Camilla Brom

Exhibit 25

Santa Fe County Staff Presentation to the County Planning Commission on the Rancho Viejo Solar Project, Case #24-5200

Staff Presentation to the Planning Commission

Rancho Viejo Solar Project Case #24-5200

February 3, 2024

SANTA FE COUNTY

Presented by:
Dominic J. Sisneros, Supervisor, Building and Development Division, Growth Management Department

Introduction by:
Alexandra Ladd, Director, Growth Management Department

Entitlement Process and Roles

- **County staff** – determine completeness of the application and whether the project is compliant with the dimensional requirements and the criteria for the CUP according to the SLDC requirements. Additionally, staff works with third-party consultants to determine what specific conditions should apply to the project if approved.
- **Hearing Officer (HO)** – reviews staff's report and determines other facts pertinent to the case, conducts quasi-judicial proceedings, presides over a public hearing, and makes a recommendation of approval or denial to the Planning Commission.
- **Planning Commission (PC)** – Reviews staff's report and determines additional facts pertinent to the case as necessary, conducts quasi-judicial proceedings, presides over a public hearing. The PC meeting is informed by the HO's recommendation but is not bound by the HO's conclusion. The PC makes final decision on a CUP application.
- **Board of County Commissioners (BCC)** – Hears any appeal of a Planning Commission decision that is brought forward by an aggrieved party. Appeals of BCC decisions are heard in district court.

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Policies and Applicable Regulations for Solar Projects in Santa Fe County

NM Community Solar Act

- *State of NM legislation signed into law **April 5, 2021***
- *Solar Rule adopted by PRC on **March 30, 2022***

County of SF Ordinance **2022 – 05**

- *Adopted **July 13, 2022** to make SLDC compliant*
- *Added "community solar" definition and made community solar permitted by right in all zoning districts.*
- *Amended definition of commercial solar to add battery storage and make definitions consistent.*

County of SF Resolution **2022 – 054**

- *Adopted **July 12, 2022.***
- *Expresses policy intent of BCC to support community solar in SF County, particularly on public land.*
- *Includes letter of support template for proposed projects that meet criteria identified in exhibit to resolution.*

County of SF Ordinance **2023 – 09**

- *Adopted **December 13, 2023***
- *Amends SF County Fire Code through adoption of NFPA-855 standards for stationary energy storage systems*

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Application Timeline for Rancho Viejo Solar

Original Application

- *Submitted **Jan 2023***
- *Community Q & A held virtually **January 2024.***
- *Application deemed incomplete by County staff*
- *Withdrawn ___ **2024***

Current Application

- *Submitted **Aug 2024***
- *Additional third-party review and studies completed*
- *Deemed complete by County staff in **Sept 2024.***
- *Application materials made available on dedicated County webpage, including public comments.*

Public Participation

- *Community Meeting hosted by Applicant **August 22, 2024***
- *Community Q & A **October 22, 2024***
- *Hazard Mitigation and ERP Q & A held virtually on **November 5, 2024***
- *Public hearing in front of Hearing Office Hebert held on **December 4, 2024.***

Planning Commission

- *Hear evidence, determine facts, and conduct public hearing.*
- *Make determination of compliance or noncompliance with SLDC requirements, CUP criteria, fire code.*
- *If approved, project must comply with staff's conditions, all fire code requirements, and submit 100% construction drawings for development permit*

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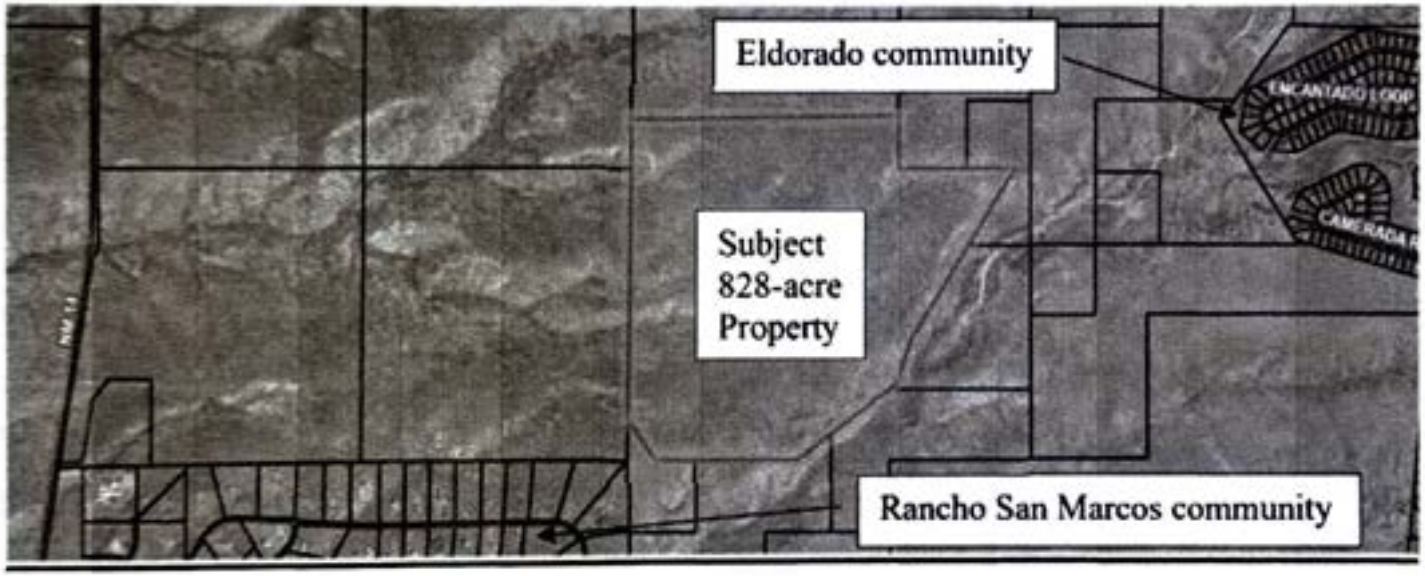
The Location

- Privately-owned site, zoned RUR-F (Rural Fringe), 828 total acres, of which 684 will be developed.
- The access point is on SR 14, addressed as 211 Twilight Way, in SDA-2 (Sustainable Development Area 2), Commission District 5



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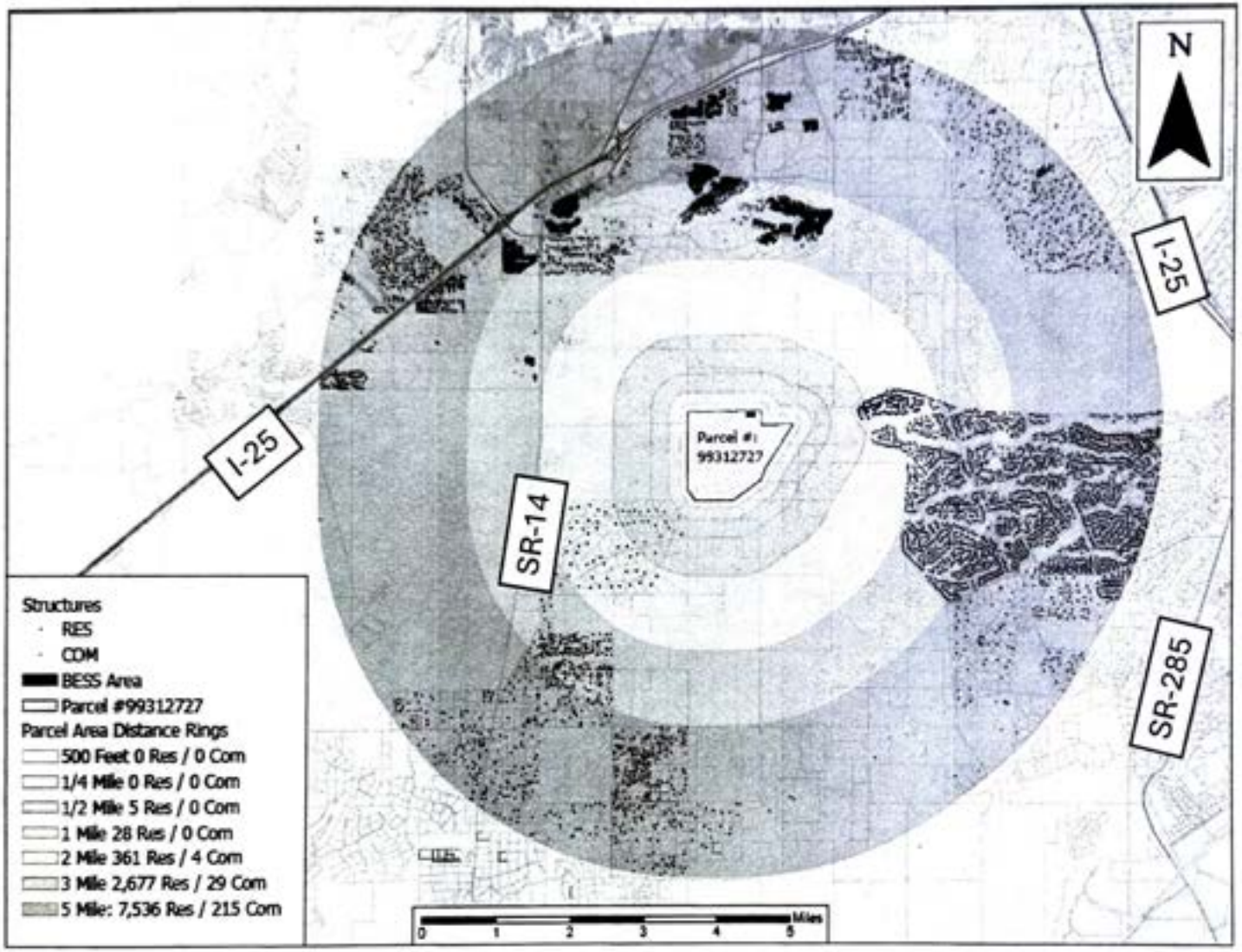

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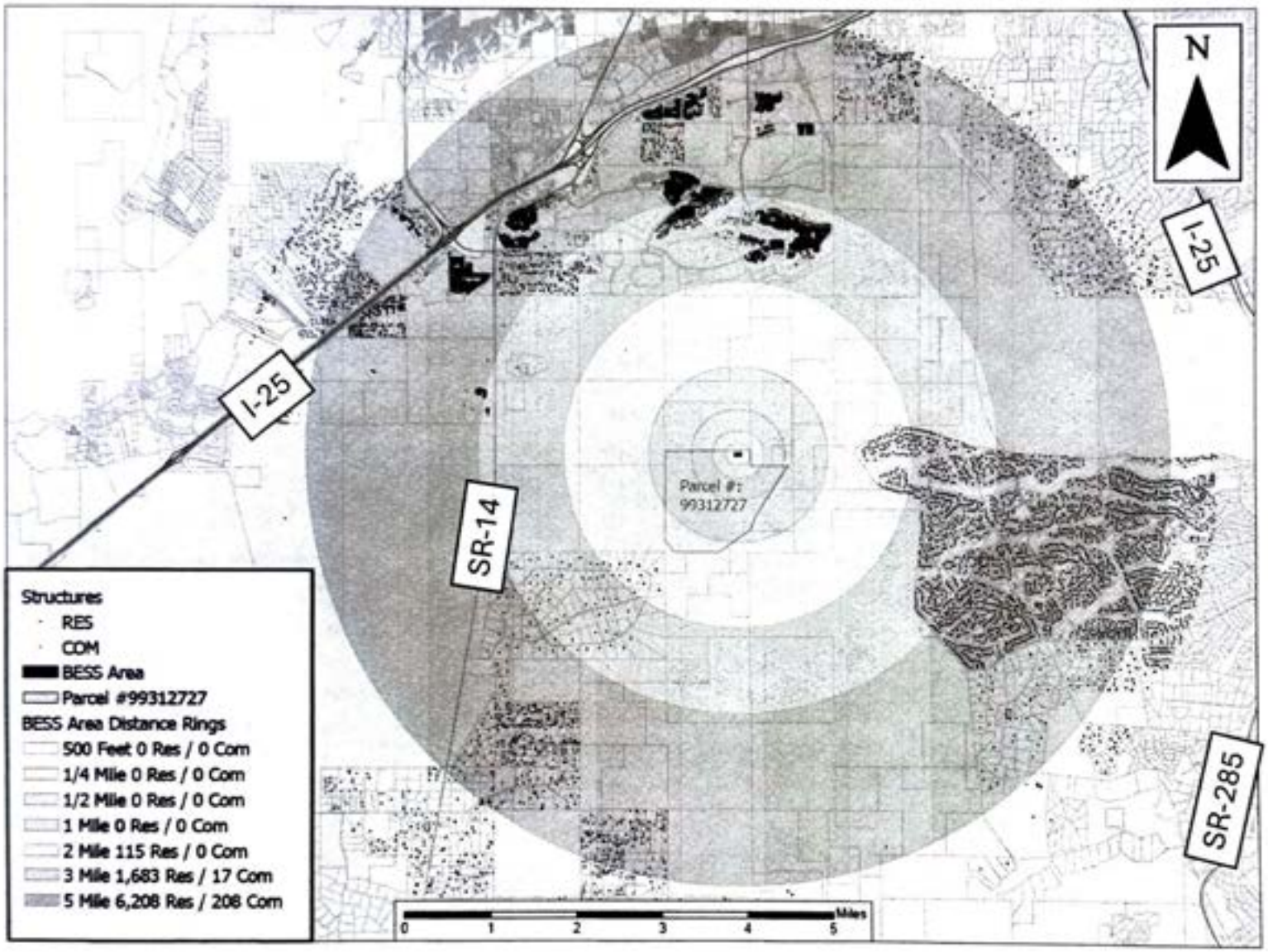

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The Application

- Rancho Viejo Limited Partnership, Rancho Viejo Solar, LLC; AES Clean Energy Development, LLC (jointly, the Applicant), requests approval of a Conditional Use Permit (CUP) for a ninety-six (96) megawatt solar facility. Application includes 12-month extension of approval, if granted.
- Appendix B, the Use Matrix of the Sustainable Land Development Code (Ordinance 2016-9, hereafter SLDC) allows commercial solar facilities as a conditional use within the RUR-F zone.
- A CUP application may be subject to other special reports and assessments (SRAs) and the "conditions of approval" require individual review of the proposed location, design and configuration of the proposed project.

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Application Materials

- Applicant was required to submit several additional SRAs that are not usually required for a CUP Application.
- The initial Hazard Mitigation Assessment and Emergency Response Plan are also available for public review at the CUP stage although they will be further refined at the time of development permit (if the Planning Commission approves the CUP).
- All materials related to this application are available for public review on the County's website: www.santafecountynm.gov

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Special Reports and Assessments (SRA)

- Environmental Impact Report
- Adequate Public Facilities & Services Assessment
- Site Thresholds Analysis
- Aquatic Resources Inventory Report
- Biological Survey Report
- Class III Cultural Resources Survey and Report, and State Historic Preservation Officer concurrence letters
- Visual Impact Assessment
- Noise Technical Report
- Vegetation Management and Noxious Weed Control Plan
- Geotechnical Investigation Report
- Preliminary Hazard Mitigation Analysis
- First Responder Mitigation Guidelines
- Pre-Incident Plan
- Decommissioning Plan

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Staff Review of SLDC Standards

- **Access** (§7.4), **Road Design** (§7.11) and **Traffic Impact** (§6.6): *Access from SR 14 will be subject to NM DOT standards, all interior roads will meet SLDC width and material standards; Site Threshold Analysis (STA) concludes that traffic impact is minimal and Traffic Impact Analysis (TIA) is not required.*
- **Water Supply** (§7.13, §6.5), and **Water Conservation** (§7.13): *Water for construction estimated at 100 – 150 ac ft with long term use 2 – 3 ac ft/year supplied via a combination of sources (offsite, reclaimed water, or other commercial water source); potable water at site for office use supplied via 5,000 gallon tank; portable toilets used during construction and NMED-approved septic system installed for permanent use.*

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Staff Review of SLDC Standards

- **Landscaping and Buffering** (§7.6): *Given the nature of the facility, no new landscaping is proposed, which is allowable as per §7.6.8.6 "in open lands characterized by an absence of significant natural vegetation".*
- **Fences and Walls** (§7.7): *An 8-foot tall perimeter fence is proposed to enclosed the developed area of the parcel (likely chain link) with screening on the section closest to residences.*
- **Lighting** (§7.8): *Lighting will be motion-activated, downcast shaded security lighting at access gate, BESS and substation location, operations building/office and solar pads. A lighting study is not required.*
- **Signs** (§7.9): *A small identification sign may be posted at the entry gate and interior signage will restrict parking to ensure fire lanes are kept clear.*

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Staff Review of SLDC Standards

- **Parking and Loading** (§7.10): *Visitor and employee parking at the operations building will occur 7 am – 7 pm and applicant proposes gravel parking lot with 7 spaces.*
- **Open Space** (§7.15): *Approx 340 acres will remain natural open space which meets requirements.*
- **Protection of historic resources** (§7.16): *Three cultural resources surveys were conducted, finding 17 sites, 2 of which deemed potentially eligible for status so applicant redesigned road to avoid the resources with a 100-ft buffer and State Historic Preservation Office concurred that there is no effect on historic properties. If any resources are unearthed during construction, applicant will notify appropriate authorities.*

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Staff Review of SLDC Standards

- **Terrain Management** (§7.17) and **Flood Control** (§7.18): *During construction SWPPP in accordance with NLI will meet EPA standards. Applicant will use best practices to control runoff, reduce erosion, sedimentation, and turbidity; includes using silt fences, straw wattles as well as minimizing grading and removal of existing vegetation. A hydrologic study indicate that there are no impacts to the three unnamed arroyos on property. Development will be avoided in these areas.*
- **Solid Waste** (§7.20): *All waste generated during construction will be disposed of at a licensed waste management facility. When the project is decommissioned, all materials will be disposed according to federal, state and local laws.*

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Staff Review of SLDC Standards

- **Air Quality and Noise** (§7.21): *Construction will result in localized emissions, which are regulated by NMED. Reasonable precautions are required to limit airborne dust and pollutants including water, covering open-bodied trucks, establishing vehicle speed controls, installing wind-control fences, minimizing truck idling time. Once operational, the facility will require routine inspections and maintenance with minimal emissions. During construction, ambient noise levels will increase. Once in operation, there will not be a discernible increase in sound beyond the immediate vicinity of the facility.*

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Fire Protection

- §**7.5:** *Project will be constructed with 20 ft wide internal roads with fire lanes, 28 ft turning radii, a 30,000 gallon above ground water storage tank for wildland fire protection.*

In addition to the SLDC requirements, the project must be compliant with the following federal fire safety laws:

- **International Fire Code,** 2021 edition
- **NFPA 855,** Standard for the Installation of Stationary Energy Storage Systems, 2023 Edition.

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ATAR FIRE

Santa Fe County Planning Commission Meeting
Atar Fire 3rd Party Review Summary
February 3, 2025

NICHOLAS BARTLETT, MS, P.E.

TODD LABERGE, P.E.

Nicholas Bartlett, Fire Protection Engineer. P.E.

ATAR FIRE

- 18+ Years as a Fire Protection Engineer (UL, Jensen Hughes, Atar Fire, etc)
- M.S Fire Safety Engineering
- Licensed P.E. (CA, CO, NM, NY)
- NFPA 855 –*Installation of Energy Storage Systems,* Alternate Member
- NFPA 800 – *Battery Code*, Alternate Member
- UL 9540/A – Technical Member
- UL 1487 – Technical Member
- UL 1973 – Technical Member
- CSA C801 – Technical Member

Todd LaBerge, Fire Protection Engineer, P.E.

ATAR FIRE

- 30 Years of Experience in Heavy Industry/ Hazardous Materials
- Licensed Professional / Fire Protection Engineer in 30+ States
- IFC Task Group 4 – Battery Storage, R&D, and Micromobility
- CSA C800 – Large Scale Battery Fire Testing – Principal
- CSA C801 – Thermal Runaway Detection - Principal
- NFPA 101 – Storage, Industrial, and Misc. Committee Principal
- NFPA 420 – Principal Author

Applicable Energy Storage System Codes and Standards for Santa Fe County

ATAR FIRE

1) NFPA 855, *Standard for the Installation of Energy Storage Systems,* 2023 Edition
2) International Fire Code, 2021 Edition

Reviewed Documents

ATAR FIRE

Hazard Mitigation Analysis (Coffman Engineers)
UL 9540A Test Data (cell/module/unit – UL; installation - CSA)
UL 9540 Listing Test Report Draft (SGS Laboratory)
NFPA 68 Design Calculations (Vigilex)
Dispersion and Deflagration Modeling Report (Coffman Engineers)
Deflagration Test Report (CSA)
Site Development Plan Drawings (AES/PVinsight Inc)
Preliminary Emergency Response Plan (AES)
Preliminary Pre-Incident Plan (AES)

Sample Safety Features – Explosion Control

ATAR FIRE

- Deflagration Venting System – Designed by Vigilex – Based on UL 9540A
  - Reviewed for compliance with NFPA 68, UL 9540A cell level report, deflagration testing report
- Combustible Concentration System – Exhaust Ventilation + Gas Detection

KEY TAKEAWAYS:

- NFPA 855 ONLY REQUIRES ONLY ONE EXPLOSION CONTROL SYSTEM
- THIS PROJECT IS PROVIDING TWO REDUNDANT EXPLOSION CONTROL SYSTEMS
- ALL SYSTEMS ARE REQUIRED TO COMPLY WITH NFPA 68/69/855