewable energy facilities. Solar Reserve requested input from CPW very early in this process. As a result, CPW submitted comments to Saguache County on the company's preliminary 1041 application (see attached comment letter). Although we have had several productive discussions with the applicant and their consultant, it does not appear that the applicant has addressed our concerns in their final 1041 application.

CPW biologists, energy specialists, and the local DWM have reviewed the application and do have concerns about the development and long-term implications this project may have on local wildlife. Some of these concerns derive from the overall loss of habitat and displacement of certain wildlife species, but some of the larger concerns focus on the unknown affects it may have to certain species abundant in the project area. This is especially relevant to local and migratory avian populations. Solar technology is relatively new and projects of this size are extremely rare. As a result, little is known as to the impacts a project of this size may have on local wildlife populations. Given this uncertainty, adaptive management of wildlife conflicts that incorporates both monitoring and mitigation to address documented impacts is essential. CPW recommends that the county commissioners incorporate into the approval of this 1041 application specific monitoring and mitigation measures to address the potential impacts to wildlife resources as outlined below:

- **Potential Impacts to Waterfowl and other Avian Species.** CPW is concerned this project may have adverse affects on waterfowl and other avian species. The proposed site is in close proximity to a 5,000 acre waterfowl conservation easement on the

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Ex Officio Members: Mike King and John Salazar

Meadow Ranch. This easement, along with other areas of the Meadow Ranch provide significant habitat for various species of both resident and migratory waterfowl and colonial nesting species, including concentrations of sand hill crane. We are concerned that waterfowl and other water dependent avian species may see the large mirror array as a large body of water from above and be attracted to the site. This concern was reinforced by Solar Reserve's own literature review in which it studied the level of bird mortalities at its' test facility in the Mojave Desert. Those findings demonstrated that 75% of all avian mortalities were due to collisions with the heliostats. Furthermore, the review states that areas with larger populations of water dependent species may see more of these collisions as these birds may be more susceptible to these types of collisions. In comparison to the Mojave Desert the San Luis Valley is rich in waterfowl and other water dependent species. This literature review is part of the "Exhibits" folder within the 1041 application. The proposed project is also much larger in scale than the Mojave Desert test facility, thereby increasing the concern.

Solar Reserve conducted an avian survey from March to May to document some of the species seen on the project site as found in the "Exhibits" folder of the 1041 application. The conclusions drawn by the field staff were that the area was not heavily used by birds, especially the water dependent species. The survey did find sand hill cranes and waterfowl in the area surrounding the site but not a lot were seen within the boundaries itself. Although CPW does commend Solar Reserve for the effort, one must be cautious in drawing too many broad conclusions from this study for the following reasons:

- There was only a total of ten survey days done during the duration of the study from March 19 to May 30. Ten survey days is not robust enough to draw broad conclusions as most biological inventories are far more comprehensive and cover multiple seasons.
- CPW is more concerned with the impacts that will result from the finished product than it is from the birds that will be displaced by the project. As mentioned above the area around the site is abundant with water dependent and migratory avian species and there may be adverse impacts on these birds as they fly over and around the site.
- The field staff also mentioned the large majority of birds seen in the area were more prevalent around water. Once complete the site will have standing water

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on site. This fact coupled with the possibility that the array will resemble water to birds in flight raises our concerns.

In addition to waterfowl the San Luis Valley has a rich avian diversity that includes various species of raptors. The 656 foot receiver towers would be the tallest structures in the valley and may be attractive to raptors as both hunting perches and nest sites. Additionally, the test site in the Mojave Desert found avian aerial foragers such as swifts and swallows to be susceptible to coming into contact with the heated focal points on site. The study reports 19% of all bird mortality was from this type of contact. The project site is located in an agricultural area abundant with swallows and there may be impacts to these birds. The mortality study conducted in the Mojave Desert showed low mortality rates to birds overall. However, the test facility was much smaller than the proposed Saguache site, and the avian abundance and diversity in the San Luis Valley is much different than the Mojave Desert. Specifically, the richness of water dependent and migratory species in the San Luis Valley and the greater potential for impacts is of great concern to CPW.

**Recommendation:** For the reasons outlined above, CPW recommends that Saguache County consider requiring the applicant to implement in consultation with CPW and the United States Fish and Wildlife Service (USFWS): 1) an avian protection plan that includes design features to reduce the likelihood of avian mortalities, 2) a long-term avian mortality monitoring and reporting program, and 3) a contingency plan for mitigating documented mortalities when they occur.

- **Potential Impacts to Migrating Bats.** Migrating bats and potential bat mortalities are also a concern in this area. There is a large colony of free-tailed bats that roost at the Orient Mine northeast of the project area. This colony represents the largest bachelor colony of free-tailed bats in Colorado and has been designated as a unique resource deserving of conservation. While some of the issues that are of concern to birds may not be relevant to bats, the receiver tower, mirrors, and evaporation ponds at this facility could be a source of mortalities for bats migrating or foraging in the area.

Solar Reserve stated in the 1041 application that they did not do any inventorying or surveying of bats. Furthermore, they stated they felt it was unlikely these bats would forage in the area of the project. Bats from this colony have been documented as foraging up to seventy five miles a night in search of food. Furthermore, CPW biologists conducted acoustic surveys in the area this summer and did document foraging bats in the project area.

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**Recommendation:** CPW recommends that the applicant implement as part of this project a monitoring program to document bat mortalities at the facility, and that mitigation be implemented as needed to address documented mortalities.

- **Potential Impacts to Pronghorn Antelope.** Solar Reserve states in the 1041 application that they believe that because the land is converted agricultural land it is of little value to wildlife. Furthermore, they state the site is not used by pronghorn antelope. The issue of pronghorn in the proposed project area is a significant management challenge for CPW. Despite being cultivated land, the parcel in question serves as a production area for pronghorn as well as a corridor for pronghorn migration. The property provides a perennial water source. Female pronghorn frequent the area and utilize the cover and water on the parcel for the development of newborn fawns. The parcel is also mapped as pronghorn winter range. Winter range is a limiting factor for big game populations in Colorado and especially pronghorn in the San Luis Valley. Development of the project would constitute a 100% loss of 6,200 acres of pronghorn winter range, and could have various effects on the pronghorn and neighboring farmers/ranchers. The loss of 6,200 acres may significantly change the behavior of the pronghorn in the area and cause them to form larger groups on adjacent croplands in the area, thereby increasing crop damage and conflicts between local farmers and the pronghorn. We will not know the extent of this problem, or CPW's ability to manage it and address landowner concerns, until the project is completed. Nevertheless, this is a concern for CDOW that we request you consider during project planning and development.

**Recommendation:** CPW is recommends that Saguache County consider requiring the applicant to offset the loss of 6,200 acres of pronghorn winter range by conducting large scale habitat improvement projects nearby (where suitable habitat remains that can be improved), or by replacing the quantity of habitat lost through habitat banking in association with local land trusts or other conservation organizations.

- **Potential Impacts to Water Resources.** The use and management of water for this project is a concern. How water is used and returned to the environment will have an effect on the degree of impacts to wildlife and wildlife habitats in the area. For example, the evaporation ponds described in the application may be beneficial or detrimental to wildlife, depending on the quality of the water and how it is discharged. Solar Reserve has stated it is not clear on what the quality of the water will be, but it does anticipate that the water in the evaporation ponds will be a brine solution. Brine solutions may be detrimental to wildlife especially waterfowl, and open ponds and basins are attractive to wildlife. CPW is concerned that exposure to the solution in the

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evaporation ponds could have negative impacts to wildlife, especially waterfowl and migratory birds.

**Recommendation:** CPW recommends Saguache County consider requiring the applicant to install fencing and netting, or other physical barriers sufficient to exclude wildlife from the evaporation ponds, unless the applicant can clearly demonstrate through water quality testing that the evaporation pond water is not harmful to wildlife.

- **Potential Impacts from Supporting Infrastructure.** Representatives from Xcel Energy have indicated at previous meetings (unrelated to this project) that the existing 230 kV Poncha Pass/San Luis Valley transmission line is at capacity. Additionally, as of November 1, 2011 Xcel Energy has stated it is likely not going to pursue the construction of additional power lines over La Veta Pass. If this is the case, additional transmission capacity will need to be constructed to support this project. Transmission lines pose both an electrocution and collision hazard for birds.

**Recommendation:** CPW recommends that the impacts from any additional transmission lines associated with this project be evaluated along with the proposed project. To avoid avian/ transmission Line Collisions, we recommend marking all new transmission lines, especially the top wire, to make the line as visible as possible. Wind and fog can be severe in the area, so it is critical to have lines as visible as possible. CPW also recommends designing new transmission lines to be as raptor safe as possible. CPW suggests that the applicant consult with the Avian Power line Interaction Committee (APLIC) to consider designs that minimize the risk of raptor electrocutions.

In summary, due to the concerns mentioned above and the fact that this project is unprecedented, CPW requests the commissioners require the applicant to work with CPW and USFWS to develop and implement an avian and bat protection plan prior to construction. This plan should address the following components:

- A reliable protocol needs to be developed for inventorying and monitoring the site for avian and bat abundance and mortalities before, during, and after construction. Monitoring should begin prior to construction and continue after the facility is fully functional and running. Due to the unprecedented nature of this facility, we recommend that monitoring avian and bat mortalities continue for 5 years post construction. This monitoring can help document both positive and negative impacts on wildlife.

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- This plan should include mortality thresholds that require implementation of additional design features or other mitigation measures to reduce avian and bat mortalities. Additional measures that could be implemented to reduce avian and bat mortality should be identified in the plan.

In addition, CPW recommends that the applicant work with CPW to document how this project redistributes wildlife, especially pronghorn, and commit to off-site habitat improvements or habitat replacement (conservation) to offset the habitat loss associated with this project and reduce potential adverse impacts to surrounding landowners. Due to cumulative habitat loss occurring throughout the San Luis Valley from existing and planned projects, CPW recommends that local governments and project proponents consider offsetting the loss of particularly sensitive habitats by conducting large scale habitat improvement projects (where suitable habitat remains that can be improved), or by replacing the quantity of habitat lost through habitat banking in association with local land trusts or other conservation organizations.

We thank you for the opportunity to comment on the proposal and look forward to working with both the County and the applicant throughout the planning and permitting process for this project. If you have any questions regarding these comments please contact Jason Surface or David McCammon, District Wildlife Managers, at the Monte Vista Service (719) 587-6900.

Sincerely,



Rick Basagoitia,  
Area Wildlife Manager – San Luis Valley  
Colorado Division of Wildlife

STATE OF COLORADO

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## COLORADO PARKS & WILDLIFE

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0722 South Road 1 East • Monte Vista, Colorado 81144  
(719) 587-6900 • FAX (719) 587-6934  
wildlife.state.co.us • parks.state.co.us

Saguache County Board of Commissioners  
P.O. Box 655  
Saguache, CO 81149

To Whom It May Concern:

The Saguache County Land Use Office requested that Colorado Parks and Wildlife (CPW) comment on the 1041 application by Solar Reserve. The 1041 application is for the production of a commercial solar farm in Saguache County. Saguache County Land Use requested comments to be in by December 2, 2011 for presentation to the Saguache County Commissioners on Dec 6, 2011. Local District Wildlife Manager Jason Surface contacted Wendi Maez from the Saguache County Land Use office to ask for an extension to December 9, 2011 due to the lack of time to properly review the application and draft comments caused by the fall hunting seasons and the Thanksgiving holiday which followed immediately upon the termination of the seasons. Ms. Maez agreed but asked if CPW would draft a letter stating that CPW will comment on the project and those comments will be compiled by December 9, 2011. This letter serves as a communication to the Saguache County Commissioners that CPW will be commenting on the Solar Reserve 1041 application and will have those comments turned into the Saguache County Land Use Office on December 9, 2011. Those comments may include, but are not necessarily limited to the concerns over the following areas within the application:

- Avian mortality and mitigation measures. Particularly in reference to raptors, waterfowl, colonial nesting species, and sandhill cranes.
- Bat mortality and mitigation measures. The project is within the nightly foraging range of the bachelor colony of Mexican free tailed bats located on the Orient Mine. This colony has been designated as a unique resource deserving of conservation measures.
- Mammals. Particularly Gunnison's Prairie Dogs and Pronghorn Antelope.
- Water: CPW will address the use of water holding ponds and possible mitigation efforts for wildlife. CPW will likely have concerns about facility use of water and subsequent water quality.
- CPW will likely ask the County to require a comprehensive wildlife monitoring/mitigation plan be in place before any application is approved.

#### STATE OF COLORADO

John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources  
Rick D. Cables, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: David R. Brougham • Gary Butterworth, Vice-Chair • Chris Castilian  
Dorothea Farris • Tim Glenn, Chair • Allan Jones • Bill Kane • Gaspar Perricone • Jim Pribyl • John Singletary  
Mark Smith, Secretary • Robert Streeter • Lenna Watson • Dean Wingfield  
Ex Officio Members: Mike King and John Salazar

- CPW will likely discuss “habitat banking” as a mitigation tool and how that might apply to this application.

The areas of concern mentioned above will be discussed in greater detail in our formal comments that we will turn in to the Saguache County Land Use office on December 9, 2011. Thank you for requesting our cooperation and we look forward to submitting our comprehensive comments on December 9, 2011.

We greatly thank you for requesting our input and the extension to provide them.

Sincerely,



Rick Basagoitia  
Area Wildlife Manager – San Luis Valley  
Colorado Parks and Wildlife

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