



**Land Use and Building Department**  
8999 Independence Way #100 • Alamosa, CO 81101  
Email: [landuse@alamosacounty.org](mailto:landuse@alamosacounty.org) • Phone: 719-589-3812

September 22, 2025

NextEra Energy Resources, LLC  
Attn: Ash Moore, Project Director  
700 Universe Blvd, LAW/JB  
Juno Beach, FL 33408

[Ashard.Moore@nexteraenergy.com](mailto:Ashard.Moore@nexteraenergy.com)

RE: 1041 Application for Major Facilities of a Public Utility

This letter serves as receipt of your pre-application for a 1041 permit to construct and operate a utility scale solar production and battery storage facility. An initial review of your submittal received August 19, 2025 identified that it lacks sufficient details to review, even as a preliminary application.

Attached are the comments from our third-party review of your submittal, including an analysis of compliance with preliminary application requirements in Section 6.303(1) of the regulations, and a review of the final approval criteria in Section 6.304. Alamosa County concurs with the recommendations and requests for additional information and asks that you submit a complete preliminary application at your earliest convenience.

Also attached is an invoice for payment of the application fee. The application fee for 1041 permits was established by the Alamosa County Board of County Commissioners in 2015 by resolution 2015-G-6, attached. Please submit payment of \$30,00 via check to:

Alamosa County  
Attn: Richard Hubler  
8999 Independence Way, #100  
Alamosa, CO 81101

If you are unable to pay via check, please contact Alamosa County Treasurer Amy McKinley directly at 719-589-3626 or [amckinley@alamosacounty.org](mailto:amckinley@alamosacounty.org) to explore other options.

Please let me know if you have any questions.

Sincerely,

Richard Hubler,  
Land Use Administrator

cc: email to Anna Lundin, Kimley Horn [Anna.Lundin@kimley-horn.com](mailto:Anna.Lundin@kimley-horn.com)  
email to Krista Grossman, Kinley Horn [Krista.Grossmann@kimley-horn.com](mailto:Krista.Grossmann@kimley-horn.com)  
email to Jason Kelly, Alamosa County Attorney [jtkelly@alamosacounty.org](mailto:jtkelly@alamosacounty.org)

enclosures: Invoice & Resolution 2015 G-6  
Logan Simpson comments dated September 18, 2025





**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY**

**RESOLUTION NO: 2015 – G - 6**

**RE: A RESOLUTION ADOPTING A FEE SCHEDULE REGARDING AN AMENDMENT TO A SPECIAL USE PERMIT APPLICATION; A HB 1041 APPLICATION; AND HB 1041 PERMIT AMENDMENT/TRANSFER APPLICATION IN THE COUNTY OF ALAMOSA.**

Commissioner Dunne moved for the adoption of the following resolution.  
Commissioner Yohn seconded the motion.

WHEREAS, the Alamosa County Board of County Commissioners has adopted regulations and fees regarding special use applications within the county of Alamosa; and

WHEREAS, the Alamosa County Board of County Commissioners has adopted rules and regulations regarding the issuance of permits involving areas and activities of state interest known as "1041 Permits"; and

WHEREAS, there is a need to standardize fees associated with special use applications and 1041 Permits in order to have consistency; and

WHEREAS, the Board has determined that assessing said fees is in the best interest of the County and its citizens; and

WHEREAS, the Board has determined following a public hearing that said fees should be assessed.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

The fee schedule shall be as follows:

1. Special Use Permit Amendment Application: \$250.00
2. HB 1041 Permit Application: \$30,000.00 (with contingency for inflation and, deviation from standard solar technology)
3. HB 1041 Permit Transfer/Amendment Application: \$5,000.00

All of such fees shall be paid over to the Alamosa County Treasurer and deposited into the "Alamosa County General Fund."

The foregoing resolution passed by roll call vote resulting in three in favor, none against.



363700  
2 of 2

7/29/2016 2:05 PM  
RSL R\$0,00 DS0,00

Melanie Woodward  
Alamosa Cnty Clerk

DATED this 27<sup>th</sup> day of July, 2016, *non pro tunc* July 8, 2015.

**BOARD OF COUNTY COMMISSIONERS OF  
ALAMOSA COUNTY, COLORADO, ACTING  
AS THE BOARD OF HEALTH**

(SEAL)

By

DARIUS ALLEN, Chairman

ATTEST:

Melanie Woodward  
Melanie Woodward, Clerk of the Board



# M e m o r a n d u m

**To:** Richard Hubler, Alamosa County Director of Land Use and Building  
**From:** Logan Simpson Inc.  
**Date:** September 18, 2025  
**Project Name:** NextEra Alamosa Solar Energy Project  
**Subject:** Preliminary Application Technical Review

---

We have reviewed the preliminary application of the Alamosa Solar Energy Project submitted by NextEra Energy Resources against the 1041 Guidelines and Regulations.

## 6.303 Submission Requirements for a Preliminary Application

We understand that the materials constitute a Pre-Application Package rather than a Preliminary Application. As such, we note that the items below and in the enclosed spreadsheet need to be completed for the preliminary application. If the Applicant believes any of the application requirements are not applicable to the Project, they can request a waiver of submissions requirement per Section 2.203. The more substantial omissions include the following:

- Code requirement 1.a.i: Please attach the submission requirements for a preliminary application as required by Alamosa County 1041 Section 6.303.
- Code requirement 1.a.ii: Please confirm if an operation/maintenance (O&M) building will be a part of the facility. If so, please provide details in the preliminary application. Provide additional specificity on fencing: perimeter fencing, substation fencing, BESS fencing, etc. Provide additional and improved description of fire containment and safety for BESS.
- Code requirement 1.a.iii: Please confirm the present use and zoning of the Project land parcels.
- Code requirement 1.a.iii.B.1: Please add the approximate floor space of any anticipated office buildings. If these will not be present, state so in the application.
- Code requirement 1.a.iii.B.4: Please add description of the function and size of the existing or proposed substation.
- Code requirement 1.a.iii.B.7: Please clarify who would purchase the power, and describe the service area where the electricity will be used (i.e., PSCo's service area) to the extent this information is known. This can be accomplished in narrative or with a map.
- Code requirement 1.a.iii.B.8: Please describe the resource area for the Project.
- Code requirement 1.a.iii.C.1: Please estimate the number of shifts and employees per shift during construction, operation, maintenance. Also estimate the maximum number of employees during operation and maintenance.
- Code requirement 1.a.iii.C.2: Please specify any future phases or extensions of the facility and the relationship of the facility (if currently foreseen) to larger programs and plans.

- Code requirement 1.a.iii.C.3: Please list permits other than the 1041 Permit that may be required for the Project and the timetable for their approvals.
- Code requirement 1.a.iii.C.5: Please describe support facilities to be provided.
- Code requirement 1.a.iii.C.6: Please describe any feasible "non-structural" alternatives to meet the objectives of the proposed site selection and construction.
- Code requirement 1.a.iii.D.1: Please describe hazards, if any, of fire, explosion and other dangers to the health, safety and welfare of employees and the general public.
- Code requirement 1.a.iii.D.3: It is stated that an Emergency Response Plan will be developed as part of the full 1041 Permit application. Please provide the emergency procedures that will be discussed in the plan.
- Code requirement 1.a.iii.D.4: Please describe any prevalent natural hazards that will affect or be affected by development and describe mitigating measures to be taken to reduce danger due to such natural hazards.
- The final application will need to provide information in greater detail to present a robust analysis of the proposed facility, as compared to the preliminary application.

Detailed notes regarding each required component can be viewed on the Permitting Process and Requirements for a Solar PV Project table below. We have provided a copy of the table in .xls format as a checklist for the Applicant to use in preparing the Preliminary Application. Items highlighted in yellow are deemed incomplete or insufficient for completeness determination. The Applicant should address these as well as the 6.303 Submission Requirements for a Final Application.

### **6.304 Action on Permit Application**

To assist NextEra with their eventual preparation of a complete Final 1041 Permit Application, Alamosa County provides below the specific approval criteria that will be evaluated in the completeness review and will be considered in the decision of the Board of County Commissioners. Logan Simpson has reviewed the preapplication materials provided prior to submittal of a Preliminary Application and evaluated the approval criteria for potential risks. These criteria are excerpted from Alamosa County's 1041 regulations, Section 6.304. For each criterion, Logan Simpson provides a suggested approach to achieve positive consideration of the final application by Alamosa County.

1) The Permit Authority shall approve an application for permit for site selection and construction of a major facility of a public utility (with reasonable conditions, if any, in the discretion of the Permit Authority) only if the proposed site selection and construction complies with all of the following criteria:

a) The health, welfare and safety of the citizens of this County will be protected and served.

*Suggested approach: Identify risks to the health, welfare and safety of the public and how those will be avoided, minimized, and mitigated. Discuss how the Project will increase renewable energy production in Alamosa County, supporting electrification projects and policies of Xcel Energy (the power purchaser) and the State of Colorado.*

b) The natural and socio-economic environment of this County will be protected and enhanced.

*Suggested approach: Please provide detailed descriptions and analyses of the natural environment and the socio-economic environment within the application. Estimate NextEra's contribution to Alamosa County's tax base for the life of the Project. Describe anticipated expenditures by the Project in local businesses. Estimate the number of local employees that could be required for construction, operation, and decommissioning of the Project. Identify impacts to the natural environment and how those will be avoided, minimized, and mitigated.*

c) All reasonable alternatives to the proposed action, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have been adequately assessed and the proposed action represents the best interests of the people of this County and represents the best utilization of resources in the impact area.

*Suggested approach: Please describe the alternatives considered for the Project site and layout and the criteria with which they were chosen. Describe the benefits of the proposed site and layout compared to alternative sites. Demonstrate why the proposed action is the highest and best use for the site (see the 2025 Imagine Alamosa County Comprehensive Plan below).*

d) A satisfactory program to mitigate and minimize adverse impacts has been presented.

*Suggested approach: Describe potential environmental impacts and NextEra's proposed avoidance, minimization, and mitigation measures and best management practices to protect resources.*

e) The nature and location or expansion of the facility complies with all applicable provisions of the master plan of this County, and other applicable regional, metropolitan, state, and national plans.

*Suggested approach: Describe and map how the proposed site is compatible with the future land use map, energy overlay, and goals and strategies of the 2025 Imagine Alamosa County Comprehensive Plan. Identify whether the proposed site is near State Wildlife Areas, U.S. Fish and Wildlife Service National Wildlife Refuges, Fish Hatcheries, Conservation Easements, State Trust Lands, private conservation easements, or any other type of protected or regulated land use. Specifically address compliance with*

- *Agricultural Identity Goal 5 Economic Diversification and Resilience*
- *Diverse Economy Goal 3 Economic Diversity and Resiliency*
- *Healthy Environments Goal 3 Sustainable Infrastructure Development*
- *Natural Landscapes Goal 2 Conservation of Scenic Views and Dark Skies and Goal 4 Intentional Growth and Development*

f) The nature and location or expansion of the facility complements the existing and reasonably foreseeable needs of the service area and of the area immediately affected by the facility.

*Suggested approach: Describe how the Project will increase local production of clean energy and how or if this energy will benefit the local and larger service area of Xcel Energy.*

g) The nature and location or expansion of the facility does not unduly or unreasonably impact existing community services.

*Suggested approach: Describe how the Project will enhance the provision of electric power to the community without projected impacts on existing services. Identify service demands on other stormwater, water, trash, police, fire or other services and how these will be met.*

h) The nature and location or expansion of the facility will not create an expansion of the demand for government services beyond the reasonable capacity of the community or region to provide such services, as determined by the Permit Authority.

*Suggested approach: Specifically state whether the Project will require additional police, fire, school, or medical services during construction, operation, maintenance, or decommissioning and how these will be funded.*

i) The facility site or expansion area is not in an area with general meteorological and climatological conditions which would unreasonably interfere with or obstruct normal operations and maintenance.

*Suggested approach: Present the general meteorological and climatological conditions in the Project area. Demonstrate whether these conditions would be expected to interfere with or obstruct normal operations and maintenance. Discuss climate risks where appropriate.*

j) The nature and location of the facility or expansion will not adversely affect the water rights of any upstream, downstream, or adjacent communities or other water users.

*Suggested approach: If any irrigation canals would be impacted by the Project, applicable permits or easements would be required.*

k) Adequate water supplies are available for facility needs.

*Suggested approach: Discuss how the Project would obtain water necessary for construction, operation, or maintenance of the facility. Will potable water or sanitary facilities be provided for employees, and if so, where? Discuss how water would be provided for fire suppression. Engage with the local Fire Protection District and provide that correspondence or result.*

l) The nature and location of the facility or expansion will not unduly interfere with any existing easements for or rights-of-way, for other utilities, canals, mineral claims, or roads.

*Suggested approach: Describe applicable easements for rights-of-way, utilities, canals, mineral claims, or roads. Provide a map of any setbacks required for the Project.*

m) The Applicant is able to obtain needed easements for drainage, disposal, utilities, access, etc.

*Suggested approach: Describe applicable easements for drainage, disposal, utilities, access, or other. Provide a map of any setbacks required for the Project.*

n) Adequate electric, gas, telephone, water, sewage, and other utilities exist or shall be developed to service the site.

*Suggested approach: State whether electricity, gas, telephone, water, or other utilities will be required for the Project and if so, how they will be provided.*

o) The nature and location for expansion of the facility will not interfere with any significant wildlife habitat or adversely affect any endangered wildlife species, unique natural resource or historic landmark within the impact area.

*Suggested approach: Provide a robust analysis of wildlife habitat, including migration or movement corridors, and species with potential to occur in the Project area. Conduct a Class I cultural resource inventory. Coordinate with Colorado Parks and Wildlife, U.S. Fish and Wildlife Service, and the Colorado State Historic Preservation Officer, as appropriate. Alamosa County solicits and values input from cooperating agencies and other stakeholders when evaluating new Project proposals.*

p) The nature and location or expansion of the facility, including expected growth and development related to the operation and provision of service, will not significantly deteriorate air quality in the impact area;

*Suggested approach: Dust and particulate matter is an issue in the San Luis Valley, as are high wind speeds. Evaluate the current air quality in the Project area and potential impacts. Estimate dust and how it will be avoided, minimized and mitigated.*

q) The geological and topographic features of the site are adequate for all construction, clearing, grading, drainage, vegetation, and other needs of the facility construction or expansion;

*Suggested approach: Provide a Drainage Plan, Grading Plan, Reclamation Plan, and any other analyses applicable to Project construction, reclamation and decommissioning.*

r) The existing water quality of affected state waters will not be degraded below state and federal standards or established baseline levels;

*Suggested approach: Discuss any anticipated impacts to water quality of affected state waters. Develop a Stormwater Management Plan and obtain relevant permit(s) from the Colorado Department of Public Health and Environment.*

s) The benefits of the proposed developments outweigh the losses of any natural resources or reduction of productivity of agricultural lands as a result of the proposed development.

*Suggested approach: Discuss the potential of the Project to degrade natural resources in the area. Discuss the potential of the Project to reduce productivity or recovery of agricultural land health. Describe operational practices that will add to productivity and agricultural products. Describe the benefits of the Project to natural resources, if any. Consider implementing and describing incorporation of agrivoltaics in Project revegetation.*

2) The Permit Authority shall deny the permit if the proposed development does not meet all of the criteria in subsection (1) of Section 6.304.

Permitting Process and Requirements for a Solar PV Project- NextEra Alamosa Solar Project						
HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility						
Code Reference			STEP 1: Preliminary Application	Present in application?	Sufficient?	Suggested Action
(1)	(a)		Application Form:			
		(i)	A completed application form;	Partially	Partially	Please attach the submission requirements for a preliminary application as required by Alamosa County 1041 Section 6.303.
		(ii)	Description of proposed facility and site;	Yes	Partially	Please confirm if an O&M building will be a part of the facility. If so, please provide details in the preliminary and final applications. -Provide additional specificity on fencing: perimeter fencing, substation fencing, BESS fencing, etc. -Provide additional and improved description of fire containment and safety for the BESS.
		(iii)	Description of present use and zoning.	No	No	Please confirm the present use and zoning of the Project land parcels.
		A	Location Map showing proposed site and clearly indicating the relationship of the site to the surrounding area within 50 miles from site (power plant) 10 miles for other facility	Yes	Yes	Both 10 and 50 mile Project Maps are present in Attachment B.
		B	Type of Facility- Specify Where Applicable:			
			1 Approximate floor space of office building	No	No	Please add the approximate floor space of any anticipated office buildings. If these will not be present, state so in the application.
			2 Voltage and length of transmission line	Yes	Yes	Interconnection will be 150 feet long and 115 kV.
			3 Power source and generating capacity	Yes	Yes	600 MW solar photovoltaic generation facility.
			4 Function and size of substation	No	No	Please add a description of the function and size of the existing substation.
			5 Diameter and length of pipeline	No	No	Please add the diameter and length of any anticipated pipelines. If these will not be present, state so in the application and submit a waiver request.

Permitting Process and Requirements for a Solar PV Project- NextEra Alamosa Solar Project							
HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility							
Code Reference				STEP 1: Preliminary Application	Present in application?	Sufficient?	Suggested Action
			6	Capacity of storage tanks, and type of petroleum derivative to be stored	No	No	Please add the capacity of storage tanks, and type of petroleum derivative to be stored. If these will not be present, state so in the application and submit a waiver request.
			7	Service area	No	No	Please clarify who would purchase the power and describe the service area where the electricity will be used (i.e., PSCo's service area) to the extent this information is known. This can be accomplished in the narrative or with a map.
			8	Resource area (e.g. source of power being generated or transmitted, source of petroleum derivative being transported).	No	No	Please describe the resource area for the Project.
			C	Proposed Development Schedule:			
			1	Estimate maximum number of employees, number of shifts and employees per shift during the following phases: construction, operation and maintenance	Yes	Partially	Please estimate the number of shifts and employees per shift during construction and operation and maintenance. Also estimate the maximum number of employees during operation and maintenance.
			2	Specify any future phases or extensions of the facility and relationship of the facility to larger programs and plans.	No	No	Please specify any future phases or extensions of the facility and relationship of the facility (if currently foreseen) to larger programs and plans.
			3	Specify timetable for planning (e.g. federal permits, state permits, local zoning, etc.)	No	No	Please list permits other than the 1041 Permit that may be required for the Project and the timetable for their approvals.
			4	Estimate beginning and completion of construction and beginning of operation of facility.	Yes	Yes	The construction period will be from 2026-2028; Operations will commence Q3-Q4 2028.
			5	Describe support facilities (e.g., pollution control, parking areas, landscaping, etc.) to be provided	No	No	Please describe support facilities to be provided.
			6	Describe any feasible "non-structural" alternatives to meet the objectives of the proposed site selection and construction	No	No	Please describe any feasible "non-structural" alternatives to meet the objectives of the proposed site selection and construction.

Permitting Process and Requirements for a Solar PV Project- NextEra Alamosa Solar Project							
HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility							
Code Reference		STEP 1: Preliminary Application		Present in application?	Sufficient?	Suggested Action	
			D	Hazards and Emergency Procedures			
			1	Describe hazards, if any, of fire, explosion and other dangers to the health, safety and welfare of employees and the general public.	No	No	Please describe hazards, if any, of fire, explosion, and other dangers to the health, safety, and welfare of employees and the general public.
			2	Describe hazards, if any, of environmental damage and contamination due to materials used at or activities taking place at the proposed facility.	No	No	Please describe hazards, if any, of environmental damage and contamination due to materials used at or activities taking place at the proposed facility.
			3	Describe emergency procedures to be used in the event of fire, explosion or other event which may endanger the public health, safety and welfare.	No	No	It is stated that an Emergency Response Plan will be developed as part of the full 1041 permit application. Please provide the emergency procedures that will be discussed in the plan.
			4	Describe any prevalent natural hazards that will affect or be affected by development, and describe mitigating measures to be taken to reduce danger due to such natural hazards.	No	No	Please describe any prevalent natural hazards that will affect or be affected by development, and describe mitigating measures to be taken to reduce danger due to such natural hazards.