



November 4, 2020

Mr. Layne Ashton
Clēnera LLC
800 W. Main St., Suite 900
Boise, ID 83702

RE: Babacomari Solar Project

Dear Mr. Ashton:

At the request of Clēnera LLC (Clēnera), the Arizona Game and Fish Department (Department) has reviewed the proposed solar facility in Cochise County near Huachuca City, Arizona. The Department appreciates Clēnera's early coordination and proactively seeking input from the Department on this project. It is the Department's understanding that this project is in its early stages and specifics of the facility are subject to change.

Under Title 17 of the Arizona Revised Statutes, the Department, by and through the Arizona Game and Fish Commission (Commission), has jurisdictional authority and public trust responsibilities for management of the state's fish and wildlife resources. It is the mission of the Department to conserve and protect Arizona's diverse fish and wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations. Similarly, the Department recognizes the importance of planning efforts that contribute to regional and the state's economic growth needs and opportunities to develop renewable energy locations. The Department recognizes that appropriate coordination, proper planning, and voluntary implementation of best management practices allow projects to be developed that avoid, minimize, or mitigate potential impacts to wildlife habitat and populations.

With the information provided, the Department has not yet identified any site specific concerns regarding wildlife. However, to the extent possible, the Department does encourage pre-construction surveys and monitoring to determine species presence as referenced in our Guidelines for Solar Projects in Arizona, which can be found at: <https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/FinalSolarGuidelines03122010.pdf>. The Department is available to review survey designs, provide input on developing best-management practices and are generally available to continue working closely to develop this economically-important facility while also minimizing any impacts to wildlife during development and operation of the facility.

The Department would like to provide the following general recommendations:

1. If wildlife is encountered during construction of the facility, it would be beneficial to move them outside the project area within one mile of its original location. A scientific

azgfd.gov | 602.942.3000

5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

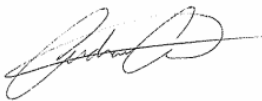
GOVERNOR: DOUGLAS A. DUCEY **COMMISSIONERS:** CHAIRMAN KURT R. DAVIS, PHOENIX | LELAND S. "BILL" BRAKE, ELGIN
JAMES E. GOUGHNOUR, PAYSON | TODD G. GEILER, PRESCOTT | ERIC S. SPARKS, TUCSON **DIRECTOR:** TY E. GRAY **DEPUTY DIRECTOR:** TOM P. FINLEY

collecting permit is required for handling live wildlife. A permit can be obtained by emailing Scpermit@azgfd.gov for more information. If wildlife will need to be removed from the facility once it is operational, annual renewal of the permit should be performed. Additionally, please share wildlife related mortalities from facility operation(s) with Andrew Cavalcant, the Department's Energy Lead (contact info in closing paragraph).

2. Artificial night lighting, which may be intensified by the collection mirrors, may attract insects and the species that prey on them (e.g. bats). It could also impair the ability of nocturnal animals to navigate. The Department recommends using only the minimum amount of light needed for safety. If feasible, narrow spectrum bulbs are wildlife-friendly and should be used as often as possible to minimize the number of species affected by lighting. It is also beneficial that all lighting is shielded, canted, or cut to minimize the amount of upward shining light.
3. Birds of prey such as raptors, owls, vultures, and eagles are vulnerable to electrocution and powerline strikes during construction and operation. There are a number of design features that can minimize these impacts to these important species. Tuk Jacobson is the Department's raptor expert and will be willing to share information on best management practices; he can be contacted at KJacobson@azgfd.gov or 623-236-7575.
4. Power poles can serve as perches for many birds of prey and there are design features for structures that can reduce impacts to these important species. Another possible alternative to reduce mortality is using bird flight diverters to decrease avian mortalities. Again, Mr. Jacobson has expertise in all of the best management practices and would be available to share his knowledge in the pre-design phase of this project.

Thank you for the opportunity to provide comments on this proposed project. As project specifics are not known at this time, these comments and recommendations may change when more information is received as this project develops. The Department looks forward to continued communications with Clēnera regarding project development and implementation. Please contact me at 623-236-7222 or ACavalcant@azgfd.gov if you have any questions, or would like to further discuss our concerns and recommendations.

Sincerely,



Andrew Cavalcant
Project Evaluation Project Specialist, Habitat Branch

Cc Ginger Ritter, Project Evaluation Program Supervisor AGFD (gitter@azgfd.gov)
John Windes, Habitat Program Manager, Region V (jwindes@azgfd.gov)

AGFD #M20-10015354

Environmental Health

EH has no concerns with this proposal, due to it being remotely operated and unmanned.

Floodplain

There are no comments for the Special Use Permit. However, at a minimum, the following items will be required should the project go forward.

1. The proposed sites (560 acres and 540 acres) are both located within FEMA Zone X. Therefore, a Floodplain Use Permit will not be required. should any development be located in the FEMA floodzones, then a permit will be required.
2. Prior to start-up of construction: A Stormwater Pollution Prevention Plan (SWPPP) will be required from the Arizona Department of Environmental Quality (ADEQ). This will also include a Notice of Intent (NOI) to clear land. A copy of the NOI must be submitted to Cochise County. For more information, please contact: <https://azdeq.gov/AZPDES/CGP>.
3. A Notice to Clear Native Plants must be obtained from the Arizona Department of Agriculture and a copy submitted to Cochise County. For more information, please contact: <https://agriculture.az.gov/plantsproduce/native-plants>
4. A Drainage Analysis will be required for both sites. This includes, but not limited to, Grading Plans, Site Plans, Drainage Reports prepared by an Arizona Registered Civil Engineer, etc. Please contact the Cochise County Engineering and Natural Resources Department for a copy of the Floodplain Regulations for Cochise County (December 2015).
https://www.cochise.az.gov/sites/default/files/highway_and_floodplain/FLOOD_REGS_2015.pdf



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Office of Airports
Phoenix Airports District Office

3800 N Central Avenue
Suite 1025, 10th Floor
Phoenix, AZ 85012

November 18, 2020

Via email – rkirschmann@cochise.az.gov

Cochise County Community Development
Development Services Department
ATTN: Robert Kirschmann
126 West 5th Street, Suite 4
Benson, AZ 85602

SU-20-15 (Clenera Solar North)
SU-20-16 (Clenera Solar South)

Dear Mr. Kirschmann:

Thank you for the notification and the opportunity to comment on the above noted proposed development/solar projects. The focus of the Phoenix Airports District Office is potential impacts to airports and as such, we offer the following comments:

- The Benson Municipal Airport (E95) is located in proximity to this proposed project. The City of Benson, as the owner and operator of E95 should be afforded the opportunity to comment on this proposal.
- The Sierra Vista Municipal Airport (FHU) is located in proximity to this proposed project. The Town of Sierra Vista, as the owner and operator of FHU should be afforded the opportunity to comment on this proposal.
- The United States Department of Defense, United States Army operates the Libby Army Airfield and should be afforded the opportunity to comment on this proposal.
- At this time, the Federal Aviation Administration (FAA) does not evaluate solar projects for glare or visual impacts. We recommend Cochise County require the project proponent to submit information for an Obstruction Evaluation by the FAA. Information can be entered into the [Notice Criteria Tool](#) to determine if an airspace case needs to be filed for official FAA review. If one does the FAA will make comments on the proposed facility at that time.

Should you have any questions, please contact Kyler Erhard, Lead Program Manager at 602-792-1073 or via email at kyler.erhard@faa.gov.

Sincerely,

Mike N Williams
Manager

CC Kyler Erhard, Federal Aviation Administration
Bradley Hamilton, City of Benson
Sharon Flissar, City of Sierra Vista

From: [Bradley Hamilton](#)
To: [Kirschmann, Robert](#); bmaircord@gmail.com
Cc: [M J](#)
Subject: RE: SU-20-15 and SU-20-16 (Clenera Solar North and South)
Date: Tuesday, November 24, 2020 10:09:05 AM
Attachments: [image001.png](#)
[image002.png](#)

CAUTION: EXTERNAL EMAIL*

Robert,

I don't see that this project would have any negative impacts on our operations.

Sincerely,

Bradley J. Hamilton, P.E.
Director of Public Works/City Engineer



From: Kirschmann, Robert <RKirschmann@cochise.az.gov>
Sent: Friday, November 20, 2020 1:30 PM
To: Bradley Hamilton <bhamilton@bensoaz.gov>; bmaircord@gmail.com
Cc: Michelle Johnson <mjohnson@bensoaz.gov>
Subject: RE: SU-20-15 and SU-20-16 (Clenera Solar North and South)

Good afternoon,

Correct, please scroll down to the original email. There are to links for you to click on. The files are too large to transmit via email.

Thank you,

Robert Kirschmann

Planner II
Cochise County Community Development
Development Services Department
126 West 5th Street, Suite 4
Benson, AZ 85602
520-432-9248
520-432-9278 fax



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From: Bradley Hamilton <bhamilton@benzonaz.gov>
Sent: Friday, November 20, 2020 1:28 PM
To: Kirschmann, Robert <RKirschmann@cochise.az.gov>; bmaircord@gmail.com
Cc: M J <mjohnson@benzonaz.gov>
Subject: RE: SU-20-15 and SU-20-16 (Clenera Solar North and South)

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There are no attached maps. Just transmittal letters and FAA letter

Sincerely,

Bradley J. Hamilton, P.E.
Director of Public Works/City Engineer



From: Kirschmann, Robert <RKirschmann@cochise.az.gov>
Sent: Friday, November 20, 2020 11:04 AM
To: bmaircord@gmail.com; Bradley Hamilton <bhamilton@benzonaz.gov>
Subject: FW: SU-20-15 and SU-20-16 (Clenera Solar North and South)

Good morning,

Although these projects are ~22 miles from the Benson Airport, Mr. Michael Williams with the FAA suggested that you have the opportunity to comment. Comments are due by Monday November 30, 2020.

Please see the transmittals attached and the application links found below

Thank you,

Robert Kirschmann

Planner II

Cochise County Community Development
Development Services Department126 West 5th Street, Suite 4

Benson, AZ 85602

520-432-9248

520-432-9278 fax

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From: Kirschmann, Robert**Sent:** Thursday, November 12, 2020 2:04 PM**To:** jjohnson@huachucacityaz.gov**Subject:** FW: SU-20-15 and SU-20-16 (Clenera Solar North and South)

From: Kirschmann, Robert**Sent:** Thursday, November 12, 2020 1:55 PM**To:** Watkins, Jackie <JWatkins@cochise.az.gov>; Solis, Joaquin <JSolis@cochise.az.gov>; Simmons, Bradley A <bsimmons@cochise.az.gov>; Brady, Shon <SBrady@cochise.az.gov>; Garcia, Teresa M <TGarcia@cochise.az.gov>; Murphy, Teresa <TMurphy@cochise.az.gov>; Cratsenburg, Diane E <dcratsenburg@cochise.az.gov>; Esparza, Paul <PEsparza@cochise.az.gov>; Roberts, Christine <CRoberts@cochise.az.gov>; McGee, Michael S <MMcGee@cochise.az.gov>; Capas, Carol <CCapas@cochise.az.gov>; pep@azgfd.gov; Travis Taylor <Taylor.Travis@azdeq.gov>; jee@azdeq.gov; medelman@azland.gov; Richard B. Obenshain <rbobenshain@azwater.gov>; Richard La Pierre <RLaPierre@azdot.gov>; James Gomes <JGomes@azdot.gov>; jjohnson@huachucacity.org; (Jeff.Pregler@SIERRAVISTAAZ.GOV) <Jeff.Pregler@SIERRAVISTAAZ.GOV>; wfdchief@cis-broadband.com; Mike.N.Williams@faa.gov; svairport@sierravistaaz.gov; alexandra.z.smith.civ@mail.mil; David.L.Koch4.civ@mail.mil; carlink@hughes.net**Cc:** Coxworth, Daniel <dcoxworth@cochise.az.gov>; BOS-Supervisors <BOSSupervisors@cochise.az.gov>**Subject:** SU-20-15 and SU-20-16 (Clenera Solar North and South)

Good afternoon,

Please find two (2) transmittals attached to this email for two proposed Solar energy generating facilities. The complete applications can be found here:

[SU-20-15 \(Clenera Solar North\)](#)

[SU-20-16 \(Clenera Solar South\)](#)

Please return comments by Monday November 30, 2020.

The notification radius for these projects was one mile.

Best regards,

Robert Kirschmann

Planner II

Cochise County Community Development

Development Services Department

126 West 5th Street, Suite 4

Benson, AZ 85602

520-432-9248

520-432-9278 fax



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From: [Sims, Kelley B \(Kelley\)](#)
To: [Kirschmann, Robert](#)
Subject: RE: Question about the Babocamari Solar Sites Project
Date: Thursday, November 19, 2020 9:39:43 AM
Attachments: [image002.jpg](#)
[image004.png](#)
[image005.jpg](#)

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Thank you, Robert.
If that's the case, then EPNG has no comments on or objections to this proposal.
Thanks for asking!

Kelley Sims, SR/WA
Senior ROW Agent II
Tucson Area / Southeastern Arizona
5151 E Broadway, Ste 1680 | Tucson, AZ 85711
(520) 663-4223



From: Kirschmann, Robert [mailto:RKirschmann@cochise.az.gov]
Sent: Wednesday, November 18, 2020 4:30 PM
To: Sims, Kelley B (Kelley)
Subject: RE: Question about the Babocamari Solar Sites Project

[This email message was received from the Internet and came from outside of Kinder Morgan]

[Always check the sender before you open an attachment or click on a link!]

[Do you know the sender?]

Good afternoon,

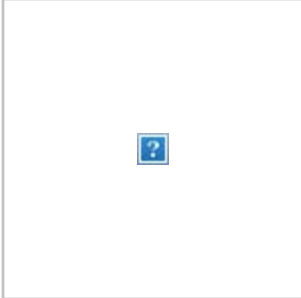
Thank you for your email. The 138KV line is an existing TEP line that runs from Fort Huachuca to Tucson. They will construct an approximately 1 mile line between the north and south sites and tie into the existing transmission line.

Please let me know if you have any other questions.

Thank you,

Robert Kirschmann
Planner II

Cochise County Community Development
Development Services Department
126 West 5th Street, Suite 4
Benson, AZ 85602
520-432-9248
520-432-9278 fax



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From: Sims, Kelley B (Kelley) <Kelley_Sims@Kindermorgan.com>
Sent: Wednesday, November 18, 2020 3:33 PM
To: Kirschmann, Robert <RKirschmann@cochise.az.gov>
Subject: Question about the Babocomari Solar Sites Project

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Hi Robert,

Thank you for sending us the attached information about the proposed new Babocomari Solar Fields Project. I have a question about the 138kV Transmission Power Line shown in yellow on the Concept Plan. Is that line an existing power line, or will it be a new line?
Thank you for your attention to this question.

Kelley Sims, SR/WA

Senior ROW Agent II
Tucson Area / Southeastern Arizona
5151 E Broadway, Ste 1680 | Tucson, AZ 85711
(520) 663-4223



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DEPARTMENT OF THE ARMY
U.S. ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT HUACHUCA
2837 BOYD AVENUE
FORT HUACHUCA, ARIZONA 85613-7000

30 November 2020

Office of the Garrison Commander

Mr. Robert Kirschmann
Cochise County Community Development
Development Services Department
126 West 5th Street, Suite 4
Benson, AZ 85602

Dear Mr. Kirschmann

This letter is in responses to your request for input concerning Clenera's Special Use requests (SU-20-15 and SU-20-16) for a solar development project on approximately 1,100 acres in the Babacomari Ranch. After consulting with Clenera, several concerns remain but these should not be insurmountable. If these concerns are resolved, the Fort would be amenable to Clenera's solar development plan in the Babacomari Ranch.


The Fort has several concerns, primarily the country/countries of origin of manufactured components required for construction of the proposed solar project. Without going into detail, Tucson Electric and Power (TEP) has lessons learned on source materials from their experience when they installed a solar array system on Fort Huachuca in 2015.

Additionally, we ask that Clenera request the Federal Aviation Administration (FAA) to conduct an aeronautical study and provide a determination whether the solar development project will have any impacts on the Fort's airfield operations at Libby Army Airfield (LAAF). The project does not create a height obstruction because the solar array panels and structures are less than 200 feet. However, there could be other impacts because the project locations are directly underneath primary arrival and departure corridors for manned and unmanned aerial systems. The project locations are within a 5 mile radius of LAAF, between 4.75nm and 6nm from the center of Libby Army Airfield, and approximately 2.85nm from the Fort's Unmanned Aerial System Black Tower complex.

Finally, we are concerned TEP will need to condition the power transmission lines from Clenera's solar project into the Fort Huachuca power sub-station and this is not a cost Fort Huachuca is willing to incur.

The point of contact for this letter is David L. Koch at (520) 533-3135 or email david.l.koch4.civ@mail.mil.

Sincerely,


Jarrod Moreland
Colonel, U. S. Army
Commanding