



**NextEra Energy Spud Valley project  
1041 Permit Application  
Waiver Request**

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**November 12, 2025 - BOCC 8:30 AM**

**LIST OF EXHIBITS**

1. STAFF REPORT
2. WAIVER REQUEST SPREADSHEET
3. PROJECT SITE PLAN
4. WAIVER REQUEST LETTER
5. PRELIMINARY APPLICATION FORM
6. PRELIMINARY APPLICATION RESPONSE SPREADSHEET
7. LOGAN SIMPSON WAIVER REVIEW
8. GIS NOTIFICATION AERIAL MAP
9. LIST OF NEIGHBORING PROPERTY OWNERS
10. PUBLIC NOTICE

**Alamosa County  
Land Use & Building Department  
1041 Permit Application from NextEra Energy**



**County Commission Meeting**

**Date:** November 12, 2025  
**RE:** Waiver Request for NextEra Energy Spud Valley project  
**Prepared By:** Richard Hubler, Land Use & Building Department Director

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**Background:**

Alamosa County requires a 1041 permit for site selection and construction of major facilities of a public utility. The Applicant, NextEra Energy has submitted a pre-application to develop a 600 Megawatt solar PV generation and 600 Megawatt battery energy storage system (BESS) facility with associated electrical interconnection facilities to the existing PSCo/Excel substation adjacent to the project site. The project site is adjacent to the Whetstone (formerly Cogentrix/Kepeco) solar plant and stretches between Lane 1 N and Lane 3N, and between County Rd 104 and County Rd 107. The roughly 4 square mile site is approximately 6 miles northwest of the City of Alamosa and 3 miles southwest of the Town of Mosca. The project site comprises between 1812 and 2578 acres of leased land on fifteen parcels with 10 different owners, most of which is currently fallowed agricultural land previously under center pivot irrigation.

The county is no longer assuming certain waiver requests for solar projects, due to the changed development paradigms from 2009, but allows an applicant to request waivers to submittal items they feel are not appropriate. The letter describing accompanying the waiver checklist notes that the project will not include pipelines or petroleum storage, which is common for solar power plants. The letter also states that the project will not impact or be impacted by atmospheric conditions, slope issues, or groundwater, and concludes that they know of no management alternatives to the proposed project.

**Recommendations:**

The Applicant has requested our most of what we commonly see in waiver requests, as these submittal criteria tend not to apply to solar developments, or require data that is difficult to obtain. Staff believes that several of these submittal requirements or of limited current value to the county's consideration of and application, and is evaluating them during our regulation update process.

Since receiving the attached request, conversations with the Applicant have confirmed they are considering an on-site operations and management structure, so will be making that decision as they move forward and will address the relevant water and septic details in their upcoming submittals. Staff strongly supports onsite O&M facilities for all BESS developments, as these will benefit from a local presence, and the water infrastructure necessary to support staff can also be integrated to support on-site fire water storage for emergency response.

EXHIBIT 2



Permitting Process and Requirements for a Solar PV Project  
 HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility

SUBMISSION REQUIREMENT WAIVER CHECKLIST FOR SOLAR PV GENERATING FACILITIES.							
Note to Applicant		Mark YES in Column A for any submission requirements you wish to be waived. The Board of County Commissioners will rule on your request following a Public Hearing at a regular meeting. <u>Your attendance at this meeting is required.</u>		A	B	C	Notes
Code Citation		Submission Requirement		Waiver Requested (by Applicant)	Staff Recommendation	Waiver Granted (by County)	Notes
(1)		<b>STEP 1: Preliminary Application</b>					
	(a)		Application Form				
		(i)	A completed application form				
		(ii)	Description of proposed facility and site				
		(iii)	Description of present use and zoning				
		A	Location Map showing proposed site and clearly indicating the relationship of the site to the surrounding area within 50 miles from site				
		B	Type of facility: - specify where applicable				
			1 approximate floor space of office building	X	NOT RECOMMENDED		APPLICANT CONSIDERING O&M FACILITY
			2 voltage and length of transmission line				
			3 power source and generating capacity				
			4 function and size of substation				
			5 diameter and length of pipeline	X	RECOMMENDED		NOT APPLICABLE
			6 capacity of storage tanks, and type of petroleum derivative to be stored	X	RECOMMENDED		NOT APPLICABLE
			7 service area				
			8 resource area (e.g. source of power being generated or transmitted, source of petroleum derivative being transported)				
		C	Proposed Development Schedule				
			1 Estimate max number of employees, number of shifts and employees per shift during the following phases: construction, operation and maintenance				
			2 Specify any future phases or extensions of the facility and relationship of the facility to larger programs and plans.				
			3 Specify timetable for planning (e.g. federal permits, state permits, local zoning, etc.)				
			4 Estimate beginning and completion of construction and beginning of operation of facility.				
			5 Describe support facilities (eg pollution control, parking areas, landscaping, etc.) to be provided				
			6 Describe any feasible "non-structural" alternatives to meet the objectives of the proposed site selection and construction				
		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				
			2 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				
			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				

Code Citation		Submission Requirement	Waiver Requested (by Applicant)	Staff Recommendation	Waiver Granted (by County)	Notes
(2)		<b>STEP 2: Final Application</b>				
(a)		At the time of making final application, all applicants shall submit 5 copies of the following documents and information:				
	(i)	Delineation of Base Area (that area likely to be subject to land use changes as a result of the project)				
		A Map of Base Area; describe how the determination was made.				
		B Map of Special Districts (schools, fire, water sanitation, etc.) affected by the proposal.				
	(ii)	Delineation of impact area (that areas whose physical and socio-economic environment is likely to be impacted, beneficially and adversely, by the site selection and construction of the proposed facility)				
	(iii)	Objectives of the proposed site selection and facility				
		A Describe the relationship of project to local land use policies and comprehensive plans and to policies and plans adopted or under preparation by federal, state and other affected local government agencies.				
		B Describe the relationship of the project to other existing and planned utility facilities of similar nature, other communication or energy generation and transmission facilities, local government capital improvement programs, and special district expansion programs.				
	(iv)	Description of need for project				
		A briefly describe why the public convenience and necessity require the facility of the size and nature proposed be constructed on the site proposed.				
		B sources of demographic and economic data and method of analysis				
		C market function (ie. What user needs and patterns will project fulfill.)				
	(v)	Description of support facilities needed				
		A Type of water quality control				
		1 Describe proposed sewage treatment facilities and nonpoint source controls.	X	NOT RECOMMENDED		APPLICANT CONSIDERING O&M FACILITY
		2 describe pollutant loads (point and non-point sources) expected directly from development. Specify seasonal variations.				
		B Public services and facilities				
		1 Estimate police and fire protection requirements				
		2 Estimate public road maintenance requirements				
		3 Estimate educational and health services requirements				
		4 Estimate facilities and service required to provide adequate water supply and sewage treatment	X	NOT RECOMMENDED		APPLICANT CONSIDERING O&M FACILITY
	(vi)	Description of employment and economic opportunities				
		A Describe Capital Investment in facility				
		B Estimate anticipated revenues to local, state and federal governments, special districts				
		C Describe employment opportunities				
		1 Types of jobs and number of positions, wage, salary schedule				
		2 Opportunities for employment of local citizens				
		3 Employment opportunities for low income and minority populations				
	(vii)	Description of visual conditions (base area)				
		A Map area within view of project				
		B Map access and travel routes, public areas, residential areas that will have a view of the project				
	(viii)	Description of noise conditions(base area)				
		A Describe and map possible expected noise levels by immediate and future facility operations				
	(ix)	Description of socio-economic environment (impact area)				
		A Characteristics of the existing population				
		1 Age, income level and distribution, education, social background, family size, etc				
		2 Neighborhood and distinct socio-economic groups				
		3 Migrational trends and seasonal fluctuations				
		4 Anticipated population changes				

Code Citation		Submission Requirement	Waiver Requested (by Applicant)	Staff Recommendation	Waiver Granted (by County)	Notes	
	B	Current employment					
	1	Principal employers, type, number of employees					
	2	Unemployment and under employment					
	3	Characteristics of local labor pool					
	4	Manpower training and retraining potential					
	C	Inventory local governments and special districts providing services in base area					
	1	Map jurisdiction and type of service					
	2	Capacity and utilization of services					
	3	Operating revenue and expenditures					
	4	Tax Base					
	5	Current level of taxation					
	6	Estimate revenue generating capacity and identify potential new sources of revenue					
	D	Housing					
	1	Current housing inventory					
	2	Projected housing requirements					
	E	Existing Transportation Network					
	1	Access to site					
	2	Circulation within base area and commuting patterns in impact area					
	3	Capacities of arterial streets within impact area					
	4	Maintenance provisions and costs					
	F	Description of historical and archaeological resources					
	1	Describe historical and archeological sites by means of completing state inventory forms and submit these to the State Historical Society for Evaluation					
	2	Describe resources individually and as the relate to the community, include photos wherever possible					
	(x)	Description of atmospheric conditions (impact area)					
	A	Meteorology (based on worst-case winter conditions)	X	RECOMMENDED		FACILITIES WILL BE CONSTRUCTED TO ALAMOSA COUNTY DESIGN CONDITIONS FOR WIND AND SNOW AND WILL NOT BE IMPACTED BY ANY PARTICULAR ATMOSPHERIC CONDITIONS	
	1	Wind speed and direction	X	RECOMMENDED			
	2	Inversion height	X	RECOMMENDED			
	3	Atmospheric stability	X	RECOMMENDED			
	B	Topography					
	1	Describe general and outstanding topographic feature in project area (maps and aeriels)					
	C	Background ambient air quality (TSP, SO2, HC, CO, Nox, O3, etc.)					
	(b)	At the time of final application, applicants seeking a permit for the site selection and construction of transmission lines or substations shall submit, in addition to those requirements set forth in					
	(i)	Description of geologic and pedologic conditions of base area					
	A	Map of Bedrock and surficial geology					
	B	Map and describe areas of:					
	1	Avalanches	X	RECOMMENDED		NOT APPLICABLE	
	2	Mud flows and debris fans	X	RECOMMENDED		NOT APPLICABLE	
	3	All types of unstable or potentially unstable slope					
	4	Special seismic considerations	X	RECOMMENDED		NOT APPLICABLE	
	5	Areas of high radioactivity	X	RECOMMENDED		NOT APPLICABLE	
	6	Ground subsidence	X	RECOMMENDED		NOT APPLICABLE	
	7	Expansive soil and rock					
	8	Other geologic conditions which are pertinent					
	C	Map extent of 100-year flood plain if present					
	D	Map topography in adequate detail to determine adequacy of design					
	E	Map and evaluate mineral and energy resources					
	F	Map and evaluate agricultural resources					
	(ii)	Description of biotic conditions (impact area)					
	A	Map plant communities					
	1	Characteristics, quantity, productivity of plant types					
	2	Endangered or threatened plant species					
	3	Evidence of past disturbances and current indications of stages in ecological succession					
	B	Wildlife (terrestrial)					
	1	Determine species present, seasonal occurrence, status and relative importance					
	2	Map distribution of species					
	3	Map biological features (migration routes, breeding grounds, etc.)					
	4	Identify species included on official federal or state list of endangered or threatened species					
	5	Identify species that are unique in their Colorado distribution					

Code Citation				Submission Requirement	Waiver Requested (by Applicant)	Staff Recommendation	Waiver Granted (by County)	Notes
			C	Wildlife (aquatic)				
			1	Identify species present				
			2	Map streams, lakes and reservoirs which provide or have potential for habitat				
			3	Map biological features (spawning runs, spawning beds, etc.)				
			4	Identify any endangered species (federal or state) or any which are unique in their Colorado distribution.				
(c)				At the time of final application, applicants seeking a permit for pipelines or storage areas shall submit, in addition to those requirements set forth in subsection (a) and (b) of this Section, 5 copies of the following documents and information:				
	(i)			Description of hydrologic conditions - surface (impact area)				
		A		Provide map of all surface water				
		B		Describe expected monthly streamflows for typical year, wet year, dry year (include 7 day-10 year low flows where sufficient data exists)				
		C		Describe physical stream features (gradient, velocity, depth, etc.)				
		D		Provide data on chemical and biological quality, including BOD, dissolved O2, free CO2, PH, TDS, ph-th alkalinity, MO alkalinity, NH4, heavy metals and other toxic or deleterious substances.				
	(ii)			Description of hydrologic conditions - subsurface (impact area)				
		A		Map all aquifers that may be affected by project	X	RECOMMENDED		ALAMOSA COUNTY IS FAMILIAR WITH GENERAL GROUNDWATER CONDITIONS IN THIS AREA AND STAFF BELIEVES THE PROJECT WILL NOT IMPACT OR BE IMPACTED BY GROUNDWATER CONDITIONS ON THE PROJECT SITE
		B		Provide tables, graphs, map showing permeability, transmissibility, thickness, volume, depth of aquifers.	X	RECOMMENDED		
		C		Describe geology of strata overlying aquifers including percolation rates, travel time to groundwater surface.	X	RECOMMENDED		
		D		Map of all wells using aquifers including diameter, flow rates.	X	RECOMMENDED		
(d)				At the time of final application, applicants seeking a permit for the site selection and construction of a power plant shall submit, in addition to those requirements set forth in subsections (a), (b), and (c) of this Section, 5 copies of the following documents and information:				
	(i)			map locating and describing resource areas to be utilized as sources of energy				
	(ii)			description of water system proposed:				
		A		Source of supply, volume and rate of flow at full development				
		B		Water rights owned or utilized				
		C		Proposed points of diversion and changes of points of diversion				
		D		Volume of stream flow to remain unused between points of diversion				
		E		Dependability of supply (physical and legal)				
		F		Effects on downstream users				
	(iii)			Description of air pollution control measures	X	NOT RECOMMENDED		APPLICANT SHOULD DISCUSS WHY AIR POLLUTION CONTROL IS NOT REQUIRED. WE HAVE SPECIFICALLY INCLUDED COLORADO APEN PERMITS AS A CONDITION FOR OTHER PROJECTS.
(e)				At the time of final application, all applicants shall submit an analysis of impacts as follows:				
	(i)			Summarize the major natural and socio-economic environmental constraints as they affect the site selection and construction of the facility as proposed.				
	(ii)			Describe present utilization of land, water, air, biotic, geologic and socio-economic resources within impact area as applicable to submission requirements.				
	(iii)			describe alternative uses for these resources				
	(iv)			Analyze effects of proposed site selection and construction upon the natural and socio-economic environment of the impact area as applicable to submission requirements.				
		A		Provided analysis of hydrologic, atmospheric, geologic, pedologic, biotic, visual and noise impacts				
		B		Provide surface and subsurface drainage analysis				
		C		Provide socio-economic impact analysis				
		D		Provide transportation impact analysis				
		E		Provide analysis of impacts upon agricultural productivity and ag resources				
	(v)			Analyze long-term effects of the proposed site selection and construction upon the physical and socio-economic development of the impact area				
	(vi)			Justify the proposed site selection and construction against the present and alternative uses of the resources in the impact area				
	(vii)			Describe a program to minimize and mitigate adverse impacts and to maximize the positive impacts of the proposed site selection and construction.				

Code Citation				Submission Requirement	Waiver Requested (by Applicant)	Staff Recommendation	Waiver Granted (by County)	Notes
			A	Analyze alternatives				
			1	Alternative locations and routes				
			2	Alternative types of facilities				
			3	Use of existing rights-of-way				
			4	Joint use of rights of way with other utilities				
			5	Upgrading of existing facilities				
			B	Analyze non-structural alternatives as applicable				
			1	Conservation of energy use				
			2	No development				
			C	Analyze management alternatives (ie development scheduling, training programs, facility design, land trades, etc.)	X	RECOMMENDED		APPLICANT HAS STATED THAT THERE ARE NO KNOWN MANAGEMENT ALTERNATIVES FOR THE PROJECT OR SITE
			D	Analyze air and water pollution control alternatives	X	NOT RECOMMENDED		APPLICANT SHOULD PRESENT EVIDENCE TO SUPPORT LACK OF AIR POLLUTION RELATED TO SOLAR AND BESS AND JUSTIFY WHY POLLUTION CONTROL ALTERNATIVE ARE NOT BEING PURSUED OR ARE NOT APPLICABLE.
			E	Analyze design alternatives (access, landscaping, architectural controls)				
			F	Submit a program to meet "front end" costs of providing necessary services and facilities				
				Other Requirements or Permits prior to Construction				
			1	National Pollutant Discharge Elimination System (NPDES) Permit for storm water management from the CO. Dept. of Health and Environment				
			2	Alamosa County Culvert and Access Permit				
			3	Alamosa County Building Permit				
			4	Alamosa County ROW License for Transmission Lines				





October 3, 2025

Richard Hubler  
Land Use Administrator  
8999 Independence Way #100  
Alamosa County, Colorado 81101

RE: 1041 Application Waiver Request for the Spud Valley Project

Dear Mr. Hubler,

NextEra Energy is advancing preparation of the 1041 Permit Application for the Spud Valley project, previously referred to as the Alamosa County Solar Project and subject of the preapplication meeting between NextEra and Alamosa County on August 19, 2025.

As currently conceived, the Spud Valley Project would encompass up to 1,812 acres on leased, private lands. The proposed facility will be capable of producing up to 450 megawatts alternating current (MWac) energy and will also include a battery storage project, capable of storing up to 600 MW of energy.

NextEra would like to formally request Waiver for the Spud Valley Project from specific code requirements, per the attached table. The Spud Valley Project will not include pipelines, petroleum storage tanks, generation or treatment of sewage, cause impact to or from atmospheric conditions such as wind speed and meteorology, or, cause impact to or from avalanches, mud flows, unstable slopes, seismic activity, areas of radioactivity, or subsistence. Additionally, the project is not anticipated to impact groundwater resources or the aquifer underlying the project site. The project is not anticipated to require air pollutant measures. Finally, there are no known management alternatives applicable to the project.

Please don't hesitate to reach out should you have any questions or concerns;

Sincerely,

*Ash Moore*

Ash Moore  
Project Director  
NextEra Energy Resources  
[Ashard.Moore@nexteraenergy.com](mailto:Ashard.Moore@nexteraenergy.com)  
Mobile: 919.780.3462

APPLICATION FOR A PERMIT TO CONDUCT A  
DESIGNATED ACTIVITY OF STATE INTEREST  
OR TO ENGAGE IN DEVELOPMENT IN A  
DESIGNATED AREA OF STATE INTEREST

To: Land Use and Development Permit Authority, Alamosa County

Re: 1041 Preliminary Application for Alamosa Solar Project

As a matter of state interest,

From:

Ash Moore  
Project Director  
NextEra Energy Resources  
Email: [Ashard.Moore@nexteraenergy.com](mailto:Ashard.Moore@nexteraenergy.com)  
Phone: 919.780.3462

Date Submitted: 08/18/2025

Date Received and Accepted as Complete:

1. Matter of State Interest

The applicant requests that a permit be issued for each of the items checked below:

A permit to conduct one or more of the following matters of state interest:

- Efficient Utilization of Municipal and Industrial Water Projects
- Development in Areas Containing or Having a Significant Impact upon Natural Resources of Statewide Importance
- Major New Domestic Water Treatment System or Major Extension of Such Systems
- Major Facilities of a Public Utility

2. Proposed Activity or Development.

General description of the specific activity or development proposed:

The Alamosa Solar Energy Project is proposed as a maximum 600 megawatts (MW) solar photovoltaic generation facility with a maximum 600 MW Battery Energy Storage System (BESS) on 2,578 acres of private land (Attachment A – Site Plan). The project would include interior roads, solar panels, racking infrastructure, an underground collection system, collection substation, and overhead generation transmission tie-in line.

The project plans to interconnect with an existing 115 kilovolt (kV) substation owned by Public Service Company of Colorado (PSCo) doing business as Xcel Energy, approximately 150 feet from the project boundary.

The project is located on historically irrigated lands, adjacent on three sides to the existing Alamosa CPV Solar Project, owned and operated by Solar of Alamosa LLC.

Primary access may be off of Colorado State Highway 17 or U.S. Route 285, depending on County and Community preference.

### 3. Project Location

The Project area is located approximately one mile north of Stanley Road, 2.5 miles west of Colorado State Highway 17, and 10 miles east of U.S. Route 285. Further, the area is located approximately 2.9 miles southwest of the Community of Mosca, 8.8 miles northwest of the City of Alamosa, and 10 miles east of the City of Monte Vista (Attachment B – Project Maps).

The Alamosa Solar Project would be located upon leased land in tax district 221, privately owned by the Schulz Family (Don R. Schulz and Sharron K. Schulz); Kruse Family (Mike and Barbara Kruse); Dwayne Catalano; Alfredo Torres; Mitchell Family Farms LLC; Cooley Property Investments, LLC; and, Cooley & Sons Excavating, Inc.

### 4. Legal Description.

The legal description, including the acreage, of the tract of land upon which the development or the activity is to be conducted, by metes and bounds or by government survey description (attach additional sheets if necessary):

*Lands Underlying Project Area:*

Parcel	Owner	APN	Location	Size (acres)
1	Don R. and Sharron K. Schultz	513526100002	NW ¼ of Section 26, Township 39 North, Range 9 East, Alamosa County, Colorado, being part of Lots 6 and 13, All of Lots 7-12, Block 2; All of Block 3; and Part of Lots 8 and 17, and All of Lots 9-16, Block 4, Sangre De Cristo Estates Unit 20.	160
2	Dwayne Catalano	513523300049	SW ¼ of Section 23, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado	160
3	Michael and Barbara Kruse	513524300236	SW ¼ of Section 24, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado	160
4	Barbara Kruse	513524400241	SE ¼ of Section 24, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado	160
5	Mike and Jim Kruse Partnership	513525400001	SE ¼ of Section 25, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado, Sangre De Cristo Estates BLKS 4 & 5 UNIT 19	160
6	Alfredo Torres	513524200235	NW ¼ of Section 24, Township 39 North, Range 9, Alamosa County, Colorado	160
7	Alfredo Torres	513524100240	NE ¼ of Section 24, Township 39 North, Range 9, Alamosa County, Colorado	160
8	Alfredo and Jennifer Torres	513525100183	NE ¼ of Section 25, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado	148.31
9	Mitchell Family Farms, LLC	513523100129	NE ¼ of Section 23, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado	160
10	Mitchell Family Farms LLC	513523400130	SE ¼ of Section 23, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado	160
11	Cooley Property Investments, LLC (James	513525200001	NW ¼ of Section 25, Township 39 North, Range 9 East, NMPM, Alamosa County, CO; Specifically, Sangre De Cristo	160

	W. and Donna L. Cooley)		Estates, all of Blocks 1 and 5, Unit 20	
12	Cooley Property Investments, LLC (James W. and Donna L. Cooley)	513517000004	SW ¼ of Section 25, Township 39 North, Range 9 East, NMPM, Alamosa County, Colorado	164.64
13	Cooley & Sons Excavating, Inc	513719200094	W ½ Section 19, Township 39 North, Range 10 East, NMPM, Alamosa County, CO	320
14	Cooley & Sons Excavating, Inc	513719100051	NE ¼ Section 19, Township 39 North, Range 10 East, NMPM, Alamosa County, CO	160
15	Cooley & Sons Excavating, Inc	513719400082	SE ¼ of Section 19, Township 39 North, Range 10 East, NMPM, Alamosa County, Colorado	160

## 5. Owners and Interests.

Boulevard Associates LLC, a wholly owned subsidiary of NextEra Energy has entered into lease agreements with the underlying landowners of the project, per the lease and easement agreements included in Attachment C. These agreements are recorded in the Alamosa County Clerk and Recorder's Office.

### Attachment C – Lease and Easement Agreements

## 6. Project Schedule.

Siting Process and Lease Agreements: 2024

Site Studies/Land Use Analysis/1041 Permit: 2024 - Q1 2026

Final Design/Building Permit: Q2 2026

Construction Period: 2026-2028

Commercial Operation Date: Q3-Q4 2028

Operational Life Span: 45 years

During the active construction windows, there will be an estimated 200 construction workers on average and 450 construction workers at peak of construction (6-9 month period).

#### 7. Hazards and Emergency Procedures

The Applicant will design and develop the project in compliance with all federal, state and local regulations and codes. The Applicant will consult with the Fire Department and address project concerns in an Emergency Response Plan, which will be developed and submitted to Alamosa County as part of the full 1041 Permit Application.

APPLICANT:

By: Ash Moore

#### *Attachments:*

Attachment A. Site Plan

Attachment B. Project Maps

Attachment C. Solar Lease and Easement Agreements

EXHIBIT 6

Permitting Process and Requirements for a Solar PV Project- NextEra Spud Valley (Previously Alamosa) Solar							
HB1041 Regulations Chapter 6.303: 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/ Comment	Notes from NextEra Waiver request submitted 10/3/2025	
(1)	(a)	<b>Application Form:</b>					
	(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	<b>Type of facility: - specify where applicable:</b>					
		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.	Waiver requested	
		2 Voltage and length of transmission line	Yes	Yes	Interconnection will be 150 feet long and 115kV.		
		3 Power source and generating capacity	Yes	Yes	600MW 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.	Waiver requested	
		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.	Waiver requested	
		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	<b>Proposed Development Schedule:</b>					
		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 (if currently foreseen) 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.		
	D	<b>Hazards and Emergency Procedures</b>					
		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.		

EXHIBIT 7



L O G A N S I M P S O N

213 Linden Street, Suite 300 | Fort Collins, Colorado 80524  
Phone: 970.449.4100 | www.logansimpson.com

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:** November 7, 2025  
**Project Name:** NextEra Spud Valley Solar Energy Project  
**Subject:** Applicant Waiver Request Review

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We have reviewed the waiver request of the Spud Valley Solar Energy Facility submitted by NextEra Energy on October 3, 2025.

Please see below in **Table 1** for the summary of our response to each waiver requested ahead of the final application submittal by the Applicant.

<b>Table 1: HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility</b>						
<b>Spud Valley Solar Project</b>		<b>Submission Requirement Waiver Checklist for Solar PV Generating Facilities</b>		<b>A</b>	<b>B</b>	<b>C</b>
<b>Code Citation</b>		<b>Submission Requirement</b>		<b>Waiver Requested (by Applicant)</b>	<b>Staff Recommendation</b>	<b>Waiver Granted (by County)</b>
<b>(2)</b>				<b>STEP 2: Final Application</b>		
	<b>(a)</b>			<b>At the time of making final application, all applicants shall submit 5 copies of the following documents and information:</b>		
		<b>(v)</b>		<b>Description of support facilities needed</b>		
			<b>A</b>	<b>Type of water quality control</b>		
			<b>1</b>	<b>Describe proposed sewage treatment facilities and nonpoint source controls.</b>	X	If there is no sewage treatment on site they can state so; not applicable
			<b>B</b>	<b>Public services and facilities</b>		
			<b>4</b>	<b>Estimate facilities and service required to provide adequate water supply and sewage treatment</b>	X	If there are no facilities for water supply or sewage treatment on site they can state so; not applicable
		<b>(x)</b>		<b>Description of atmospheric conditions (impact area)</b>		
			<b>A</b>	<b>Meteorology (based on worst-case winter conditions)</b>	X	Waiver was granted to previous applicants for atmospheric conditions; more relevant to wind
			<b>1</b>	<b>Wind speed and direction</b>	X	Waiver was granted to previous applicants for atmospheric conditions; more relevant to wind
			<b>2</b>	<b>Inversion height</b>	X	Waiver was granted to previous applicants for atmospheric conditions; more relevant to wind

Table 1: HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility									
Spud Valley Solar Project			Submission Requirement Waiver Checklist for Solar PV Generating Facilities		A	B	C		
Code Citation			Submission Requirement		Waiver Requested (by Applicant)	Staff Recommendation	Waiver Granted (by County)	Notes	
				3	Atmospheric stability	X			Waiver was granted to previous applicants for atmospheric conditions; more relevant to wind
	(b)				At the time of final application, applicants seeking a permit for the site selection and construction of transmission lines or substations shall submit, in addition to those requirements set forth in Subsection (a) of this Section, 5 copies of the following documents and information:				
		(i)			Description of geologic and pedologic conditions of base area				
			B		Map and describe areas of:				
				1	Avalanches	X			Waiver granted to previous applicants for solar
				2	Mud flows and debris fans	X			Waiver granted to previous applicants for solar
				4	Special seismic considerations	X			Waiver granted to previous applicants for solar
				5	Areas of high radioactivity	X			Waiver granted to previous applicants for solar
				6	Ground subsidence	X			Waiver granted to previous applicants for solar; applicant should confirm that areas of water will be avoided
	(c)				At the time of final application, applicants seeking a permit for pipelines or storage areas shall submit, in addition to those requirements set forth in subsection (a) and (b) of this Section, 5 copies of the following documents and information:				
		(ii)			Description of hydrologic conditions - subsurface (impact area)				

Table 1: HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility								
Spud Valley Solar Project				Submission Requirement Waiver Checklist for Solar PV Generating Facilities	A	B	C	
Code Citation				Submission Requirement	Waiver Requested (by Applicant)	Staff Recommendation	Waiver Granted (by County)	Notes
			A	Map all aquifers that may be affected by project	X			Applicant should confirm there are no aquifers in the area or justify the waiver request if there are aquifers/irrigation present near the Project site
			B	Provide tables, graphs, map showing permeability, transmissibility, thickness, volume, depth of aquifers.	X			Applicant should confirm there are no aquifers in the area or justify the waiver request if there are aquifers/irrigation present near the Project site
			C	Describe geology of strata overlying aquifers including percolation rates, travel time to groundwater surface.	X			Applicant should confirm there are no aquifers in the area or justify the waiver request if there are aquifers/irrigation present near the Project site
			D	Map of all wells using aquifers including diameter, flow rates.	X			Applicant should confirm there are no aquifers in the area or justify the waiver request if there are aquifers/irrigation present near the Project site
	(d)			At the time of final application, applicants seeking a permit for the site selection and construction of a power plant shall submit, in addition to those requirements set forth in subsections (a), (b), and (c) of this Section, 5 copies of the following documents and information:				
		(iii)		Description of air pollution control measures	X			Could the applicant consider the positive affects (reduction) of air pollution as a benefit of the solar project?
	(e)			At the time of final application, all applicants shall submit an analysis of impacts as follows:				

<b>Table 1: HB1041 Regulations Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility</b>									
<b>Spud Valley Solar Project</b>					<b>Submission Requirement Waiver Checklist for Solar PV Generating Facilities</b>	<b>A</b>	<b>B</b>	<b>C</b>	
<b>Code Citation</b>					<b>Submission Requirement</b>	<b>Waiver Requested (by Applicant)</b>	<b>Staff Recommendation</b>	<b>Waiver Granted (by County)</b>	<b>Notes</b>
				<b>C</b>	Analyze management alternatives (i.e. development scheduling, training programs, facility design, land trades, etc.)	X			Can the applicant state why they are not considering management alternatives for each item listed (feasibility, resources, etc)
				<b>D</b>	Analyze air and water pollution control alternatives	X			Can the applicant present evidence to support anticipated lack of air or water pollution relative to solar facilities. Justify why pollution control alternatives are not being pursued/ not applicable.

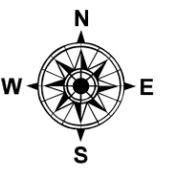
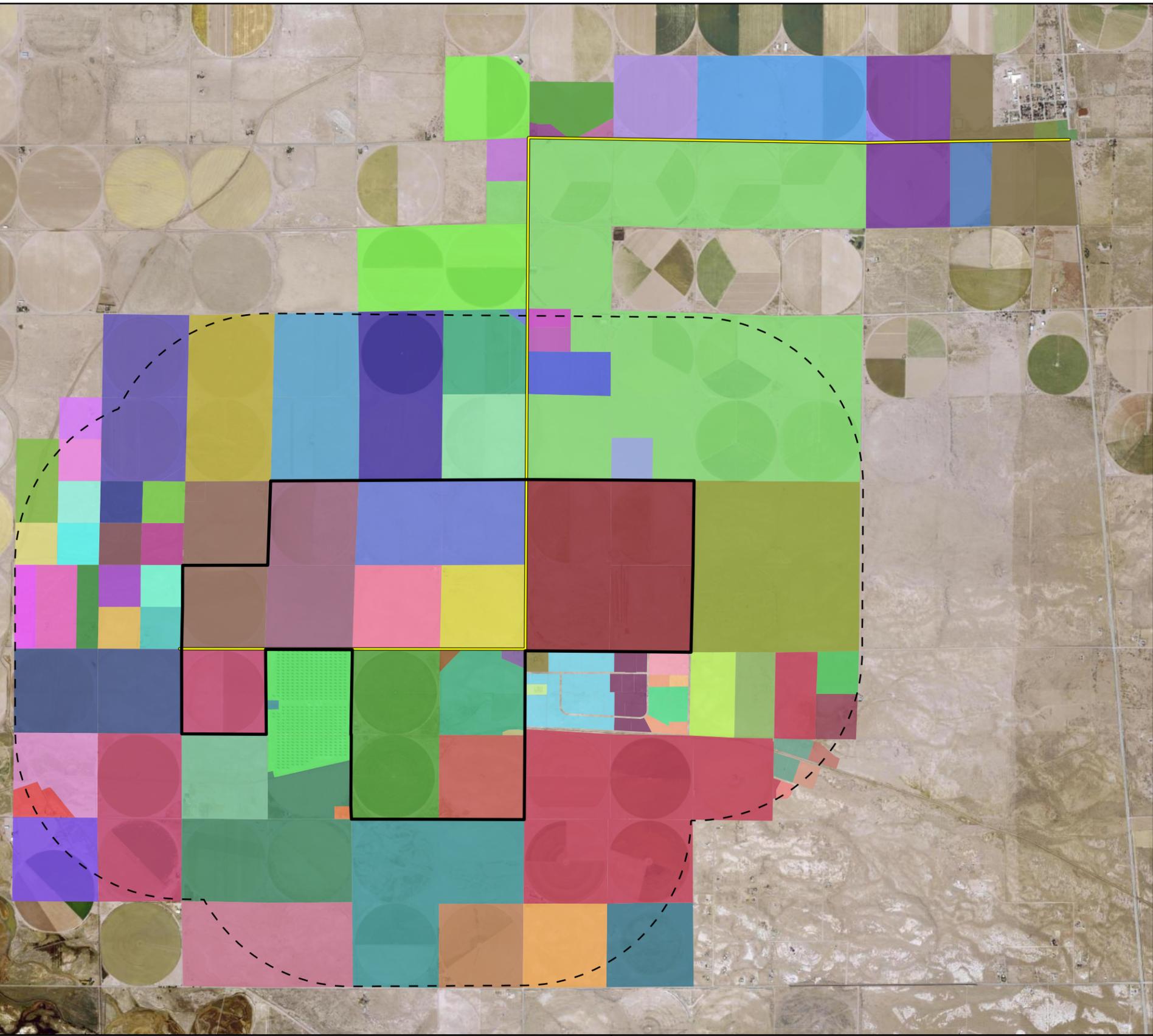
# EXHIBIT 8

**Legend**

- Boundary
- Potential Haul Route
- 1-Mile Radius

**Alamosa County Parcels**

- Alfredo & Jennifer Torres
- Alfredo Torres
- Annette & Judah Ostrander-Fenske
- Aracely & Nallely Franco-Ugarte
- Barbara Kruse
- Billi L. Blades
- CJ J Farms, LLC
- CJS Grazers and Growers, LLC
- COGENTRIX of Alamosa, LLC
- CQST, Inc.
- Chavoy Kellog
- Cloud Co Farms, LLC
- Coleen A. Johnson
- Cooley & Sons Excavating, Inc.
- Cooley Farms, Inc.
- Cooley Property Investments, LLC
- David R. & Shelia S. Bower
- Deira Delgado
- Diaz Family Farms LLLP
- Don R. & Sharon K. Schulz
- Don R. Schulz, Sharon K. Schulz, Shane C. Schulz, & Kate A. Stratton-Schulz
- Donald A. & Kathleen Mary Pratt
- Dorothy F. Velasquez
- Dwayne Catalano
- Ernest & Virginia New
- Farming Technology Corp.
- Gary D. & Janet L. Hansen
- Grant & Annie Nissen
- Harley Jay Nisly
- Hemant & Vanita Ghodake
- Hilario A. Martinez
- Jaclyn R. Gabbel
- James G. & Bobby J. Aldridge
- Jason Kirkpatrick
- Jason Kirkpatrick
- Jerry L. & Dawn Honeycutt
- John Galyen
- Joseph & Judy Donnelly Living Trust
- Joseph D. Huntzicker
- Joseph Summerill Correll Tripp
- Juana Alvarez Beltran
- Judy Jeffs
- Kelly Dean & Renee Lee Summers
- Kenneth Dean & Lindsay Elaine Getz
- Keven & Kimberlie Fringer
- Kimothy & Dee Ann Cooley
- Klecker Ranch, Inc.
- Lawrence Kyle McCoy
- Librado & Alicia Mancilla
- Lorraine Ann Hildebrandt
- Lyle E. & Viola S. Nissen
- MS Hooks Farms, LLC
- Margie Clemmer
- Michael & Barbara Kruse
- Mike & Jim Kruse Partnership
- Miller Interests LLLP
- Mirko & Laurelín Kruse
- Mitchell Family Farms, LLC
- Mohammed Alfahhad
- Myers Family Farm, LLC
- N/A
- Nissen Land LLLP
- Noble Property Holdings, LLC
- Palma Molinar & Enriquez Octavio
- Proverbs Real Estate, LLC
- Rio Alamosa Farm, LLC
- Rito Camacho & Ana C. Soto
- Rito Camacho Castillo
- Robert M. Kriegsmann
- Rodolfo Vialpando
- Roger D., Sandra C., & Roger D. Jr. Brown
- Roger Sr. & Roger Jr. Brown
- Sapphire Property Holdings, LLC & Grimmway Enterprise, Inc.
- Sarah Runion & Laura K. Wallrabenstein
- Sergio & Ernestine Perez
- Shannon Elizabeth Ruiz
- Shawn D. & Marcie L. Schulz
- Solid Ground Capital, LLC
- Stahl Farms, LLC
- The Mercurion Suladdin Revocable Trust
- The Mitchell Family Ag Production
- Thomas J. Currey & Cynthia Delange
- Venancio Beltran
- Wayne & Faye Brown
- White Mountain Farm, Inc.



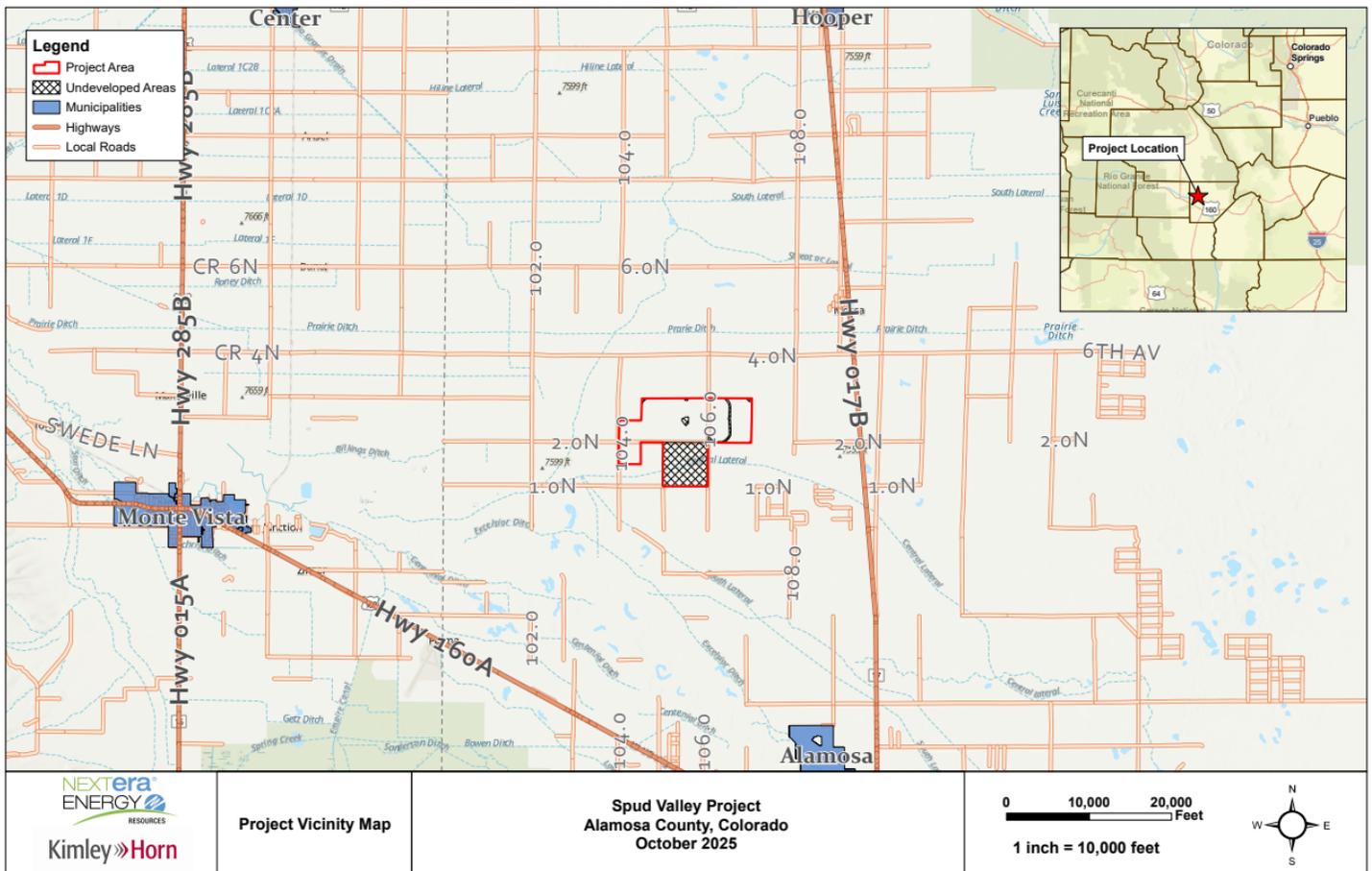
October 3, 2025

RE: Notice of Open House in Support of the Proposed Spud Valley Project

Dear Interested Party,

You are invited to attend an Open House to learn about and provide input into the proposed Spud Valley Project. Spud Valley LLC proposes to construct, operate and decommission the Spud Valley Project, a photovoltaic solar and storage facility and will be seeking a land use permit from Alamosa County in 2026.

The project would encompass up to 1,812 acres on leased, private lands. The project intends to minimize impacts to natural, cultural, and visual resources and adjacent landowners; and seeks to proactively address regional concerns. The proposed facility will be capable of producing up to 450 megawatts alternating current (MWac) energy and will also include a battery storage project, capable of storing up to 600 MW of energy.





The project plans to interconnect with an existing 115 kilovolt (kV) substation owned by Public Service Company of Colorado (PSCo) doing business as Xcel Energy, approximately 150 feet from the project boundary.

Spud Valley LLC, a wholly owned subsidiary of NextEra Energy Resources, welcomes your questions and input as part of the project development process. A local public open house with members of the project team is scheduled at the date, time, and location below:

## SPUD VALLEY OPEN HOUSE

*October 28, 2025*

4:00 PM – 6:00 PM

Alamosa Family Recreation Center

2222 Old Sanford Road

Alamosa, Colorado, 81101

In the event you are unable to attend the open house, you may still provide comments or questions to:

**Ash Moore**

Project Director

NextEra Energy Resources

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

Mobile: 919.780.3462

Review of this Project requires a public involvement process for the associated 1041 application. The Colorado 1041 regulations (Colorado Land Use Act) provide local governments the opportunity to control the planning process for activities of state interest, including construction of a solar facility. The complete 1041 regulations can be found under Section C.R.S. 24-65.1 of the Colorado State Statutes.

As part of the permit review process, Alamosa County will hold a Board of County Commissioners hearing for this project. You will be notified of the time and location of the public hearing as well as the county contact information and file number. An opportunity for you to provide public comment either in person at the hearing or in writing will be made available to you in a future notification.

Sincerely,

*Ash Moore*

Ash Moore

**ALAMOSA COUNTY NOTICE OF PUBLIC HEARING – NEXTERA SPUD VALLEY  
1041 SUBMISSION WAIVER REQUEST**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held during the Alamosa Board of County Commissioners Regular Meeting on **Wednesday, November 12, 2024** beginning at 8:30 AM, in the Alamosa County Services Center, 8900 Independence Way, Alamosa, Colorado. The purpose of this Public Hearing is to consider a petition to waive certain submission requirements related to an application by NextEra Energy to permit the site selection and construction of the Spud Valley Project Solar Energy Facility, a 450 MW solar PV generation and 600 MW Battery Energy Storage System BESS facility on 1,812 acres. This activity is regulated by Alamosa County HB1041 Regulations, Chapter 6: Regulations for Site Selection and Construction of Major Facilities of a Public Utility.

**The general legal description of the property is:** The NW 1/4 Section 26, the SW 1/4 and E 1/2 Section 23, all of Sections 24 and 25, Township 39 N, Range 9E and Section 19, Township 39 N, Range 10 E, all in County of Alamosa, State of Colorado.

Details regarding this application are available for public inspection in the Alamosa County Land Use Office at 8999 Independence Way Suite 100 during regular office hours. Questions can be addressed to Richard Hubler at 719-589-3812 or by email to [rhubler@alamosacounty.org](mailto:rhubler@alamosacounty.org).

Richard Hubler  
Land Use Administrator  
Alamosa County

Published in the Valley Courier October 11, 2025