



June 7, 2022

Ms. Annette Holmes
Economic Development & Local Government
Data Analysis & Transparency Division
Texas Comptroller of Public Accounts
111 East 17th Street
Austin, Texas 78774

VIA EMAIL DELIVERY:
Annette.Holmes@cpa.state.tx.us

Re: Application #1781—Anderson Shiro Independent School District (“District”) / Tax Limitation Agreement: Smith Lake Solar, LLC (“Applicant”)

Dear Ms. Holmes:

Pursuant to your email correspondence dated May 10, 2022, please see attached amendment related to the above-mentioned application materials submitted to your office on April 18, 2022. In particular, please note the following amendments to Application #1781:

1. Section 14, Questions 1-7 (Specifically Questions 5 & 7): Has been updated with responses;
2. Tab 4, 7 & 8:
 - (a) Requested sentence has been added;
 - (b) Requested clarification has been added;
3. Tab 11 – Map Revision: Updated as requested;
4. Tab 17: Reinvestment Zone letter has been added; and
5. Fully executed signature page

In addition, the Applicant has provided the following responses to your clarifying questions:

1. Is the Smith Lake Solar, LLC currently known by any other project names? **This project was also known as Sulphur Creek Solar, LLC**
2. Has this project applied to ERCOT at this time? If so, please provide the project’s IGNR number and when was it assigned. **Yes it does have IGNR numbers and they are 23INR0176 and 25INR00045 and were assigned in January of 2021**
3. Please also list any other names by which this project may have been known in the past-in media reports, investor presentations, or any listings with any federal or state agency. **This project was also known as Sulphur Creek Solar, LLC**
4. Section 7, Question 2 and Section 13: **Please refer to Mr. Villareal on the language in Tab 10 in reference to this. It has been accepted in previous applications**

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Thank you for your consideration. Please feel free to contact me directly if you have any additional questions.

Sincerely,

A handwritten signature in blue ink that reads "Eddy H. Perez". The signature is written in a cursive, flowing style.

EDDY HERNANDEZ PEREZ

EHP/cae

Enclosures

Ms. Annette Holmes
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cc: *(Via E-mail)*
Mr. Scott Beene, Superintendent of Schools
Anderson-Shiro Consolidated Independent School District
458 FM 149 West
Anderson, Texas 77830

(Via E-mail)
Ms. Kathy Mathias
Moak, Casey & Associates
901 S. MoPac Expwy, Bldg. III, Suite 310
Austin, Texas 78746

(Via E-mail)
Mr. Chris Norqual, COO
Birch Creek Development LLC
880 Apollo Street, Suite 333
El Segundo, CA 90245

(Via E-mail)
Mr. Forrest Coldren, Project Manager
Pine Gate Renewables, LLC
130 Roberts Street
Asheville, NC 28801

(Via E-mail)
Mr. Steven Van Dyck, Partner
Cummings Westlake, LLC

Grimes County Appraisal District
Attention: Chief Appraiser, Mark Boehnke
360 Hill Street
Anderson, Texas 77830

(Via U.S. Postal Service Delivery)

SECTION 14: Wage and Employment Information

1. What is the number of new qualifying jobs you are committing to create? 1
2. What is the number of new non-qualifying jobs you are estimating you will create? (See TAC 9.1051(14)) 0
3. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? Yes No
 - 3a. If yes, attach evidence of industry standard in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
4. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the Texas Workforce Commission website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22). **Note:** If a more recent quarter of information becomes available before the application is deemed complete, updated wage information will be required.
 - a. Non-qualified job wages
- average weekly wage for all jobs (all industries) in the county is \$ 1,002.50
 - b. Qualifying job wage minimum option §313.021(5)(A)
-110% of the average weekly wage for manufacturing jobs in the county is \$ 1,349.43
 - c. Qualifying job wage minimum option §313.021(5)(B)
-110% of the average weekly wage for manufacturing jobs in the region is \$ 809.90
5. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? §313.021(5)(A) or §313.021(5)(B)
6. What is the minimum required annual wage for each qualifying job based on the qualified property? \$ 42,114.60
7. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? \$ 42,114.60
8. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No
9. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? Yes No
 - 9a. If yes, attach in **Tab 13** supporting documentation from the TWC, pursuant to §313.021(3)(F).
10. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? Yes No
 - 10a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, and C in **Tab 14**. **Note:** Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by an entity other than the Comptroller's office, in **Tab 15**. (*not required*)
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.



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Chapter 313 Application Anderson-Shiro ISD

TAB 4

Detailed Description of the Project

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.

Smith Lake Solar, LLC (Smith Lake Solar) is requesting an appraised value limitation from Anderson-Shiro Independent School District (ISD) for the Smith Lake Solar Project (the "Project"), a proposed solar powered electric generating and battery storage facility in Grimes County. The proposed Anderson-Shiro ISD Project (this application) will be constructed within a Reinvestment Zones that will be created by Anderson-Shiro ISD. A map showing the location of the project is included in TAB 11.

The full project would have approximately 933,300 panels and associated inverters located in Grimes County with a total capacity of 400 MW (ac) of Solar. The exact number and location of panels and inverters will vary depending upon ongoing siting analysis, manufacturer's availability, prices, and the final megawatt generating capacity of the Project when completed. The Applicant requests a value limitation for all facilities and equipment installed for the Project, including;

- underground collection systems that collect the power from the inverters and transfer the power to be put on the grid
- transmission lines
- electrical interconnections,
- roads
- control systems necessary for commercial generation of electricity
- solar modules/panels
- racking and mounting structures
- inverters and skids
- transformers (e.g. medium voltage and auxiliary transformers not inside substation)
- combiner boxes
- battery storage that will only store power generated by the qualified property
- meteorological equipment
- roadways
- maintenance and operations building



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- paving
- fencing
- electrical substations
- generation transmission tie line and associated tower
- interconnection facilities
- wiring (generic to include PV and other wiring not included in the underground AC collection)

The permanent battery storage facility will be used for the Smith Lake Solar, LLC project

**NOTE:* The map in TAB 11 shows the potential locations of improvements within Anderson-Shiro ISD boundaries; however, the final number of panels and inverters and the location of each of these facilities is dependent upon ongoing negotiations with power purchasers and other factors.



TAB 7

Description of Qualified Investment

Smith Lake Solar, LLC proposes to construct a 400 MW (AC) Photovoltaic solar and battery energy storage system that would be sited on approximately 1,850 acres of land west of Roans Prairie in Grimes County. This application covers all qualified property in the reinvestment zone and project boundary within Anderson-Shiro ISD necessary for the commercial operations of the proposed solar project described in Tab 4.

- Qualified Investment and Qualified Property in Anderson-Shiro ISD would generate 400 MW solar and includes underground collection systems
- underground collection systems that collect the power from the inverters and transfer the power to be put on the grid
- transmission lines
- electrical interconnections
- control systems necessary for commercial generation of electricity
- approximately 933,300 solar modules/panels and associated inverters
- racking and mounting structures
- inverter boxes
- combiner boxes
- battery storage that will only store power generated by the qualified property
- meteorological equipment
- roadways, maintenance, and operations building
- paving
- fencing
- electrical substations
- generation transmission tie line and associated towers
- interconnection facilities
- wiring (generic to include PV and other wiring not included in the underground AC collection)

The permanent battery storage facility will be used for the Smith Lake Solar, LLC project



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Smith Lake Solar, LLC
Chapter 313 Application Anderson-Shiro ISD

NOTE- The map in TAB 11 shows the proposed project area with the preliminary panel and inverter locations. The exact placement of these panels and inverters is subject to ongoing planning, soil studies, and engineering and will be determined before construction begins.



TAB 8

Description of Qualified Property

Smith Lake Solar, LLC proposes to construct a 400 MW (AC) Photovoltaic solar and battery energy storage system that would be sited on approximately 1,850 acres of land west of Roans Prairie in Grimes County. This application covers all qualified property in the reinvestment zone and project boundary within Anderson-Shiro ISD necessary for the commercial operations of the proposed solar project described in Tab 4.

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Chapter 313 Application Anderson-Shiro ISD

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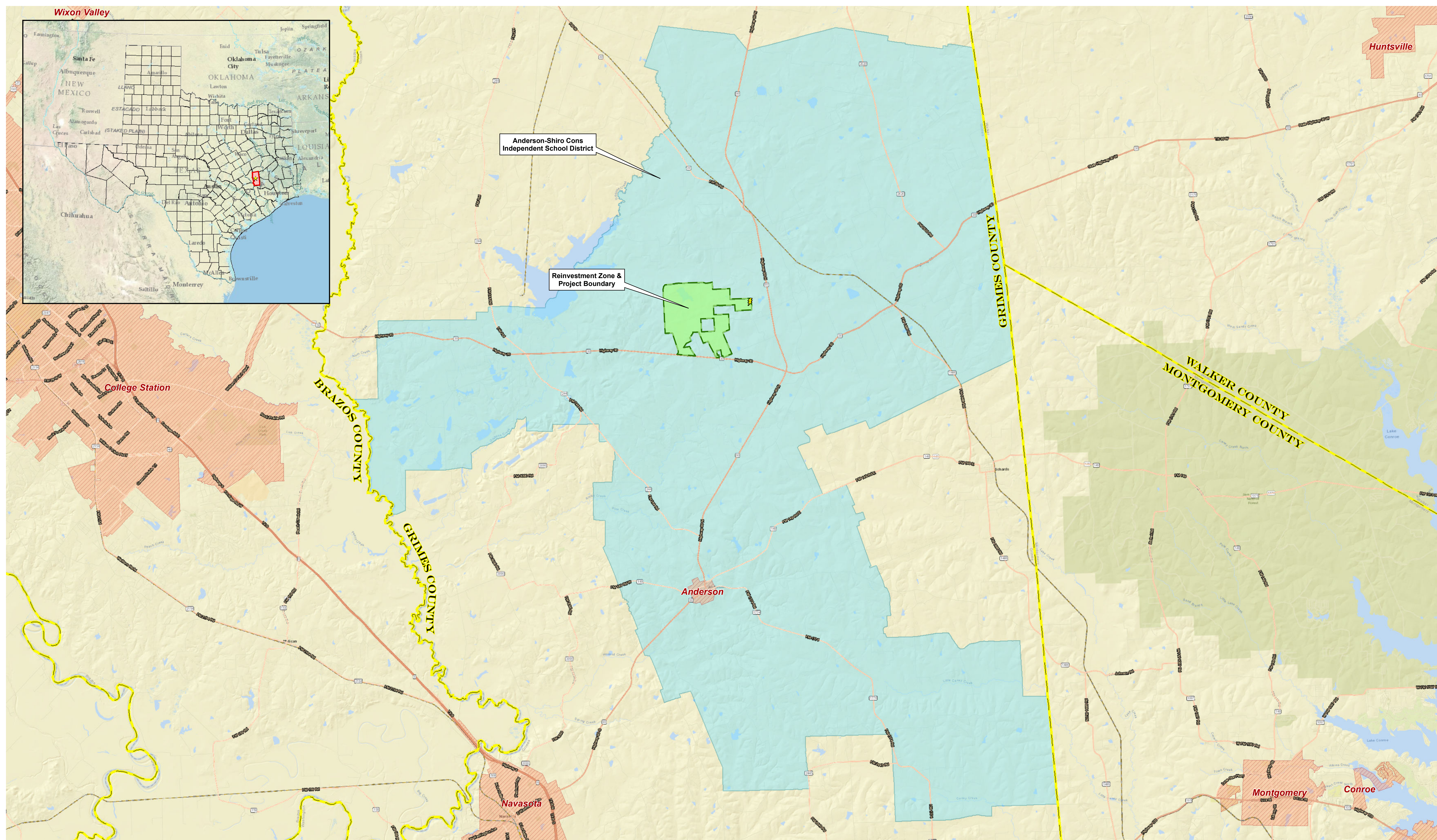
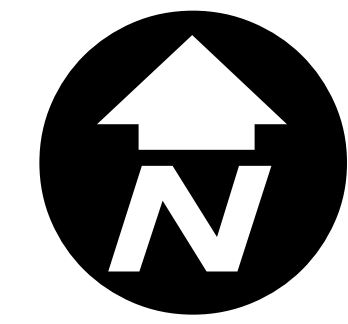
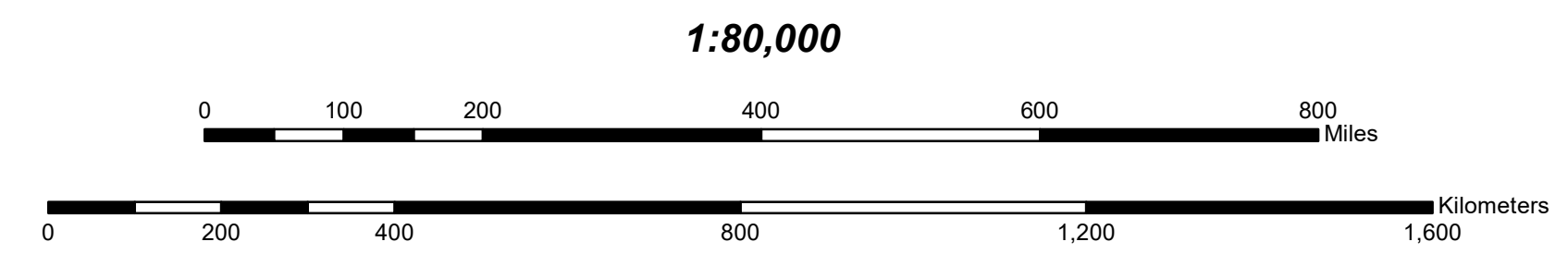


Figure 2. Vicinity Map for the Smith Lake Solar Project in the Anderson-Shiro Cons Independent School District, Grimes County, Texas. Smith Lake Solar, LLC

- Reinvestment Zone & Project Boundary
- Incorporated Area
- Anderson-Shiro Cons ISD
- POI



Coordinate System: NAD 1983 2011 StatePlane Texas South FIPS 4205 F1 US
 Projection: Lambert Conformal Conic
 Datum: NAD 1983 2011
 False Easting: 984,250.0000
 False Northing: 16,404,166.6667
 Central Meridian: -98.5000
 Standard Parallel 1: 28.1667
 Standard Parallel 2: 27.8333
 Latitude Of Origin: 23.6667
 Units: Foot US



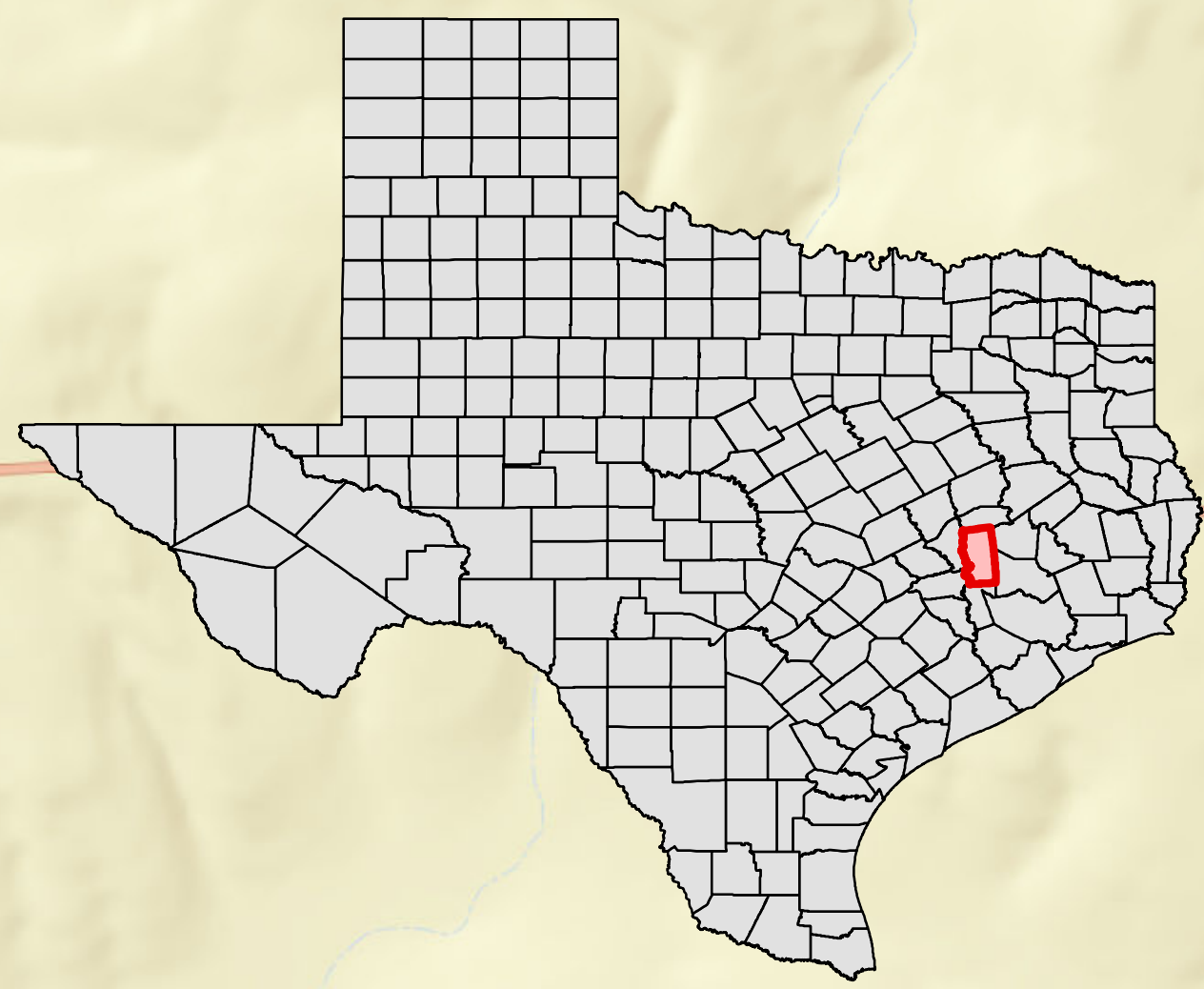
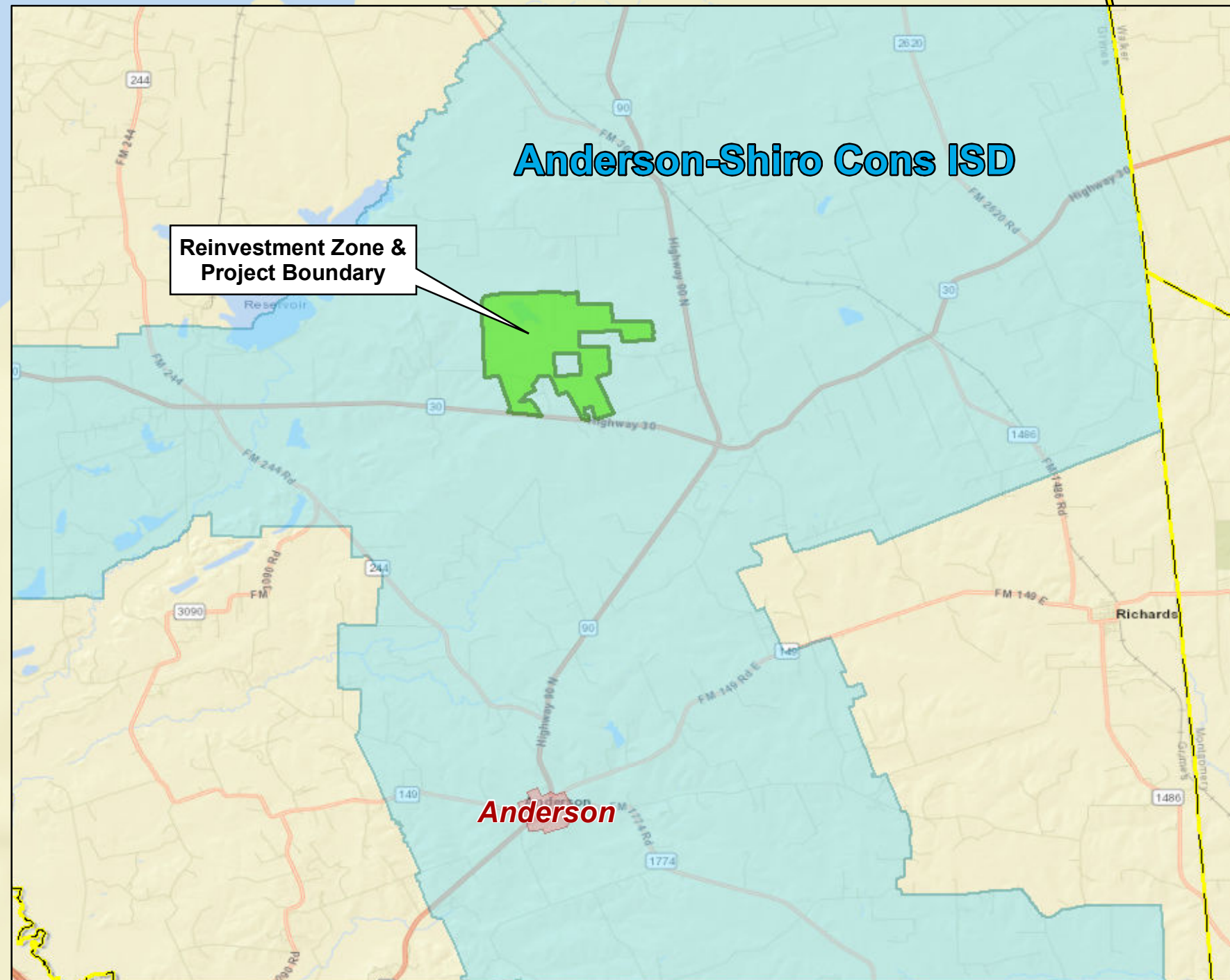
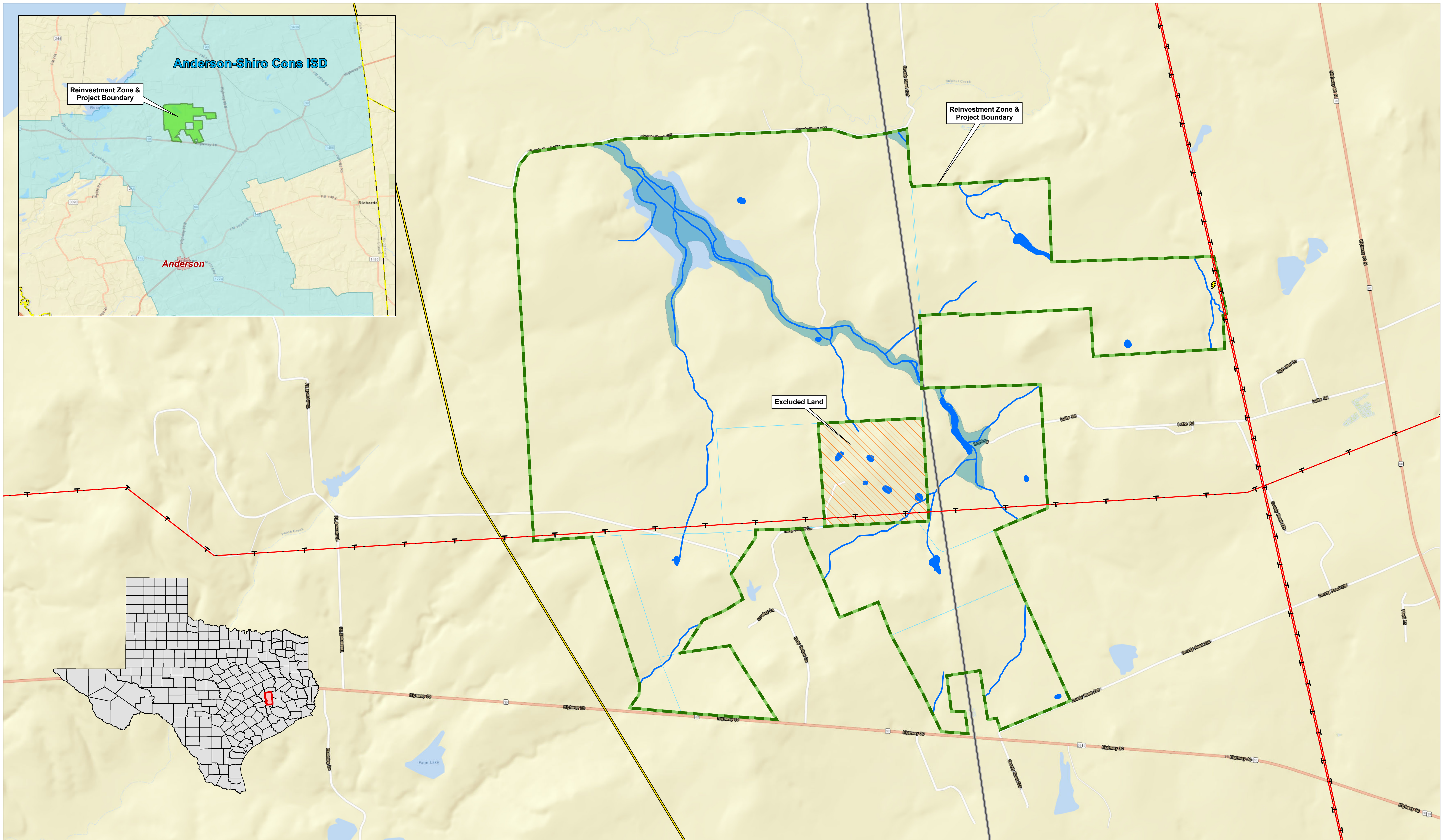
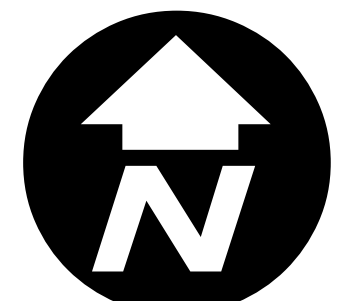
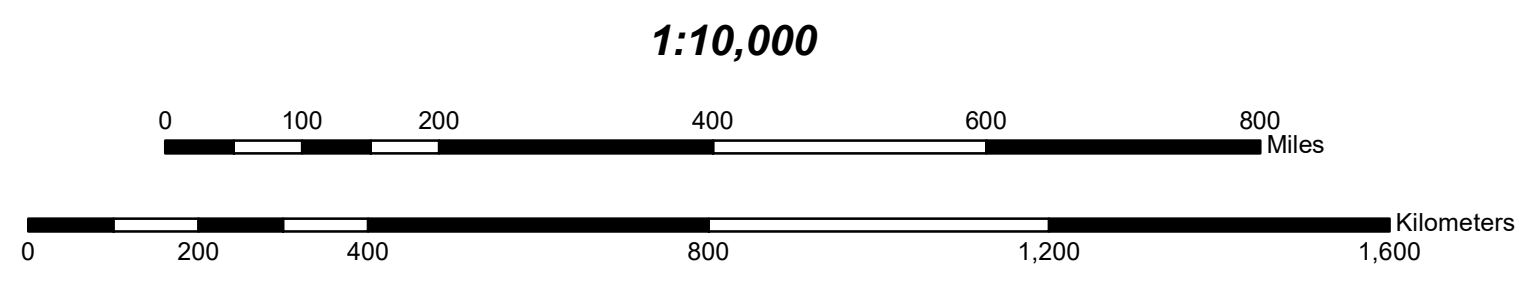


Figure 1. Improvements Map in the Anderson-Shiro Cons Independent School District. Grimes County, Texas. Smith Lake Solar, LLC.

- Reinvestment Zone & Project Boundary (~2,324 Acres)
- Excluded Land
- Project Parcel Outline
- NWI Wetland
- 100 Year Flood Zone
- Natural Gas Pipeline
- Crude Oil Pipeline
- Transmission Line
- POI



Coordinate System: NAD 1983 2011 StatePlane Texas South Central FIPS 4204 FIPS
 Projection: Lambert Conformal Conic
 Datum: NAD 1983 2011
 False Easting: 1,968,500.0000
 False Northing: 13,123,333.3333
 Central Meridian: -99.0000
 Standard Parallel 1: 28.3833
 Standard Parallel 2: 30.2833
 Latitude Of Origin: 27.8333
 Units: Foot US





ANDERSON-SHIRO
CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

Scott Beene, Superintendent
458 FM 149 West
Anderson, TX 77830
Ph 936.873.4500 - Fax 936.873.4515
www.ascisd.net

May 26, 2022

Ms. Annette Holmes
Senior Research Analyst
Local Government Assistance and
Economic Development Division
Texas Comptroller of Public Accounts
111 E. 17th Street
Austin, Texas 78774

VIA E-MAIL DELIVERY:
Annette.Holmes@cpa.texas.gov
Ch313.apps@cpa.texas.gov

Re: Anderson-Shiro Consolidated Independent School District—Intent to consider creating a Reinvestment Zone under Chapter 312 of the Texas Tax Code in connection with Application number 1781 submitted by Smith Lake Solar, LLC

Dear Ms. Holmes:

As Superintendent of Schools for the Anderson-Shiro Consolidated Independent School District (the “District”), I am writing this letter to confirm the District’s intent to consider establishing a Reinvestment Zone in connection with the Application for Appraised Value Limitation on Qualified Property submitted by Smith Lake Solar, LLC. In the event Grimes County does not designate a Reinvestment Zone for this project, which currently appears to be the case, the Board of Trustees plans to hold a hearing regarding creation of a Reinvestment Zone prior to considering final approval of the above-referenced Chapter 313 Application and Agreement with Smith Lake Solar, LLC. All Board meetings and hearings on the matter will be conducted in accordance with the Texas Open Meetings Act, Chapters 312 and 313 of the Texas Tax Code, and all other applicable statutes and regulations.

If you have any questions about this letter or any other part of the Application and Agreement processes, please contact the District’s legal counsel, Eddy Hernandez Perez, of Walsh Gallegos Treviño Kyle & Robinson, P.C.

Sincerely,

Scott Beene
Superintendent of Schools
Anderson-Shiro Consolidated Independent School District

cc: Eddy Hernandez Perez, Legal Counsel for Anderson-Shiro CISD (Via E-mail: EPerez@wabsa.com)

Steven Van Dyck
Cummings Westlake, LLC

(Via E-mail: svandyck@cwlp.net)

Texas Comptroller of Public Accounts

Data Analysis and Transparency Form 50-296-A

SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17.

NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print here Scott Beene Superintendent Title
Print Name (Authorized School District Representative)
sign here [Signature] 6/3/2022 Date
Signature (Authorized School District Representative)

2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print here Chris Norqual COO Title
Print Name (Authorized Company Representative (Applicant))
sign here [Signature] 6/2/22 Date
Signature (Authorized Company Representative (Applicant))

GIVEN under my hand and seal of office this, the

day of

Notary Public in and for the State of Texas

(Notary Seal)

My Commission expires.

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.

