

Conditions

1. Concurrent with approval of this application, a development agreement between the applicant and the County, which describes and delineates additional requirements and obligations of the applicant, is required.
2. All commitments in the application dated October, 2011, together with the those made in the supplemental information submitted by the applicant dated November 22, 2011, the second supplemental submission dated January 14, 2012, and the third supplemental submission dated February 10, 2012, are hereby considered conditions of approval, unless otherwise specifically modified in these conditions or the development agreement.
3. The applicant shall comply with all applicable Federal and State regulations and requirements, and shall provide timely evidence to the County documenting such compliance, including but not limited to the following:
 - a. FAA requirements
 - b. The Avian and Bat Protection Plan as described in the 1041 Application
 - c. CDOT requirements, including access permits to CO Hwy 17 and US 285 as applicable
 - d. A water supply plan as described in the 1041 Application
 - e. A State Stormwater Discharge Permit
 - f. US Army Corps of Engineers requirements
 - g. Water and wastewater treatment requirements or permits
 - h. Hazardous Materials handling and disposal requirements
 - i. Colorado Department of Public Health and Environment requirements as related to dust control and air quality, which may include an Air Pollution Emissions Notice
 - j. FEMA reporting requirements
 - k. State sound / noise regulations as described in Section 25-12-103 of the Colorado Revised Statutes
4. The applicant shall follow all applicable State and Federal regulations in the construction of the facility. No specific requirement imposed by the 1041 Permit shall cause the applicant to violate any requirement of State or Federal regulation. The applicant shall provide the County with the following documents prior to the commencement of related construction, which shall be prepared by an appropriate Licensed Professional Engineer certified in the State of Colorado:
 - a. A Drainage Report (DR), which shall include the site, applicable portions of CR G, and the off-site route proposed for the waterline extension to the site. Drainage from the storage tank containment areas shall be addressed. Retention/detention requirements shall meet the standards set by the "Urban Drainage and Flood Control District Criteria Manual."
 - b. Designs for road improvements to County Road G as described in the 1041 Application, including a gravel and asphalt cross-section.

- c. Documentation that the solar tower and all building foundation designs sufficiently address all relevant geologic / geotechnical hazards including earthquake and high wind conditions.
 - d. Water and wastewater treatment system designs.
5. Prior to start of construction, the following plans shall be submitted to the County:
 - a. A weed control plan and a dust control plan utilizing Best Management Practices (BMPs), consistent with the 1041 Application, which shall also include provisions for adopting alternate BMPs at a later date if they are superior, commercially reasonable, and consistent with standard practices employed in comparable circumstances in the San Luis Valley. These plans must reasonably consider recommendations made by the local chapter of the NRCS and by the Center Conservation District.
 - b. A Construction Health and Safety Program prepared by qualified professionals.
6. During construction, compliance reports addressing all conditions of approval shall be submitted on a monthly basis.
 - a. The Applicant shall include construction workforce statistics describing the hiring of local people.
7. Prior to start of construction, the Applicant shall submit an Emergency Response Plan as described in the 1041 Application, which shall be produced in consultation with Center Fire Protection District, SLV Hazmat, Northern Saguache Fire District, Northern Saguache Ambulance District, Crestone Volunteer Fire Fighters, Alamosa Fire/Ambulance District, and Rio Grande County Fire/Ambulance District, but only if those entities choose to participate. The Applicant shall, at the Applicant's expense, provide appropriate training for the above emergency responders to respond to reasonably foreseeable emergency service requirements. Furthermore, the Applicant shall either annex into the Center Fire District or enter into an agreement for service with the district that addresses training needs and fees in lieu of taxes.
8. All on-site lighting (except FAA requirements and as reasonably required for maintenance and safety) shall be dark sky compatible, as defined in the Saguache County Draft Solar Facilities Guidelines section 8.3.3.9, and in the Saguache County Land Use Code section IV.4.2.8. Areas not occupied on a regular basis shall be provided with switches or motion detectors to light those areas only when occupied. Non-glare fixtures shall be used, exterior lights shall be shielded, and lights shall be directed onsite and downward.
9. The Applicant shall provide emergency access to the facility at a point along its southern boundary by constructing a locked gate in the fence and an adequate entry and surface for use by emergency vehicles, but shall not be responsible for constructing additional paved roadways for emergency vehicles. Access to this

locked emergency entrance shall be provided to any applicable emergency service providers identified by the County.

10. The Applicant shall make a reasonable effort to inform the County in a timely manner of any significant impending change that may cause a cessation of the facility's operations for 12 months or longer.