

KERRY AND JACQUE HART

CR 62 110 South  
Alamosa, CO 81101

Phone: 719-587-3342  
Email: [hartline@gojade.org](mailto:hartline@gojade.org)

June 5, 2025

Mr. Richard Hubler, Director  
Alamosa County Land Use and Building Office  
8999 Independence Way Suite 100  
Alamosa, CO 81101

RE: Reactivate Solar Energy Facility Proposal

Dear Director Hubler:

In late April, shortly after receiving a letter from Reactive Developer, James Bentley, regarding the proposed RDC CO Stanley Rd. Solar Energy Facility, I had stopped by your office to make inquiry into this proposal. At that time, you suggested I contact Reactive directly to request communication regarding meetings and submit any questions I might have directly to Mr. Bentley. In light of a public meeting scheduled in Alamosa by Reactive for June 18, I write to provide you a reference of my experience with Reactive to this point.

Email attempts

On April 30, 2025 (in response to a letter from Reactive dated April 24) and again on May 14 (after receiving a second letter from Reactive dated May 14) I attempted to contact Reactive via the email address they provided in their "Dear Neighbor" letter. In both instances, the email bounced back with a note stating Reactive is not set up to accept my email address – [hartline@gojade.org](mailto:hartline@gojade.org))

Phone call attempts

Several attempts to contact Reactive by phone were unsuccessful. On May 3 and May 5, the phone call appeared to be blocked. I was able to leave a voice mail on May 26 and again on May 28, 2025. At the time of this writing, Reactive has been unwilling to return my call.

Mr. Bentley's verbiage in his written correspondence indicates Reactive's commitment to transparency, building community partnerships, and providing benefits to the communities in which they place solar facilities. I am puzzled by the disconnect between Mr. Bentley's words on behalf of the company he represents, and his company's dismissiveness and lack of transparency.

At this point, the information I'm sharing from my personal experience is for your reference as Reactive's application process proceeds.

With kindest regards,



Kerry Hart

## Richard Hubler

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**From:** Jacque & Kerry Hart <hartline@gojade.org> on behalf of Jacque & Kerry Hart  
**Sent:** Friday, June 20, 2025 10:54 AM  
**To:** amakali@reactivate.com; bentley@reactivate.com  
**Cc:** rhubler@alamosacounty.org; Jacque & Kerry Hart  
**Subject:** Follow-up

Dear Mr. Bentley and Ms. Amakali:

Thank you for your presentation of the proposed Reactivate projects in Alamosa last June 18. I write to follow-up with the conversation that was started at that community meeting and provide you with a context of my position and concerns that were raised at the meeting. I ask that you give consideration to the narrative that follows – speaking in my capacity as a property owner that will be directly impacted by the proposed project for the Stanley Road.

Before I highlight one of the concerns raised at the meeting, let me make it clear that I have no objection to solar energy and, indeed, I believe in the merits of solar energy as a viable source of alternative energy. However, I believe solar panels belong on rooftops of residential and business property – and not the large commercial enterprises that consume large swaths of land. And while I appreciate your intent and initiative to engage the community in your project proposal, let's be real: you are coming into Alamosa County to exploit the land for monetary gain.

My family roots in the San Luis Valley go back four generations. My wife, Jacque, and I have owned our current home since 1990 and raised three children in this house. We have chosen to live here primarily because of Jacque's health. This is one of the only climates in which Jacque can be reasonably healthy. Among her numerous health problems, she suffers from severe autoimmune issues that we believe was caused by exposure to pesticide more than 45 years ago that left her extremely vulnerable to chemicals. Jacque is currently under the care of two physicians: one local GP; and a specialist at CU Health in Denver. Both understand that it is critical that she not have exposure to any sort of chemical. This would include chemicals used to mitigate vegetative growth.

When I expressed my concern at the meeting about the use of chemicals to manage vegetative growth, you did not propose options or alternatives. Your rationale was that the chemicals would be confined to a small area. I found it perplexing that you made a point about imposing “no harm” to the native habitat – but the human habitat that has been here for a long time was dismissed. The truth is that there are other options besides chemicals and, indeed, the use of chemicals is not one of the best practices in solar farm projects -- notwithstanding the use of chemicals just happens to be a popular common use and its use is expeditious. While the circumstance with Jacque is personal, there is also a potential larger concern for the general population – e.g., studies have been done that demonstrate the contamination of ground water through the use of chemicals for managing vegetation in solar farms. Anecdotally, our once pristine ground water well went bad in 2010 due to chemicals, including excessive nitrates in the ground from increased agriculture in the San Luis Valley, compounded by a shrinking water table due to the drought. We had to have a new (and much deeper) well dug as a result.

If this project goes forward and the use of chemicals in your project becomes a contributing factor in Jacque's death; or otherwise contributes or exacerbates her current debilitating health problems, this correspondence will serve as notice that you were advised of this circumstance and these conditions prior to the approval and subsequent implementation of your project. Parenthetically, and for the record, Jacque and I are both in our 70s. Finding another location and moving where Jacque can be healthy would be very difficult (impractical, if not impossible) at this point in our lives.

In addition to my primary concern about the use of chemicals, I intend to compile a list of best practices in solar projects and juxtapose these with the regulations imposed by Alamosa County. Where I find gaps between your proposal and the best practices, I will present these in the public comment section of the Commissioner's meeting for the Commissioner's consideration before final approval for your project is granted. If I am forced to look at the monstrosity you are building outside my north-west facing windows for the rest of my life, I want to do what I can to make sure no corners are cut and that you exercise the utmost due diligence and attention to detail.

The best-case scenario I can envision is that you will find other options for the chemical use (and those options are out there and are being used), and that you will engage in cutting-edge best practices so that when we meet again at the Alamosa Commissioner's meeting, I won't have anything to contest.

Sincerely,

Kerry (and Jacque) Hart, Property Owners  
P.O. Box 1562  
Alamosa, CO 81101  
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719-992-4395 (cell)  
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September 11, 2025

Board of County Commissioners: Lori Laske, Arlan Van Ry, and Vern Heersink  
Alamosa County  
8900-A Independence Way  
Alamosa, CO 81101

RE: Commissioner's meeting on September 24, 2025 to address requested waivers to submittal Requirements for Reactivate's Solar PV Generation Facility per RDC CO Stanley RD LLC

Dear Commissioners Laske, Van Ry, and Heersink:

In response to the requested waiver being submitted to the Board of County Commissioners by Reactivate in regard to their proposed Solar PV Generation Facility per RDC CO Stanley RD LLC, I am offering this correspondence in lieu of my attendance at the Commissioner's meeting on September 24, 2025, in person, as I have a prior commitment that takes me away from Alamosa on the date of the hearing.

While I don't have specific concerns regarding the details of the requested waivers that will be presented on September 24, I would like to take this opportunity to ask the Board of County Commissioners to consider one very serious overriding personal concern before the application process for Reactivate's proposed Solar Generation Facility reaches you for final approval. I opine this specific concern is of such seriousness that it would warrant a denial of Reactivate's final approval of the project if it is not adequately addressed.

The concern I have is an issue that I brought to the attention of Reactivate's representative, James Bentley, and Reactivate's Vice President for Impact and Community Engagement, Cody Amakali -- in person at their June community engagement meeting in Alamosa -- and also in writing by email on June 20 following the June meeting (with a copy to Alamosa County Land Use Administrator, Richard Hubler). The issue is that my wife, Jacque, suffers from chronic autoimmune issues that are exacerbated by any exposure to chemicals. We have been in the San Luis Valley a long time and continue to live here primarily because this is an environment in which Jacque can be reasonably healthy. She is currently under the care of two physicians: one local and one specialist at CU Health in Denver, and both understand that it is critical she not have exposure to any sort of chemical. This would include chemicals used to mitigate and manage vegetative growth in Reactivate's solar farm. Such exposure could potentially contribute to her death and/or exacerbate her current debilitating health condition.

Notwithstanding Reactivate's awareness of this concern, I understand Reactivate has already initiated steps for contractual agreements with one who will spray chemicals at this solar site in order to manage the vegetative growth -- a site that is in close proximity to our residence.

There are other options that Reactivate can incorporate to manage vegetative growth besides the use of chemicals. Indeed, numerous organizations, including the USDA, list best practices in solar farm vegetative mitigation that don't even mention the use of chemicals. These other "best practices"

minimize soil disturbance in the construction phase, maximize soil cover with mulches and erosion control mats, they maximize living roots, and maximize a broad diversity of plant growth to help with the prevention of erosion, ground water contamination, etc. I won't belabor this correspondence with a list of best practices through the myriad of companies and organizations, as I'm confident Reactivate understands there are options available to them in the management of vegetative growth without the use of chemicals.

The request I make to avoid the use of chemicals for vegetative management in Reactivate's solar farm is reasonable and has no fiscal note attached. Briefly, this will not result in a cost to the County and, depending how Reactivate wants to address vegetative management without chemicals, the absence of chemicals will probably be more cost effective (according to the list of best practices used across the United States) – but will perhaps require Reactivate to exercise other options available to them instead of taking the easiest and most expedient approach.

In the paperwork submitted, Reactivate gave careful consideration to avoid the disturbance of a hawk nest on the solar farm property – notwithstanding the hawk cannot initiate litigation; nor can the hawk create a public relations problem of the first order for both the County Commissioners and Reactivate. While giving deference to the hawk, Reactivate ignored one or more of the concerns raised by the human residents living in close proximity to the proposed solar facility.

Let me emphasize again that the request I am asking the Commissioners to consider before final approval for this project is given, is a request to deny Reactivate's final approval for their proposed Solar PV Generation Facility per RDC CO Stanley RD LLC if Reactivate uses chemicals to manage vegetative growth at this site. As mentioned earlier, managing vegetative growth without the use of chemicals is a reasonable request for Reactivate, and causes no undue burden for the County. But for my family and me, this is a matter (potentially) of life and death.

Thank you for your consideration.

Sincerely,



Kerry Hart, Alamosa County Property Owner

C: Richard Hubler, Land Use Administrator  
James Bentley, Reactivate Representative  
Cody Amakali, Reactivate Vice President for Impact and Community Engagement

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November 17, 2025

James Bentley, Project Developer  
Cody Amakali, Vice President for Impact and Community Engagement  
Reactivate  
2045 W. Grande Ave., Ste B  
Chicago, IL 60612-1577

RE: Follow-up to November 12, 2025 community meeting regarding RDC CO Stanley Rd LLC

Dear Mr. Bentley and Ms. Amakali:

I write to follow up with one (ongoing) issue brought up at the November 12 community engagement meeting hosted by Reactivate – i.e., the use of chemicals in managing vegetative growth at the proposed solar energy facility located on the Stanley Road. This is an ongoing issue because Reactivate has failed to address the use of chemicals in a meaningful way since it was brought to your attention multiple times both verbally and in writing since June 19, 2025. Indeed, Ms. Amakali, at the November 12 meeting, you conceded that you had no idea what chemicals would be used at this facility – albeit you and Mr. Bentley made it clear that Reactivate intends to use chemicals to manage vegetative growth. Parenthetically, in light of the fact that you emphasized the chemicals would be administered by hand in strategic areas of the site, I opine a hand shovel can accomplish the same thing and, by this means, there would no longer be an issue.

While I know it is your prerogative to ignore the concerns I have expressed – both in the past and also at the November 12 meeting; and I know you have the freedom to choose and decide – as does the Board of Commissioners for Alamosa County – to implement whatever means of vegetative growth management you want, you will not have the freedom of choosing the consequences for your decisions if those decisions result in harm. Since my concerns have obviously fallen on deaf ears, let me give this one more attempt by speaking more plainly. The narrative that follows is for the benefit of both Reactivate and the Board of Commissioners for Alamosa County who are copied on this correspondence.

In 1979, my wife, Jacque, was 8 months pregnant with our second child and was drenched in pesticide as she was walking on a city sidewalk and a city truck (not Alamosa) drove past her, spewing pesticide for mosquito mitigation. When I expressed my concern to City officials, I was told, similar to your remarks at the November 12 meeting, Ms. Amakali, that the pesticide was harmless to animals and humans. In fact, I was told “you can drink it and it won’t hurt you.” The opposite turned out to be the case.

Jacque became profoundly ill shortly after this incident with a permanent, life-long chemical injury and there is no medical remedy. The chemical injury is at the foundation of the autoimmune issues that I brought to your attention since our first dialogue. Jacque has sought help from world-renowned physicians in reputable hospitals and clinics such as the Mayo Clinic in Scottsdale, AZ, and National Jewish Hospital in Denver. I mentioned in earlier correspondence that she is currently under the care of two physicians: one local and one at CU Health in Denver.

The only solution for Jacque’s chemical injury is to live in a location where there is no pollution and where she can and must avoid exposure to chemicals.

Compounding her initial injury is the fact that her sensitivity to chemicals has increased commensurate with her age. There have been instances where driving by a residential home (with our car windows rolled up) where the lawn has been (hand) sprayed for weeds resulted in Jacque being incapacitated for days.

The same holds true if driving by the Alamosa City golf course after the grass has been treated – again, even with the car windows rolled up. While the numerous instances of adverse reactions to chemicals used on vegetation are beyond the scope of this correspondence, Alamosa County still remains the best geographical environment we have found for Jacque’s overall health – and that’s the primary reason we live in our current location.

It is common for Jacque’s exposure to chemicals to result in ear infections – infections that are difficult to combat with antibiotics because the antibiotics often are toxic to her and she is extremely limited on the type and scope of antibiotic that will work. On two occasions, the ear infections were so severe that it resulted in mastoid bone infections that required surgery. After the second surgery, the surgeon told Jacque another mastoid infection could be fatal because the mastoid bone was now thin enough that the infection had a good chance of infecting the brain.

Chemicals that will be used at your solar site potentially expose Jacque 24/7 from the proximity of our home -- and even closer exposure as we drive by your site, which we do on a daily basis.

There are children and grandchildren watching to see if Reactivate and the Board of Commissioners for Alamosa County will value the life and well-being of their mother and grandmother over the monetary considerations of the solar site – especially when there are other viable options for vegetative growth management other than chemicals. And for me, as her husband, if your final decision is to use chemicals; and your project is approved by the Board of Commissioners for Alamosa County and, God forbid, the results of this decision result in harm to Jacque, I will respond aggressively but appropriately. There is an army of medical professionals familiar with Jacque’s condition -- both past and present -- that will be unified in their testimony if this matter were to end up in court.

I will say no more. You have had fair and ample advisement of the “human habitat” circumstances that have existed since 1990 in close proximity to your proposed solar facility site on the Stanley Road.

If you are listening to my concerns this time instead of just reading my correspondence as you remarked at the November 12 meeting, Mr. Bentley, I look forward to learning if the salutation you use on your written correspondence – i.e., “Dear Valued Neighbor” – is sincere and genuine.

Sincerely,



Kerry Hart, Alamosa County Property Owner

- C: Richard Hubler, Alamosa County Land Use Administrator  
Board of Commissioners for Alamosa County: Lori Laske, Arlan Van Ry, and Vern Heersink  
Utopia Hill, Reactivate CEO  
Matthew Ball, Reactivate General Counsel  
Caitlin Mixter, Reactivate Vice President for Corporate Operations