

# 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:** December 31, 2025  
**Project Name:** Haynach Solar Hybrid Project  
**Subject:** Final Application Response Review

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We have reviewed the final application responses of the Haynach Solar Hybrid Project 1041 Permit application submitted by Adapture Renewables, Inc. and Barr Engineering Company for compliance with the Alamosa County 1041 Guidelines and Regulations.

Logan Simpson originally performed a completeness review of the final application submittal on September 8, 2025 based on Alamosa County's 1041 Regulations Section 6.303, Submission Requirements, to identify where the final application omits materials to fully satisfy the County's 1041 Regulations. The findings are summarized below, along with the subsequent response received from the Applicant on October 31, 2025. A summary table of the County comments, the Applicant's response, and Logan Simpson's evaluation of the response is presented in Table 1. Applicant responses that could not be confirmed as written are highlighted in orange for the County's evaluation.

Logan Simpson then reviewed the Final Application and Applicant's response to comments for conformance with each of the 19 Alamosa County 1041 Permit Approval Criteria (Section 6.304).

## **6.303 SUBMISSION REQUIREMENTS FOR A FINAL APPLICATION**

This section notes items that were originally deemed to be incomplete in the final application, and the Applicant's responses or additional submissions to support the request.

**Table 1. Haynach Solar Hybrid Project- Final Application Response Summary Table**

Comment		Applicant Response	Logan Simpson Comments
Local / Regional Impacts	1 Code requirement 2.a.i: Please add discussion of how the site determination was made to the narrative.	Description of site determination provided by applicant.	<b>Applicant response acceptable-</b> Project was sited due to proximity to SLV substation, land was previously permitted for another solar project, and expansion of the transmission grid between SLV and Denver.
Local / Regional Impacts	2 Code requirement 2.a.iii.B: Please add discussion of the relationship of the Project to any special district expansion programs (or confirm that there are none present).	Applicant provided discussion of Special District expansion programs.	<b>Applicant response acceptable-</b> <i>Adapture reached out to the Alamosa County Fire Protection District, the Mosca-Hooper Volunteer Fire Department, the Mosca-Hooper Conservation District, and the San Luis Valley Water Conservation District during the last week of October 2025 to confirm that there are no special district expansion programs affected by the Project. No responses had been received by the time of the final 1041 application submittal.</i>
Associated Costs	3 Code requirement 2.a.iv.A: Please elaborate on the necessity of the size and nature for the facility as proposed.	Applicant provided description of the necessity of the facility as proposed.	<b>Applicant response acceptable-</b> The size of the proposed Project is appropriate to generate annual revenue while offsetting initial construction costs. There are no major additional costs for necessary electric network upgrades and infrastructure is in place. Other types of electrical generation are not feasible in this location due to constraints on resource supply. The Project also maximizes the renewable energy generation potential at this site while maintaining economic feasibility.
Associated Costs	4 Code requirement 2.a.v.A: Please elaborate on the type of water quality control that is anticipated to be implemented by the Stormwater Management Plan (SWMP).	Applicant provided summary of Best Management Practices (BMPs) for soil erosion and water quality control during construction.	<b>Applicant response acceptable-</b> the SWMP has not been drafted but the applicant's BMP considerations for structure (silt fences/fiber rolls, check dams, and sediment basins), site management (construction phasing, stabilizing entrances, dust control, and perimeter controls/ diversion channels), vegetative stabilization (seeding/mulching, hydroseeding, native vegetation preservation/ restoration), and maintenance and monitoring (regular inspections and adaptive management) are appropriate to ensuring low impact to soil and water quality at the site.

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Comment		Applicant Response	Logan Simpson Comments
Local/Regional Impacts	5 Code requirement 2.a.v.A2: The narrative discusses the potential for implementation of pollutant control measures; please add discussion for seasonal variations (or clarify if they are not anticipated).	Applicant provided discussion of seasonal variations and adaptive management.	<b>Applicant response acceptable-</b> <i>"The project SWMP will incorporate adaptive management as part of the required routine maintenance and monitoring. Inspections after major weather events are a requirement of SWMPs in Colorado. Examples of seasonal variations that would be reflected in the SWMP include the following: Fall seeding, Limit grading and excavations to periods of dry conditions, Stabilize disturbed soils prior to ground freezing. The Colorado Department of Public Health and Environment (CDPHE) require year-round inspections even when the ground is frozen or snow-covered; however, inspection frequency may be adjusted under these conditions when the site has been properly stabilized for winter and when no construction is occurring."</i>
Visual and Noise	6 Code requirement 2.a.viii.A: "Describe and map possible expected noise levels by immediate and future facility operations". Please add this section to the narrative and state that a waiver request has been submitted (Attachment 1).	Applicant provided revised text and a noise contour map to supplement Section 3.3.2 BESS and Substation Facilities of the Noise Analysis in Attachment 7 of the Final 1041 Application submittal.	<b>Applicant response acceptable-</b> the anticipated noise levels during construction were previously provided per Attachment 7 "Noise Study" and were estimated to be less than 33.7dBA for distances greater than 1,000 feet. The nearest residential receivers (distance of 4,000 feet from the Project source noise) have an estimated noise level of 39.5dBA during operations. A noise contour map was also provided and further demonstrates the maximum noise levels to be at 51.5 dBA at the site of the BESS and substation.
Socioeconomic Impact	7 Code requirement 2.a.ix.A.2: Please add discussion of neighborhoods to the narrative or if that information is not available, please state so in the application.	Applicant provided discussion of neighborhoods relative to the Project site.	<b>Applicant response acceptable-</b> "There are no formally recognized neighborhoods, as defined above, within 2 miles of the proposed Project site. The area surrounding the Project site can be described as a dispersed, rural, agricultural neighborhood with no covenants or legal boundaries."
Socioeconomic Impact	8 Code requirement 2.a.ix.D.1: Please add discussion or clarification of dormitories, mobile homes, and locations from the Economic Impact Assessment Section 6.2 "Housing Unit Inventory" if available.	Applicant provided a table of housing unit inventory.	<b>Applicant response acceptable-</b> Single family residences, duplex, multifamily units, mobile homes, and boats/RV were quantified. The source is not stated but this is not detrimental to the Project application.

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Comment		Applicant Response	Logan Simpson Comments
Historical Resources	9 Code requirement 2.a.ix.F.1: Please attach the Class III Cultural Assessment and/or the submission letter to SHPO for reference.	Applicant provided Attachment 1-transmittal to the office of Archaeology and Historic Preservation (OAH) on September 24, 2025.	<b>Applicant response acceptable-</b> OAH confirmed receipt of the submittal on September 25, 2025.
Historical Resources	10 Code requirement 2.a.ix.F.2: Please elaborate on how the historical/ archaeological resources relate to the community.	The Applicant provided a summary of the cultural resource inventory (Cultural Class III) that was conducted on all 1,109 acres of the Project site.	<b>Applicant response acceptable-</b> <i>"The inventory resulted in the documentation of six sites and five isolated artifacts. The sites are either segments of historical linear resources (e.g., two roads and one transmission line) or scatters of historical artifacts (e.g., dumps). Of the five isolates, three are precontact artifacts and two are historical artifacts. The roads were originally part of an effort to help get agricultural products to non-local markets, and the transmission line was built to ensure adequate power to rural communities. The historical artifact scatters are simply small roadside dumps that highlight the rural nature of the project area and the relatively large distance required to take household trash to a central disposal area. None of the sites or isolated resources is recommended as eligible for listing in the National Register of Historic Places. The historical and archaeological resources represent the low-density historical occupation and agricultural industry of Alamosa County."</i>
Pedologic and Biotic Conditions	11 Code requirement 2.b.ii.A.3: Please add the current indications of stages in ecological succession to the narrative.	Applicant provided a summary of ecological succession of the Project site,	<b>Applicant response acceptable-</b> <i>"Current signs of ecological succession from these past disturbances include vegetation colonization by early successional native grasses, forbs, and shrubs, such as Indian ricegrass and big sagebrush. In some places, these native pioneer species have begun to replace invasive species (i.e., kochia and Russian thistle) that were early colonizers in disturbed parts of the Project area. Other successional signs include areas of stabilized soils with visible soil crusts and plant rooting. As a result, some previously disturbed areas have started to blend or connect with adjacent undisturbed (or less disturbed) vegetative communities as seed dispersal from these adjacent habitats supports ecological succession."</i>

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Comment		Applicant Response	Logan Simpson Comments
Pedologic and Biotic Conditions	12 Code requirement 2.b.ii.B.1: Please add discussion of the relative importance of the [wildlife] species present to the narrative.	Applicant provided a discussion of the role of wildlife in the SLV region.	<b>Applicant response acceptable-</b> The Biological Resources review presented as Attachment 8 to the final application confirmed there is no federally designated Critical Habitat in the Project site and there are no species with CPW recommendation for avoidance. No raptor nests were observed within a 1-mile buffer of the Project Site and pre-construction avian nest surveys will identify any migratory birds present.
Socio-economic Resources	13 Please add a description to the narrative of current utilization of air and socio-economic resources in the impact area.	Applicant provided a discussion of air and socioeconomic resources within the impact area.	<b>Applicant response acceptable-</b> <i>"The project would be located near the center of the San Luis Valley. The field survey conducted for the preliminary application revealed that the study area consists mainly of fallow agriculture (66 percent) and disturbed rangeland (21 percent), which is dominated by Russian thistle, kochia, and big sagebrush. Approximately 11 percent of the area was classified as active agriculture growing common wheat. Cultivated agricultural lands in the San Luis Valley contribute to the regional air quality particulate emissions during periods of high winds. Additionally, farming machinery and trucking produced crops to market contributes to combustion engine exhaust emissions locally and regionally. Assuming an average yield of \$500 per acre, the current economic output of the study area would be approximately \$63,000."</i>
Alternatives	14 Code requirement 2.e.vii.A.2: Attributes of solar facilities are listed; please list any other alternative types of facilities that were considered.	Applicant provided structural and non-structural alternatives.	<b>Applicant response acceptable-</b> Alternative locations or layouts were not mapped or described, which does not materially impact the permit application. The justification for the proposed Project and solar site selection is thoroughly discussed throughout the application. The land was previously approved for another solar project, is adjacent to an existing solar facility, and within 0.5 miles of a substation, which makes it ideal for a solar project. The applicant responded to comments by providing a rationale as to why other types of generation facilities and non-structural alternatives are inadequate to meet 100% clean electricity and greenhouse gas emission goals.
Alternatives	15 Code requirement 2.e.vii.D: Alternative measures to those typically approved by CDPHE are not considered. Please elaborate on the possibilities available for air and pollution control.	Applicant provided potential alternative air and pollution control measures that could be approved or required by CDPHE.	<b>Applicant response acceptable-</b> <i>"The CDPHE generally does not require extensive air pollution control measures for solar facilities as they are considered zero-emission during operation."</i>

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Comment		Applicant Response	Logan Simpson Comments
Alternatives	16 Code requirement 2.e.vii.E: Please discuss design alternatives to the ones that are being implemented by the Project.	Applicant response provided.	<b>Applicant response acceptable-</b> <i>"No other design alternatives are currently being considered by ARI."</i>
Other Requirements	17 Alamosa County Culvert and Access Permit: Please add a description to the narrative of anticipated culvert and access permits. If these permits are not required for the Project, please state so in the application.	<b>No response provided by the Applicant.</b>	<b>Applicant response acceptable-</b> additional permits for access or culverts will be submitted if required later in the developmental process. Obtaining all permits as required by the County and local entities is a condition of approval for the Project.
Other Requirements	18 Alamosa County Building Permit: Please add a description to the narrative of anticipated building permits.	<b>No response provided by the Applicant.</b>	<b>Applicant response acceptable-</b> building permits will be submitted as required later in the developmental process. Obtaining all permits as required by the County and local entities is a condition of approval for the Project.
Minor Inconsistencies	19 The numbering in the narrative sections (which would include all subsections or references to these sections throughout the narrative) is inconsistent with the Alamosa County 1041 Regulations.	Applicant responded that the formatting error has been identified and corrected. The corrected numbering Final Application was included as Attachment 2.	<b>Applicant response partially acceptable-</b> there are still some incorrectly labeled section code references in the narrative in Section 2(c) and 2(d). This is a grammatical error only and does not materially impact the permit submission- all County application requirements were granted a waiver or addressed in the associated sections.
Minor Inconsistencies	20 Section 2(e)(vii) requires alignment between the narrative referenced code and the 1041 Regulation section numbers and headers. Please review and adjust the entries and responses to align with the code as detailed in the Table 2 provided by the County.	Applicant responded that the inconsistency was found and corrected.	<b>Applicant response acceptable-</b> confirmed the referenced code and section numbers and header for 2(e)(vii) in the narrative were fully updated as provided in Attachment 2.

### 6.304 ACTION ON PERMIT APPLICATION (APPROVAL CRITERIA)

Section 6.304 of the 1041 Regulations state that “The Permit Authority shall deny the permit if the proposed development does not meet all of the criteria.” Logan Simpson has evaluated the final application against these approval criteria below.

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.

*Findings: The Project is not anticipated to negatively impact the health or safety of citizens in Alamosa County.*

*The application includes a Hazardous Materials, Waste Management and Emergency Response Plan (Attachment 12) and a Transportation Impact Study and Level 2 Auxiliary Turn Lane Assessment (Attachment 5) to address community health and safety issues.*

*The Hazardous Materials, Waste Management, and Emergency Response Plan has been developed to be consistent with the Alamosa County Emergency Operations Plan (EOP) and the San Luis Valley Hazard Mitigation Plan 2023-2028 and to ensure compliance with federal, state, and local regulatory requirements on generating and managing hazardous materials and solid waste.*

*After receiving the Transportation Impact Study, the Colorado Department of Transportation (CDOT) will complete a crash data analysis to consider, if necessary, additional recommended mitigation safety measures.*

*The Applicant has provided information on the water quality control that is anticipated to be implemented and added discussion of pollutant loads expected from the development.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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

*Findings: The Project site selected and the proposed construction avoid impacting sensitive natural resources such as wildlife, wetlands, and/or cultural resources.*

*The Applicant estimates significant socio-economic benefits to Alamosa County, to adjacent counties, and the State from temporary and permanent job creation, sales of goods and services, and construction and operational tax revenues (see the Economic Impact Analysis). The Applicant has provided a discussion of neighborhoods and a current housing inventory summary.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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.

*Findings: While no alternative types of facilities besides solar were considered for the Project Site and there are no design alternatives proposed, a rationale for the proposed solar site is thoroughly discussed throughout the application. The land was previously approved for another solar project, is adjacent to an existing solar facility, and within 0.5 miles of a substation, which makes it ideal for a solar project. The applicant also summarized management alternatives and air and water pollution control alternatives.*

*The Project design co-locates the proposed gen-tie interconnection facilities on the existing San Luis Valley Substation property. Additionally, no new roads are proposed to access the Project site; rather, the Project would utilize existing county road rights-of-way.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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

*Findings: Each Project technical report or resource study (attached to this application) includes recommended mitigation measures to minimize potential adverse impacts. The Applicant has provided Table 2-1 (page 41 of their response to comments) summarizing mitigation measures for Biological Resources, Water/Soil Resources, Cultural Resources, Traffic, and Visual.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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.

*Findings: The Project is in conformance with the Alamosa County Comprehensive Plan, the Alamosa County Land Use Code, and state and federal plans.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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.

*Findings: The Applicant has provided further discussion of how the site determination was made for the Project and the necessity of the size and nature of the facility. The Project has been sited on another previously approved solar project area and is in close proximity to the San Luis Valley Substation. The Applicant states there are no known special district expansion programs at this time.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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

*Findings: The nature and location of the Project will not unduly or unreasonably impact existing community services. The Project will enhance the generation of electric power to the community without projected impacts on existing services. The proximity to Hooper Solar Project facility and the San Luis Valley Substation eliminates the requirement for lengthy transmission lines.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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.

*Findings: Additional educational, wastewater, and health services and facilities are not anticipated to be required by the Project. Substantial tax benefits are estimated for Alamosa County and special districts during construction and operation (see Economic Impact Assessment).*

Logan Simpson believes this requirement has been met based on our evaluation.

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.

*Findings: This requirement was waived by the County.*

Logan Simpson believes this requirement has been met based on our evaluation.

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.

*Findings: The Project will not adversely affect water rights of upstream or downstream users. Per the Applicant's Water Rights Summary, water use would be sourced from permitted wells via water rights currently owned by Mr. Lee Welch that would be transferred to Adapture. Excess water not needed for commercial or industrial use could be transferred or sold by the owner to other water users within the area or placed in the U.S. Department of Agriculture Conservation Resource Program for later use.*

*The Project area and associated development will not intersect any mapped or field documented aquatic features and no impacts to these features are anticipated. Wetland permitting, consultation, and/or coordination are not required because Project development will not impact aquatic features.*

Logan Simpson believes this requirement has been met based on our evaluation.

k) Adequate water supplies are available for facility needs.

*Findings: The four permitted wells onsite each have a permitted use of approximately 246-480 acre-feet (AF) annually. Project water needs are approximately 200-300 AF during the 16-month construction period for dust suppression and 10 AF annually during Project operations for O&M building water use and periodic panel washing.*

Logan Simpson believes this requirement has been met based on our evaluation.

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.

*Findings: The Project will not unduly interfere with any existing easements or rights-of-way. There are several electric distribution and transmission easements within or near the Project area. The Project is designed to avoid these easements. There are no documented occurrences of locatable mineral deposits on or in the immediate area of the Project. There are no active oil or gas leases within the Project site.*

Logan Simpson believes this requirement has been met based on our evaluation.

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

*Findings: There are currently no known encumbrances for needed easements.*

Logan Simpson believes this requirement has been met based on our evaluation.

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

*Findings: No new utilities are needed to support the Project site. Any further required utilities will be acquired through the permitting process and the Applicant will obtain all necessary approvals from the County and local entities.*

Logan Simpson believes this requirement has been met based on our evaluation.

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.

*Findings: The Project site will not be near or interfere with any Colorado Natural Heritage Program Potential Conservation Areas and Network of Conservation Areas, including National Wildlife Refuges, State Wildlife Areas, and other areas of high habitat value and management. The applicant provided discussion of the current indications of stages in ecological succession of the Project site, as well as the relative importance of the wildlife species present to the narrative. There were no concerns of wildlife impact raised in previous correspondence with Colorado Parks and Wildlife.*

*The Class III Cultural Assessment was submitted to OAHP in September 2025 and the Applicant elaborated on the Project's historical / archaeological resources relation to the community.*

Logan Simpson believes this requirement has been met based on our evaluation.

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.

*Findings: This requirement was waived by the County.*

Logan Simpson believes this requirement has been met based on our evaluation.

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.

*Findings: This requirement was waived by the County.*

Logan Simpson believes this requirement has been met based on our evaluation.

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

*Findings: There are no wetlands or waters of the U.S. or of the State of Colorado within the Project site and none will be impacted by the Project.*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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.

*Findings: Per the application narrative, the socio-economic benefits of the Project, in the form of temporary and permanent employment, generation of sales of goods and services, and local, state, and federal tax revenues over the life of the Project, are significantly higher than are currently generated from the property and agricultural land use (see the Economic Impact Analysis).*

*Logan Simpson believes this requirement has been met based on our evaluation.*

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

*Logan Simpson believes that all nineteen (19) of the required criteria have been met by the Applicant.*