



# PUEBLO COUNTY


C O L O R A D O

## Planning and Development Department

Gail L. Wallingford-Ingo  
Interim Director

### **MEMORANDUM**

TO: Pueblo Board of County Commissioners

FROM: Gail L. Wallingford-Ingo, Interim Director 

DATE: November 20, 2019

SUBJECT: **1041 PERMIT NO. 2019-003**  
Seth Boutilier, Project Manager, Black Hills Energy (Applicant)  
Black Hills Energy, Gary R. and Georgia A. Walker and Pueblo West Metropolitan District (Owners)  
HDR Engineering, Inc., c/o Pamela McWharter (Representative)  
Cañon West Reliability Project, Construction of 115kV Electric Transmission Line

### **PURPOSE**

Black Hills Energy (BHE) is requesting approval of a permit by the Pueblo Board of County Commissioners, as the designated Permit Authority, pursuant to Title 17 - Land Use, Division II. Areas and Activities of State and Local Interest, Chapter 17.168 *Site Selection and Construction of Major Facilities of Public Utilities (1041 Permit)* of the Pueblo County Code for construction of a 115-kilovolt electric transmission line in unincorporated Pueblo County. The transmission line would start in Pueblo West and traverse toward Cañon City. The proposed Cañon West Reliability Project will occupy a 125-foot wide right-of-way, crossing about 16.9 miles of land in Pueblo County on lands in the A-1, Agricultural; S-1, Public Use and I-2, Light Industrial Zone Districts.

In Pueblo County, all of the proposed line is to be built: (1) in existing utility easement corridors that are intended to be used for projects exactly like this one and which BHE has an existing "use by right", (2) on Walker Ranch where there is approval from the landowner; and (3) in an easement that is located on property owned by the Pueblo West Metropolitan District located near the Pueblo West Industrial Park. No other private property is necessary for the Project in Pueblo County.

The overhead transmission line will be constructed within the existing Wild Horse Creek and West Station utility corridors; structures will be between 70-90 feet high and spaced about every 500 feet. Structures in the industrial park area will be steel tangent monopoles that are between 90-105 feet high. The wood H-frame structures will be 60-80 feet high and spaced about every 600 feet.

**Exhibit 1** is the application as submitted by BHE on September 19, 2019. The Board of County Commissioners has been provided the same document in a 3-ring binder format. For ease of review and to be consistent with past submissions, staff will reference citations of text, Figures, and Tables in Exhibit 1 as attached and as in the 3-ring binder ("binder"). Page numbers after the Figure and Table reference are the page numbers in the 1041 Permit Application prepared by HDR dated September 2019.

## **PROJECT DESCRIPTION**

The Cañon West Reliability Project will generally occupy a 125-foot-wide right-of-way, crossing about 39 miles of land in Pueblo and Fremont Counties as shown in **Figure 1** (page 5 - Exhibit 1). The new transmission line will cross land owned by Bureau of Land Management (BLM), the State of Colorado, Pueblo West Metropolitan District, and private landowners. In Pueblo County, the transmission line project crosses about 16.9 miles of land, of which 12.7 miles are private property on Walker Ranch and 4.2 miles are owned by Pueblo West Metropolitan District.

## **LOCATION**

The permit is requested for the electric transmission line proposed within Pueblo County on lands in the Pueblo West Metropolitan District and in certain Sections, Townships, and Ranges in the 6th P.M.

**Figure 3** (page 14 - Exhibit 1) shows the Project overview through Pueblo County and a small portion in Fremont County.

**Table 1** (page 6 - Exhibit 1) lists the Assessor's Tax Parcel Numbers with each legal description.

**Table 2** (page 8- Exhibit 1) lists the Assessor's Tax Parcel Number, Owners name and address.

## **ZONING AND LAND USE**

The portion of the transmission line in Pueblo County for which this permit approval is being requested is approximately 16.9 miles of land in Pueblo County on lands in the A-1, Agricultural; S-1, Public Use and I-2, Light Industrial Zone Districts. **Figure 2** (page 7 - Exhibit 1) is a map of the Project line in light blue (Existing Utility Easement) and yellow (Preferred Route) with the zone districts in color.

The transmission line begins in the Pueblo West Metropolitan District Industrial Park (where BHE proposes to develop a future substation on Lot 11, Block 1, Tract 258) on the north side of U.S. Highway 50 West, proceeds east along the north side of the industrial zoned property (portion of Parcel E, Subdivision Exemption No. 88-6), across East Purcell Boulevard onto Lots 3 & 4, Block 8, Tract 254, then heads north on platted large parcels (which are adjacent to agriculturally zoned/residentially improved lots) contained within Tracts 254, 242 and 233, traverses west through the Wild Horse Creek utility easement (within Tracts 238 and 251) toward the Pueblo/Fremont County line on Walker Ranch property, which is already subject to an existing gas pipeline easement.

## **PUEBLO REGIONAL DEVELOPMENT PLAN**

The Future Land Use Map from the 2002 Pueblo Regional Development Plan, most recently amended August 26, 2014, depicts the properties included in the Project to be in areas designated in three (3) different categories:

- "*Special Development Area*" for those parcels owned by the Pueblo West Metropolitan District and located within the I-2 Zone District;
- "*Country Residential*" for the platted parcels within Tracts 233, 238, 242, 251 and 254 owned by the Pueblo West Metropolitan District and currently zoned S-1; and
- "*Rural Ranch*" for those parcels of land under the ownership of Gary R. and Georgia A. Walker (Walker Ranches) located within the A-1 zone district designation.

The Development Plan does not address specific uses, including utilities, but is intended as an advisory and evolving document that provides guidance for a variety of growth-related issues. The plan is general in nature, offering broad development principles, policies and strategies to guide land use decisions that could shape the pattern of physical development.

The Development Plan does have Guiding Principles to “*shape the physical layout of the Plan and the implementation strategies for future growth and development ..* “. The Regional Development Principles category reflects the need to “*Encourage efficient and prudent extensions of infrastructure in a manner that considers impacts to both service providers and taxpayers*”. In staff’s opinion, the Project is consistent with this Principle.

## **FLOODPLAIN**

The application submittal documents (page 24 - Exhibit 1) indicates “... *the transmission line right-of-way will cross the Zone A flood zone at Turkey Creek. The Zone A flood zone indicates a one-percent-annual-chance flood event, which corresponds with the 100-year floodplain. BHE will not place pole structures in the flood zone near Turkey Creek.*”

Staff has discovered that several of the parcels the proposed transmission lines are to be erected within and/or will cross **do fall within** a “*Special Flood Hazard Area*”, specifically Zone A, according to the Federal Emergency Management Agency’s Flood Insurance Rate Map, Community Panel Nos. 080147 0225D, 0250D, 263D, 264D, 455D, 477D and 479D with an effective date of August 15, 2019. The flooding sources noted were: Turkey Creek, Wildhorse Creek, Williams Creek and Pierce Gulch. Therefore, the applicant is advised of the need to keep pole structures out of all previously referenced flooding sources.

## **AGENCY COMMENTS**

Staff requested comments from various review agencies including the Pueblo County Department of Engineering and Public Works, the Pueblo West Metropolitan District (Administration, Community Development, Fire Department, Public Works Department, Water/Wastewater Utilities Department), the Nature Conservancy District, Federal Aviation Administration, the Pueblo Department of Public Health and Environment and Colorado Parks and Wildlife. Comments received to date are attached and/or specifically identified below.

In an email dated October 29, 2019, the Federal Aviation Administration (FAA) states, “*The FAA conducted an aeronautical study on the Black Hills project 2019-ANM-2017-OE through 2019-ANM-2043-OE. Determination letters can be viewed/downloaded at <https://oeaaa.faa.gov/oeaaa>.*” Staff has reviewed the issued determination letters, all of which state (in part), “... *Based upon this evaluation, marking and lighting are not necessary for aviation safety. ...*”. The height referenced for the transmission lines in those same Determination letters range between 52-74 feet.

The Pueblo County Department of Engineering and Public Works provided comments regarding access and stormwater (**Exhibit 2**). The comments indicate the need for BHE to obtain an access permit for access from every County Road and an excavation permit for the crossing of County right-of-ways and state (in part), “*The proposed transmission line route and structures do not appear to create a concern for the County drainage or transportation infrastructure along the proposed route; therefore, this department does not oppose the application.*”

The Pueblo West Metropolitan District - Public Works Department and Water/Wastewater Utilities Department provided collaborative comments on November 12, 2019 regarding access, stormwater and water/wastewater infrastructure requirements. (**Exhibit 3**)

The Nature Conservancy District's comments of November 12, 2019 state (in part), "... the permit application appears to adhere to the routing and implementation recommendations made to Black Hills Energy's project team by the Conservancy and ecologists familiar with the easement property and the suite of rare plants and other conservation priorities that reside there. However, the Conservancy does have some minor requests for the permit..." (**Exhibit 4**)

In a letter dated November 13, 2019, the Pueblo West Metropolitan District Board of Directors state, "The Board of Directors has concerns regarding the necessity of Black Hills Energy's application as it relates to the construction near the Pueblo West Industrial Park. Apart from a brief presentation to the Board of Directors in the summer of 2019, Black Hills Energy has made no further presentation to the Board of Directors regarding the expansion of the easement and whether this is part of a future sub-station development project. Therefore, at this time the Board of Directors would oppose approval of the application until Black Hills Energy's intent regarding the West Station utility corridor is further defined." (**Exhibit 5**)

## **OPPOSITION**

Staff has received three (3) letters from area residents as well as a petition with eighty-six signatures all indicating their opposition to the transmission line project as proposed by Black Hills Energy. Those documents have been included as **Exhibit 6**. The individual who circulated the petition has advised staff "... since the new permit 2019-003 is of similar nature, including the proposed route, I resubmitted some of the forms with reference to this years filings."

## **GUIDELINES**

Title 17 - Land Use, Division II. Areas and Activities of State and Local Interest, Chapter 17.168 *Site Selection and Construction of Major Facilities of Public Utilities (1041 Permit)* of the Pueblo County Code provides Procedures (Section 030) and Guidelines (Section 040) for the review and issuance of a 1041 Permit application within unincorporated Pueblo County.

The seven (7) Guidelines as listed in Section 17.168.040 are as follows with staff comments thereafter in **bold face** type, noting the applicant's response for each Guideline are included in **Exhibit 1** under **8. Project Compliance** (pages 39-55).

### Section 17.168.040 Guidelines

*A permit to conduct site selection and construction of a major facility by a public utility shall be issued by the Permit Authority following a public hearing upon the application for such a permit, provided that, at such hearing, the preponderance of evidence shall establish the following:*

- A. *The health, safety and welfare of the citizens of this jurisdiction will be protected and served.*

**Staff Comments:** The applicant has outlined its commitment to developing the transmission line project in conformance with all regulatory and governing agencies/entities and does not anticipate any conflicts with public health and/or safety. Staff believes, provided the applicant follows the measures and procedures as outlined within their application submittal, as well as staff's recommended conditions of approval for the Permit, the health, safety and welfare of the citizens of Pueblo County would be protected and served.

Applicant's response is reflected in **8.1 Health, Safety, and Welfare of Citizens**, pages 40 and 41 - **Exhibit 1**.

- B. *The facility will not adversely impact the physical, economic, or social environment of this jurisdiction, except as permitted in Section 17.168.040(C).*



**Staff Comments: Section 7 Description of Projects and Impacts** (page 10 - **Exhibit 1**) as reflected in applicant's submittal documents addresses impacts and suitability associated with land use, water suitability, soil, re-vegetation, dust, etc. The Project will have little physical impact, other than during the construction phase of which the applicant has addressed these contributing factors in detail.

Upon completion, the primary concern as emphasized by area residents in opposition would be the visual impact of the Project. BHE stated it "... will install steel monopole structures in the Pueblo West utility easement areas in order to minimize visual impacts. ..."

Traffic and road impacts during the construction of the Project have been addressed with BHE indicating "... a 14-foot access corridor for the length of the 18-mile long easement to be used for both construction and operation of the Project." Traffic will be minimal for the Project upon completion.

The construction project would not cause adverse economic impacts to this jurisdiction. To the best of staff's knowledge, there are no known adverse social impacts anticipated.

Applicant's response is reflected in **8.2 No adverse impacts to the physical, economic, or social environment**, pages 41 and 42 - **Exhibit 1**.

- C. *When an adverse impact is expected to occur, reasonable modifications and programs and other reasonable mitigating actions will be implemented and maintained to minimize the degree of adversity of the impact.*

**Staff Response:** The Project is not expected to cause adverse impacts requiring mitigating actions, other than those addressed by the applicant for the construction of the Project (refer to staff response for Guideline B.). Staff has incorporated the proposed mitigation measures outlined by the applicant in their Project proposal and description as a proposed condition of approval (see STAFF RECOMMENDATION).

Applicant's response is reflected in 8.3 **Mitigation of Adverse Impacts**, pages 42 to 45 - **Exhibit 1**.

- D. *Other feasible alternatives to the proposed facility have been assessed, and the proposed facility represents the best interest of the people of this jurisdiction and the best utilization of resources in this jurisdiction.*

**Staff Response:** The Project is a new alignment from BHE following the information received through the review of a previous application (1041 Permit No. 2018-002) which was ultimately denied by the Board of County Commissioners in November 2018. Although the new alignment does run through residentially developed areas, BHE has directed the development of the project to be built in: (1) existing utility easement corridors for which BHE already has a 'use by right' (2) on Walker Ranch where there is approval from the landowner; and (3) on land owned by Pueblo West Metropolitan District near the Industrial Park. It does appear that the location of this proposed Project has been assessed and is in the best interest of the people of this jurisdiction and is a good and careful utilization of resources.

Applicant's response is reflected in 8.4 **Alternatives Analysis**, pages 45 to 53 - **Exhibit 1**.

- E. *There exists a need, or a reasonably foreseeable need, for the facility as proposed.*

**Staff Response:** BHE has identified the need to provide safe and reliable power to the residents and businesses of Pueblo County.

Applicant's response is reflected in 8.5 **Need**, page 54 - **Exhibit 1**.

- F. *Adequate resources (e.g., schools, water and air, roads, labor) exist, or will exist, for the construction and efficient operation of the facility.*

**Staff Response:** The resources required to establish the Project do exist. The Project will not require a great deal of water or air resources. Pueblo and the southern Colorado area has ready access to an adequate labor force for this Project.

Applicant's response is reflected in 8.6 **Adequate Resources Available**, page 54 - **Exhibit 1**.

- G. *The facility does not conflict with this jurisdiction's adopted Comprehensive Plan, or a Comprehensive Plan in the required statutory process of adoption, and all feasible actions have been taken to avoid conflict with other adopted plans of this jurisdiction, region, State and nation.*

**Staff Response:** As discussed above within the Pueblo Regional Development Plan section of this staff review, it is staff's opinion that the new transmission line would not be in conflict with the Development Plan nor does it conflict with any other adopted plan.

Applicant's response is reflected in 8.7 **Compliance with the Comprehensive Plan/Regional Development Plan**, pages 54 and 55 - **Exhibit 1**.

*Where such terms as "reasonable," "feasible" and "adequate" are used in the foregoing guidelines, the permit authority shall determine in each case what is or is not reasonable, feasible or adequate.*

*The issuance of a permit allowing the activity shall, however, in no way constitute an exemption from zoning and other land use regulations, health regulations, or procedural requirements. In the case of this activity, the issuance of a permit is contingent upon the subsequent approval of the major facility by the Public Utilities Commission, Colorado Department of Public Health and Environment, U.S. Environmental Protection Agency, or other regulatory agencies, where required by appropriate statute or regulation.*

**Staff Response:** The applicable wording from the above referenced Guideline will be incorporated as a proposed condition of approval (see STAFF RECOMMENDATION).

Applicant's response is reflected in **9. Existing or Needed Permits, Approvals, Contracts, or Agreements, 9.1 Existing Permits, 9.2 Project Permits and Approvals**, pages 55 to 58 - **Exhibit 1**.

## **REVOCATION OR SUSPENSION OF PERMITS**

Title 17 - Land Use, Division II. Areas and Activities of State and Local Interest, Chapter 17.148 *Administrative Regulations*, Article 4. Permits, Section 17.148.320 *Revocation or suspension of permits* of the Pueblo County Code reads as follows:

- A. *If the Permit Authority makes a preliminary determination that the provisions of any permit or the terms of any regulation have been violated by the holder of the permit, the permit authority may temporarily suspend the permit for a period of ninety (90) days. Before making such a temporary suspension, the permit authority shall give the permit holder written notice of the specific violation and shall allow the permit holder a period of at least fifteen (15) days to correct the violations.*

*If the permit holder does not concur that he or she is in violation, he or she shall, within fifteen (15) days of his or her receipt of the notice, show cause to the permit authority why temporary suspension should not be ordered.*

*B. Either prior to or subsequent to a temporary suspension, the permit authority may permanently revoke or suspend the permit after conducting a public hearing in substantially the same manner and after substantially the same notice as for permit hearing, if it finds:*

- 1. A violation of the provisions of the permit or any applicable regulation; or*
- 2. That the applicant has failed to take substantial steps to initiate the permitted development or activity within twelve (12) months from the date of the permit, or, if such steps have been taken, the applicant has failed to complete the development or activity with reasonable diligence.*

## **STAFF RECOMMENDATION**

Staff acknowledges the Pueblo West Metropolitan District Board of Directors has expressed a concern over the Project as it relates to the construction near the Pueblo West Industrial Park and currently opposes approval of the application until Black Hills Energy's intent regarding the West Station utility corridor is further defined; however, the submittal does meet the provisions as outlined in Chapter 17.168 *Site Selection and Construction of Major Facilities of Public Utilities (1041 Permit)*, Section 040, Guidelines of the Pueblo County Code. The applicant will need to secure the easement in the area identified on Parcel E of Subdivision Exemption No. 86-4 prior to developing the Project since it is included in the materials submitted by the applicant for 1041 Permit No. 2019-003.

Therefore, staff recommends approval of 1041 Permit No. 2018-002 (Cañon West Reliability Project) within Pueblo County, contingent on the following conditions of approval:

1. This permit shall not constitute an exemption from zoning, health, building permits, or other applicable regulations. Issuance of this permit is subject to approval by any regulatory agency where required by regulation or statute.
2. The Cañon West Reliability Project construction and activity shall be according to the plans and information in the materials submitted by the applicant for 1041 Permit No. 2019-003, attached hereto as Exhibit 1. The applicant's description of Construction Activities, Operations and Maintenance Activities for the Project within the application materials, including but not limited to Permit area, safety, dust and erosion control, re-vegetation and reclamation, measures to protect wildlife, environmental and other impacts, and other required permits, shall be strictly adhered to. Noncompliance may result in the Department of Planning and Development scheduling a Show Cause Hearing before the Permit Authority to review the Permit approval.
3. The Permit shall be approved for the areas within the applicant's submitted legal descriptions and maps, noting minor changes could be taken under consideration through the submission of an amendment with substantial changes requiring the submission of a new 1041 permit for review and consideration. The Department of Planning and Development shall review and approve site plans, drawn to scale, depicting specific locations of all components, equipment, facilities and structures, prior to the applicant receiving approval for a building permit to begin construction.
4. The applicant shall provide to the Department of Planning and Development copies of all subsequent permit approvals by other regulatory agencies within sixty (60) days of said permit approvals being received by applicant.

5. On or before November 26, 2020, the applicant shall submit a report to the Department of Planning and Development, detailing the overall status and viability of the Project. The report shall address compliance with each of the approved Conditions of Approval for 1041 Permit No. 2019-003. The Department of Planning and Development may request subsequent, similar reports regarding the Project status.

OTHER AGENCY CONDITIONS:

1. The applicant is required to apply for an access permit from every County Road and an excavation permit for the crossing of County right-of-ways with the Pueblo County Department of Engineering and Public Works and comply with the conditions of those permits.
2. The applicant shall comply with the requirements of the Pueblo West Metropolitan District's Public Works Department relative to the submission of a Stormwater Management Plan (SWMP) and Right-of-Way Use Permit and any conditions of those permits.
3. The applicant shall address the requests from the Nature Conservancy District relative to providing more acknowledgement of the presence of the easement(s) and their purpose to protect populations of rare plants, the mapping, monitoring and controlling of invasive species (weeds) and consultation for future seed mixtures during reclamation.

GLI

Attachments:

- Exhibit 1 – Application Submittal Document
- Exhibit 2 – Memorandum from Pueblo County Department of Engineering and Public Works, d. 10-29-2019
- Exhibit 3 – Letter from Pueblo West Metropolitan District, Department of Public Works and Department of Utilities, d. 11-12-2019
- Exhibit 4 – Letter from Nature Conservancy District, d. 11-12-2019
- Exhibit 5 – Letter from Pueblo West Metropolitan District Board of Directors, d. 11-13-2019
- Exhibit 6 – Letters, Emails and Petition in Opposition

c: Seth Boutilier, Project Manager Black Hills Energy\*  
Pamela McWharter, HDR Engineering, Inc.\*  
Marci Day, Assistant Pueblo County Attorney\*  
Dave Benbow, Interim Director, Pueblo County Department of Engineering and Public Works\*  
Dominga Jimenez-Garcia, General Services Engineer, Pueblo County Department of Engineering and Public Works\*  
Jeffrey DeHerrera, Interim Director, Pueblo West Metropolitan District, Department of Utilities\*  
Shawn Winters, Interim Director, Pueblo West Metropolitan District, Department of Public Works\*  
Matt Moorhead, Nature Conservancy District\*  
Harley Gifford, General Counsel, Pueblo West Metropolitan District\*  
Nina Vetter, District Manager, Pueblo West Metropolitan District\*

\*sent via email

# **BCC EXHIBIT 1**

(205 total pages)

## **1041 PERMIT NO. 2019-003**

**APPLICATION AS SUBMITTED BY BLACK HILLS ENERGY ON SEPTEMBER 19, 2019  
INCLUDING REVISED TABLES 1, 2 AND 3 AS RECEIVED NOVEMBER 19, 2019**

11-20-2019 Staff Report

**BCC  
EXHIBIT**

1

11-26-2019

# 1041 PERMIT APPLICATION



## APPLICATION TO CONDUCT A DESIGNATED ACTIVITY OF STATE AND LOCAL INTEREST



Pueblo County Department of  
Planning and Development  
229 W. 12<sup>th</sup> St.  
Pueblo, CO 81003-2810  
Tel. (719) 583-6100  
FAX: (719) 583-6376  
Email: [planning@co.pueblo.co.us](mailto:planning@co.pueblo.co.us)

This application form is for proposed projects that meet criteria requiring review under one or more of the following Chapters of the *Pueblo County Code*, Title 17 Land Use, Division II Areas and Activities of State and Local Interest:

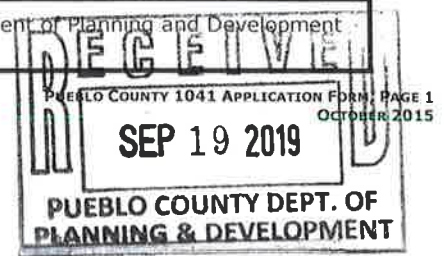
- Chapter 17.156 Site Selection for Arterial Highways, Interchanges and Collector Highways
- Chapter 17.160 Site Selection and Development of New Communities
- Chapter 17.164 Site Selection and Construction of Major New Domestic Water and Sewage Treatment Systems and Major Extensions of Existing Domestic Water and Sewage Treatment Systems
- Chapter 17.168 Site Selection and Construction of Major Facilities of Public Utilities
- Chapter 17.172 Regulations for Efficient Utilization of Municipal and Industrial Water Projects

<b>1041 PERMIT No.</b> 2019-003		<b>DATE:</b> 9-19-2019
<b>APPLICANT</b>	<b>NAME, TITLE:</b> Seth Boutilier Project Manager  <b>SIGNATURE:</b> 	<b>ADDRESS:</b> 105 S. Victoria Ave. Pueblo, CO 81003  <b>TEL:</b> 719-546-6449  <b>EMAIL:</b> <a href="mailto:Seth.Boutilier@Blackhillscorp.com">Seth.Boutilier@Blackhillscorp.com</a>
<b>OWNER OF RECORD</b>  (FOR MULTIPLE OWNERS, ATTACH SEPARATE SHEET)	<b>NAME, TITLE:</b> Black Hills Energy  <b>SIGNATURE:</b> 	<b>ADDRESS:</b> 105 S. Victoria Ave. Pueblo, CO 81003  <b>TEL:</b> 719-546-6449  <b>EMAIL:</b> <a href="mailto:Seth.Boutilier@Blackhillscorp.com">Seth.Boutilier@Blackhillscorp.com</a>
<b>REPRESENTATIVE FIRM</b>	<b>NAME, TITLE:</b>   <b>SIGNATURE:</b>	<b>ADDRESS:</b>   <b>TEL:</b>  <b>EMAIL:</b>

Please contact the Department of Planning and Development for information involving permitting requirements for Chapter 17.152, Natural Hazard Areas and Mineral Resource Areas.

Pueblo County's 1041 Regulations can be accessed online at: <http://www.codes.co.pueblo.co.us> Title 17, Land Use, Division II, Areas and Activities of State and Local Interest.

**NOTICE:** All information, including emails, submitted to Pueblo County Department of Planning and Development is considered public record and is therefore available for public review.



**PRE-APPLICATION PROCEDURE:**

Before submitting an application under these regulations, the applicant shall meet with the Permit Administrator (Planning Director). Please call or email to schedule a pre-application meeting. Prior to the meeting, the applicant shall provide the following:

- ☐ **A written summary of the Project, with applicant's name, address, telephone and email.**
- ☐ **A map or maps, prepared at an easily readable scale, showing the relationship of the proposed activity to topographic and cultural features such as roads, streams and existing structures, as well as any proposed structures, improvements and infrastructure.**
- ☐ **Information that is sufficient for determining the nature of the Project and the degree of impacts associated with the Project.**

Within 30 days after the pre-application meeting, the Permit Administrator shall establish an estimated fee to cover costs of determining whether a Finding of No Significant Impact (FONSI) or Permit is required. The Administrator will then determine whether a FONSI is warranted or that a Permit is required. Alternatively, the applicant may submit a letter to waive the FONSI determination process, and choose to submit a Permit Application.

**PERMIT APPLICATION SUBMITTAL REQUIREMENTS:**

Applicants shall submit materials as described below, as well as any additional materials requested by the Permit Administrator. (Note: Permit applications for projects reviewed under Chapters 17.164 and 17.172 shall refer to the Submittal Requirements within Section 17.172.120.) A Permit application will not be considered unless it is complete. Three hardcopies, as well as an electronic submittal are required. Minimum submittal requirements:

- ☐ **Property address**
- ☐ **Legal description of property**
- ☐ **Zone District(s) of property**
- ☐ **Assessor's Tax Parcel Number(s)**
- ☐ **Owners and interests in the subject property. Provide the names of persons holding recorded legal, equitable, contractual and option interests and any other person known to the applicant having an interest in the subject property.**
- ☐ **Letter of Request**
- ☐ **Detailed information describing the Project, addressing:**
  - **Environmental impacts, including potential impacts to land, water, air, visual/aesthetic qualities, vegetation, and wildlife, as well as impacts due to noise and odor**
  - **The presence of, and impact to any historical or archeological sites**
  - **Geologic suitability and constraints of the site for the proposed use**
  - **Impacts to existing and adjacent land uses**
  - **Drainage, stormwater management, erosion**
  - **Traffic impacts, for any construction phase and for completed Project**
- ☐ **Address Project compliance with the approval criteria or guidelines within the applicable chapter of the Regulations.**
- ☐ **Identify any existing or needed permits, approvals, contracts, or agreements associated with or required for the Project.**
- ☐ **Address Project compliance with the *Pueblo Regional Development Plan*.**
- ☐ **A vicinity map and plot plan of the Project. Plot plan shall be drawn to scale, and include parcel dimensions, square feet or acreage, existing and proposed structures, existing and proposed infrastructure, existing and proposed facilities and equipment, water bodies and drainages, and slopes that exceed 15 percent.**
- ☐ **Elevation drawings and architectural drawings, as applicable, for any structures, facilities or equipment associated with the Project.**
- ☐ **Any application which requires compliance with §25-65.5-101, et seq. C.R.S. (Notification to Mineral Owners of Surface Development) shall not be considered to have been submitted as complete until the applicant has provided a certification signed by the applicant confirming that the applicant or its agent has examined the records of the Pueblo County Clerk and Recorder for the existence of any mineral estate owners or lessees that own less than full fee title in the property which is the subject of the application, and stating whether or not any such mineral estate owners or lessees exist. In addition, for purposes of the County convening its initial public hearing on any application involving property which mineral estate owners or lessees owning less than full fee title in the property have been certified by the applicant to exist, the application shall not be considered to have been submitted as complete until the applicant has provided an additional signed certification confirming that the applicant has, at least 30 days prior to the initial public hearing, transmitted to the County and to the affected mineral estate owners and lessees the notices required by §24-65.5-101, et seq. C.R.S. (Res. P&D 15-036, app. 7-15-2015)**



September 19, 2019

Gail Wallingford-Ingo  
Interim Director  
Pueblo County Department of Planning and Development  
229 West 12<sup>th</sup> Street  
Pueblo, CO 81003-2810  
Phone: 719.583.6100  
Fax: 719.583.6376  
Email: [gailwi@pueblocounty.us](mailto:gailwi@pueblocounty.us)

**Re: Application for Approval: Black Hills Energy Proposed Reliability Upgrade for Southern Colorado Project, Pueblo County, Colorado**

Dear Ms. Wallingford-Ingo,

Black Hills Colorado Electric, LLC d/b/a Black Hills Energy (BHE) is submitting this *Application* regarding the proposed Reliability Upgrade for Southern Colorado Project (Project). We have submitted this application electronically, as required and stated on *Page 2* of the Pueblo County 1041 Application Form, and have also enclosed three hardcopies.

The purpose of this application is to provide Pueblo County with pertinent information regarding the proposed Project with portions that are subject to the Areas of State and Local Interest, commonly referred to as "House Bill 1041 Regulations".

A Pre-application meeting was held on August 21, 2019 with Pueblo County staff to discuss the proposed Project. Based on the Pueblo County Development Code and initial discussions with Pueblo County staff, we understand that a 1041 application is required to permit portions of the proposed 115 kV transmission line. BHE proposes to site portions of the Project that occur in Pueblo County in the West Station transmission corridor and the Wild Horse Creek utility easement, which are both existing utility easements established in 1977.

During the Pre-application meeting, BHE requested that the Finding of No Significant Impact (FONSI) determination process be waived so that we may begin the formal process of permitting the Project.

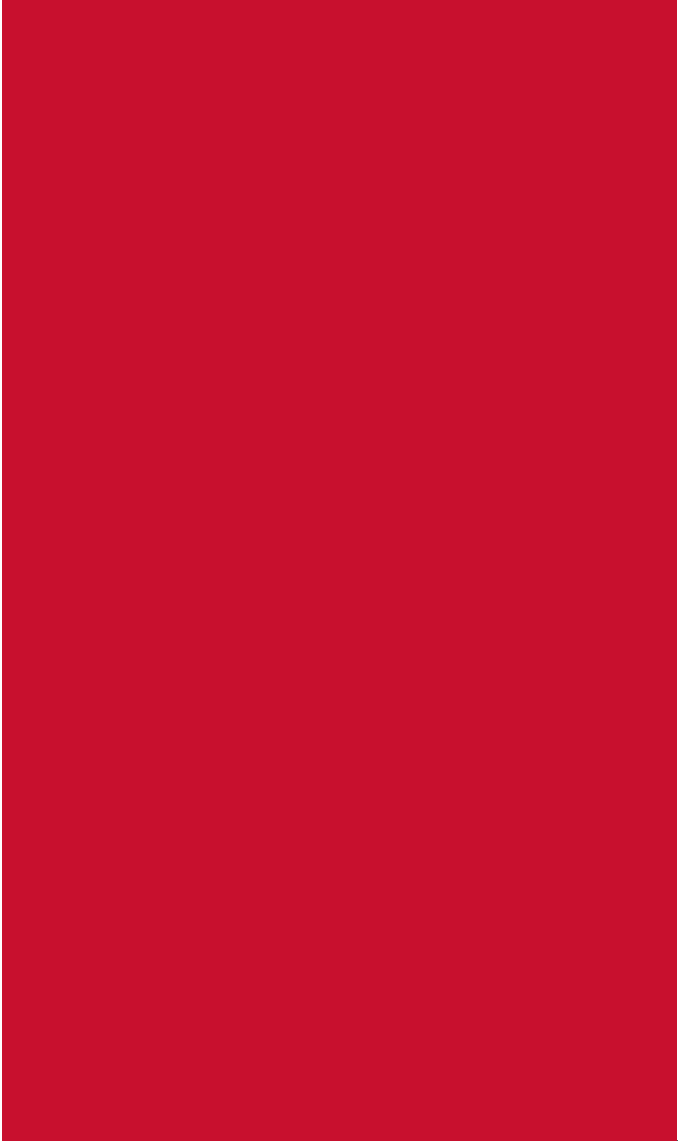
We look forward to working with County Staff throughout the 1041 permitting process. Should you have any questions or comments, please do not hesitate to contact me at (303) 764-1570 or via email at [Pamela.McWharter@hdrinc.com](mailto:Pamela.McWharter@hdrinc.com).

Sincerely,

HDR ENGINEERING, INC.,

Pamela McWharter  
HDR Project Manager





# 1041 Permit Application

**Black Hills Colorado Electric, LLC,  
d/b/a Black Hills Energy**

**Reliability Upgrade for Southern  
Colorado Project**

*Pueblo County, Colorado*

September 2019



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## PUEBLO COUNTY 1041 APPLICATION CHECKLIST

√	Property Address
√	Legal Description of Property
√	Zone District of Property
√	Assessor's Tax Parcel Numbers
√	Owners and Interests in the Subject Property
√	Letter of Request
√	Detailed Information Describing the Project, Addressing
√	<i>Environmental Impacts</i>
√	<i>Cultural Resources</i>
√	<i>Geologic Suitability</i>
√	<i>Impacts to Existing and Adjacent Land Uses</i>
√	<i>Drainage, Stormwater Management, Erosion</i>
√	<i>Traffic Impacts for Construction and Operation</i>
√	Project Compliance with Approval Criteria or Guidelines within Applicable Chapter of Regulations
√	Existing or Needed Permits, Approval, Contracts, or Agreements Associated with the Project
√	Project Compliance with the Pueblo Regional Development Plan
√	Vicinity Map (Figure 1)
√	Elevation Drawings and Architectural Drawings, as Applicable
√	Notifications to Mineral Owners



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# Introduction

Black Hills Colorado Electric, LLC, d/b/a Black Hills Energy (BHE, or the applicant), is submitting this application for the proposed Reliability Upgrade for Southern Colorado Project (Project) in Pueblo County, Colorado. BHE is planning to construct a 115 kV transmission line that starts in Pueblo West and traverses west toward Cañon City. This application represents our response to address concerns raised in our 2018 1041 Permit Application (2018-002) for a similar proposed project.

In Pueblo County, all of the proposed line is to be built: (1) in existing utility easement corridors that are intended to be used for projects exactly like this one and which BHE has an existing 'use by right', (2) on Walker Ranch where there is approval from the land owner; and (3) in an easement that is located on property owned by the Pueblo West Metropolitan District located near the Pueblo West Industrial Park. No other private property is necessary for the Project in Pueblo County.

Per Pueblo County Code,<sup>1</sup> BHE had an option to limit the required 1041 approval to the zoned agricultural area of the Project on Walker Ranch and the zoned industrial area of the Project owned by the Pueblo West Metropolitan District located near the Industrial Park. However, BHE has elected to include the entire Pueblo County alignment in this application for 1041 approval so as to provide for a comprehensive review, including areas within the existing utility easements.<sup>2</sup> With approval from 51 landowners representing 62 parcels (to date), we have agreements in place on the majority of the easements required for the overall project in Pueblo and Fremont Counties.

The current power system in parts of Pueblo and Fremont Counties experiences high demand during peak periods. BHE's objectives for the Reliability Upgrade for Southern Colorado Project are to expand capacity and improve reliability throughout the area traversed by the Project. The proposed 39-mile-long transmission line will provide three distinct system reliability benefits:

- It will provide an additional connection to Cañon City and the surrounding areas;
- It will provide a second connection to Penrose, an area currently only served by a single 69 kV line, avoiding customer exposure in that area to loss of power for loss of a single facility; and
- It will provide the ability to bring power to Pueblo West during certain system conditions when Pueblo West needs additional support.

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<sup>1</sup> See Pueblo County Code § 17.168.010(A)(3) ("An easement in existence on the date this resolution is adopted as amended (May 8, 1978), upon which is subsequently constructed a major pipeline or transmission line; provided that the easement is legally described in such manner that a qualified engineer/licensed land surveyor could locate it on the ground, no additional easement width is necessary to construct the facility, and easement acquisition has been completed.").

<sup>2</sup> The two utility easement corridors the Project will use are the: (1) West Station transmission corridor; and (2) the Wild Horse Creek utility corridor. Both of these utility easement corridors existed prior to May 8, 1978, and permit the location of the Project's facilities therein. Pueblo County Code § 17.168.010(A)(3) excludes from required 1041 approval the Project location in these sites.



Consistent with these benefits, the new 115 kV transmission line will significantly reduce the chance of service loss, improve overall reliability of the system, and provide additional capacity for future growth in the region. The Colorado Public Utilities Commission (“PUC”) has determined that BHE may commence construction of the Project to improve the reliability of the BHE electric system. No further PUC approval is necessary before constructing the Project. The unanimous PUC determination and supporting documentation is included in Appendix A.

The Project will generally occupy a 125-foot-wide right-of-way, crossing about 39 miles of land in Pueblo and Fremont Counties as shown in **Figure 1**. The new transmission line will cross land owned by Bureau of Land Management (BLM), the State of Colorado, Pueblo West Metropolitan District, and private landowners. In Pueblo County, the Project crosses about 16.9 miles of land, of which 12.7 miles are private property on Walker Ranch and 4.2 miles are owned by Pueblo West Metropolitan District. Of the properties owned by Pueblo West Metropolitan District, with one exception, the properties are subject to utility corridor easements, permitting the location and development of the Project on the properties without any required 1041 approval. The exception relates to Pueblo West Metropolitan District’s property located near the Industrial Park (Parcel 601016008).

In BHE’s 2018 1041 Permit Application (2018-002) for a similar proposed project, the aesthetic impacts of the Project were a focal point of the proceeding. At the conclusion of that proceeding, BHE reexamined the Project and refocused its communication efforts with the impacted communities, so as to understand what additional Project modifications could occur to further reduce Project impacts.

To address Project feedback from members of the community and Pueblo County Commissioners and Staff, BHE embarked on a multi-month community outreach effort to increase community education and engagement efforts related to the proposed transmission line and substations. Additional detail on these efforts can be found in Appendix B.

Since May 2019, BHE has hosted a series of community engagement forums for Project leaders to meet with customers and review the proposed route and its benefits, address questions, and collect feedback. This process included “coffee shop talks,” where BHE partnered with local coffee shops to serve morning coffee and chat with local residents about the Project; and in-person community meetings, where maps and project materials were available for review and discussion. Additionally, BHE reached customers through a telephone town hall meeting, providing a convenient option for residents to join by phone and view a presentation deck and supporting materials on the Project website. The events were open to the public, more than 3,700 Pueblo and Fremont County residents were invited via postcard, plus meeting information was placed via print advertisement in local newspapers and online via Facebook event posts.

Through these community interactions, BHE has crafted new Project modifications to limit aesthetic impacts of the Project. These modifications are described below. Among other items, they include: (1) moving the Project location in Pueblo County to utility transmission corridors; (2) upgrading, where possible, existing distribution infrastructure to the needed transmission infrastructure; (3) ensuring the Project route is located, to the extent possible, in lands that are already disturbed, such as in Walker Ranch, where the project follows an existing pipeline



corridor; and (4) locating the Project along a route that lowers the number of affected landowners that have views of Walker Ranch.

## **Purpose of this Application**

BHE submits this application for its proposed Reliability Upgrade for Southern Colorado Project, a project that meets criteria requiring review under Chapter 17.168 (Site Selection and Construction of Major Facilities of Public Utilities) of the Pueblo County Code, Title 17 Land Use, Division II Areas and Activities of State and Local Interest. The purpose of this application is to provide the pertinent information and analyses required by Pueblo County. To assist the County's review of this application, for completeness, each section is cross-referenced with the corresponding section names as described in Article 4. Permits: 17.148.240 and 17.172.120, Submittal Requirements.

A pre-application meeting for the proposed Project was held on August 21, 2019, in Pueblo, Colorado. BHE understands that the approval or denial of the Final Permit by the Board of County Commissioners will occur after the submittal of the application and will be based on the information included in this application and any additional information that is requested upon review by Pueblo County. In accordance with the submittal requirements, we have prepared three hardcopies and one electronic submittal of this application.

## **Applicant Information**

Black Hills Colorado Electric, LLC (d/b/a "Black Hills Energy") is based in Pueblo, Colorado and provides electric service to 92,000 customers along the Arkansas River Valley in southern Colorado. Through its corporate affiliates, Black Hills Energy serves more than 1.2 million electric and natural gas utility customers in nearly 800 communities in eight states: Arkansas, Colorado, Iowa, Kansas, Montana, Nebraska, South Dakota and Wyoming. BHE has over 640 miles of transmission lines in the state of Colorado alone. The company also generates wholesale electricity and produces natural gas, crude oil and coal.

### **Applicant Representatives:**

Seth Boutilier, BHE Pueblo Project Manager  
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Denver, CO 80202  
(303) 570-5470  
[Pamela.Mcwharter@hdrinc.com](mailto:Pamela.Mcwharter@hdrinc.com)

## 1. Property Address

Addresses for the owner of each property crossed by the proposed 125-foot-wide transmission line right-of-way in Pueblo County are provided in **Table 2** in **Section 4** below.

## 2. Legal Description of Property

The legal descriptions of the properties crossed by the right-of-way subject to Pueblo County 1041 approval are listed in **Table 1**.



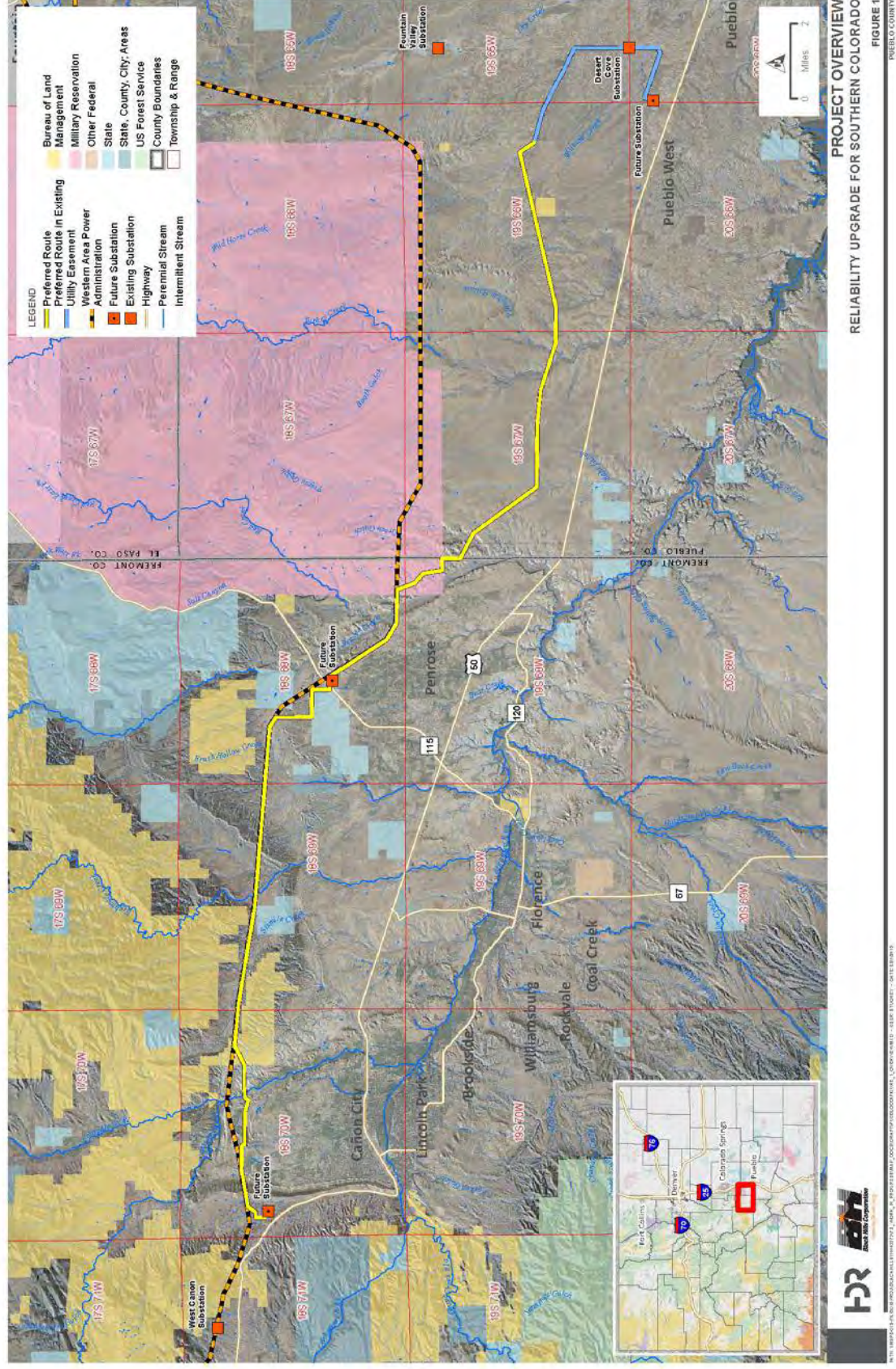


Figure 1: Project Overview



**Table 1. Legal Descriptions of Properties Crossed by the Project in Pueblo County**

Assessor's Tax Parcel Number	Legal Description
505015002	LOT 4 BLK 8 TR 254 PUEBLO WEST
505015007	LOT 3 BLK 8 TR 254 PUEBLO WEST
508099254	PARCELS A THRU P TR 254 PUEBLO WEST
601016008	PARCEL E SUBDIVISION EXEMPTION #88-6 (CONTG 329.7A M/L) LESS POR IN SWD#1729390 TO PARKVIEW MEDICAL CENTER INC LESS POR BY QCD#1968584 TO PUEBLO COUNTY (RD) FORMERLY #06-010-16-007
9600000133	ALL IN 19-66: S2 SEC 2 THRU 5 EX S2 SW4 SEC 4; SEC 6 EX NE4 + W2 LOT 4; ALL OF SEC 7 THRU 11; W2 SEC 12; SW4 SEC 13; ALL OF SEC 14 THRU 23 EX NE4 SW4 SEC 15 + SW4 SEC 22; ALL SEC 27 THRU 30; ALL OF SEC 31 THRU 33 N OF HWY 50 + ALL OF SEC 34 THRU 36 LESS POR SOLD #338954, LESS POR SOLD #1107773 ALSO ALL THAT POR 100.00 FT ROW FORMERLY COLORADO KANSAS RR IN SEC 6, 7, 28 + 35 IN 19-66 BY DEED #1456635 ALSO THAT POR OF VAC BOOTH GULCH RD IN SEC 6 ADJ (#1815734) LESS NE4 NE4 SEC 11 + LESS SE4 SE4 SEC 12 FORMERLY #96-0
9700000147	ALL IN 19-67: NE4, S2 SEC 1; ALL SEC 7 THRU 17 EX SW4 SEC 15; E2, E2 W2 SEC 18; 2 SEC 19; ALL SEC 20 THRU 28 EX NW4 SEC 22; E2 NE4, NW4 LYING N HWY 50 SEC 29; NE4 LYING N HWY 50 SEC 30; SW4 NE4, W2 SE4, SE4 SE4 SEC 32; ALL SEC 33 THRU 35 ALSO IN THE N2 OF 36-19-67 DESC AS: NE4 BEG AT A PT WHICH IS 1179.70 FT E OF N4 COR OF SD SEC 36 RUNNING TH E 1438.62 FT TO NE COR OF SD SEC 36 TH S ALG E LN THEREOF 2260.75 FT M/L TO N LN OF R/W OF HWY 50 TH N 76 DEG 45 MIN 2 376.00 FT TO A PT TH S 13 DEG 15 MIN W 100.00 FT TO
508099251	PARCELS A THRU MM TR 251 PUEBLO WEST
9529099238	PARCELS A THRU I TR 238 PUEBLO WEST
9529000001	ALL 29-19-65 LESS TR IN PUEBLO WEST 59.72A
506010002	LOT 11 BLK 1 TR 258 PUEBLO WEST

### 3. Zone District(s) of Property

The Project area is currently zoned by Pueblo County as a mixture of: "Agriculture I" (A-1) with a designation of rural ranch; "Public Use" (S-1) areas for public use; and "Industrial 2" (I-2) designated for light industrial development. Zoning in the Project area is shown on **Figure 2**, Land Use and Zoning in the Project Area.



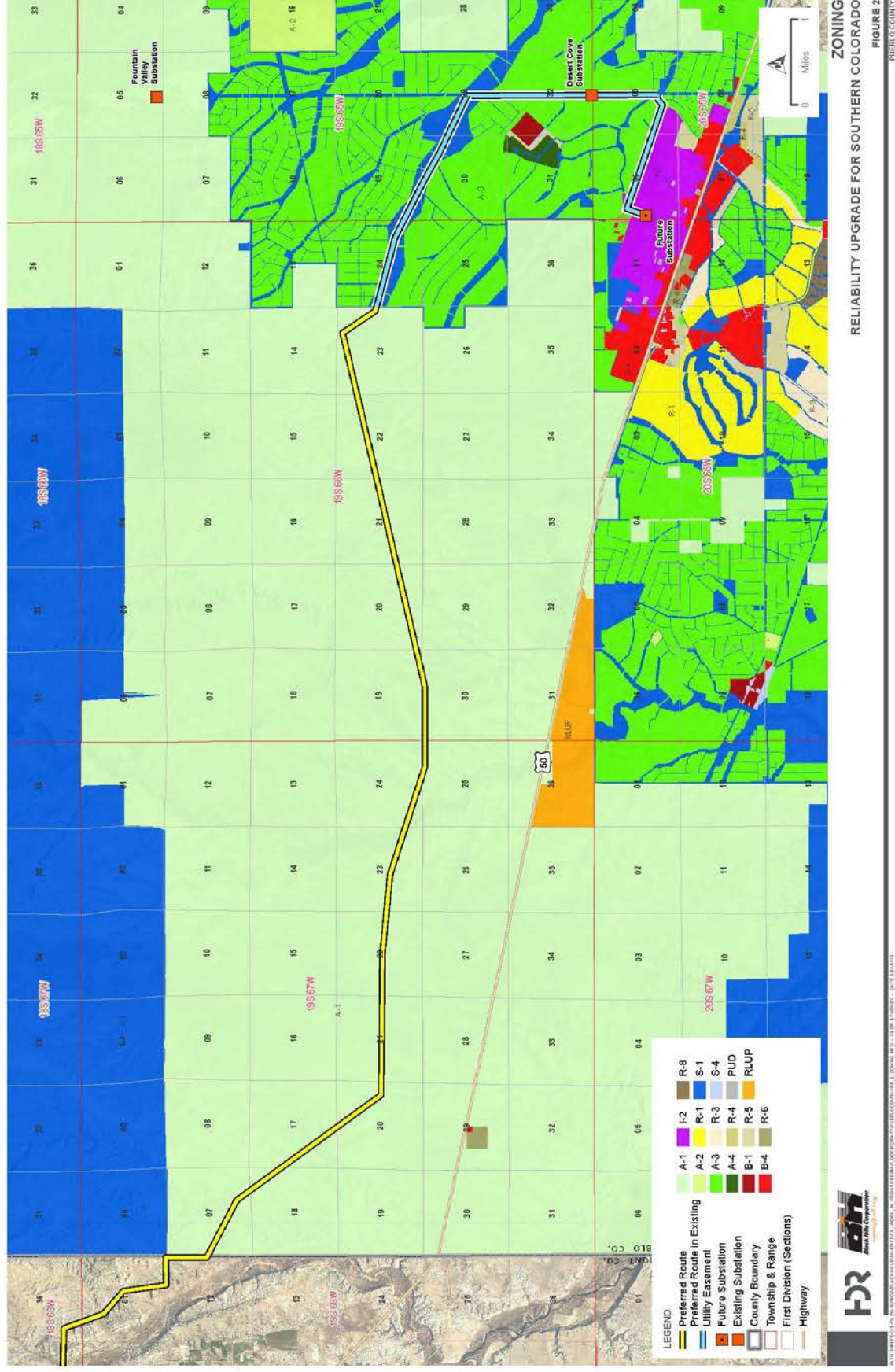


Figure 2: Land Use and Zoning Map in Pueblo County

## 4. Assessor's Tax Parcel Numbers

For each property crossed by the proposed Project in Pueblo County, and subject to the requested Pueblo County 1041 approval, the Assessor's Parcel Numbers (APN), and owner names and addresses for the parcels are provided in **Table 2** below. This information is based on Pueblo County Assessor's Parcel database.

**Table 2. Parcels and Owners of Land Crossed by the Project**

Assessor's Tax Parcel Number	Owners	Address			
505015002	BLACK HILLS ENERGY	105 S Victoria Ave,	PUEBLO	CO	81003-0000
505015007	PUEBLO WEST METRO DISTRICT	PO BOX 7005	PUEBLO WEST	CO	81007-0005
508099254	PUEBLO WEST METRO DISTRICT	PO BOX 7005	PUEBLO WEST	CO	81007-0005
601016008	PUEBLO WEST METRO DISTRICT	PO BOX 7005	PUEBLO WEST	CO	81007-0005
9600000133	WALKER GARY R + GEORGIA A	7170 TURKEY CREEK RANCH RD	PUEBLO	CO	81007-1282
9700000147	WALKER GARY R + GEORGIA A	7170 TURKEY CREEK RANCH RD	PUEBLO	CO	81007-1282
508099251	PUEBLO WEST METRO DISTRICT	PO BOX 7005	PUEBLO WEST	CO	81007-0005
9529099238	PUEBLO WEST METRO DISTRICT	PO BOX 7005	PUEBLO WEST	CO	81007-0005
9529000001	PUEBLO WEST METRO DISTRICT	PO BOX 7005	PUEBLO WEST	CO	81007-0005
506010002	PUEBLO WEST METRO DISTRICT	PO BOX 7005	PUEBLO WEST	CO	81007-0005

## 5. Owners and Interests in the Subject Property

BHE has determined property ownership in the proposed right-of-way through Pueblo County public information and through personal contacts with each surface owner. The names of persons holding recorded legal, equitable, contractual and option interests and any other person known to the applicant having an interest in the subject property are listed in **Table 2** above.

BHE will obtain necessary access rights and easements from private property owners, as required, for the approved transmission line. BHE is in the process of securing those rights. At the time of the submittal of this application, the Company has secured the majority of the landowner agreements via a collaborative process with private property owners. BHE will have remaining rights and easements prior to performing work on a property. Property owners will be compensated a fair market value for rights acquired to their property and ownership of land in permanent easement areas will remain in the name of the easement conveyor. Under Colorado Statutes Title 38 (Property - Real and Personal Eminent Domain), BHE is authorized specific





grants of power (§38-4-103). As such, BHE requests any requirement to have easements obtained prior to approval of the application to be waived (similar to precedent established in the 2008 Southern Delivery System Pueblo County 1041).

HDR, on behalf of BHE, has conducted a thorough search of the forty year history of publically available records retained at the Pueblo County Clerk and Recorder office for the affected severed mineral estate owners and certifies that we have examined the publically available records of the Pueblo County Clerk and Recorder for the existence of severed mineral estate owners (or lessees that own less than full fee title in the property). The list of severed mineral estate owners or lessees for properties that includes right-of-way subject to Pueblo County 1041 approval of the Project are listed in **Table 3** below.

**Table 3. Pueblo County Severed Mineral Estate Owners or Lessees**

Assessor's Tax Parcel Number	Severed Mineral Estate Owner Name	Severed Mineral Estate Owner Address
505015002	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057
505015007	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057
508099254	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057
601016008	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057
9600000133	State of Colorado General Land Office	2850 Youngfield St., Lakewood, Co 80215
9700000147  (Multiple mineral estate owners in this parcel)	<p>State of Colorado General Land Office</p> <p><u>Range 67 West:</u> S1/2 Sec7/T19S/R67W W1/2 Sec 17/19S/67W NE4 Sec 18/19S/67W</p> <p>NE4 and S1/2 of Sec 21/19S/67W S1/2 Sec 22/19S/67W</p> <p>W1/2 of SE1/4 and the entire SW1/4 of Sec 23/19S/67W</p> <p><u>RANGE 66 West:</u> E1/2 of SW1/4 and the SE1/4 Sec 19/19S/66W</p> <p>S1/2 Sec 20/19S/66W NE1/4 and the S1/2 of Sec 21/19S/66W</p> <p>W1/2 Sec 36/19S/66W</p>	2850 Youngfield St., Lakewood, Co 80215



	State Land Board NE4 Sec 20/19S/67W	1127 Sherman St., Denver, Co 80203
	State Land Board (Colorado State Univ.) SE1/4 Sec 24/19S/67W	
	State Land Board School W1/2 of SW1/4 of Sec 19/19S/66W	
	Dorothy Elizabeth Fisher Estate (C/O Marjory Dredge) S1/2 Sec 22/19S/67W	2845 Lavender Dr., Walnut Creek, Ca 94596
	Mava Dell Brixey N1/2 Sec 22/19S/67W	HC 3, Box 78, Hooker, Ok 73945
	Red Creek Ranch of Colorado, Inc. (Registered Agent Joseph R. Obrien) N1/2 and the SE1/4 Of Sec 23/19S/67W	511 W. 26th St, Pueblo, Co 81003
	John R. Harbour (dec'd) and Sharon Drake W1/2 Sec 25/19S/67W	26528 South Road, Pueblo, Co 81006
508099251	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057
9529099238	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057
9529000001	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057
506010002	MCO Properties, Inc.	5847 San Felipe St. #2600, Houston, TX 77057

For purposes of the County convening its initial public hearing, BHE will provide notice by certified letter to the severed mineral estate owners and lessees at least 30 days prior to the County convening its initial public hearing. BHE will submit signed certification and copies of certified letters provided to mineral estate owners, to the Pueblo County Department of Planning and Development at, or before, the Public Hearing.

## 6. Letter of Request

A *Letter of Request* to Pueblo County from BHE, requesting review of this application, is provided at the beginning of this application.

## 7. Description of Project and Impacts

### 7.1 Project Location and Land Use

The entire Project area is comprised generally of a 125-foot-wide right-of-way crossing, totaling about 39 miles of land in Pueblo and Fremont Counties. In Pueblo County, the Project area crosses 16.9 miles of land, of which 12.7 miles are on Walker Ranch private property and 4.2 miles are owned by Pueblo West Metropolitan District. With one exception, the land owned by Pueblo West Metropolitan District falls within the Wild Horse Creek area, as well as the West Station transmission corridor. Both of these areas are subject to an easement that permits utility



transmission infrastructure development. Location of the Project in the Wild Horse Creek area and the West Station transmission corridor ensures that the Project, to the extent possible, is located in areas intended to host utility infrastructure. The exception relates to the portion of the Project that extends from the West Station transmission corridor to the Industrial Park, where BHE will develop a future substation to serve Pueblo West.

The Project overview is shown on **Figure 1**. **Figure 2** shows the Project area in Pueblo County. The Project starts at the West Station transmission corridor in Pueblo West and traverses west through the Wild Horse Creek utility easement toward the Pueblo/ Fremont County line on Walker Ranch property, which is already subject to an existing gas pipeline easement. **Figure 3** is a topographic map showing the proposed Project in Pueblo County along with features such as roads, streams and existing structures, as well as any proposed improvements and infrastructure.

The Project area is currently zoned by Pueblo County as a mixture of: “Agriculture I” (A-1) with a designation of rural ranch; “Public Use” (S-1) areas for public use; and “Industrial 2” (I-2) designated for light industrial development. **Figure 2** shows County zoning in the Project area.

## 7.2 Project Overview

The Project will consist of a new 115 kV electric transmission line that will connect into the Cañon City grid from the 115 kV West Station substation located in Pueblo County. The line will provide additional capacity into the load center that supports Pueblo West, Penrose, Cañon City and the surrounding areas, and it will provide additional ability to withstand loss of service due to system outages. This line will also reduce the need to sectionalize the existing 115 kV system to prevent post-contingency overloads. The PUC approved the construction of the Project for its reliability need.

This Project alignment represents our response to address concerns raised in our year 2018 1041 Permit Application (2018-002) before the Pueblo County Commissioners. All of the proposed alignment in Pueblo County is now proposed to be built in: (1) existing utility easement corridors for which BHE already has a ‘use by right’;<sup>3</sup> (2) on Walker Ranch where there is approval from the land owner; and (3) on land owned by Pueblo West Metropolitan District near the Industrial Park.

In our 2018 1041 application (2018-002), BHE proposed a route that would run through the Industrial Park area and access the Walker Ranch easement from the south. We believed that this route demonstrated the least amount of adverse impacts on the local community. However, the Commissioners ultimately determined that other options may better align with the spirit of the community. Therefore, BHE re-examined this Project to address the issues raised by the Commissioners. Among other items, BHE:

- Hosted multiple in-person touch points: a “coffee shop talk” where BHE partnered with local coffee shops to chat with local residents about the Project; and in-person community meetings in Pueblo West, Penrose and Florence. The events were open to the public and

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<sup>3</sup> The phrase ‘use by right’ refers to the acceptable and legally permissible activity on the easement, as defined by the express terms of the utility easement.



more than 3,700 Pueblo and Fremont County residents were invited. Thirty-six customers attended the Pueblo West open house.

- Conducted a telephone town hall in order to provide a convenient option for residents to join by phone and view a presentation deck and supporting materials on the Project website. Five customers joined the telephone town hall.
- Coordinated directly with The Nature Conservancy and Fort Carson planning staff.

After listening to this community input, discussing options with interested stakeholders, and determining how we could further limit impacts, BHE modified significant design elements of the Project. Relevant to this 1041 Application and Pueblo County, BHE has moved the proposed route location in the Pueblo West community. Specifically, to limit impacts to residents, BHE has developed a proposed route that will run through the Wild Horse Creek utility corridor and the West Station transmission corridor. These utility corridors are designated to host utility infrastructure for which BHE has a 'use by right'. Locating the transmission line in these utility corridors is consistent with the express terms of the utility easements, and it is the intended location for infrastructure projects that may have aesthetic impacts in the Pueblo West community. Moreover, to further limit aesthetic impacts, BHE has worked diligently to develop tower designs that minimize impacts. BHE plans to upgrade existing distribution infrastructure in the Wild Horse Creek area, where practicable. Up to 30 percent of the length of the line in Wild Horse Creek will include upgrades to existing distribution infrastructure to accommodate a transmission line. By upgrading the existing distribution lines, BHE avoids locating the Project in undisturbed land with undisturbed views.

In addition, the revised Project proposal has eliminated the portion of the 2018-002 proposal that would have accessed the Walker Ranch property from the south, greatly limiting the potential impact to the number of landowners with unobstructed views of Walker Ranch. BHE has also made other significant changes to the Project outside of Pueblo County, which are not material to this application. A full description of aesthetic impacts is in Section 7.7.4.

BHE firmly believes the changes to the Project address and respond to the concerns raised by the Pueblo County Commissioners in response to the 2018 1041 application (2018-002).

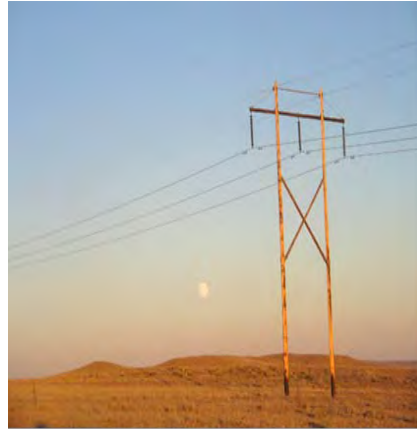
### 7.3 Project Components

The proposed Project components in Pueblo County are a new 115 kV transmission line in a new right-of-way easement that is generally 125-foot-wide and travels westward from the West Station transmission corridor toward the Fremont County line as depicted in **Figure 1 and Figure 2**. The transmission line route will begin at an existing BHE 115 kV line, which originates from the West Station substation located in Pueblo County, and it will terminate at a substation in the North Cañon area. The transmission line will be constructed as a single circuit 115 kV transmission line consisting of overhead wires (i.e., conductors and shield wire) and using either steel monopole or horizontal configured wood H-frame structures.

BHE will install steel monopole structures in the Pueblo West utility easement areas in order to minimize visual impacts. Examples are shown below.



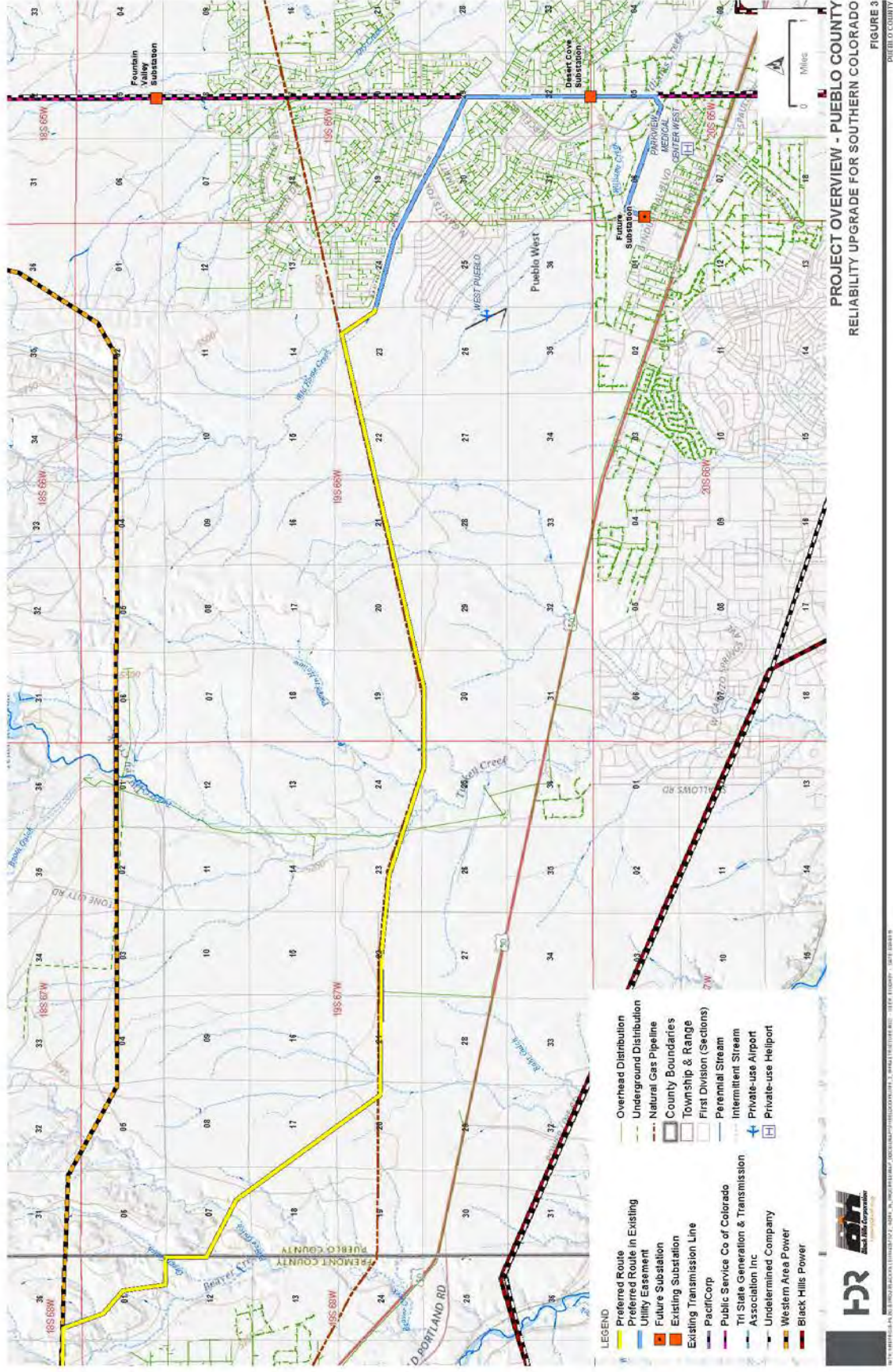
**Steel Monopole**



**Wood H-Frame**



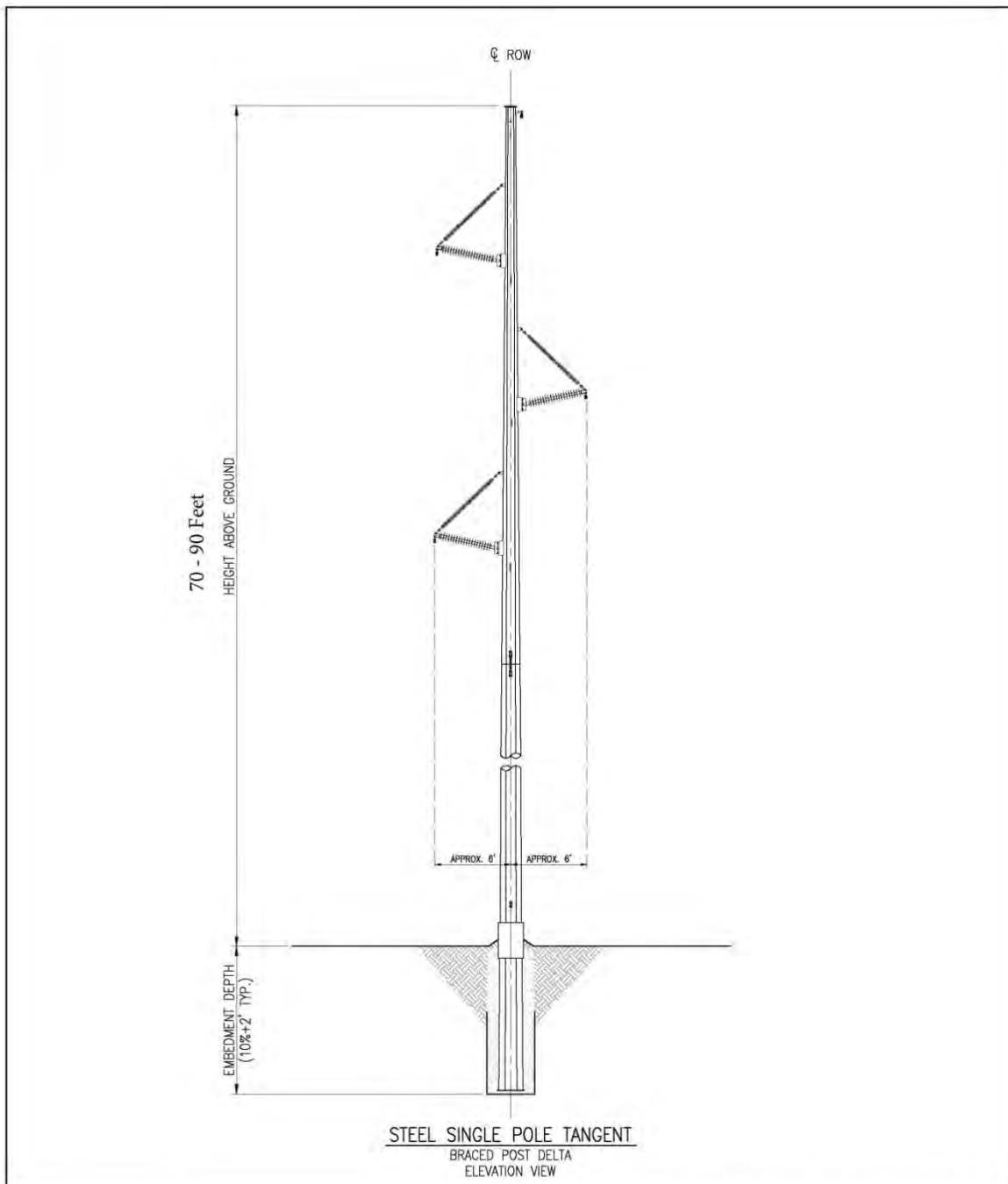
Figure 3.



The transmission line will be overhead, about 60 to 90 feet above ground.

The single pole structures will be manufactured out of weathering steel. Within the existing Wild Horse Creek and West Station utility corridors, structures will be between 70-90 feet high and spaced about every 500 feet as shown on Figure 4,. Structures in the industrial park area will be steel tangent monopoles that are between 90-105 feet high as shown in **Figure 5**. The wood H-frame structures will be 60 - 80 feet high and spaced about every 600 feet. H-frame structures will be treated with pentachlorophenol for preservation prior to delivery to the Project area. **Figure, Figure 5 and Figure** depict typical configurations for each structure type.

**Figure 4. Steel Monopole Construction Typical**



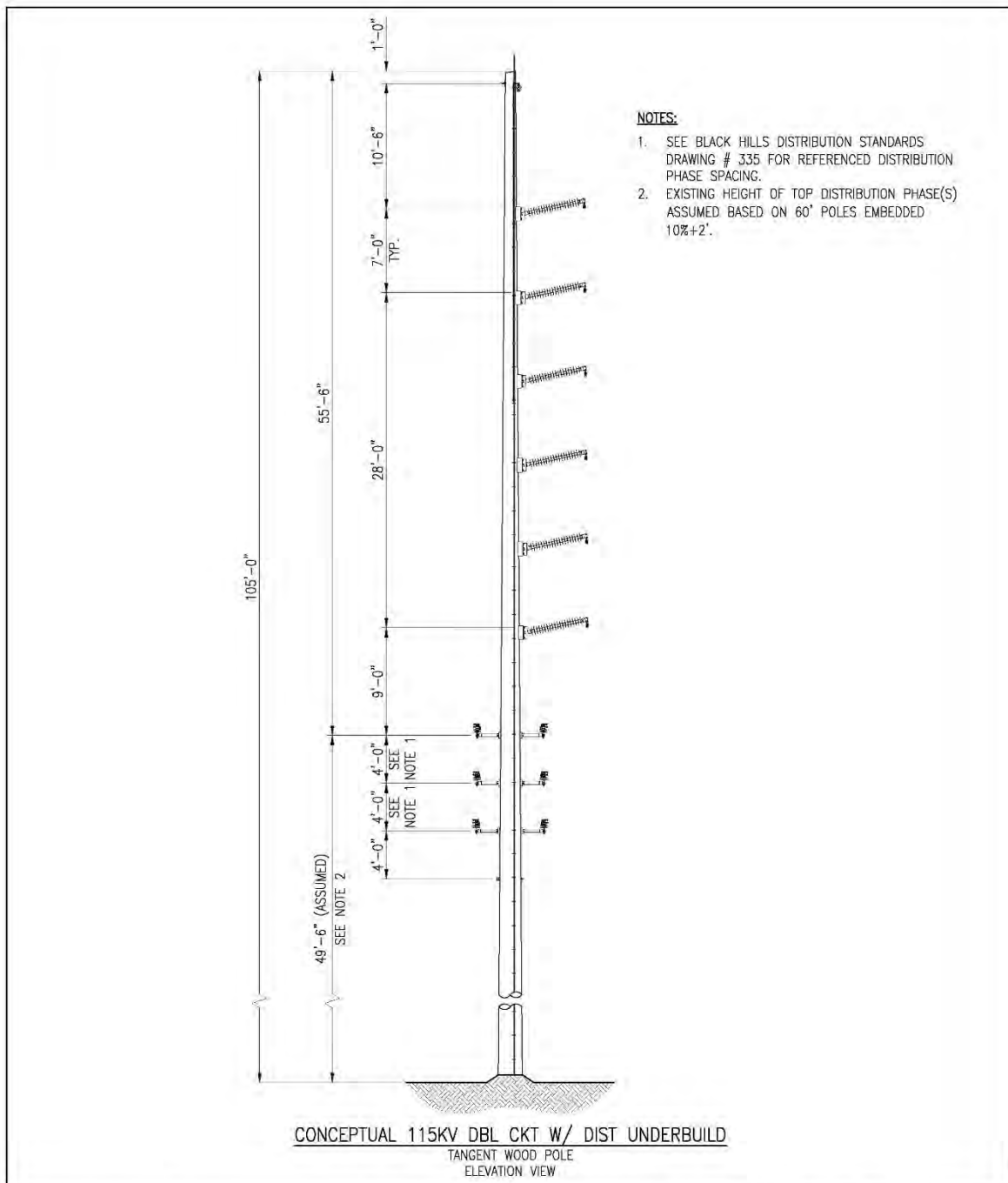
Canon West Reliability Project  
**TYPICAL SINGLE POLE  
115KV TRANSMISSION LINE**

PROJECT NUMBER  
**10043973**  
PROJECT MANAGER  
  
DATE  
**01/25/18**

REFERENCE SHEET  
  
REFERENCE DOCUMENT  
  
EXHIBIT NUMBER  
**EX-1**



Figure 5. Steel Tangent Monopole Construction Typical

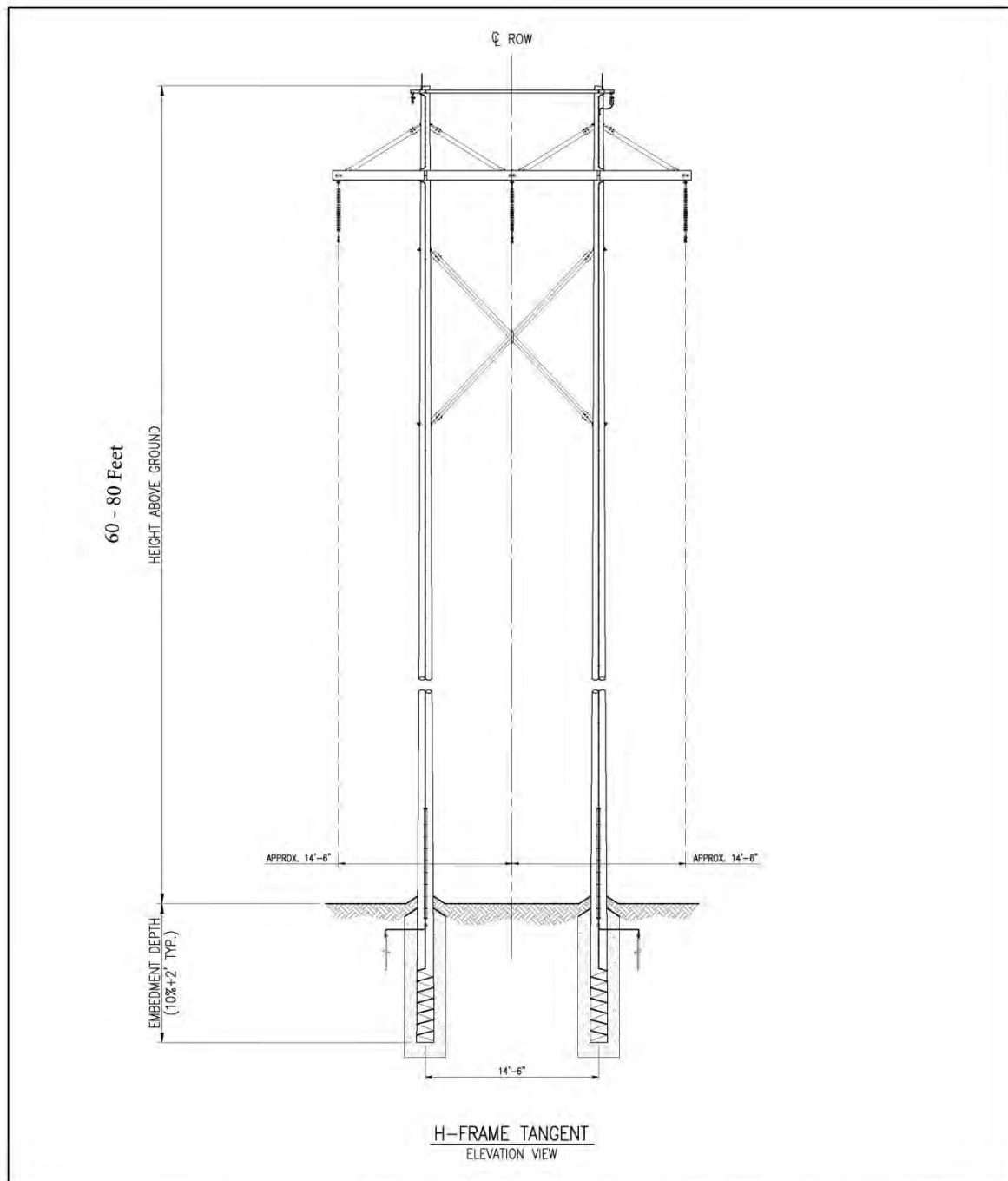


PROJECT TITLE 115KV TRANSMISSION  
PUEBLO WEST - DESERT COVE  
SHEET TITLE  
QUAD CKT WOOD POLE  
TANGENT  
DIRECT EMBED

PROJECT NUMBER  
-  
PROJECT MANAGER  
-  
DATE  
08/27/19

REFERENCE SHEET  
1 OF 1  
REFERENCE DOCUMENT  
-  
EXHIBIT NUMBER  
TAN-001

**Figure 6. H-Frame Construction Typical**



Canon West Reliability Project

**TYPICAL H-FRAME  
115KV TRANSMISSION LINE**

PROJECT NUMBER  
**10043973**  
PROJECT MANAGER  
DATE  
**01/25/18**

REFERENCE SHEET  
REFERENCE DOCUMENT  
EXHIBIT NUMBER  
**EX-2**



The width of the right-of-way, and the restrictions within it, are determined by the National Electric Safety Code (NESC) and BHE's operation considerations, and they are proportional to the voltage and structure type. The total line length of the 115 kV overhead transmission line will be contained within the generally 125-foot-wide right-of-way. This allows for sufficient clearance to be maintained during a high-wind event when the conductors are blown towards the right-of-way edge.

BHE will keep necessary work areas around structures clear of vegetation and will limit the height of vegetation under the conductors along the right-of-way to 14 feet. Trees and shrubs within the right-of-way will be cut or cropped to a height below 14 feet.

**Workspaces:** BHE will maintain work areas adjacent to electrical transmission structures for vehicle and equipment access necessary for operations, maintenance, and repair. Construction of structures will require a 100 x 100 foot work area. Ongoing operation of the Project will require a 50 x 50 foot cleared area around each structure. Related infrastructure will include off right-of-way staging areas that will be located on adjacent private lands with landowner coordination and full approvals. Exact locations will be determined during the landowner negotiation process. Workspaces will be restored, in compliance with local and state permit requirements, to pre-existing or better condition following construction.

**Access roads:** Access roads will be required to each structure site for construction and for operation and maintenance activities. Helicopters will be used to support these activities in areas of steep or rough terrain. Project construction activities facilitated by helicopters could include delivery of construction laborers, equipment, and materials to structure sites; structure placement; hardware installation; and wire stringing operations. Helicopters will also be used for ongoing operation and maintenance activities. The use of helicopter construction methods will not change the access road system required for operating the Project because vehicle access is required to each structure site regardless of the construction method employed.

In most cases, existing roads will be used for accessing the right-of-way in order to travel along the proposed right-of-way to access structures. Working with landowners to identify acceptable access routes, personnel will access remote sites by traveling off-road using 4x4 trucks or 4x4 all-terrain vehicles. For the purposes of assessing impacts, we have assumed a 14-foot access corridor for the length of the 18-mile-long easement to be used for both construction and operation of the Project.

**Communications:** Primary communications for relaying and control will be provided via the Optical Ground Wire that will be installed on the transmission line as a shield wire.

## 7.4 Proposed Development Schedule

Construction is expected to begin in early 2020 and be complete in late 2022.

## 7.5 Overview of Construction Activities

### **Construction**

Construction of the transmission line will follow a sequence of phases along the approved route. The duration of construction will vary for each phase, dependent on site-specific conditions. Sensitive resources in the Project area will be avoided through engineering and careful placement of utility poles. Construction of each phase will generally follow these steps:

- Mobilization
- Surveying the centerline and structure locations
- Access road identification and, if necessary, construction of new access roads
- Installation of gates and fences as necessary
- Clearing of the right-of-way and structure sites
- Foundation construction (drilling holes for direct embedded poles or installing concrete piers with anchor bolts)
- Assembling and erecting of the structures and insulator assemblies (including installing stringing sheaves)
- Installing structure grounding
- Setting up pulling, tensioning, and splicing sites for the shield wires and conductors
- Installation of guard structures for public protection during wire installation
- Installing shield wires and conductors and clipping in each one at the structure
- Installing the required line marking (marker balls, bird flight diverters, etc.)
- Completion of the line and connection to the substation at each end
- Energizing, testing and commissioning
- Cleanup and site reclamation

Various phases of construction could occur at different sites throughout the construction process. This could require several construction crews operating at the same time in different locations along the length of the Project.

### **Access**

The construction, operation, and maintenance of the proposed transmission line will require that heavy vehicles access the line and structure sites along the right-of-way. Generally, existing roads or paths will be used for accessing and traveling along the proposed right-of-way. However, if new access roads are required in the rural areas on private land, a two-track path will be developed within the 125-foot-wide right-of-way during construction.



## 7.6 Overview of Operations and Maintenance Activities

BHE operates and maintains transmission lines by following regulatory requirements and good utility practices. Currently, BHE transmission lines are aerial patrolled semi-annually by a BHE employee and once every five years by a BHE employee or contractor in a pickup truck, four-wheeler, or snow cat, or on foot, depending on access. The patrol will look for vegetation overgrowth and other concerns with vegetation in the right-of-way. The inspector will also observe the line and each structure to identify any damage needing remediation. Most access will be along the transmission line right-of-way. Access outside the transmission line right-of-way will occur only following explicit landowner approval.

The transmission line will generally be inspected during daylight hours. The transmission line right-of-way will be cleared of brush and trees, as needed, every 5 to 15 years to maintain required vegetation-to-conductor clearance requirements or more frequently should patrol activities identify issues requiring attention.

Vegetation will be managed to maintain reliable line operations. Vegetation management following construction will be consistent with current practices in terms of both duration and intensity. Trees are the primary vegetation that will require regular pruning or clearing, as they can create mechanical outages (tree falling on line or structure) or electrical outages (tree falling on line or close to line creating a short to the earth). Trees that are seen as a hazard will be scheduled for pruning or removal. BHE will contact the appropriate agency or landowner prior to trimming or removing any trees that are outside of the right-of-way.

Vegetation management is a key component of operating and maintaining a safe and reliable transmission line, and therefore tree and brush height will be limited to a 14-foot maximum. Access roads will be kept clear of large vegetation to allow for operation and maintenance activity, outage investigations, and repairs.

## 7.7 Environmental Impacts of the Project

This section contains a discussion of the existing conditions in the Project area in Pueblo County and the potential impacts of the Project to land, water, air, visual and aesthetic qualities, vegetation, wildlife (including special status species), noise and odor. It also describes:

- Presence of and impact to historical and archaeological sites
- Geological suitability and constraints of the site for the proposed use
- Impacts to existing and adjacent land uses
- Drainage, stormwater management, and erosion
- Traffic impacts, for any construction phase and for completed Project.

### 7.7.1 Land

#### 7.7.1.1 GEOLOGY

The Project right-of-way crosses several formations, primarily the following:



- Dakota Sandstone or Group
- Dakota Sandstone and Purgatoire
- Carlile Shale, Greenhorn Limestone, and Graneros Shale
- Dakota, Purgatoire, Morrison, and Ralston Creek (sandstones)
- Fountain (sandstone)

The Project will not impact the geology of the area.

#### **7.7.1.2 SOILS**

Of the 18 miles of soils crossed by the Project in Pueblo County, about 7.3 miles are classified by USDA-NRCS as Minnequa-Manvel silt loams, about 5.6 miles are Manvel silt loam, and about 3.0 miles are soils in the Penrose-Minnequa complex. About 0.7 miles of Haversid silt loam, 0 to 2 percent slopes, frequently flooded, will be crossed by the transmission line right-of-way (NRCS 2018).

Most soils in the vicinity of the Project are not classified as prime farmland. About 17.1 miles of the soils crossed in Pueblo County are classified as “Not prime farmland”. About 1 mile is classified as “Prime farmland if protected from flooding or not frequently flooded during the growing season” and about 0.1 mile is classified as “Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60” (NRCS 2018).

The Project will require a permanent 125-foot-wide easement for safe operation of the transmission line. For operation and maintenance of the Project, BHE will regularly maintain the vegetation in the easement to prevent interference with the line and to maintain access for inspections and repairs. However, soils classified as prime farmlands within the permanent easement will continue to be available as farmland in the right-of-way areas located between pole structures (situated about every 500 - 600 feet).

### **7.7.2 Water**

#### **7.7.2.1 GROUNDWATER**

Groundwater consists of subsurface hydrologic resources. Groundwater is an essential resource that functions to recharge surface water and is often used for potable water consumption, agricultural irrigation, and industrial applications. Groundwater typically can be described in terms of its depth from the surface, aquifer or well capacity, water quality, surrounding geologic composition, and recharge rate.

Colorado has seven principal aquifers or aquifer systems. Alluvial aquifers are generally shallow sand and gravel deposits laid down over time in a river channel or floodplain. The transmission line right-of-way intersects one alluvial aquifer: Turkey Creek. The Project does not cross a known groundwater recharge area.

The Project will not affect groundwater.



#### 7.7.2.2 SURFACE WATER

Waters of the United States are defined in the Clean Water Act (CWA), as amended, and jurisdiction is administered by the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE). These agencies assert jurisdiction over (1) traditional navigable waters, (2) wetlands adjacent to navigable waters, (3) non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (typically 3 months), and (4) wetlands that directly abut such tributaries. Section 404 of the CWA authorizes the Secretary of the Army, acting through the USACE, to issue permits for the discharge of dredge or fill into Waters of the United States, including wetlands. Encroachment into Waters of the United States and wetlands requires permits from both the state and the federal government.

According to the U.S. Geological Survey (USGS) National Hydrography Dataset (USGS 2018), the Project right-of-way crosses no perennial streams. A total of 18 intermittent streams will be crossed by the right-of-way. Three are named streams: Turkey Creek, Williams Creek, and Wild Horse Creek. The other 15 intermittent streams are unnamed.

BHE will avoid impacts to surface waters by strategically placing structures outside of streams.

#### 7.7.2.3 WETLANDS

Wetlands are protected as a subset of Waters of the United States under Section 404 of the CWA. The USACE defines wetlands as “those areas that are inundated or saturated with ground or surface water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated conditions. Wetlands generally include swamps, marshes, bogs, and similar areas” (33 CFR Part 329).

The National Wetlands Inventory (NWI) identifies 19 wetlands that will be crossed by the Project right-of-way (USFWS 2018). Most of the mapped wetlands are located in valley bottoms of intermittent streams crossings. **Table 4** provides the types and areas of NWI-mapped wetlands crossed by the right-of-way in Pueblo County.

**Table 4. Wetlands Crossed in Pueblo County**

Wetland Feature Type	Number of Features	Total Acres Crossed by Right-of-Way
Freshwater Emergent Wetland	4	11
Riverine	15	138
<b>Total</b>	<b>19</b>	<b>149</b>

BHE will avoid impacts by strategically placing structures outside of wetlands. It is anticipated that in the unlikely event wetlands cannot be avoided during construction, the impacts will be below thresholds and will qualify for permitting under Nationwide Permit 12, which concerns utility line activities.



#### 7.7.2.4 FLOODPLAINS

Floodplains are low-level areas along rivers, stream channels, and coastal waters that are subject to periodic or infrequent inundation during high flows. Flood potential is evaluated by the Federal Emergency Management Agency (FEMA), which defines a 100-year floodplain as an area within which there is a one percent chance of inundation by a flood event in a given year.

According to the FEMA Flood Insurance Rate Map for this part of Pueblo County (FEMA 2016), the transmission line right-of-way will cross the Zone A flood zone at Turkey Creek. The Zone A flood zone indicates a one-percent-annual-chance flood event, which corresponds with the 100-year floodplain. BHE will not place pole structures in the flood zone near Turkey Creek.

#### 7.7.2.5 IMPACTS ON WATER RESOURCES

The Project will not impact groundwater.

Construction of the transmission line will require use of water. Major water uses will be for dust control in the right-of-way during construction. Construction of H-frame concrete foundations (if needed) will require water use, but water will not be needed for direct embedded H-frame or single pole structures. The required water will be procured from municipal sources, from commercial sources, or under a temporary water use agreement with landowners holding existing water rights. No new water rights will be required.

Short-term minor impacts of surface waters could occur from the increased erosion caused by clearing of vegetation. However, sediment and erosion control Best Management Plans (BMPs) identified in the Stormwater Management Plan (SWMP) (see **Section 7.10.12**) will be applied to reduce the potential for deposition of sediment into the Arkansas River watershed.

Construction personnel will also follow appropriate BMPs to protect against potential petroleum spills, which could result in adverse impacts on surface water quality. Construction equipment will be maintained according to the manufacturer's specifications and fuels will be contained and stored appropriately.

During the design phase of the Project, structure and access locations will be strategically placed in order to avoid impacts to wetlands and waterbodies. The structures will not impact floodplains.

#### 7.7.3 Air

Pueblo County has been designated by the EPA as attainment for all criteria pollutants since 1992 (USEPA 2018).

During construction, the Project will result in emissions from construction equipment and fugitive dust emissions. Operation and maintenance of the Project will result in very low levels of emissions.

Fugitive dust emissions will be greatest during the initial site preparation activities and will vary from day to day depending on the construction phase, level of activity, and prevailing weather conditions. Construction activities will also generate particulate emissions as fugitive dust from ground-disturbing activities and from the combustion of fuels in construction equipment. However, the emissions from the Project are anticipated to be well below thresholds established by the





National Ambient Air Quality Standards (NAAQS); therefore, no reporting or permitting requirements are anticipated.

To limit the emission of fugitive particulate matter, construction activities will incorporate BMPs such as wind breaks and barriers, frequent water applications, control of vehicle access and flow routes, vehicle speed restrictions, covering of piles, washing of equipment at the end of each work day and prior to site removal, re-establishing ground cover, and work stoppage. It is anticipated that public exposure to fugitive particulate matter, including silica from the area's soil, will be negligible with the incorporation of the BMPs.

The Project will not result in violations of NAAQS. Additionally, the small scale, temporary increase in greenhouse gas emissions associated with the combustion of fuels for construction and maintenance equipment will not have a measurable effect on climate and, therefore, will be negligible.

#### **7.7.4 Visual/ Aesthetic Qualities**

As further described in **Section 7.10.11**, most of the Project area in Pueblo County is rural ranchland. The other areas crossed by the transmission line are located near the Industrial Park or are in designated utility easements—Wild Horse Creek and West Station transmission corridors. These areas are intended to host utility infrastructure such as the Project. Aesthetic impacts for utility operations in the utility corridors are intended to occur, and they were pre-planned to exist when the easements were first established. Concerning Wild Horse Creek, there are currently multiple, existing overhead distribution lines within this easement. To mitigate visual impacts, BHE plans to use this existing infrastructure by upgrading the existing tower structures to be used for the transmission line. This upgrade process will occur in up to 30 percent of the Wild Horse Creek utility easement. In the West Station transmission corridor, BHE will likewise undertake an upgrade process to existing infrastructure, where possible, by upgrading existing tower structures that are located to the south of the Desert Cove Substation. By locating the Project in these utility corridors, where visual impacts have already occurred, while seeking to further limit visual impacts through upgrade projects, BHE is greatly reducing aesthetic impacts.

BHE also proposes to mitigate visual impacts for the properties located outside of the transmission corridor easements. BHE plans to mitigate visual impacts in the agricultural areas on Walker Ranch by locating the transmission line adjacent to an existing utility corridor that was previously disturbed through the installation of a gas pipeline. Across the majority of Walker Ranch, the transmission line will follow the existing pipeline corridor, which is an area that has been previously disturbed. Routing the Project adjacent to this line limits new disturbances to the Walker Ranch property and associated visual impacts.

In addition, to mitigate visual impacts to the extent practicable, the towers for the Project have been designed to blend with the visual aesthetics of the area. In comparison to our 2018 proposal (1041 2018-002), BHE has reduced the number of affected landowners with unobstructed views of Walker Ranch south of the Walker easement by re-routing the line to the Wild Horse Creek utility corridor.



The transmission line will be constructed as a single circuit 115 kV transmission line using both steel monopole and horizontal configured wood H-frame structures. Steel monopoles are similar in height but require less than ½ of the horizontal space necessary to provide adequate clearance between lines, reducing visual impairment. BHE will use steel monopole structures in strategic locations in the more populated Pueblo West areas to mitigate the visual impacts to the extent possible. In Pueblo West, an estimated total of 44 steel monopoles will be placed approximately 500 feet apart within the existing utility easements. The 2018 proposal envisioned these structures as being a wood H-frame design easements. Examples of the steel monopole structures are provided in Section 7.3.

The Reliability Upgrade for Southern Colorado Project will be visible but will not dominate the view for the casual observer in the area. **Figures 7** and **8** show images of an H-frame structure both from the edge of the right-of-way and from one mile away.

**Figure 7. H-frame Structures from ROW (62.5 feet away)**



**Figure 8. H-frame Structures One Mile Away**



## 7.7.5 Vegetation

### 7.7.5.1 EXISTING CONDITIONS

The Project area in Pueblo County contains two general vegetation cover types including grasslands and shrublands in order of prevalence. Based on review of USGS GAP analysis data, the majority of the Project occurs within Western Great Plains Shortgrass Prairie.

Grasses dominate the flat to rolling uplands in the Pueblo County portions of the Project area (USGS 2015). Drought-resistant graminoid species including buffalo grass (*Bouteloua dactyloides*), galleta grass (*Pleuraphis jamesii*), and blue grama (*Bouteloua gracilis*) likely compose the majority of the grassland species. The salt desert scrub community, associated with the grasslands, is likely composed of cholla cactus (*Cylindropuntia imbricata*), four wing saltbush (*Atriplex canescens*), and winterfat (*Krascheninnikovia lanata*). The collective grasslands and salt desert scrub communities compose the majority of the land cover vegetation within and along the Project area.

Sagebrush (*Artemisia* spp.), mountain mahogany (*Cercocarpus* spp.), and oak (*Quercus* spp.) shrublands are found in the foothills, canyon slopes, and lower mountains of the Rocky Mountains. This shrubland community occurs in discrete areas of western Pueblo County where hill slopes provide suitable conditions.

There are no Threatened, Endangered, or Candidate plant species listed under the ESA for Pueblo County.

### 7.7.5.2 NON-NATIVE PLANT SPECIES

Much of the Project area's vegetation detailed above is described in its historically native form. However, livestock grazing, agricultural practices, and other soil disturbance have resulted in the spread of non-native (noxious and invasive) species within the Project area. Pueblo County contains 18 List B noxious weed species (CDA 2018). Approximately 100,000 acres in Pueblo County are infested with List B noxious weed species (CDA 2018). Other non-native invasive perennial grasses and weeds categorized as A, B, or C List species could also occur in the Project area.

### 7.7.5.3 IMPACTS ON VEGETATION

Vegetation will be managed to maintain reliable line operations. Vegetation management following construction will be consistent with current practices in terms of both duration and intensity. Trees are the primary vegetation that will require regular pruning or clearing, as they can create mechanical (tree falling on line or structure) or electrical (tree falling on line or close to line creating a short to the earth) outages. Once each year, all lines will be visually inspected for line and structure integrity as well as vegetation encroachment. Trees that are a hazard will be scheduled for pruning or removal. BHE will contact the appropriate agency or landowner prior to trimming or removing any trees that are outside of the right-of-way.

The purpose of vegetation management will be to prevent interference with the line reliability, and therefore tree and brush height will be limited to a 14-foot maximum. Access roads will be kept clear of large vegetation to allow for annual line inspections, outage investigations, and repairs.



In accordance with Colorado's Noxious Weed Act (35-5.5 C.R.S.), BHE will follow state guidelines and regulations during the construction and operation of the transmission line in order to avoid the spread of noxious and invasive plant species.

### **7.7.6 Wildlife (including Special Status Species)**

#### **7.7.6.1 WILDLIFE**

The Project area spans the transitional ecotone zone between the Southern Rocky Mountain and the Great Plains, both Level 1 ecoregions. Rugged terrain and evergreen forests are typical of the Southern Rockies ecoregion, whereas rolling plains are typical of the Great Plains ecoregion (Bailey et al. 1994). The Project area occurs entirely within the Arkansas River Watershed and crosses ephemeral drainages, intermittent streams, and some wetlands of which are primarily associated with the stream features.

Big game habitat occurs in the Project area for four species of ungulates and the black bear (*Ursus americanus*) (CDA 2018). The four species of ungulates include the elk (*Cervus canadensis*), mule deer (*Odocoileus hemionus*), pronghorn (*Antilocapra americana*), and white-tailed deer (*Odocoileus virginianus*).

The black bear's overall range covers a portion of the Project area in the western edge of Pueblo County. A narrow section of elk overall winter range also occurs within the Project area at the boundary of Fremont and Pueblo County line, but no crucial elk habitat occurs within the Project area. White-tailed deer, mule deer and pronghorn are known to use portions of the Project area for their overall range, but do not use any portion of the Project area within Pueblo County for crucial habitat.

During the construction period, it is expected that local wildlife will temporarily move away from the Project area because of the influx of humans, heavy construction equipment, and associated disturbance. Following completion of the Project, the disturbance levels from vehicles, equipment, and humans will diminish considerably.

BHE will also implement impact mitigation measures during construction in order to avoid vehicle collisions with big game such as lower vehicle speeds and awareness training.

#### **7.7.6.2 FEDERALLY LISTED SPECIES**

The Endangered Species Act (ESA) (16 United States Code [U.S.C.] 1536) of 1973 established a federal program to conserve, protect, and restore threatened and endangered plants and animals and their habitats. In addition to species listed as endangered or threatened, the U.S. Fish and Wildlife Service (USFWS) maintains a list of species considered to be candidates for listing under the ESA. Although candidate species receive no statutory protection under the ESA, the USFWS has advised government agencies, industry, and the public that these species are at risk and might warrant protection under the ESA.

HDR biologists reviewed data for ESA-listed species provided through the USFWS Information, Planning, and Conservation (IPaC) interactive program (USFWS 2018). The IPaC report did not identify any designated critical habitat for any ESA-listed species to occur within the 125-foot-wide Project right-of-way. Five federal listed species were considered for this assessment, of

which two species could occur within the Project vicinity and have the potential to be affected by Project activities.

The IPaC report lists one threatened fish species, the greenback cutthroat trout (*Oncorhynchus clarki stomias*), that may be indirectly affected by water-related activities during Project activities (**Table 5**). However, no significant water usage will be required for this Project and the species does not occur within any stream or river system that could be directly affected by Project activities. Therefore, the greenback cutthroat trout will not be affected by the Project.

The IPaC report also identifies four other species with the potential to occur within the Project (**Table 5**). Fremont County portions of the Project area contains suitable habitat for the Mexican spotted owl (*Strix occidentalis lucida*). The Project area in Pueblo County does not contain suitable habitat for the Mexican spotted owl. The Project area also contains suitable habitat for the black-footed ferret (*Mustela nigripes*). Experimental populations of black-footed ferrets were released in 2013 and 2014 on the Walker Ranch in Pueblo County, south of Fort Carson. Until the current extent of the black-footed ferret experimental population(s) has been determined, it is assumed that Project activities could temporarily affect the species during construction. BHE has initiated coordination with USFWS and will continue to work with both the landowner and USFWS to determine the current extent of the experimental population and the potential effects of the Project.

The other two mammal species, the Canada lynx (*Lynx canadensis*) and North American wolverine (*Gulo gulo luscus*), do not have suitable habitat within the Project area. The wolverine almost exclusively requires alpine habitat with persistent snow cover late into the spring, while the Canada lynx inhabits dense coniferous forests above 8,000 feet elevation with abundance populations of snowshoe hare. None of these conditions occur within the Project area, and therefore these two mammals will not be affected by the Project.



**Table 5. Federal Listed Species Considered for Analysis**

Common Name	Scientific Name	Federal Listing Status	Habitat Description	Habitat Present in/along Project (by County)	Potential to Occur and Affect Species
<b>Bird</b>					
Mexican Spotted owl	<i>Strix occidentalis lucida</i>	T	Habitat typically consists of mature, old-growth forest with complex structural components, or narrow cliff-lined canyons. Forest habitat often contains species such as white pine, Douglas fir, and ponderosa pine within steeply sloped canyons with rocky cliffs.	Yes – Fremont County  No – Pueblo County	Yes  No
<b>Mammal</b>					
Black-footed ferret	<i>Mustela nigripes</i>	E	Almost exclusively dependent on prairie dogs within grasslands and shrublands of the eastern plains, the mountain parks and the western valleys of Colorado.	Yes – Pueblo County	Yes
Canada lynx	<i>Lynx canadensis</i>	T	Dense subalpine forest, spruce-fir, lodgepole pine conifer forests and dense willow corridors with snowshoe hare generally above 8,000 in Colorado.	No	No
North American wolverine	<i>Gulo gulo luscus</i>	T	Boreal and alpine habitat containing persistent snow late into May.	No	No
<b>Fish</b>					
Greenback cutthroat trout	<i>Oncorhynchus clarki stomias</i>	T	The only genetically pure population of greenback cutthroat trout survives outside of their historic range in Bear Creek, a small tributary of the Arkansas River west of Colorado Springs.	No	No

E = Endangered; T = Threatened  
Source: USFWS 2018



#### **7.7.6.3 BIRDS PROTECTED BY THE MIGRATORY BIRD TREATY ACT AND THE BALD AND GOLDEN EAGLE PROTECTION ACT**

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-712) regulates the taking, selling, transporting, and importing of migratory birds, their nests, eggs, parts, or products. The MBTA protects over 800 species of birds that occur within the United States. A list of federally protected migratory birds is found in 50 CFR Part 10.13. Most birds in the Project Area, including all raptors, are protected under the MBTA, with the exception of non-migratory species, exotic, or introduced species that are non-native to semi-desert ecosystems.

The bald eagle (*Haliaeetus leucocephalus*) was delisted from the ESA in 2007, but it is still protected by the MBTA and the Bald and Golden Eagle Protection Act (BGEPA) of 1940 (16 U.S.C. 668-668d). The BGEPA makes it illegal to kill, harass, disturb, possess (without a permit), or sell bald and golden eagles or any of their parts.

The Project area contains potential habitat for many species of nesting migratory birds. The breeding season for most migratory birds is generally April 1 to July 15 in this region with some raptors fledging into August. Prominent cliffs along the Project area are known to contain seasonal nesting locations for golden eagles (*Aquila chrysaetos*). Golden eagle nesting season in Colorado is generally December 15 through July 15. If construction during the eagle nesting season is planned near nesting habitat, BHE will conduct a pre-construction survey to determine if active raptor nests are present within the Project construction footprint or within 0.5 mile of the Project alignment.

If active raptor nests are identified near the Project alignment, construction will be coordinated with the USFWS. To minimize impacts to eagles during operation of the transmission line, BHE will follow Avian Power Line Interaction Committee (APLIC) guidelines in the design of the transmission line. Therefore, BHE does not anticipate the disturbance or “take” of an eagle.

#### **7.7.6.4 STATE-LISTED ENDANGERED AND THREATENED SPECIES**

##### ***State Threatened and Endangered Species***

Colorado’s threatened and endangered species law (Title 33. Parks and Wildlife. Article 2. Nongame and Endangered Species Conservation. § 33-2-105) identifies species for management and monitoring and prohibits the take of any indigenous state wildlife. A total of eleven state listed species are analyzed in this assessment. Five of these species were determined to have the potential to occur and be affected by Project activities.

Of the three fish species, none have a potential to be affected since Project construction will not include water-related activities or direct effects to streams and wetlands. The greenback cutthroat trout (*Oncorhynchus clarki stomias*) will not be affected by Project activities because the species is only known to occur in Bear Creek which is hydrologically disconnected from the Project’s watershed. The Arkansas darter (*Etheostoma cragini*) and the Southern redbelly dace (*Phoxinus erythrogaster*) both have the potential to occur within the Project area due to the presence of low order stream habitat. These species will not be affected since there will be no Project activities that will directly affect streams and wetlands. Additionally, no significant water usage will be required and therefore no fish species will be indirectly affected by water withdrawals.

One of the three mammals, the black-footed ferret, has a potential to occur within the Project area. Until the exact location(s) of the black-footed ferret experimental population is determined, it should be assumed that Project construction activities could affect the species. The other two mammal species, the Canada lynx and North American wolverine, do not have suitable habitat within the Project area.

Two of the five birds, the Mexican spotted owl and the burrowing owl (*Athene cunicularia*), could occur and be affected by Project activities. Suitable wintering/foraging habitat and potentially suitable nesting habitat is available in the Fremont County portion of the Project but is not available in the Pueblo County portion of the Project. The burrowing owl is a seasonal nesting bird on the eastern plains of Colorado and could occur in shortgrass prairie grasslands within Pueblo County due to the availability of suitable habitat and a high probability of prairie dog occurrence in the Project area.

The bald eagle could forage within the Project vicinity, but due to the lack of suitable open water bodies nearby, the bald eagle is unlikely to nest along the Project area. Bald eagles will prefer to nest along the Arkansas River to the south of the Project area. No suitable habitat exists within the Project area for nesting or migrating whooping cranes (*Grus americana*). The plains sharp-tailed grouse (*Tympanuchus phasianellus jamesii*) will also not occur within the Project because the species has been extirpated from most of the eastern plains of Colorado and exists today in the extreme northeastern corner of the state.

The determinations of this assessment for state listed species are listed in **Table 6** below. However, agency data or site-specific survey findings could result in changes to the below determinations.

**Table 6. State Listed Species Considered for Analysis**

Common Name	Scientific Name	State Listing Status	Habitat Description	Habitat Present in/along Project (by County)	Potential to Occur and Affect Species
<b>Bird</b>					
Bald eagle	<i>Haliaeetus leucocephalus</i>	Threatened	Typical nesting habitat is near coastlines or larger rivers and lakes allowing for optimal foraging. Eagles often nest within old-growth forests utilizing the tallest trees or cliffs.	No	No
Burrowing owl	<i>Athene cunicularia</i>	Threatened	Dry, open areas with short grasses and limited trees. They nest and live in underground burrows created by prairie dogs, ground squirrels, and badgers.	Yes	Yes
Mexican Spotted owl	<i>Strix occidentalis lucida</i>	Threatened	Habitat typically consists of mature, old-growth forest with complex structural components, or narrow cliff-lined canyons. Forest habitat often contains species such as white pine, Douglas fir, and ponderosa pine within steeply sloped canyons with rocky cliffs.	Yes – <b>Fremont County</b>  No – <b>Pueblo County</b>	Yes
Plains sharp-tailed grouse	<i>Tympanuchus phasianellus jamesii</i>	Endangered	Habitat consists of rolling hills with scrub oak thickets and grassy glades. Currently exists in the northeastern plains of Colorado.	No	No
Whooping crane	<i>Grus americana</i>	Endangered	Wetlands for migratory stopover feeding, along with mudflats around reservoirs and in agricultural areas. The species nests in wetland communities dominated by bulrush.	No	No
<b>Mammal</b>					

Common Name	Scientific Name	State Listing Status	Habitat Description	Habitat Present in/along Project (by County)	Potential to Occur and Affect Species
Black-footed ferret	<i>Mustela nigripes</i>	Endangered	Almost exclusively dependent on prairie dogs within grasslands and shrublands of the eastern plains, the mountain parks and the western valleys of Colorado.	<b>Yes – Pueblo County</b>	<b>Yes</b>
Canada lynx	<i>Lynx canadensis</i>	Endangered	Dense subalpine forest, spruce-fir, lodgepole pine conifer forests and dense willow corridors with snowshoe hare generally above 8,000 in Colorado.	<b>No</b>	<b>No</b>
North American wolverine	<i>Gulo gulo luscus</i>	Endangered	Boreal and alpine habitat containing persistent snow late into May.	<b>No</b>	<b>No</b>
<b>Fish</b>					
Arkansas darter	<i>Etheostoma cragini</i>	Threatened	Shallow, clear, sandy streams with spring-fed pools and abundant rooted aquatic vegetation.	<b>Yes</b>	<b>No</b>
Greenback cutthroat trout	<i>Oncorhynchus clarki stomias</i>	Threatened	Historically found in the South Platte River basin. Currently, the only genetically pure population of greenback cutthroat trout survives outside of their historic range in Bear Creek, a small tributary of the Arkansas River west of Colorado Springs.	<b>No</b>	<b>No</b>
Southern Redbelly Dace	<i>Phoxinus erythrogaster</i>	Endangered	Stream channels and off-channel wetlands. Headwaters of low-order streams and in areas of groundwater seepage. Populations documented within small tributaries to the Arkansas River, near Pueblo, Colorado.	<b>Yes</b>	<b>No</b>

Source: Colorado Natural Heritage Program Element Occurrence data (CNHP 2017) and CPW 2018a

**State Special Concern Species, Rare Plant Species, and Sensitive Habitats**

Species of Special Concern

Suitable habitat occurs in the vicinity of the Project for eight state species of special concern. Although species of special concern are not a statutory category, keystone species (i.e., prairie dogs in general) provide suitable habitat for other species that are legally protected by the State of Colorado.

The species of special concern with a Colorado Natural Heritage Program (CNHP) historical record of occurrence near the Project area include: black-tailed prairie dog (*Cynomys ludovicianus*), Botta's pocket gopher (*Thomomys bottae rubidus*), pale lump-nosed bat (*Corynorhinus townsendii pallescens*), swift fox (*Vulpes velox*), American peregrine falcon (*Falco peregrinus anatum*), ferruginous hawk (*Buteo regalis*), mountain plover (*Charadrius montanus*), and Colorado checkered whiptail (*Aspidoscelis neotesselata*).

The black-tailed prairie dog, mountain plover, swift fox and ferruginous hawk could occur in open grasslands within the Project area. In addition, the checkered whiptail could occur in grasslands or juniper woodlands. The pale lump-nosed bat has been historically recorded in the vicinity, but to the north and south of the Project area. If the species occurs, the presence of the pale lump-nosed bat will be restricted to woodlands in the Project area and by the availability of roosts, such as caves, mines, tunnels, crevices and masonry structures with suitable temperatures. Botta's pocket gopher has only been recorded to occur near Cañon City in Fremont County. The gopher inhabits a wide variety of habitats from valleys to high mountains and agricultural areas, but tends to avoid forested areas. Preferred soil conditions include sand to friable loams and hard clays. Peregrine falcons could forage anywhere within the Project area but are unlikely to nest along the alignment due to the lack of suitable cliff nesting habitat.

Construction could result in direct or indirect effects to all of the mentioned state species of special concern except the peregrine falcon which is unlikely to have suitable nesting habitat within or along the Project area.

#### Conservation Areas and Associated Sensitive Plants

The CNHP has designated certain areas of the state with high biological diversity or significance as Potential Conservation Areas (PCAs). CNHP has also defined a Network of Conservation Areas (NCA) as landscape areas that encompass PCAs with similar species or natural communities as well as ecological processes. NCAs include unoccupied or unsurveyed areas that are within the same ecological system (i.e., suite of vegetation communities) that the species or natural communities require, or that demonstrate connectivity of the landscape. The NCA known as the Arkansas Valley Barrens encompasses the Project area. Within the Arkansas Valley Barrens NCA, three PCAs are crossed by the Project in Pueblo County. The PCAs in the Project area have *high* (B3) to *outstanding* (B1) biodiversity significance and include the Rare Plants in Pumpkin Hollow, Beaver Creek (B1-outstanding) and Turkey Creek (B3-high).

The Arkansas Valley Barrens NCA contains nearly all known occurrences of four globally imperiled plant species, which include the round-leaf four-o'clock (*Oxybaphus rotundifolius*), golden blazing star (*Nuttallia chrysantha*), and Pueblo goldenweed (*Oenopsis puebloensis*), as well as selected occurrences of the Brandegees wild buckwheat (*Eriogonum brandegeei*) (CRPCI 2011).



### Conclusion

The proposed construction of the Reliability Upgrade for Southern Colorado Project may affect three state listed species and up to seven state listed species of special concern. Five big game animals could occur within the Project area and be affected by construction activities. Coordination with Colorado Parks and Wildlife (CPW) and USFWS has been initiated and will continue in order to identify avoidance and impact minimization measures.

The effects to state listed species, species of special concern, and other sensitive flora and fauna could be significantly reduced or possibly eliminated based upon Project surveys, construction timing, strategic access and pole placement, and other impact minimization and conservation measures. BHE has coordinated with CPW and will continue to work with CPW to determine the potential effects of the Project.

#### **7.7.7 Noise**

Existing background noise levels in rural and forested areas range from 35 to 50 dBA. Sensitive noise receptors near the Project area primarily include private single-family residences. The short-term increase in ambient noise levels from construction of the proposed transmission line will not cause significant adverse effects on the surrounding populations. The noise from construction equipment will be localized, short-term, and intermittent during machinery operations. Heavy construction equipment will be used periodically during construction; therefore noise levels from the equipment will fluctuate throughout the day.

Once construction activities are complete, noise levels will return to existing noise levels. Maintenance noise will stem from patrolling the transmission lines by a single individual in a pick-up truck, four-wheeler, snow cat, or by walking the line (depending on access). Noise levels associated with these maintenance activities will be similar to existing noise levels.

#### **7.7.8 Odor**

The proposed transmission line will not produce odors. Construction of the Project could result in short-term increases in odors from construction equipment, but these odors will be minor and temporary.

#### **7.7.9 Historic and Archaeological Sites**

A search of background information revealed that there are no previously recorded sites within the Project corridor. The search also identified three previously surveyed areas within the Project right-of-way. These surveys were conducted during an April 2011 Class III Cultural Resources Inventory for Colorado Interstate Gas Company's 8-Inch O.D. Portland Lateral Line (Line No. 20A) Replacement Project, Pueblo and Fremont Counties, Colorado:

- Location 1: 510099mE 4248222mN; on section line of 21/22 T19S, R67W
- Location 2: 513069mE 4247833mN; section 23 T19S, R67W
- Location 3: 520588mE 4248477mN; section 22 T19S, R66W

Each of these segments is less than 1 acre in size. There were no sites, eligible or otherwise, recorded within these surveyed areas.

#### **7.7.10 Geologic Suitability and Site Constraints**

The transmission line structures will be placed in geologically suitable areas. Foundations for structures will be installed by drilling holes for direct embedded poles or installing concrete piers with anchor bolts. BHE does not anticipate geologic constraints to affect the placement of structures.

According to the Colorado Geological Survey, several potentially active faults in Colorado may be capable of causing earthquakes as large as magnitude 6.5 to 7.5. (For comparison, California has hundreds of hazardous faults, some of which can cause earthquakes of magnitude 8 or larger. The time interval between large earthquakes on faults in Colorado is generally much longer than on faults in California.) A magnitude 5.3 earthquake occurred in southern Colorado near Trinidad in August 2011. Relative to other western states, Colorado's earthquake hazard is higher than Kansas or Nebraska, but lower than Utah and certainly much lower than Nevada and California. Even though the seismic hazard in Colorado is low to moderate, the Colorado Geological Survey notes that it is likely that future damaging earthquakes will occur (CGS 2018).

#### **7.7.11 Land Use (impacts to existing and adjacent land uses)**

The Project area is currently zoned by Pueblo County as a mixture of: "Agriculture I" (A-1) with a designation of rural ranch; and "Public Use" (S-1) areas for public use. Zoning in the Project area is shown on **Figure 2**.

The new transmission line will not impact existing or adjacent land uses.

#### **7.7.12 Drainage, Stormwater Management, Erosion**

The Project area is within the Arkansas River Watershed. Stormwater is regulated by the Colorado Department of Public Health & Environment (CDPHE), which has established a Stormwater Construction Permit that requires the development and implementation of a project-specific Stormwater Management Plan (SWMP) to reduce and prevent pollutants in storm water runoff from entering waterbodies for any activity disturbing at least 1 acre of land. The SWMP, through the use of BMPs, will establish erosion and sedimentation controls, hazardous material management, and any necessary reclamation or monitoring events. A SWMP will be prepared and a Stormwater Construction Permit will be obtained prior to construction.

#### **7.7.13 Traffic Impacts (for any construction phase and for completed Project)**

The construction, operation, and maintenance of the proposed transmission line will require that heavy vehicles access the line and structure sites along the right-of-way. Since the transmission line will be located in a developed portion of Pueblo West and then traverse west on private land adjacent to an existing gas line easement, existing roads or paths are available for accessing the proposed right-of-way. If soil conditions allow for supporting the heavy vehicles, a two-track path will be developed within the 125-foot-wide right-of-way during construction. No new roads are needed for the operation of the Project.

BHE currently plans to use off right-of-way staging areas located on the adjacent private lands and is negotiating with the landowner to use a portion of their property for this purpose. Construction of the transmission line will result in a temporary increase in traffic on local roads. It is anticipated that an average of 15 trucks per day will be used during construction of the Project.





The minor impact to local roads will vary day by day as the Project moves along the route. The new transmission line will have no impact on local emergency service needs and will not interfere with existing emergency service access routes. BHE will coordinate with Pueblo West Metro District to minimize potential impacts to the local roads.

Therefore, during operation and maintenance of the Project, the effect on local roads and traffic will be negligible.

## 8. Project Compliance

This section addresses the Project's compliance with the approval criteria and guidelines within the applicable chapter of the Regulations (17.168.040). Pueblo County Code § 17.168.010 'Exemptions' A.3 provides that utility easements in existence as of May 9, 1978 do not require Pueblo County 1041 approval. As applied here, BHE proposes to site a significant portion of the Project that occurs in Pueblo County in the West Station transmission corridor and the Wild Horse Creek utility easement, which were both established in 1977. Because the West Station transmission corridor and the Wild Horse Creek utility easements existed before May 9, 1978, Pueblo County 1041 approval is not required for BHE's use of these utility easements. However, BHE has elected to present the entire Pueblo County alignment in our 1041 application, including the areas within these utility corridors to ensure a comprehensive understanding and subsequent approval of the entire Project.

Regulation 17.168.040 'Guidelines' state that a permit to conduct site selection and construction of a major facility by a public utility shall be issued by the permit authority following a public hearing upon the application for such a permit, provided that, at such hearing, the preponderance of evidence shall establish the following:

- A. The health, safety and welfare of the citizens of this jurisdiction will be protected and served;
- B. The facility will not adversely impact the physical, economic, or social environment of this jurisdiction, except as permitted in Section 17.168.040(C);
- C. When an adverse impact is expected to occur, reasonable modifications and programs and other reasonable mitigating actions will be implemented and maintained to minimize the degree of adversity of the impact;
- D. Other feasible alternatives to the proposed facility have been assessed, and the proposed facility represents the best interest of the people of this jurisdiction and the best utilization of resources in this jurisdiction;
- E. There exists a need, or a reasonably foreseeable need, for the facility as proposed;
- F. Adequate resources (e.g., schools, water and air, roads, labor) exist, or will exist, for the construction and efficient operation of the facility;
- G. The facility does not conflict with this jurisdiction's adopted Comprehensive Plan, or a Comprehensive Plan in the required statutory process of adoption, and all feasible actions



have been taken to avoid conflict with other adopted plans of this jurisdiction, region, State and nation.

Where such terms as "reasonable," "feasible" and "adequate" are used in the foregoing guidelines, the permit authority shall determine in each case what is or is not reasonable, feasible or adequate.

BHE understands that the issuance of a permit allowing the activity shall, however, in no way constitute an exemption from zoning and other land use regulations, health regulations, or procedural requirements. In the case of this activity, the issuance of a permit is contingent upon the subsequent approval of the facility by the Colorado Department of Public Health and Environment, U.S. Environmental Protection Agency, or other regulatory agencies, where required by appropriate statute or regulation.

BHE will comply with each of the requirements for a permit under 17.168.040 as described in the following sections.

## **8.1 Health, Safety, and Welfare of Citizens**

BHE does not anticipate any conflicts with public health and/or safety.

BHE will prepare Project-specific operations and maintenance policies and procedures designed to meet the requirements of the North American Electric Reliability Corporation (NERC) and the Colorado Public Utilities Commission (PUC), while remaining in compliance with the applicable codes and standards with respect to maintaining the reliability of the electrical system. Operations and maintenance activities will include transmission line patrols, climbing inspections, structure and wire maintenance, insulator washing in selected areas as needed, and access roads repairs. Periodic inspection and maintenance are also key parts of operating and maintaining the electrical system.

It is possible that pre-existing hazardous waste sites could be encountered during ground disturbance for Project construction. However, BHE has reviewed U.S. Environmental Protection Agency (EPA) databases (the Comprehensive Environmental Response, Compensation, and Liability Information System or CERCLIS database and the NEPAAssist Interactive Mapping tool) for documented hazardous materials/Superfund sites within the United States. None of the following types of hazardous materials sites were identified within the Project vicinity:

- Toxic Releases
- Superfund Sites
- Brownfields
- Radiation Information
- Toxic Substances Control Act.

There are no Superfund sites or Brownfields sites within the vicinity of the Project. No registered hazardous waste handlers were identified in the Project corridor in Pueblo County. If potentially



hazardous materials were discovered during Project construction, as indicated by stained soils or unexpected odors during excavation, BHE will instruct the construction contractor to follow protocol for unanticipated discoveries which will include a Stop Work order and notification to BHE Project representatives and, if appropriate, CDPHE.

BHE or its contractors will be responsible for the proper storage, use, and disposal of fuels and dangerous, hazardous, and toxic wastes. BHE will implement its procedures to minimize the potential for a spill.

Transmission line construction will generate a variety of solid wastes including concrete, hardware, and wood debris. The solid wastes generated during construction will be recycled or hauled away for disposal.

During operation of the Project, BHE will regularly patrol the transmission lines to maintain the easement and reduce risks of fire or other accidents. BHE proactively prepares our linemen by training them on fire safety and on our BHE Major Event and Incident Response plan, to ensure we can respond quickly and efficiently.

All transmission lines produce low frequency electromagnetic fields (EMF), which are strongest directly under the lines and drop dramatically as you move away. Based on analysis of EMF levels from the proposed transmission line at the edge of the right-of-way, projected levels would be 36 mG which is far below the CPUC limit of 150 mG. In comparison, a fluorescent light at six inches away emits 40 mG of EMF and a vacuum cleaner emits 300 mG of EMF.

## **8.2 No adverse impacts to the physical, economic, or social environment**

### **8.2.1 Physical Environment**

The effects on the physical environment are described in **Section 7.10** of this application. The proposed Project will not adversely impact the physical environment.

### **8.2.2 Economic Environment**

The proposed Project will not adversely impact the economic environment.

#### **8.2.2.1 EXISTING ECONOMIC ENVIRONMENT**

Pueblo County's top employers are the county's school district, which employs over 2,000 people, followed by three major medical facilities which employ over 4,000 workers. The county's major employers include steel manufacturing, alternative energy, manufacturing, health care and customer service companies.

#### **8.2.2.2 IMPACTS ON ECONOMIC ENVIRONMENT**

Construction of the Project will result in a temporary influx of workers to the area. BHE estimates that the workforce requirements for the transmission line will peak at 36 workers. This level of peak employment will have a negligible effect on employment, housing, and economic conditions in Pueblo County. BHE does not anticipate an increase in staffing for operation and maintenance of the Project.

### 8.2.3 Social Environment

The proposed Project will not adversely impact the social environment.

#### 8.2.3.1 EXISTING SOCIAL ENVIRONMENT

Portions of the Project vicinity are relatively densely populated with between 131 and 141 people per square mile. Major population centers in the vicinity include Pueblo, Pueblo West and Fountain. The largest of these cities is Pueblo (population 108,385) followed by Pueblo West with a population of 30,495 and Fountain with a population of 27,817 (U.S. Census Bureau 2016). The City of Fountain is north of the eastern end of the proposed Project and Pueblo is southeast of the Project.

In 2016, the population of Pueblo County was estimated at 162,158. The population has increased by 3,095 since 2010. From 2012 to 2016, the median annual household income in Pueblo County was about \$42,000. About 20.2 percent of Pueblo County residents live in poverty. In 2016, 81.8 percent of county residents were identified as white and 42.5 percent were identified as Hispanic or Latino (of any race). The total civilian workforce in Pueblo County from 2012-2016 was 72,954 persons and the unemployment rate was 9.7 percent. There were a total of 70,086 housing units in the county, with a rental vacancy rate of 5.0 percent (U.S. Census Bureau 2016).

#### 8.2.3.2 IMPACTS ON SOCIAL ENVIRONMENT

The Project will not result in adverse effects that will disproportionately affect minority or low-income groups.

The Project will not require additional local government services beyond those currently provided in the area. The Project creates no additional demand for transportation infrastructure, educational facilities, housing, water (other than trucked-in water) or wastewater treatment, or public transportation. The new transmission line will have no impact on local emergency service needs and will not interfere with existing emergency service access routes.

## 8.3 Mitigation of Adverse Impacts

BHE does not anticipate any adverse impacts from construction or operation of the Project. If an unanticipated adverse impact should occur, BHE will implement and maintain reasonable modifications and programs and other reasonable mitigating actions to minimize the degree of adversity of the impact.

Although no adverse impact is expected to occur, BHE is still taking actions to proactively mitigate potential impacts. These actions are described below in **Table 7**. In addition, to mitigate visual impacts to the extent practicable, the towers have been designed to blend with the visual aesthetics of the area. In comparison to our 2018 proposal (1041 2018-002), BHE has reduced the number of affected landowners with unobstructed views of Walker Ranch south of the Walker Ranch easement by re-routing the line to the Wild Horse Creek utility corridor. The Wild Horse Creek easement was planned and is designated use as a utility corridor.



**Table 7: BHE Best Management Practices**

<b>Proposed Project Phase</b>	<b>Affected Resources</b>	<b>Best Management Practices (BMPs)</b>
Pre-Disturbance/ Planning	Visual	Towers have been designed for steel monopoles located within the Wild Horse Creek utility corridor and wood H-frame within the agricultural open areas in order to blend with the visual aesthetics of the area.
Pre-Disturbance/ Planning	Visual	BHE plans to utilize existing infrastructure and upgrade the existing tower structures for the transmission line in up to 30 percent of the Wild Horse Creek utility easement.  In the West Station transmission corridor, BHE will utilize existing tower structures to the south of Desert Cove Substation.
Pre-Disturbance/ Planning	Visual	BHE will mitigate visual impacts in agricultural areas by locating the transmission line adjacent to an existing utility corridor across the majority of Walker Ranch. The transmission line will follow an existing pipeline corridor which is an area that has been previously disturbed.
Pre-Disturbance/ Planning	Visual	BHE will lessen visual impacts to the adjacent landowners by installing steel monopole structures in the utility easement area and, to the extent practicable, continue to work with customers to lessen impacts by strategically placing poles such that the structures will not be located directly behind adjacent residences that are within 200 feet of the transmission line.
Pre-Disturbance/ Planning	General	A construction monitoring plan will be utilized to monitor the implementation of BMPs during construction.
Pre-Disturbance/ Planning	General	All on-site crews will be trained about the importance of staying on defined access routes and within the ROW.
Pre-Disturbance/ Planning	Water Resources	During the design phase of the project, structures, access locations, and laydown areas will be strategically placed to avoid impacts on wetlands and waterbodies.
Construction	General	Grading and clearing activities will be minimized, and disturbances will be stabilized as soon as practicable.
Construction	General	Vehicle speed restrictions will be enforced to reduce the potential for accidents and dust creation.
Construction	General	Access roads will be clearly marked in the field with flagging and signs. Construction travel will be limited to designated areas. Unauthorized access roads will be marked with signs that read, 'DO NOT ENTER - Not an Authorized Access Road'.
Construction	Soils	Permanent or temporary soil erosion control measures for all slopes, channels, ditches, disturbed land area, and soil stockpiles will be implemented as soon as practicable after final grading or final earth disturbing activities have been completed.  Once earth disturbing activities are complete, during the appropriate season, BHE will revegetate the disturbed area to individual plant densities of at least 70 percent of pre-disturbance levels, or will implement equivalent permanent erosion reduction methods, reducing the long-term impacts from sedimentation.



Proposed Project Phase	Affected Resources	Best Management Practices (BMPs)
Construction	Soils	Construction will not occur when the soil is too wet to adequately support construction equipment if such equipment creates ruts in excess of 4 inches deep.
Construction	Water Resources	<p>The following structural and nonstructural BMPs will be employed, as appropriate. Structural BMPs will include the use of silt fences and straw wattles for perimeter control; vehicle tracking control (such as a rock pad adjacent to paved roads to minimize sediment tracked onto pavement); mud mats to minimize surface disturbance; and rock logs and check dams, which are both concentrated flow strainers.</p> <p>Nonstructural BMPs will include using vegetation buffers, minimizing disturbance areas, employing good housekeeping (that is, practices to keep the site clean of debris, organized, and easy to spot a problem), locating any site liquids away from natural conveyance channels, and training crews and site visitors regarding efforts to keep the site clean and protect waters of the U.S.</p>
Construction	Air Quality	To limit the emission of fugitive particulate matter and dust, BMPs will be employed as appropriate, including using wind breaks and barriers, applying water frequently, applying soil additives, controlling vehicle access and flow routes, covering piles, using gravel at site exit points, washing equipment at the end of each work day and prior to site removal, reestablishing ground cover, and stopping work.
Construction	Air Quality	Work vehicles will be well maintained and could use diesel particle filters to reduce emissions.
Construction	Biological Resources	Non-native weeds will be controlled by limiting the number of construction vehicles, washing vehicles, and using weed-free seed and straw.
Construction	Biological Resources	BHE will use covered ground wire that will follow Avian Power Line Interaction Committee guidelines in the design of the transmission line.
Construction	Cultural Resources	If any inadvertent discoveries are located during construction, work will halt, and the SHPO will be notified.
Construction	Terrestrial Wildlife	<p>To protect wildlife, vehicle speed restrictions will be enforced to reduce the potential for accidents and dust creation.</p> <p>To return habitat to pre-construction conditions as soon as possible, grading and clearing activities will be minimized, and disturbances will be stabilized as soon as practicable. Permanent or temporary soil erosion control measures for all slopes, channels, ditches, disturbed land area, and soil stockpiles will be implemented as soon as practicable after final grading or final earth disturbing activities have been completed. When it is not possible to permanently stabilize a disturbed area after an earth disturbing activity has been completed, or where significant earth disturbing activity temporarily ceases, temporary erosion control measures will be implemented as soon as practicable.</p>





Proposed Project Phase	Affected Resources	Best Management Practices (BMPs)
Construction	Noise	Proper and properly maintained safety equipment, including mufflers, dampeners, covers, and vibration isolators, will be used.
Maintenance	Soils, Biological Resources	BMPs will be inspected and maintained on site as required. Sediment control logs, brush barriers, and rock logs used during construction will be maintained in place as needed until vegetation is established to the required density.

## 8.4 Alternatives Analysis

During the development of the Project, BHE evaluated other feasible alternatives to the proposed facility, and the proposed facility represents the best interest of the people of this jurisdiction and the best utilization of resources in this jurisdiction. BHE analyzed many variables to determine the alignment that would best improve reliability for the area while also considering the local, physical and technological constraints. In addition, BHE has investigated the feasibility of five alternative route segments that have been proposed by members of the public.

Route Alternatives were evaluated based on these criteria:

- Project's Ability to Meet the Purpose and Need
- Social and Environmental Impacts
- Landowner Preferences
- Constructability and Cost
- Availability of Existing Utility Easements

### 8.4.1 System Alternative

Battery storage was considered as an alternative to a transmission line and as a method of providing capacity to facilitate expected load growth. Lithium-ion battery technology was studied as a commercially viable technology that could be used as an alternative to transmission lines. To meet the needs of the Project, battery storage would require a capacity for peak load of approximately 130 megawatts (MW).

Below is a comparison of battery storage to a transmission line.

- Battery storage would require about 10 acres of land compared to about four times more acreage for construction of a transmission line.
- In the event of a severe line outage a 130 MW battery storage system could provide back-up power for about four hours. In comparison, a transmission line provides an indefinite supply of back-up power.
- The lifespan of a battery system is currently about 20 years, in comparison, the lifespan of a transmission line is currently 50 to 75 years for a combination of wood and steel poles.
- A battery storage system required for the Project would cost an estimated 379 to 422 million dollars. This would be well over 15 times the estimated cost of a transmission line.



Because the cost of an energy storage system that is adequately sized to provide the equivalent resiliency benefits of a new transmission line is estimated to be significantly higher and because storage is a time-limited resource (meaning an outage of significant length may outlast the capabilities of the energy storage system) battery storage was dismissed from further consideration

#### **8.4.2 Route Alternatives**

The planning team considered several route alternatives within the Pueblo County portion of the Project. BHE also fully re-examined our 2018 proposal (1041 2018-002), input from the Commissioners and the public during the 1041 hearings, and input received from agencies and the public during our outreach efforts conducted over the past year.

The alternatives developed by Black Hills Energy (A1 through A5) and the Preferred Route are shown on **Figure 9**. Five route alternatives suggested by the public (B1 through B5, see **Figure 10**) were also analyzed and a comparison of the alternatives is presented in **Table 8**.



Figure 9. Alternative Routes A1 through A4

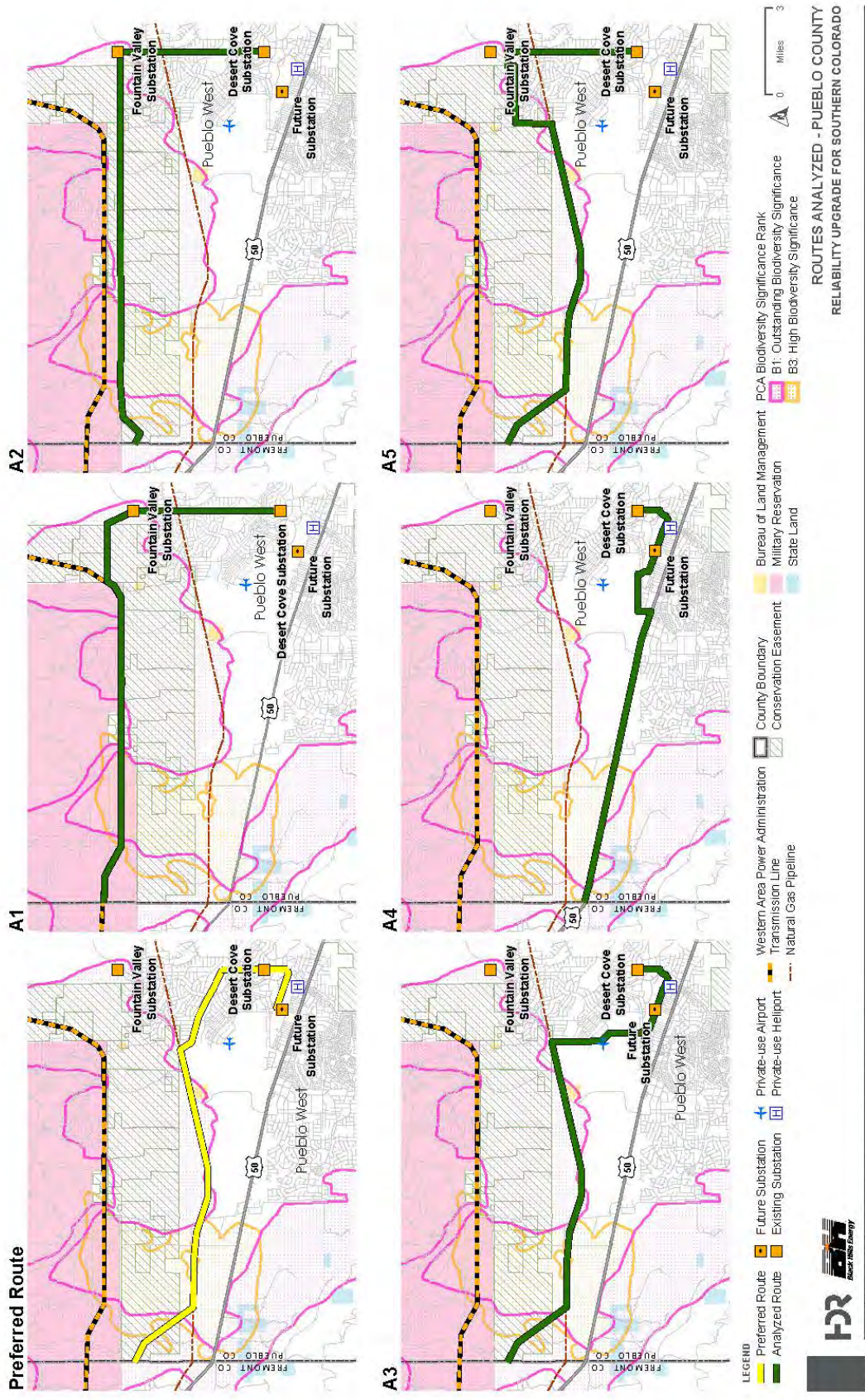
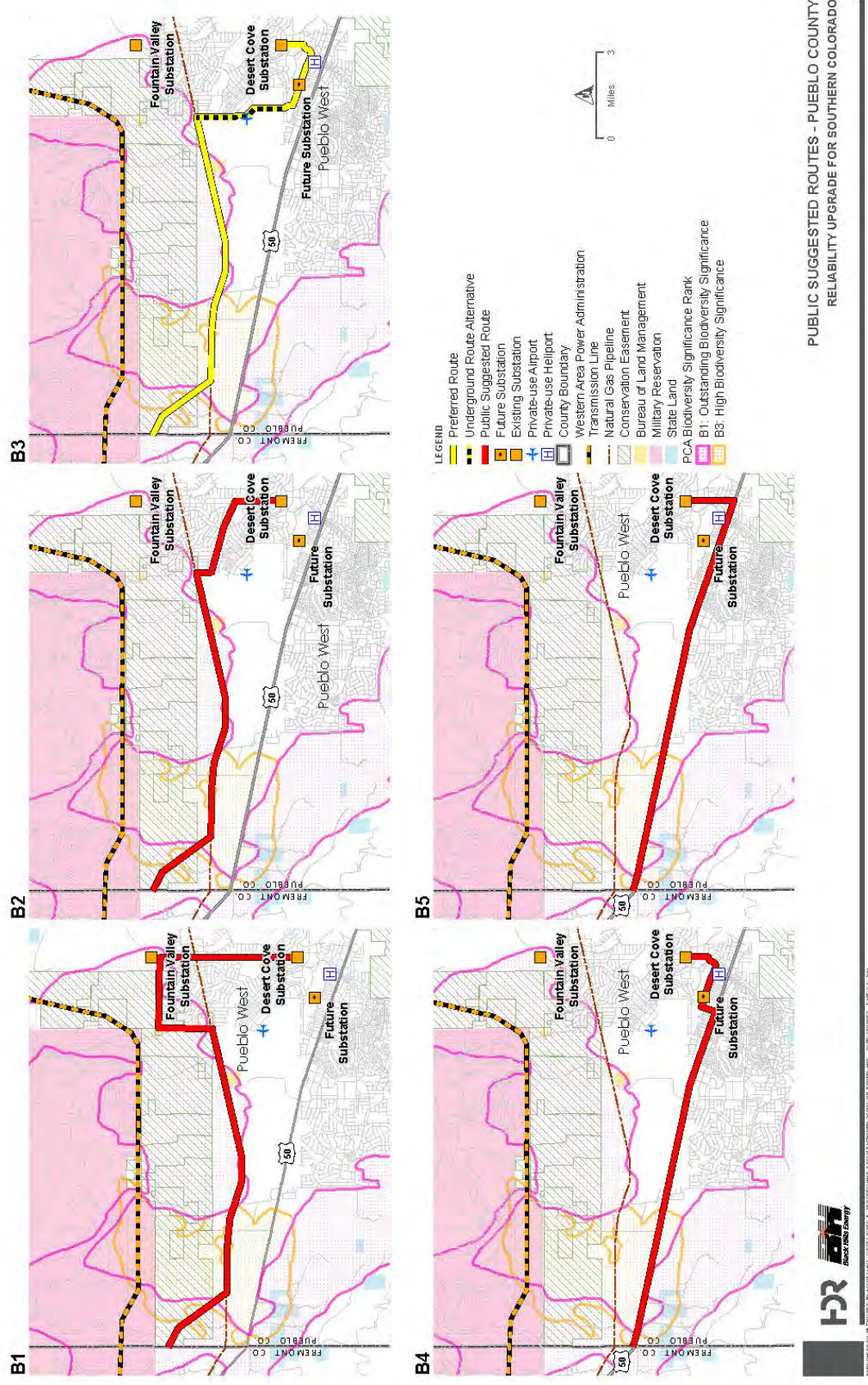




Figure 10. Public Suggested Alternative Routes B1 through B5





**Table 8. Comparison of Alternatives**

Route ID	Total Length (Miles)	Miles Under-ground	Parcels Crossed	Residences within 1,000 feet of New Easement <sup>1</sup>	Portion of Line within Existing Utility Easement (Miles, %) Pueblo County	Cost Relative to Preferred Route (Pueblo County Only) <sup>4</sup>
Preferred	16.90	0	16	140	13.5, 80%	1.0P
A1	19.56	0	39	234	5.0, 25%	1.2P
A2	18.89	0	23	234	5.0, 26%	1.1P
A3	18.87	0	19	26 <sup>2</sup>	9.3, 49%	1.1P
A4	15.68	0	18	169 <sup>2</sup>	0.0, 0%	0.9P
A5	20.70	0	12	241	14.1, 68%	1.2P
B1	21.37	0	24	247	14.1, 66%	1.3P
B2	16.98	0	20	164	13.3, 78%	1.0P
B3	18.87	3	19	3 <sup>2,3</sup>	9.3, 49%	1.1P+8.52M <sup>5</sup>
B4	15.32	0	18	191 <sup>2</sup>	0.0, 0%	0.9P
B5	14.97	0	13	191 <sup>2</sup>	0.0, 0%	0.9P

<sup>1</sup> Residences greater than 1,000 feet of the new easement could experience some visual impacts depending on topography and other factors, but the level of visual impacts decreases with distance from the transmission line.

<sup>2</sup> This does not include the residences that are adjacent to the existing West Station transmission corridor since existing transmission poles would be utilized for the Project.

<sup>3</sup> For Route B3, residences along the underground segment are not included.

<sup>4</sup> 'P' is estimated cost of the Preferred alternative. Detailed cost estimates have not been developed for each route alternative. Costs estimates are assumed based on the length of the transmission line and are presented in relation to the preferred route estimate. We assume overhead line construction would cost an approximate \$250,000 per mile on average.

<sup>5</sup> 3 Miles of underground transmission would cost an estimated \$9,270,000 in addition to the cost of the Preferred alternative (minus the \$750,000 of overhead costs for the 3 miles).

#### 8.4.2.1 PREFERRED ROUTE

Black Hills Energy proposes to use an existing Pueblo West Metro District utility corridor in the Wild Horse Creek easement and the West Station transmission corridor. Both the West Station transmission corridor and the Wild Horse Creek easements are existing utility easement corridors intended to be used for utility projects like this Project and BHE has an existing 'use by right' in

these easements. This route has been adjusted from our 2018 proposal (1041 2018-002) in response to landowner and community input and as additional progress was made in discussions with Fort Carson staff. By routing the Project in these utility corridors, BHE will minimize impacts by upgrading, where possible, existing distribution infrastructure to transmission infrastructure.

The line will link the Industrial Park area in order to connect to the future substation that is planned to improve reliability and serve the existing and anticipated increased demand for electricity for the community of Pueblo West.

#### **8.4.2.2 ALTERNATIVE A1**

Black Hills Energy initially considered locating the line further north so that it would run south of and adjacent to an existing WAPA line. The transmission line would parallel the WAPA line across the southern border of Fort Carson and then exit the western border of Fort Carson into Fremont County. This alternative was dismissed due to spacing constraints on Fort Carson. Since military training is conducted on the base, military personnel would not allow a new transmission line north of the WAPA line. In addition, there is a perimeter road on base that runs near the fenceline that also serves as a firebreak. Fort Carson staff would not allow construction between the perimeter road and the fenceline. BHE conducted civil surveys of the area between the edge of the existing WAPA right-of-way and the perimeter road and determined that there were spacing constraints for a new transmission right-of-way. It is not possible to develop the Project following this route.

#### **8.4.2.3 ALTERNATIVE A2**

Black Hills Energy then considered locating the line just south of the Fort Carson border, on the northern edge of the adjacent private lands. This route would have gone through several Nature Conservancy easements and potentially impacted rare plant populations that the Nature Conservancy works to protect. The Colorado Natural Heritage Program (CNHP) has designated certain areas of the state with high biological diversity or significance as Potential Conservation Areas. Alternative A2 would cross the “Rare Plants of the Chalk Barrens” PCA. This PCA is classified as having Outstanding Biodiversity Significance.

Ultimately, the planning team determined that the A2 northern alternative would result in adverse impacts to rare plant species and BHE has avoided routes with direct adverse impacts to rare plant species. See Appendix D for The Nature Conservancy input on route alternatives that would impact these rare plant species.

#### **8.4.2.4 ALTERNATIVE A3**

BHE also considered the transmission line route that would run through the Industrial Park area and access the Walker Ranch easement from the south. This is the route that was presented to Pueblo County in our 2018 1041 Permit Application (2018-002). While we believed that this route would have had the least amount of adverse impacts on the environment and local community. The Pueblo County Commissioners ultimately felt that there were better options that would better fit the spirit and aesthetics of the community. Therefore, we have developed the proposed route to run through designated utility corridors, which are the locations in Pueblo West that are intended to host utility infrastructure. By using these existing utility corridors, BHE is able to upgrade existing distribution infrastructure to transmission infrastructure.





#### **8.4.2.5 ALTERNATIVE A4**

Black Hills Energy also considered routing the transmission line further south to run parallel to Hwy 50 into Fremont County. Because the western tie-in point is in the North Cañon area, this would require the route to traverse north through more populated areas in Fremont County, which would affect more individual land owner parcels than are affected by Alternative A3 or the proposed route. The tie-in on the eastern end of the line would cross several small parcels with limited space for a new utility easement, in order to access the substation or the West Station transmission corridor. In addition, there would be more land owners south of Hwy 50 that would have the line within their viewshed as they look west than is proposed under the Preferred Route.

There is a population of black-footed ferrets located on Walker Ranch that depend on prairie dog colonies near the fenceline at Hwy 50 for food, shelter and raising young. There is a potential for direct and indirect adverse impacts to this listed endangered species as a result of the construction of a transmission line.

Alternative A4 could result in direct and indirect impacts to an endangered species and direct visual impacts to the largest number of residents as compared to the other alternatives identified by BHE. Because this alternative could result in adverse impacts to an endangered species and would have more direct impacts on landowners in Fremont County and more visual impacts on residences than the Preferred Route, it is not recommended.

#### **8.4.2.6 ALTERNATIVE A5**

BHE also considered locating the line north of the Pueblo West Metro District land to southwest of Ft. Carson lands and approaching the Walker Ranch utility easement from the north. This route would cross three Nature Conservancy easements, which contain habitat for several rare native plant species. Alternative A5 is close to four miles longer than the Preferred Route and would traverse through more previously undisturbed land.

The Nature Conservancy has expressed concern that a transmission line in this area would cause significant direct and indirect harm to the habitat and rare plant populations in the area. Nature Conservancy staff have provided written documentation of their concerns related to the adverse impacts associated with the placement of a transmission line in this area. The Nature Conservancy's letter of concern is included in Appendix D. As a result, BHE has avoided this route with direct adverse impacts to rare plant species.

#### **8.4.2.7 MINOR ROUTE VARIATIONS**

Many minor route variations were considered for crossing Walker Ranch. Black Hills Energy attempted to find a route that would reduce impacts of the proposed transmission line on ranch operations. Walker Ranch has many sensitive habitats occupying a large area of undisturbed land. The preferred route follows section lines to the extent practicable and then follows an existing natural gas pipeline easement on Walker Ranch property, which are areas of previous disturbance. The preferred route was found to have the least adverse impact to Walker Ranch operations, the least impact to the many sensitive habitats on a large area of undisturbed land, and follows industry standards by not bisecting parcels and paralleling section lines and existing ROW corridors to the extent practicable.

### 8.4.3 Route Alternatives Proposed by Public

During the public hearings conducted in 2018 and during town halls held by Black Hills Energy in 2019, residents of Pueblo West expressed concerns about visual impacts to their residences. Members of the public proposed alternative routes in an attempt to reduce impacts to their viewshed. Black Hills Energy fully considered these alternative routes proposed by members of the public. These five alternative routes, B1 through B5, are shown on **Figure 8**.

#### 8.4.3.1 ALTERNATIVE B1

Route alternative B1 would begin at the West Station substation and travel north through an existing transmission line easement to the Fountain Valley substation. It would then travel east about two miles and then south for two miles to the point where the Preferred Route runs adjacent to the existing natural gas pipeline easement. It would then follow the Preferred Route to the Pueblo-Fremont County line.

As described for Alternative A2, Alternative B1 would cross the “Rare Plants of the Chalk Barrens” PCA. This PCA is classified by CNHP as Outstanding Biodiversity Significance. The Preferred Route avoids this environmentally sensitive PCA. This route is the longest alternative analyzed, with a length of 21.4 miles and is over four miles longer than the Preferred Route.

Because of increased environmental and visual impacts when compared to the Preferred Route, Alternative B1 is not considered a viable alternative.

#### 8.4.3.2 ALTERNATIVE B2

The public-proposed route alternative B2, as shown on **Figure 10**, is similar to the alternative analyzed by Black Hills Energy as the Preferred Alternative, as a segment of this alternative would travel through the existing Wild Horse Creek utility corridor.

Alternative B2 would not meet the purpose and need of the Project because it would not connect to the Future Substation that is planned to improve reliability and serve the existing and anticipated increased demand for electricity for the community of Pueblo West. However, with the incorporation of the additional line connecting a substation in the Industrial Park area, the purpose and need would be met. This is BHE’s proposal for the Preferred Alternative. BHE’s solicitation of input from the public, including on this alternative route B2, assisted BHE in designing the Preferred Alternative.

#### 8.4.3.3 ALTERNATIVE B3

Alternative B3 is Alternative A3 with a three-mile-long segment of transmission line buried underground to reduce visual impacts to some landowners in Pueblo West. This buried segment would be entirely on land owned by the Walker Ranch. The proposed underground segment would begin where Alternative A3 exits the industrial area, and would travel north underground for three miles across Walker property to the existing utility easement on Walker Ranch.

An underground transmission line consists of underground plastic pipes called conduits that are trenched and buried about three to four feet below ground. Concrete is poured around the conduits for protection and the trench is then filled with soil and closed. Cables, which come on spools of 1,500 to 2,000 feet in length, are then installed in the conduits. The cables consist of a copper conductor with plastic insulation. An underground concrete vault would be installed every





1,500 to 2,000 feet. The vaults are used for splices which join cables together to form a continuous run from the starting point to the ending point of the underground line. The starting point or ending points can be electrical substations or steel poles. Once the underground line is constructed there is nothing visible above ground except for lids at vaults or the steel poles. The cable system type will be extruded with cross-linked polyethylene insulation with a 115 kV underground circuit for a single circuit configuration in a single trench based on a current of 1200 A.

The estimated cost would be \$9,270,000 for three miles of underground line. Overhead transmission costs about \$250,000 per mile, or \$750,000 for three miles. Buried transmission would cost about 12.36 times more compared to overhead transmission. Compared to the Preferred Alternative, Alternative B3 would reduce visual impacts to 23 residences within 1,000 feet and 49 residences between 1,000 feet to 2,500 feet from the proposed transmission line.

This alternative would result in an adverse cost impact to the entire customer base. The additional costs would not justify the added expense for the relatively small number of residences that would benefit from burying the transmission line (23 within 1,000 feet).

#### **8.4.3.4 ALTERNATIVE B4**

Alternative B4 was proposed by members of the public and is similar to the route analyzed previously by Black Hills Energy as Alternative A4.

#### **8.4.3.5 ALTERNATIVE B5**

This segment was proposed by a member of the public as an alternative route through Pueblo West. This route would begin at the Project terminus near the West Station substation and follow the existing transmission line easement south to Hwy 50. It would then parallel Hwy 50 west to the Pueblo County line. In this section of the existing West Station transmission corridor, Black Hills Energy could use the existing poles, resulting in relatively minor land disturbance in the existing right-of-way.

The easement for alternative B5 would be within 1,000 feet of 191 residences. Between 1,000 feet to 2,500 feet from the B5 easement are 743 residences. Due to the larger impact to residences, this alternative is not recommended. In addition, this alternative would not connect to the planned Future Substation.

### **8.4.4 Conclusion**

After careful review of the area's physical and geographical constraints, speaking with representatives from Fort Carson, landowners, and reviewing the above alternatives, the proposed alignment was chosen because it is the most technically viable path to safe, reliable and efficient energy and results in the least amount of adverse impacts on unobstructed views, the environment and local community. In addition, 80 percent of the proposed alignment falls within existing utility easement areas.

Black Hills Energy proposes to lessen visual impacts to the adjacent landowners by installing steel monopole structures in the utility easement areas, upgrading existing distribution infrastructure to transmission, and—to the extent practicable—continuing to work with customers to lessen impacts by strategically placing poles such that the structures would not be located directly behind adjacent residences that are within 200 feet of the transmission line.



## 8.5 Need

Pursuant to C.R.S. § 40-5-101, the Colorado Public Utilities Commission (“PUC”) has the lawful authority over the construction of new transmission facilities. The PUC’s Rule 3206, 4 CCR 723-3-3206, requires utilities to file annual reports on their planned transmission facilities. A utility may not commence construction of new transmission facilities until the PUC has approved the construction through approval of a utility’s Rule 3206 transmission facility report. On July 10, 2017, in Decision No. C17-0539-E, the PUC determined that BHE may commence construction of the Project, given its reliability need. Since receiving that approval, BHE has continued to update the PUC on its progress on constructing the Project in subsequent Rule 3206 transmission facility reports.

The primary basis for BHE’s proposal to construct the Project, as explained in its 3206 transmission facility reports, is the need to ensure the reliability of the transmission system, while also providing capacity to facilitate expected load growth. Reliability and interconnection studies undertaken by the Company have shown overloads on the system, which are due to high peak period demand for electricity, impacting reliability in the Pueblo West, Penrose, and North Cañon City areas. For example, as identified in the Pueblo Regional Development Plan, 2014 Addendum, the population of Pueblo County is anticipated to increase by over 69,000 between 2010 and 2040 (Pueblo County 2014). Additional electric transmission is needed to supply the development of residential and business uses for the increased population. In addition, the new transmission line will provide a second connection to the Penrose distribution system, eliminating potential outages that can occur given the only single line that currently feeds that area.

The new transmission line will improve reliability and allow for planned future system upgrades in order to reduce service interruptions. The Project will also enable BHE to upgrade capacity in the Pueblo West, Penrose, and North Cañon City areas, through the construction of future distribution substations. The reliability need, in conjunction with the increased opportunities for economic development, associated with the new transmission line and facilities require the development of the line.

The PUC has approved construction of the Project as a reliability-based transmission line project. No further PUC approval is necessary prior to construction to address the reliability need.

## 8.6 Adequate Resources Available

Adequate resources (e.g., schools, water and air, roads, labor) exist, or will exist, for the construction and efficient operation of the Project. No additional schools or roads will be required. The Project will not adversely affect water or air. As described in **Section 8.2.2.1**, adequate labor resources are available in the region for the peak workforce anticipated for construction of the Project.

## 8.7 Compliance with the Comprehensive Plan/ Regional Development Plan

The eastern end of the Project will fall within the area identified in the Pueblo Comprehensive Plan/Regional Development Plan as the Pueblo West Developing Metro Core Area. The Pueblo



West Metro District is located seven miles west of Pueblo along U.S. Highway 50. It was established in 1969 and encompasses 31,000 acres or 49 square miles (land area slightly larger than City of Pueblo). This area is planned for the continuation of existing suburban development patterns and arterial commercial and light industrial mixed-use development. The proposed Project will contribute to this goal by providing new electric transmission and increased reliability to customers in Pueblo County.

The Comprehensive Plan / Regional Development Plan anticipate the population of Pueblo County will increase to over 200,000 people by 2030 (Pueblo County 2004) and identify an anticipated increase in population in Pueblo County of over 69,000 residents between 2010 and 2040 (Pueblo County 2014). The Project will provide additional electric transmission to supply the development of residential and business uses for the increased population.

One of the principles of the Regional Development Plan is to “Encourage efficient and prudent extensions of infrastructure in a manner that considers impacts to both service providers and taxpayers.” This new transmission line has been designed and routed to provide an extension of infrastructure that is efficient and prudent. The current proposed route utilizes an existing utility corridor and rural agricultural land. It will provide beneficial impacts to customers and few adverse effects to the environment. The Reliability Upgrade Project for Southern Colorado will support the responsible development of Pueblo West, and provide reliable electricity to residents of Pueblo and Fremont Counties.

The new transmission line will not change the character of Pueblo West or the agricultural areas to the west, and is consistent with the goals and purposes of the Pueblo Regional Development Plan.

## **9. Existing or Needed Permits, Approvals, Contracts, or Agreements**

### **9.1 Existing Permits**

No permits have been obtained at this time. BHE received approved from the PUC to proceed to construction for the Project due to its reliability need. No further PUC authorization is necessary prior to construction.

### **9.2 Project Permits and Approvals**

The route crosses Ft. Carson land on the western edge of Pueblo County and BLM land in Fremont County. BHE is coordinating with Ft. Carson Planning Staff and has submitted a form SF-299 and a Plan of Development to the BLM. The transmission line crosses land owned by both Pueblo and Fremont Counties and also crosses a parcel of State School Trust Lands in addition to the BLM and Ft. Carson land. Therefore, we have initiated the 1041 permitting process with Pueblo County, the Special Review Use Permit process with Fremont County, and have obtained a right-of-way through the State Land Board. BHE is also seeking an easement through



the Pueblo West Metro District area and are negotiating directly with that agency for an easement acquisition.

The following table provides a summary of the anticipated permits and approvals that may be required for the Project.



**Table 9. Anticipated Permits and Approvals Required for the Project**

Agency / Jurisdiction	Permit	Notes	Timeline
<b>Federal</b>			
Federal Aviation Administration (FAA)	Part 7460 review - Parts 1 & 2 (Obstruction Evaluation/Airport Airspace Analysis)	Project route is near a private airstrip	45 days prior to construction
U.S. Department of Defense Fort Carson Military Reservation	Application for Easement/ Right-of-Way across Military Reservation	Multi-step process requiring approval from various groups within the organization including operations, real estate, NEPA, and USACE.	4 to 6 months
U.S. Bureau of Land Management (BLM)	SF299 – Application for Transportation and Utility Systems and Facilities on Federal lands	An SF-299 and Plan of Development has been submitted to the Royal Gorge BLM Office for the portion of the Project alternative that crosses BLM land	6 to 12 months
U.S. Fish & Wildlife Service (USFWS)	Bald & Golden Eagle Protection Act Coordination/Consultation	Coordination and consultation required to ensure compliance with endangered species regulations	Varies, depending on species involved, mitigation, etc.
<b>State</b>			
Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division	National Pollution Discharge Elimination System Permit and Stormwater Management Plan (SWMP)	SWMPs are reports that shall be available to the public under Section 308(b) of the CWA and Section 61.5(4) of the Colorado Discharge Permit System Regulations	2-3 mo.
CDPHE Air Pollution Control Division	Land Development General Construction Permit GP03 and Air Pollution Emission Notice (APEN)	Required for land development activities that disturb 25 or more acres. If standard pollution control measures are employed, construction can begin immediately on filing application	Coverage is immediate upon filing APEN.
Colorado Parks and Wildlife (CPW)	Coordination/consultation on Colorado Threatened and Endangered Species	Coordination and consultation required to ensure compliance with state threatened and endangered species regulations	Varies, depending on species involved, mitigation, etc.

Agency / Jurisdiction	Permit	Notes	Timeline
Colorado Department of Transportation (CDOT)	Utility and Special Use Permits for crossings of state highways, Driveway/Access Permits, Overweight/Oversized Permits	Road crossings in Pueblo West.	Crossings and access permits - 1-2 months. Overweight permits – 24 hours
<b>Pueblo County</b>			
Pueblo County	1041 Permit	Pre-Application meeting held August 21, 2019	6 to 9 months
Pueblo County Regional Building Department	Grading Permit	Required if grading is needed to level the right-of-way, or for temporary facilities	1 to 3 months
Pueblo County Public Works / Engineering Division	Stormwater Permit	Separate application required in addition to CDPHE. Bi-weekly inspection and reporting is required during construction	1 to 3 months
Pueblo County Public Works / Engineering Division	County Road Access Permit; Right-of-Way “Excavation” Permit; Roadway Condition Assessment and Repair	Required for accessing right-of-way from County Roads Required for transmission line crossings of County Roads	1 to 3 months
<b>Fremont County / Cañon City</b>			
Fremont County	Special Review Use Permit	The Special Review Use Permit process has been initiated with a Pre-Application meeting and outreach to landowners	6 to 9 months
Fremont County Department of Planning and Zoning	Roadway Impact Analysis Form	Required for Special Review Use Permits	Processed with Special Review Use Permit application
<b>Miscellaneous Typical County and City Permits (Case-by-case)</b>			
County / City	Overweight/ Overwidth Load Permits	May be needed for overweight or oversized loads on County or City Roads	30 days
County / City	Driveway/Access / Work in Right-of-Way Permits	Depends on location and circumstances	30 days
County / City	Stormwater/Erosion Control/ Grading Permit	Depends on activity and location	Varies by permit.



## 10. Compliance with the Pueblo Regional Development Plan

Please see **Section 8.7**, which describes the Project's compliance with the Pueblo Comprehensive Plan and the Pueblo Regional Development Plan.

## 11. Vicinity Map

A vicinity map is provided as **Figure 1**.

## 12. Elevation Drawings and Architectural Drawings for any Structures, Facilities or Equipment Associated with the Project

Please see the pole structure Typical Drawings included as Figures 4, 5, and 6. The transmission line will be an overhead line about 60 to 90 feet above ground. The single pole structures will be manufactured out of weathering steel and be between 70-105 feet high and generally spaced about 500 feet apart. Steel monopole structures that are between 70- 90 feet high will be located in the Wild Horse Creek and West Station utility corridors and the tangent monopole structures that will be between 90 – 105 feet high will be used in the Pueblo West industrial park area. The wooden H-frame structures will be between 60 - 80 feet high and spaced about 600 feet apart. These will be used primarily on undeveloped open lands between the Pueblo/ Fremont County line and the Pueblo West Industrial Park area.

## 13. Notification to Mineral Owners

BHE understands the requirements for notifications to mineral owners and will submit signed certifications and copies of certified letters provided to mineral estate owners to the Pueblo County Department of Planning and Development at, or before, the Public Hearing.

HDR on behalf of BHE confirms that the records of the Pueblo County Clerk and Recorder have been examined for the existence of mineral estate owners or lessees that own less than full fee title in the property. Identified severed mineral estate owners or lessees are listed in **Table 3** of this application.

For purposes of the County convening its initial public hearing, BHE acknowledges that this application will not be considered complete until a signed certification has been submitted to the Pueblo County Department of Planning and Development confirming that the applicant has, at least 30 days prior to the initial public hearing, transmitted to Pueblo County and to the affected mineral estate owners and lessees notice of the public hearing.

## 14. References

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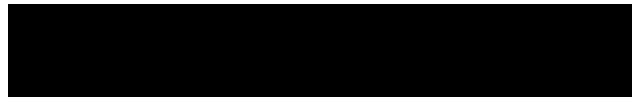
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PUC Decision and  
Supporting Documents





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**COLORADO PUBLIC UTILITIES COMMISSION  
COMMISSIONERS' WEEKLY MEETING  
HELD ON JUNE 28, 2017  
MINUTES**

**Commissioners Present:**

Chairman Jeffrey P. Ackermann  
Commissioner Frances A. Koncilja  
Commissioner Wendy M. Moser

**Members of the Public present: 8**


The meeting was called to order at the Office of the Commission at 9:00 a.m.




**Public/Commissioner's Comments:**

None.

The complete minutes of the Commissioners' Weekly Meeting held on June 28, 2017 are appended and are incorporated here by reference as if fully set forth.

The meeting was adjourned at 10:24 a.m.

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Jeffrey P. Ackermann  
  
\_\_\_\_\_  
Frances A. Koncilja  
  
\_\_\_\_\_  
Wendy M. Moser  
Commissioners

## Consent Items

### GENERAL MATTERS

1. IN THE MATTER OF FISCAL YEAR 2017-2018 STATUTORY AUDIT PROVIDERS DESIGNATION.

#### **RESULTS:**

The Commission opened a miscellaneous proceeding and designated Commission statutory audit powers to Commission staff.

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### TRANSPORTATION

1. PROCEEDING NO. 17A-0312R Board of County Commissioners of Weld County

IN THE MATTER OF THE APPLICATION OF WELD COUNTY, COLORADO, FOR AUTHORITY TO WIDEN THE ROADWAY, PROVIDE NEW CONCRETE CROSSING MATERIAL, REMOVE EXISTING ACTIVE WARNING RAILROAD FLASHING LIGHT SIGNALS, AND INSTALL NEW CROSS BUCKS WITH EXEMPT SIGNING AT THE WELD COUNTY ROAD 49 CROSSING OF THE UNION PACIFIC TRACKS (NTC#805-243D) WELD COUNTY, COLORADO

- a. Filing Date and Party: 05/19/2017 Board of County Commissioners of Weld County

Description: Application for an order authorizing the replacement of existing crossing material with a longer segment of concrete crossing material to allow for roadway widening, removal of existing active warning railroad flashing-light signals, and installation of new cross bucks with "Exempt" signs at the crossing of Weld County Road 49 and the tracks of Union Pacific Railroad, Weld County, Colorado

**RESULTS: Deemed complete**

**Granted**

- b. Filing Date and Party: 06/13/2017 UNION PACIFIC RAILROAD COMPANY

Description: Entry of appearance and notice of intervention as of right

**RESULTS: Granted**

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2. PROCEEDING NO. 17A-0378BP-SUSP Community Transportation Services, Inc

IN THE MATTER OF THE APPLICATION OF COMMUNITY TRANSPORTATION SERVICES INC. FOR AN ORDER OF THE COMMISSION AUTHORIZING A SUSPENSION OF CONTRACT CARRIER PERMIT NO. B-10095.

Filing Date and Party: 06/08/2017 Community Transportation Services, Inc

Description: Application for authority to suspend Contract Carrier Permit No. B-10095

**RESULTS: Deemed complete**

**Granted the application nunc pro tunc from June 8, 2017 through November 8, 2017.**

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Consent Items

**TRANSPORTATION**

3. **PROCEEDING NO. 17G-0359TNC** Colorado Public Utilities Commission  
Rasier LLC

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

RASIER LLC,

RESPONDENT.

- a. Filing Date and Party: 06/01/2017  
Description: Civil Penalty Assessment Notice No. 118578-CPAN

- b. Filing Date and Party: 06/09/2017 Rasier LLC  
Description: Receipt No. 66337

**RESULTS:**

**Acknowledged receipt of penalty payment and closed proceeding by minute entry.**

---

4. **PROCEEDING NO. 17G-0364TNC** Colorado Public Utilities Commission  
Rasier LLC

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V.

RASIER LLC,

RESPONDENT.

- a. Filing Date and Party: 06/01/2017  
Description: Civil Penalty Assessment Notice No. 118574-CPAN

- b. Filing Date and Party: 06/09/2017 Colorado Public Utilities Commission  
Description: Receipt No. 66337

**RESULTS:**

**Acknowledged receipt of penalty payment and closed proceeding by minute entry.**

---

Consent Items

**TRANSPORTATION**

**5. PROCEEDING NO. 17G-0375TO**

Colorado Public Utilities Commission  
Hero Towing and Recovery, LLC

COLORADO PUBLIC UTILITIES COMMISSION,

COMPLAINANT,

V,

HERO TOWING AND RECOVERY, LLC

RESPONDENT.

**a. Filing Date and Party: 06/06/2017**

Description: Civil Penalty Assessment Notice No. 118337 - CPAN

**b. Filing Date and Party: 06/09/2017**

Colorado Public Utilities Commission

Description: Receipt No.66329

**RESULTS:**

**Acknowledged receipt of penalty payment and closed proceeding by minute entry.**

---

**TELECOMMUNICATIONS**

**1. PROCEEDING NO. 17AL-0298T**

IN THE MATTER OF ADVICE LETTER NO. 106 FILED BY PEETZ COOPERATIVE TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/15/2017 Peetz Cooperative Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**Consent Items**

**TELECOMMUNICATIONS**

**2. PROCEEDING NO. 17AL-0300T**

IN THE MATTER OF ADVICE LETTER NO. 95 FILED BY FARMERS TELEPHONE COMPANY INC. FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/15/2017 Farmers Telephone Company Inc

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**3. PROCEEDING NO. 17AL-0301T**

IN THE MATTER OF ADVICE LETTER NO. 126 FILED BY XO COMMUNICATIONS SERVICES LLC FOR REVISIONS TO REMOVE CD ROM BILLING TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/16/2017 XO Communications Services LLC

Description: Filing to remove non-regulated CD ROM Billing

**RESULTS: Allowed to go into effect by Operation of Law**

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**4. PROCEEDING NO. 17AL-0309T**

IN THE MATTER OF ADVICE LETTER NO. 153 FILED BY RYE TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/18/2017 Rye Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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Consent Items

**TELECOMMUNICATIONS**

**5. PROCEEDING NO. 17AL-0310T**

IN THE MATTER OF ADVICE LETTER NO. 48 FILED BY SOUTH PARK TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/18/2017      South Park Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:    Allowed to go into effect by Operation of Law**

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**6. PROCEEDING NO. 17AL-0322T**

IN THE MATTER OF ADVICE LETTER NO. 115 FILED BY NUCLA-NATURITA TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/25/2017      Nucla-Naturita Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:    Allowed to go into effect by Operation of Law**

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**7. PROCEEDING NO. 17AL-0323T**

IN THE MATTER OF ADVICE LETTER NO. 104 FILED BY PINE DRIVE TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/25/2017      Pine Drive Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:    Allowed to go into effect by Operation of Law**

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Consent Items

**TELECOMMUNICATIONS**

**8. PROCEEDING NO. 17AL-0326T**

IN THE MATTER OF ADVICE LETTER NO. 77 FILED BY AGATE MUTUAL TELEPHONE COOPERATIVE ASSOCIATION FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/26/2017      Agate Mutual Telephone Cooperative  
Association

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:    Allowed to go into effect by Operation of Law**

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**9. PROCEEDING NO. 17AL-0333T**

IN THE MATTER OF ADVICE LETTER NO. 155 FILED BY EASTERN SLOPE RURAL TELEPHONE ASSOCIATION INC FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/25/2017      Eastern Slope Rural Telephone Association  
Inc

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:    Allowed to go into effect by Operation of Law**

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**10. PROCEEDING NO. 17AL-0334T**

IN THE MATTER OF ADVICE LETTER NO. 101 FILED BY PHILLIPS COUNTY TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/26/2017      Phillips County Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:    Allowed to go into effect by Operation of Law**

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**TELECOMMUNICATIONS**

**11. PROCEEDING NO. 17AL-0337T**

IN THE MATTER OF ADVICE LETTER NO. 67 FILED BY WILLARD TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/26/2017 Willard Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**12. PROCEEDING NO. 17AL-0338T**

IN THE MATTER OF ADVICE LETTER NO. 129 FILED BY HAXTUN TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/26/2017 Haxtun Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**13. PROCEEDING NO. 17AL-0339T**

IN THE MATTER OF ADVICE LETTER NO. 87 FILED BY ROGGEN TELEPHONE COOPERATIVE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/26/2017 Roggen Telephone Cooperative Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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Consent Items

**TELECOMMUNICATIONS**

**14. PROCEEDING NO. 17AL-0346T**

IN THE MATTER OF ADVICE LETTER NO. 92 FILED BY WIGGINS TELEPHONE ASSOCIATION FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/30/2017      Wiggins Telephone Association

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:**    Allowed to go into effect by Operation of Law

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**15. PROCEEDING NO. 17AL-0347T**

IN THE MATTER OF ADVICE LETTER NO. 8 FILED BY COMMON POINT LLC FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/23/2017      Common Point LLC

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:**    Allowed to go into effect by Operation of Law

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**16. PROCEEDING NO. 17AL-0348T**

IN THE MATTER OF ADVICE LETTER NO. 17-01 FILED BY CENTURYTEL OF EAGLE INC DBA CENTURYLINK FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/31/2017      CenturyTel Of Eagle Inc dba CenturyLink

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:**    Allowed to go into effect by Operation of Law

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Consent Items

**TELECOMMUNICATIONS**

**17. PROCEEDING NO. 17AL-0349T**

IN THE MATTER OF ADVICE LETTER NO. 106 FILED BY BLANCA TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/30/2017 Blanca Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**18. PROCEEDING NO. 17AL-0350T**

IN THE MATTER OF ADVICE LETTER NO. 126 FILED BY EL PASO COUNTY TELEPHONE COMPANY FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/31/2017 El Paso County Telephone Company

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**19. PROCEEDING NO. 17AL-0351T**

IN THE MATTER OF ADVICE LETTER NO. 3154 FILED BY QWEST CORPORATION DBA CENTURYLINK QC FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/31/2017 Qwest Corporation d.b.a. CenturyLink QC

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**Consent Items**

**TELECOMMUNICATIONS**

**20. PROCEEDING NO. 17AL-0372T**

IN THE MATTER OF ADVICE LETTER NO. 155 FILED BY PLAINS COOPERATIVE TELEPHONE ASSOCIATION INC FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 06/05/2017 Plains Cooperative Telephone Assoc Inc

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**21. PROCEEDING NO. 17AL-0380T**

IN THE MATTER OF ADVICE LETTER NO. 13 FILED BY PEERLESS NETWORK OF COLORADO, LLC FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 06/09/2017 Peerless Network of Colorado LLC

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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**22. PROCEEDING NO. 17AL-0381T**

IN THE MATTER OF ADVICE LETTER NO. 13 FILED BY AIRUS, INC FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 06/09/2017 Airus, Inc

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS: Allowed to go into effect by Operation of Law**

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Consent Items

**TELECOMMUNICATIONS**

**23. PROCEEDING NO. 17AL-0386T**

IN THE MATTER OF ADVICE LETTER NO. 60 FILED BY STONEHAM COOPERATIVE TELEPHONE CORP. FOR THE FEDERAL COMMUNICATIONS COMMISSION PART 51 RULES 51.907, TRANSITION OF PRICE CAP CARRIER ACCESS CHARGES AND 51.909, TRANSITION OF RATE-OF-RETURN CARRIER ACCESS CHARGE TO BECOME EFFECTIVE JULY 12, 2017.

Filing Date and Party: 06/09/2017 Stoneham Cooperative Telephone Corporation

Description: Filing to update the tariff to reflect the Federal Communications Commission Part 51 Rules 51.907, transition of price cap carrier access charges and 51.909, transition of rate-of-return carrier access charges

**RESULTS:** Allowed to go into effect by Operation of Law

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**24. PROCEEDING NO. 17AL-0389T**

IN THE MATTER OF ADVICE LETTER NO. 89 FILED BY SPRINT COMMUNICATIONS COMPANY LP TO CANCEL COLORADO PUC NO. 6 TARIFF IN ITS ENTIRETY TO BECOME EFFECTIVE JUNE 30, 2017.

Filing Date and Party: 06/12/2017 Sprint Communications Company LP

Description: Filing to cancel Operator Services Tariff No. 6 pursuant to Decision No. C16-0820

**RESULTS:** Allowed to go into effect by Operation of Law

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**25. PROCEEDING NO. 17L-0428T**

IN THE MATTER OF THE APPLICATION OF UNION TELEPHONE COMPANY FOR AN ORDER AUTHORIZING IT TO LOWER ITS TERMINATING LOCAL ACCESS RATE EFFECTIVE JULY 1, 2017 UPON LESS THAN REQUIRED NOTICE.

Filing Date and Party: 06/26/2017 Union Telephone Company

**ADDENDUM**

Description: Application for approval of proposed tariff filing upon less than required notice

**RESULTS:** Deemed complete  
Granted.

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Consent Items

**TELECOMMUNICATIONS**

**26. PROCEEDING NO. 17T-0230**

Airus, Inc  
Qwest Corporation d.b.a. CenturyLink QC

IN THE MATTER OF NEW INTERCONNECTION AGREEMENT - TERMS AND CONDITIONS FOR INTERCONNECTION, UNBUNDLED NETWORK ELEMENTS, ANCILLARY SERVICES, AND RESALE OF TELECOMMUNICATIONS SERVICES BETWEEN QWEST CORPORATION DBA CENTURYLINK QC AND AIRUS, INC.

Filing Date and Party: 06/16/2017      Qwest Corporation d.b.a. CenturyLink QC  
Airus, Inc

Description: Reciprocal Compensation Bill & Keep Amendment to the Interconnection Agreement between Qwest Corp dba CenturyLink QC and Airus Inc

**RESULTS: Minute Entry- Effective by Operation of Law on:  
09-14-2017.**

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**ENERGY / WATER**

**1. PROCEEDING NO. 17AL-0393G**

IN THE MATTER OF ADVICE LETTER NO. 101 FILED BY ROCKY MOUNTAIN NATURAL GAS LLC DBA BLACK HILLS ENERGY TO AMEND TARIFF TO REFLECT BLACK HILLS ENERGY DBA FOR RMNG AND UPDATES TO THE CONTACT INFORMATION FOR RMNG NOW THAT THE FORMER RMNG OFFICE IN GOLDEN, COLORADO IS CLOSED TO BECOME EFFECTIVE JULY 11, 2017.

Filing Date and Party: 06/09/2017      Rocky Mountain Natural Gas LLC

Description: Filing to amend tariff to reflect Black Hills Energy dba for RMNG and updates to the contact information

**RESULTS: Allowed to go into effect by Operation of Law**

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Discussion Items

**TRANSPORTATION**

**1. PROCEEDING NO. 17AL-0304TR**

IN THE MATTER OF ADVICE LETTER NO. 10 AND COLORADO LOCAL PIPELINE TARIFF NO. 11 FILED BY NUSTAR LOGISTICS, L.P. TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/17/2017      NuStar Logistics, L.P.

Description: Filing to increase rates for the transportation of liquid petroleum products

**RESULTS:    Allowed to go into effect by Operation of Law**

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**2. PROCEEDING NO. 17AL-0336TR**

IN THE MATTER OF ADVICE LETTER NO. 4 AND LOCAL PIPELINE TARIFF, COLORADO PUC NO. 2.4 FILED BY PHILLIPS 66 PIPELINE, LLC, TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/25/2017      Phillips 66 Pipeline LLC

Description: Filing to increase rates for the transportation of liquid petroleum products

**RESULTS:    Allowed to go into effect by Operation of Law**

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**3. PROCEEDING NO. 17AL-0344TR**

IN THE MATTER OF ADVICE LETTER NO. 19 AND LOCAL PIPELINE TARIFF, COLORADO PUC NO. 12.7.0 FILED BY MAGELLAN MIDSTREAM PARTNERS, L.P. TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/30/2017      Magellan Midstream Partners, LP

Description: Filing to increase rates for the transportation of liquid petroleum products

**RESULTS:    Allowed to go into effect by Operation of Law**

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**4. PROCEEDING NO. 17AL-0345TR**

IN THE MATTER OF ADVICE LETTER NO. 20 AND LOCAL PIPELINE TARIFF, COLORADO P.U.C. NO. 11.4.0, FILED BY MAGELLAN MIDSTREAM PARTNERS, L. P. TO BECOME EFFECTIVE JULY 1, 2017

Filing Date and Party: 05/30/2017      Magellan Midstream Partners

Description: Filing to increase rates for the transportation of liquid petroleum products

**RESULTS:    Allowed to go into effect by Operation of Law**

---

Discussion Items

**TRANSPORTATION**

5. **PROCEEDING NO.** Colorado Transportation Industries LLC  
**17A-0367BP-LEASE-ETA** Alpha Paratransit

IN THE MATTER OF THE APPLICATION OF ALPHA PARATRANSIT, LLC DOING BUSINESS AS ALPHA PARATRANSIT FOR EMERGENCY TEMPORARY AUTHORITY TO LEASE CONTRACT CARRIER PERMIT NO. B-9907 TO COLORADO TRANSPORTATION INDUSTRIES, LLC.

Filing Date and Party: 06/02/2017 Alpha Paratransit

Description: Application for emergency temporary authority to lease Contract Carrier Permit No. B-9907

**RESULTS: Denied**

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6. **PROCEEDING NO.** Colorado Transportation Industries LLC  
**17A-0367BP-LEASE-TA** Alpha Paratransit

IN THE MATTER OF THE APPLICATION OF ALPHA PARATRANSIT LLC DOING BUSINESS AS ALPHA PARATRANSIT FOR TEMPORARY APPROVAL TO LEASE CONTRACT CARRIER PERMIT NO. B-9907 TO COLORADO TRANSPORTATION INDUSTRIES LLC.

Filing Date and Party: 06/02/2017 Alpha Paratransit

Description: Application for temporary authority to lease Permit No. B-9907

**RESULTS: Denied**

---

7. **PROCEEDING NO. 17V-0285EC**

IN THE MATTER OF THE PETITION OF MR. NICE RIDES LLC FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

Filing Date and Party: 05/09/2017 Mr. Nice Rides LLC

Description: Petition for waiver of Rule 6305(b) (Age of Motor Vehicle)

**RESULTS: Denied**

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## Discussion Items

### ENERGY / WATER

1. **PROCEEDING NO. 17AL-0203E**

IN THE MATTER OF ADVICE LETTER NO. 738 FILED BY BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY LP TO REVISE THE DEMAND-SIDE MANAGEMENT COST ADJUSTMENT (DSMCA) TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 03/31/2017      Black Hills/Colorado Electric Utility Company  
LP

Description: Filing to revise the Demand-Side Management Cost Adjustment

**RESULTS:**    Allowed to go into effect by Operation of Law

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2. **PROCEEDING NO. 17AL-0216E**

IN THE MATTER OF ADVICE LETTER NO. 1741 FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE THE DEMAND-SIDE MANAGEMENT COST ADJUSTMENT (DSMCA) TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 04/03/2017      Public Service Company of Colorado

Description: Filing to revise the Demand-Side Management Cost Adjustment

**RESULTS:**    Allowed to go into effect by Operation of Law

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3. **PROCEEDING NO. 17AL-0217G**

IN THE MATTER OF ADVICE NO. 910-GAS FILED BY PUBLIC SERVICE COMPANY OF COLORADO TO REVISE THE DEMAND-SIDE MANAGEMENT COST ADJUSTMENT (DSMCA) TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 04/03/2017      Public Service Company of Colorado

Description: Filing to revise the Demand-Side Management Cost Adjustment

**RESULTS:**    Allowed to go into effect by Operation of Law

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4. **PROCEEDING NO. 17AL-0218G**

IN THE MATTER OF ADVICE LETTER NO. 297 FILED BY BLACK HILLS GAS DISTRIBUTION, LLC DBA BLACK HILLS ENERGY TO REVISE THE DEMAND-SIDE MANAGEMENT COST ADJUSTMENT (DSMCA) TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 04/03/2017      Black Hills Gas Distribution, LLC

Description: Filing to revise the Demand-Side Management Cost Adjustment

**RESULTS:**    Allowed to go into effect by Operation of Law

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## Discussion Items

### ENERGY / WATER

#### 5. PROCEEDING NO. 17AL-0219G

IN THE MATTER OF ADVICE LETTER NO. 528 FILED BY ATMOS ENERGY CORPORATION TO REVISE THE DEMAND-SIDE MANAGEMENT COST ADJUSTMENT (DSMCA) TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 04/04/2017      Atmos Energy Corporation

Description: Filing to revise the Demand-Side Management Cost Adjustment

**RESULTS:**    Allowed to go into effect by Operation of Law

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#### 6. PROCEEDING NO. 17AL-0331G

IN THE MATTER OF ADVICE LETTER NO. 85 FILED BY COLORADO NATURAL GAS, INC TO REVISE THE DEMAND-SIDE MANAGEMENT COST ADJUSTMENT (DSMCA) TO BECOME EFFECTIVE JULY 1, 2017.

a. Filing Date and Party: 05/25/2017      Colorado Natural Gas, Inc.

Description: Filing to revise the Demand-Side Management Cost Adjustment

**RESULTS:**    Allowed to go into effect by Operation of Law

b. Filing Date and Party: 06/05/2017      Colorado Natural Gas, Inc.

Description: Withdrawal of motion for shortened notice and for waiver of response time

**RESULTS:**

The Commission acknowledged the withdrawal by minute entry.

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#### 7. PROCEEDING NO. 17AL-0354E

IN THE MATTER OF ADVICE LETTER NO. 740 FILED BY BLACK HILLS/COLORADO ELECTRIC UTILITY COMPANY LP TO UPDATE CALCULATION INPUTS FOR THE ENERGY COST ADJUSTMENT (ECA) TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/31/2017      Black Hills/Colorado Electric Utility Company  
LP

Description: To update calculation inputs for the Energy Cost Adjustment

**RESULTS:**    Allowed to go into effect by Operation of Law

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**Discussion Items**

**ENERGY / WATER**

**8. PROCEEDING NO. 17AL-0355E**

IN THE MATTER OF ADVICE LETTER NO. 741 FILED BY BLACK HILLS/COLORADO ELECTRIC UTILITY LP TO ESTABLISH THE CLEAN AIR-CLEAN JOBS ACT ADJUSTMENT (CACJA) TRUE-UP RATE TO BECOME EFFECTIVE JULY 1, 2017.

Filing Date and Party: 05/31/2017      Black Hills/Colorado Electric Utility Company  
LP

Description: To establish the Clean Air-Clean Jobs Act Adjustment True-Up Rate

**RESULTS:**    Allowed to go into effect by Operation of Law

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**9. PROCEEDING NO. 17AL-0362W**

IN THE MATTER OF ADVICE LETTER NO.23 FILED BY PROSPECT MOUNTAIN WATER COMPANY INC. FOR IMPLEMENTING THE PURCHASED WATER TRUE-UP CHARGE FOR THE PERIOD JANUARY 1 2017 THROUGH APRIL 30, 2017 PURSUANT TO DECISION NO. C12-1198 IN PROCEEDING NOS. 12A-1049W AND 12A-1050W TO BECOME EFFECTIVE JULY 5, 2017.

Filing Date and Party: 06/02/2017      Prospect Mountain Water Company, Inc.

Description: Filing to implement the purchased water true-up charge for the period January 1, 2017 through April 30, 2017

**RESULTS:**    Allowed to go into effect by Operation of Law

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**10. PROCEEDING NO. 17A-0213G**

Black Hills/Colorado Gas Utility Company, LP

IN THE MATTER OF THE VERIFIED COMBINED APPLICATION OF BLACK HILLS/COLORADO GAS UTILITY COMPANY, LP D/B/A BLACK HILLS ENERGY FOR (1) APPROVAL OF ITS ANNUAL GAS DEMAND-SIDE MANAGEMENT COST ADJUSTMENT TO TAKE EFFECT ON JULY 1, 2017 AND (2) APPROVAL OF ITS 2016 GAS DEMAND-SIDE MANAGEMENT BONUS TO TAKE EFFECT ON JULY 1, 2017.

Filing Date and Party: 04/03/2017      Black Hills/Colorado Gas Utility Company, LP

Description: Application for an order approving the Demand-Side Management Cost Adjustment

**RESULTS:**    Granted

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## Discussion Items

### ENERGY / WATER

**11. PROCEEDING NO. 17A-0214E**

Public Service Company of Colorado

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER TO APPROVE ITS 2016 EQUIVALENT AVAILABILITY FACTOR AND APPROVAL OF NEITHER AN INCENTIVE NOR A PENALTY ASSESSED THROUGH THE ELECTRIC COMMODITY ADJUSTMENT DEFERRED ACCOUNT BALANCE.

Filing Date and Party: 04/03/2017

Public Service Company of Colorado

Description: Application for approval of its 2016 Equivalent Availability Factor and approval of neither an incentive nor a penalty assessed through the Electric Commodity Adjustment Deferred Account Balance

**RESULTS: Granted**

---

**12. PROCEEDING NO. 17A-0215G**

Public Service Company of Colorado

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR APPROVAL OF ITS 2016 DEMAND-SIDE MANAGEMENT PLAN GAS DSM BONUS.

Filing Date and Party: 04/03/2017

Public Service Company of Colorado

Description: Application for an order approving the Demand-Side Management Cost Adjustment

**RESULTS: Granted**

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**13. PROCEEDING NO. 17D-0082E**

Public Service Company of Colorado

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE COMPANY OF COLORADO FOR A DECLARATORY RULING CONFIRMING THAT PUBLIC SERVICE MAY ACCEPT NEGATIVE RENEWABLE ENERGY CREDIT VALUES FOR COMMUNITY SOLAR GARDEN BIDS.

Filing Date and Party: 06/23/2017

Public Service Company of Colorado

**ADDENDUM**

Description: Unopposed motion to adopt procedural schedule and for waiver of response time

**RESULTS: Granted**

and waived response time.

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**14. PROCEEDING NO. 17L-0396ST**

Public Service Company of Colorado

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER AUTHORIZING IT TO REVISE ITS STEAM COST ADJUSTMENT TO BE EFFECTIVE JULY 1, 2017, ON LESS THAN STATUTORY NOTICE.

Filing Date and Party: 06/15/2017

Public Service Company of Colorado

Description: Application for an order to revise the Steam Cost Adjustment on less than statutory notice

**RESULTS: Deemed complete**

**Granted**

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Discussion Items

**ENERGY / WATER**

**15. PROCEEDING NO. 17L-0397E**

Public Service Company of Colorado

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER AUTHORIZING IT TO REVISE ITS ELECTRIC COMMODITY ADJUSTMENT TO BE EFFECTIVE JULY 1, 2017, ON LESS THAN STATUTORY NOTICE.

Filing Date and Party: 06/15/2017

Public Service Company of Colorado

Description: Application for an order to revise the Electric Commodity Adjustment on less than statutory notice

**RESULTS: Deemed complete**

**Granted**

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**16. PROCEEDING NO. 17L-0398G**

Public Service Company of Colorado

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER AUTHORIZING IT TO REVISE ITS GAS COST ADJUSTMENT TO BE EFFECTIVE JULY 1, 2017, ON LESS THAN STATUTORY NOTICE.

Filing Date and Party: 06/15/2017

Public Service Company of Colorado

Description: Application for an order to revise the Gas Cost Adjustment on less than statutory notice

**RESULTS: Deemed complete**

**Granted**

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**Discussion Items**

**ENERGY / WATER**

**17. PROCEEDING NO. 17M-005E**

IN THE MATTER OF THE YEAR 2017 FILINGS BY COLORADO ELECTRIC UTILITIES IN ACCORDANCE WITH RULE 4 CCR 723-3-3206 FOR THE DESIGNATION OF ELECTRIC UTILITY TRANSMISSION FACILITIES WHETHER THE FACILITIES ARE IN THE NORMAL COURSE OF BUSINESS OR AN APPLICATION TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS REQUIRED.

- a. Filing Date and Party: 02/24/2017      Grand Valley Rural Power Line Inc  
Description: Grand Valley Rural Power Lines, Inc - Rule 3206 filing
  
- b. Filing Date and Party: 03/22/2017      Intermountain Rural Electric Association  
Description: Intermountain Rural Electric Association - Rule 3206 filing
  
- c. Filing Date and Party: 04/27/2017      TRI-STATE GENERATION AND  
TRANSMISSION ASSOCIATION, INC.  
Description: TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC. - Rule 3206 filing
  
- d. Filing Date and Party: 04/28/2017      Black Hills/Colorado Electric Utility Company  
LP  
Description: Black Hills/Colorado Electric Utility Company LP. - Rule 3206 filing
  
- e. Filing Date and Party: 05/01/2017      Public Service Company of Colorado  
Description: Public Service Company of Colorado - Rule 3206 filing

**RESULTS:**

**The Commission adopted an order regarding the certification of the proposed transmission facilities filed under Rule 3206.**

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Decision No. C17-0539-E

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 17M-005E

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IN THE MATTER OF THE DESIGNATION OF ELECTRIC UTILITY TRANSMISSION FACILITIES FOR WHICH AN APPLICATION TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS REQUIRED OR THE FILING OF A FORMAL DETERMINATION THAT NO CERTIFICATE IS REQUIRED.

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**ERRATA NOTICE FOR  
DECISION REGARDING  
CERTIFICATION OF FACILITIES**

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Errata mailed July 10, 2017

Original Decision No. C17-0539 mailed June 30, 2017

1. The first bullet item of paragraph I. A. 4. on page 2 of this Decision has the heading of Black Hills/Colorado Electric Utility Company, L.P. Inc. (Black Hills). After the first bullet item, two bullet item paragraphs shall be inserted that read as follows:

- West Station-West Cañon 115 kV Transmission Project, to install 42 miles of a new 115 kV transmission line from West Station to West Cañon. The new transmission line will provide additional import capacity along with increased reliability into the Cañon City 115 kV system.
- North Cañon 115/69 kV Substation, to construct a new 115/69 kV substation near North Cañon on the West Station – West Cañon 115 kV line to decrease transformer overloading issues and provide increased operational flexibility.

2. Paragraph II. A. 1. on page 5 of this Decision contains item “a. Boone-La Junta 115 kV Line Rebuild.” After this item a., the following two items shall be inserted to read as follows:

- b. West Station-West Cañon 115 kV Line
- c. North Cañon 115/69 kV Substation

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

DOUG DEAN

\_\_\_\_\_  
Director

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,  
Director

# **Black Hills Colorado Electric**

## **2017 Rule 3206 Report**

Proceeding No. 17M-005E  
April 28, 2017



**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report filed pursuant to, 4 Code of Colorado Regulations, 723 – 3**

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**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report filed pursuant to, 4 Code of Colorado Regulations, 723 – 3**

The transmission and/or substation facilities projects listed in Section **Error! Reference source not found.** through Section 10 below have been included in previous Rule 3206 filings. An update to the status of these facilities is being provided pursuant to Rule 3206(d) (I) (F). Section 10 contains a new project not previously submitted in previous Rule 3206 filings. Where applicable, references are included to past Commission decisions on the previous Rule 3206 filings, including determinations pursuant to Colo. Rev. Stat. § 40-5-101 that the projects were necessary in the ordinary course of Black Hills' business, and thus no certificates of public convenience and necessity ("CPCNs") for the projects were required.

**Projects Placed Into Service:**

These projects have been completed and placed into service. Therefore they will be removed from future Rule 3206 filings.

**1. Boone-Nyberg 115 kV Project**

(Decision No. C13-0879; see Project Sheets, Page A-13)

The total project cost is \$8.7 million. The line portion of this project is complete and the substation terminal work was completed Q4 2016.

**2. Baculite Mesa-Fountain Lake 115 kV Line Upgrade Project**

(Decision No. C11-0749; see Project Sheets, Page A-10)

The total project cost is \$2 million due to a change in the scope of the Northridge substation rating upgrade. This project was under construction in 2016 and was placed in-service in January 2017.

**3. Rattlesnake Butte 115 kV Substation Terminal Addition Project**

(Decision No. C16-0627; See Project Sheets, Page A-23)

This project added a new terminal to the Rattlesnake Butte 115 kV substation to accommodate the Peak View wind farm interconnection. The project was completed in Q3 2016.

**Projects with Updated Scope or Status:**

These projects have had a change in the project scope or status since the previous Rule 3206 filing. Refer to the Project Sheet for details on the change.

**4. Fountain Lake 115 kV Substation**

(Decision No. C07-0553; see Project Sheets, Page A-3)

The project is currently planned for completion and operation in Q2 2017 at an estimated cost of \$10.5 million. This was changed from the previous filing by a slight delay in the in-service date from Q1 2017 to Q2 2017.

**5. La Junta 115kV Area Upgrades**

**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report filed pursuant to, 4 Code of Colorado Regulations, 723 – 3**

(Decision No. C09-1240; see Project Sheets, Page A-6)

The project consists of 115/69 kV transformer replacements & additions, localized terminal equipment upgrades and a 69 kV capacitor. The overall cost of the upgrades is \$5.7M and will be completed in phases between 2016 and Q4 2018. There has been a slight delay in the final in-service date from Q1 2018 to Q4 2018.

**6. Portland 115/69 kV #2 Transformer Replacement**

(Decision No. C13-0879; see Project Sheets, Page A-16)

The total project cost is estimated to be \$3.5 million. This project has been delayed by 1 year and is currently scheduled for completion in Q4 2019.

**7. Arequa Gulch 115 kV Capacitor Bank**

(Decision No. C15-0590; see Project Sheets, Page A-21)

The total project cost was previously estimated to be \$1.5 million. This number has since been revised following an engineering review and the total project cost estimate is now \$725,000. This project has a planned in-service date of Q4 2018 to align with the load growth in the Cripple Creek area.

**8. West Station – West Cañon 115 kV Line**

(See Project Sheets, Page A-25)

The West Station-West Cañon project was included in the 2016 Rule 3206 filing for informational purposes only. The status of the project has been changed to “Planned” with an estimated cost of \$27 million and an in-service date of Q4 2020.

**9. North Cañon 115/69kV Substation**

(See Project Sheets, Page A-26)

The North Cañon substation project was included in the 2016 Rule 3206 filing for informational purposes only. The status of the project has been changed to “Planned” with an estimated cost of \$9.9 million and an in-service date of Q4 2020.

**Projects with No Change in Scope or Status:**

**10. West Station 115 kV Terminal Upgrades**

(Decision No. C16-0627; see Project Sheets, Page A-8)

**New Projects Not Previously Filed Pursuant to Rule 3206 (d)(I):**

**11. Boone-La Junta 115 kV Line rebuild**

(See Project Sheets, Page A-30)

# Appendix A

## Project Sheets

**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report – Appendix A – Project Sheets**

**Fountain Lake 115/69 kV Substation**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	New 115/69 kV substation at Belmont Tap on the West Station - Overton 69 kV line (NERC Category C Study_WPC.pdf).
Voltage Class:	115 kV
Facility Rating:	80 MVA
Point of Origin/Location:	Fountain Lake 115 kV (near Pueblo, CO)
Point of Termination:	
Intermediate Points:	
Length of Line (in Miles):	0
Type of Project:	Substation
Development Status:	Under Construction
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Additional voltage support and load growth capacity.
<b>Estimated Cost (in 2017 Dollars):</b>	\$10.5 Million
<b>Schedule:</b>	
Construction Date:	2016
Planned Completion/In-Service Date:	Q2 2017; this has changed from Q1 2017 reported last year.
Regulatory Info:	Approved - Colorado PUC: Decision No. C07-0553
Regulatory Date:	
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
Email	wes.wingen@blackhillscorp.com
Phone	605-721-2268

**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report – Appendix A – Project Sheets**

**Fountain Lake 115 kV Substation Project**

The Fountain Lake (previously known as Overton) 115 kV distribution substation project was initially developed to address low system voltage issues by shifting load off of existing distribution lines that were near their allowable capacity. Additional benefits to the 69 kV system were identified through reduced power flow on the 115/69 kV transformers in the Pueblo area, as well as local 69 kV lines. The project provided additional operating flexibility in the area as well as help accommodate future loads in an area with good growth potential.

The scope of the project was subsequently modified to include a 115/69 kV transformer as well as the original 115/13.2 kV distribution transformer. The expanded scope provided additional operational flexibility as well as the ability to maintain reliability during potential future replacements of the West Station 115/69 kV transformers. The location of the substation was reviewed to optimize local land use as well as minimize unnecessary line crossings in the area. The project is currently planned for completion and operation in Q2 2017 at an estimated cost of \$10.5 million. There has been a slight delay in the in-service date from Q1 2017 to Q2 2017. In the 2007 decision C07-0553 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.

Proceeding No. 17M-005E  
 Black Hills/Colorado Electric Utility Company, LP (BHCE)  
 2017 Rule 3206 Report – Appendix A – Project Sheets



**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report – Appendix A – Project Sheets**

## **La Junta 115 kV Area Upgrades**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	Increase 115/69kV transformation capacity at each of BHCE's La Junta and Boone substations by 50 MVA; add new 1 x 6 MVAR 69 kV cap bank at Rocky Ford (La Junta 115kV Tie Project Review Report_Draft - Rev3, 7/09/14).
Voltage Class:	115 & 69 kV
Facility Rating:	Varies
Point of Origin/Location:	Black Hills Colorado Electric La Junta & Boone 115 kV substations
Point of Termination:	
Intermediate Points:	
Length of Line (in Miles):	
Type of Project:	Substation
Development Status:	Under Construction
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Improved reliability in the La Junta area.
<b>Estimated Cost (in 2017 Dollars):</b>	\$5.7 Million
<b>Schedule:</b>	
Construction Date:	2016
Planned Completion/In-Service Date:	Q4 2016 – Q4 2018; a slight delay from Q1 2018 reported last year.
Regulatory Info:	Approved - Colorado PUC: Decision No. C09-1240
Regulatory Date:	October 28, 2009
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
Email	wes.wingen@blackhillscorp.com
Phone	605-721-2268



**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report – Appendix A – Project Sheets**

**La Junta 115 kV Area Upgrades**

The La Junta 115 kV Interconnection project as initially scoped consisted of a new parallel 115 kV and 69 kV line between the Tri-State and Black Hills La Junta substations. The connection of the two substations, which are approximately 0.5 miles apart, would provide increased reliability to the local area. An increase in 115/69 kV transformation capacity at the BHCE-owned La Junta substation, a 69 kV capacitor, a larger 115/69 kV transformer at Boone and local terminal equipment upgrades were also a part of this project to enhance load service in the area. As the project drivers evolved over time, the need to operate the 115 kV tie line normally open became apparent. Joint participation in the project was no longer of value to Tri-State G&T. The scope of the project was reviewed in 2015 and it was determined that the benefits of the project did not justify the cost. The 115 kV and 69 kV lines between the two La Junta substations were removed from the project scope, and the other projects remained.

The project now consists of the replacement of the Boone 115/69 kV transformer, which was completed in October 2016 at a cost of \$2.7M. The addition of a second La Junta 115/69 kV transformer (50 MVA) is currently planned for completion and operation in Q4 2018 at an estimated cost of \$1.5 million. Upgrades to the La Junta area 115 and 69 kV system include replacement of limiting terminal equipment as well as a new 6 MVAR, 69 kV capacitor. A second 69 kV capacitor was previously planned but has been postponed until a later date as required by local load growth. The estimated cost for the La Junta area upgrades is approximately \$1.5M and will be completed in Q4 2018 which is a slight delay from the previously filed in-service date of Q1 2018. The total cost for all of the individual upgrades listed for the La Junta area is \$5.7M. In Decision C09-1240, the Colorado Public Utilities Commission found that the original project was in the ordinary course of business and that a CPCN was not necessary. A subsequent ruling was not pursued due to the 69 kV voltage level of the remaining projects.

**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report – Appendix A – Project Sheets**

## **West Station 115 kV Substation Terminal Upgrades**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	Increase terminal ratings at the West Station 115 kV substation
Voltage Class:	115 kV
Facility Rating:	239 MVA
Point of Origin/Location:	Black Hills Colorado Electric West Station 115 kV substation
Point of Termination:	
Intermediate Points:	
Length of Line (in Miles):	
Type of Project:	Substation
Development Status:	Planned
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Improved reliability and transfer capability in the West Station area.
<b>Estimated Cost (in 2017 Dollars):</b>	\$6.5 Million; this is decrease from \$7.8 Million reported last year.
<b>Schedule:</b>	
Construction Date:	2017
Planned Completion/In-Service Date:	Q4 2018
Regulatory Info:	Approved - Colorado PUC: Decision No. C16-0627
Regulatory Date:	July 6, 2016
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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Phone	605-721-2268

**Proceeding No. 17M-005E**  
**Black Hills/Colorado Electric Utility Company, LP (BHCE)**  
**2017 Rule 3206 Report – Appendix A – Project Sheets**

**West Station 115 kV Substation Terminal Upgrades**

The need to upgrade the terminal ratings at West Station 115 kV have been identified in previous BHCE TCPC and SB-100 studies. The post-contingency loading on the West Station - Desert Cove 115 kV and Hyde Park – West Station 115 kV lines exceed the West Station terminal equipment facility ratings. New substation bays will be added to the newer part of the West Station substation and the lines connected to the old part of the substation will be terminated into the new line positions. The purpose of the project is to increase reliability as well as transfer capability on the lines terminating at West Station. The construction will begin in 2017 with the termination of a portion of the lines into the newer section of the substation, with all lines to be moved to the new part of the substation by Q4 2018. The total cost of the West Station 115 kV substation upgrades is \$6.5M which is less than the previous estimate of \$7.8M. In the 2016 Decision C16-0627 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.

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**Baculite Mesa-Fountain Lake 115 kV Line Rebuild**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	Rebuild existing 115 kV line between Baculite Mesa and planned new Fountain Lake (previously known as Overton) substation (Final 2010 BHCT LTP Report.pdf) as well as reconfigure the connection to the Northridge 115 kV substation.
Voltage Class:	115 kV
Facility Rating:	221 MVA
Point of Origin/Location:	Baculite Mesa 115 kV
Point of Termination:	Future Fountain Lake 115 kV substation site
Intermediate Points:	
Length of Line (in Miles):	4
Type of Project:	Transmission Line
Development Status:	In-service
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Increased reliability, generation interconnection
<b>Estimated Cost (in 2016 Dollars):</b>	\$2.0 Million
<b>Schedule:</b>	
Construction Date:	2016
Planned Completion/In-Service Date:	January 2017
Regulatory Info:	Approved - Colorado PUC: Decision No. C11-0749
Regulatory Date:	June 29, 2011
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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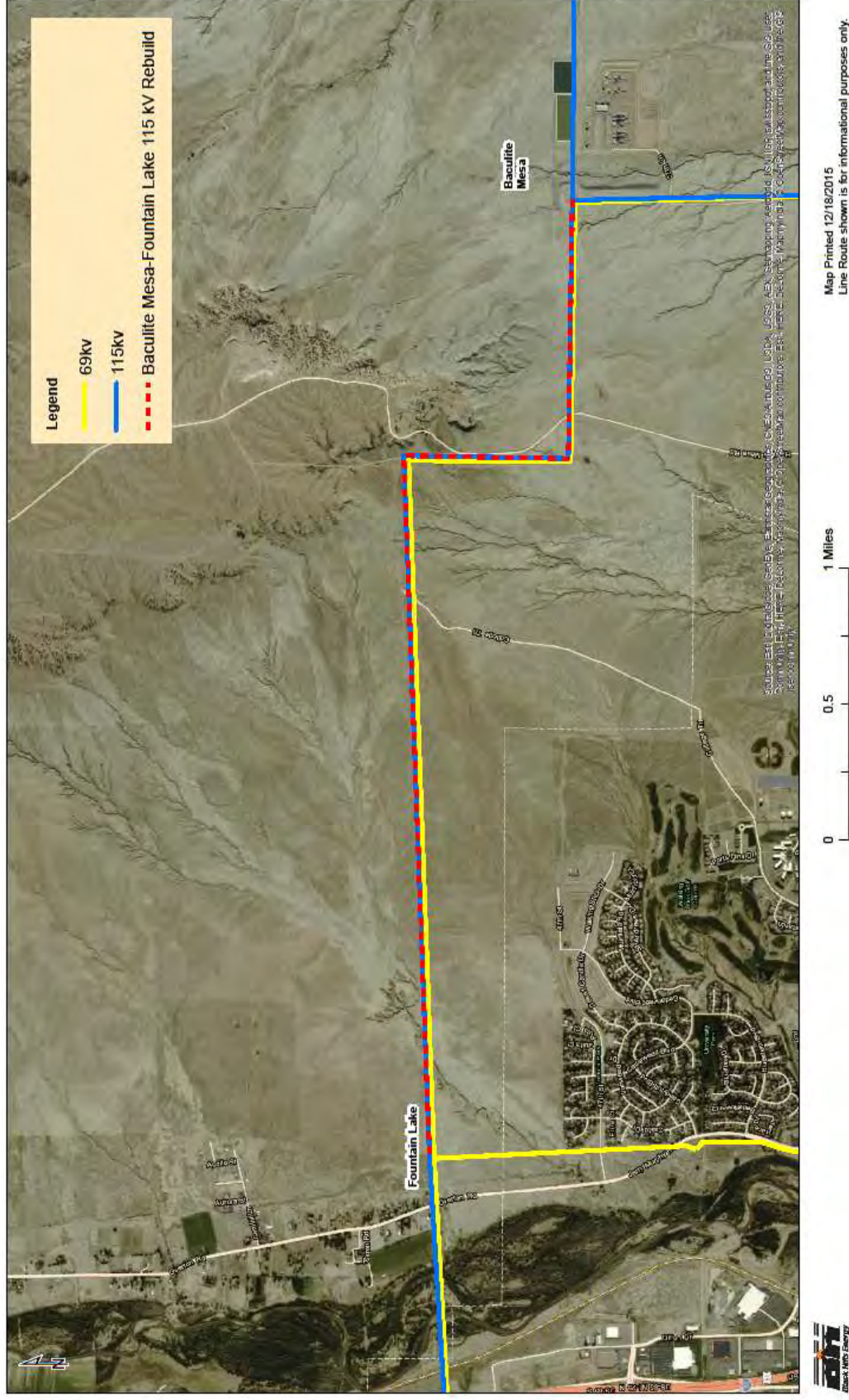
**Baculite Mesa-Fountain Lake 115 kV Project**

Three individual line segments comprise the parallel path between Baculite Mesa and West Station/Midway. The Baculite Mesa-Fountain Lake 115 kV line is one of those segments that has reached its maximum utilization in planning assessments. The planned project rebuilt the 4 mile line segment between Baculite Mesa and the planned Fountain Lake substation (previously known as Overton) using 795 kcmil 26/7 Strand ACSR “Drake” conductor. The project utilized the existing line right-of-way. The original scope of this project was expanded to reconfigure the termination into the Northridge substation from the line corridor. The line flow from Baculite Mesa-Midway previously flowed through the Northridge substation and the reconfiguration converted the Northridge substation connection to a single radial tap. This was done to avoid unnecessary reductions in the thermal rating of the rebuilt line between Baculite Mesa and Northridge and to minimize disruption to the short residential corridor feeding Northridge.

The Northridge termination part of the project was completed and placed into operation in December 2016 and the Baculite Mesa-Fountain Lake line rebuild was completed in January 2017. The total estimated cost of the overall project was \$2 million, which was a \$1M reduction from previous estimates. In 2011 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.

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 2017 Rule 3206 Report – Appendix A – Project Sheets

Baculite Mesa-Fountain Lake 115 kV Rebuild



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## **Boone-Nyberg 115 kV Project**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	Rebuild existing Boone-DOT Tap-Nyberg 115 kV line and add a new parallel circuit on double circuit structures.
Voltage Class:	115 kV
Facility Rating:	221 MVA
Point of Origin/Location:	Boone 115 kV
Point of Termination:	Nyberg 115 kV
Intermediate Points:	DOT Tap 115 kV load tap
Length of Line (in Miles):	9
Type of Project:	Transmission Line
Development Status:	In-service
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Increase reliability
<b>Estimated Cost (in 2016 Dollars):</b>	\$8.7 Million
<b>Schedule:</b>	
Construction Date:	2015
Planned Completion/In-Service Date:	October 2016
Regulatory Info:	Approved - Colorado PUC: Decision No. C13-0879
Regulatory Date:	July 26, 2013
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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**Boone-Nyberg 115 kV Transmission Project**

This project was identified as the preferred alternative to adding a second 230/115 kV transformer at PSCo's Boone substation in late 2012. The 'Second Boone 230/115 kV Transformer' project was subsequently cancelled.

This project consisted of rebuilding the existing 9 mile segment of 115 kV line between the Boone 115 kV substation and the Nyberg 115 kV substation, as well as adding a second 115 kV circuit between the aforementioned substations. The project placed the new line and the rebuilt line on double circuit monopole steel structures, and was located within the existing right-of-way. Both lines utilized 795 kcmil 26/7 Strand ACSR "Drake" conductor. The project was not designed for future 230 kV operation.

The total estimated cost for the project was \$8.7M, which is a \$1.3M reduction from the previous estimate. The overall project was completed and placed into service on October 2016. In 2013 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.

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 Line Route shown is for informational purposes only.

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## **Portland 115/69 kV #2 Transformer Replacement**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	Replace existing 25MVA Portland #2 transformer with an 80MVA unit.
Voltage Class:	115 kV
Facility Rating:	80 MVA
Point of Origin/Location:	Portland 115kV Substation (near Florence, CO)
Point of Termination:	
Intermediate Points:	
Length of Line (in Miles):	
Type of Project:	Transformer
Development Status:	Planned
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Improve reliability and add transformation capacity
<b>Estimated Cost (in 2017 Dollars):</b>	\$3.5 Million
<b>Schedule:</b>	
Construction Date:	2019
Planned Completion/In-Service Date:	Q4 2019; this is change from Q4 2018 in last year's report.
Regulatory Info:	Approved - Colorado PUC: Decision No. C13-0879
Regulatory Date:	July 26, 2013
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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Phone	605-721-2268

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**Portland 115/69 kV Transformer Project**

The Portland 115/69 kV transformer project was identified to replace the smaller of two existing parallel transformers at Portland with a larger capacity 80 MVA unit to accommodate load growth. The project is currently planned for completion in Q4 2019 at an estimated cost of \$3.5 million. That reflects a 1 year delay in the previous in-service date. In Decision C13-0879 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.

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**West Station-Desert Cove 115kV Rebuild Project**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	Rebuild West Station to Desert Cove 115kV line
Voltage Class:	115 kV
Facility Rating:	221 MVA
Point of Origin/Location:	West Station 115kV
Point of Termination:	Desert Cove 115kV
Intermediate Points:	
Length of Line (in Miles):	4
Type of Project:	Transmission Line
Development Status:	In-service
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Improve reliability in the Pueblo area
<b>Estimated Cost (in 2016 Dollars):</b>	\$3.7 Million
<b>Schedule:</b>	
Construction Date:	2015
Planned Completion/In-Service Date:	January 2016
Regulatory Info:	Approved - Colorado PUC: Decision No. C13-0879
Regulatory Date:	July 26, 2013
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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**While the West Station-Desert Cove 115 kV Rebuild Project was shown as “In-Service” in the 2016 Rule 3206 report, it is included here because this rebuild utilized double circuit structures in order to accommodate part of the new West Station-West Cañon 115 kV line. Since the projects are coupled in that regard, this project was retained in Appendix A to provide background**

**West Station-Desert Cove 115 kV Rebuild Project**

Three individual line segments comprise the parallel path between West Station on the south end and Midway on the north end. The West Station-Desert Cove 115 kV line is one of those segments that had reached its maximum utilization in planning assessments. The project rebuilt the 4 mile line segment between West Station and Desert Cove.

The project consisted of double circuit 115 kV construction utilizing 795 kcmil 26/7 Strand ACSR “Drake” conductor within the existing right-of-way. The use of double circuit structures for this project will accommodate the proposed future West Station-West Cañon 115 kV line. In 2013 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.



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Desert Cove-West Station 115 kV Rebuild



Map Printed 04/23/2013  
 Line Route shown is for informational purposes only.

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## **Arequa Gulch 115 kV Capacitor Bank Project**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	A 12 MVAR switched shunt capacitor at the Arequa Gulch 115 kV substation for voltage support due to increased load growth
Voltage Class:	115 kV
Facility Rating:	12 MVAR
Point of Origin/Location:	Arequa Gulch 115 kV (near Cripple Creek, CO)
Point of Termination:	
Intermediate Points:	
Length of Line (in Miles):	
Type of Project:	Substation
Development Status:	Planned
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Improved voltage support and reliability in the Cripple Creek area.
<b>Estimated Cost (in 2017 Dollars):</b>	\$725,000; this change is reduction from \$1.5 Million in last year's report.
<b>Schedule:</b>	
Construction Date:	2018
Planned Completion/In-Service Date:	Q4 2018
Regulatory Info:	Approved - Colorado PUC: Decision No. C15-0590
Regulatory Date:	June 24, 2015
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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**Arequa Gulch 115 kV Capacitor Project**

A 115 kV capacitor was specified for the Arequa Gulch substation to maintain post-contingency voltage levels. The need for the capacitor was driven by planned local load growth. The estimated cost of the capacitor decreased from \$1.5M to \$725,000. The in-service date is Q4 2018 to align with the realization of the planned load growth. In 2015 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.

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## **Rattlesnake Butte 115 kV Substation Terminal**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	Add a new terminal to the Rattlesnake Butte 115 kV substation and convert to a ring bus configuration to accommodate a new generation interconnection.
 Voltage Class:	115 kV
Facility Rating:	221 MVA
Point of Origin/Location:	Rattlesnake Butte 115kV Substation
Point of Termination:	
Intermediate Points:	
Length of Line (in Miles):	
Type of Project:	Substation
Development Status:	In-Service
Routing:	
Subregional Planning Group:	CCPG
 <b>Purpose of Project:</b>	Generation Interconnection
 <b>Estimated Cost (in 2016 Dollars):</b>	\$1.85M
 <b>Schedule:</b>	
 Construction Date:	2016
Planned Completion/In-Service Date:	Sept. 2016
Regulatory Info:	Approved - Colorado PUC: Decision No. C16-0627
Regulatory Date:	July 6, 2016
Permitting Info:	
Permitting Date:	
 <b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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**Rattlesnake Butte 115 kV Terminal Addition**

The Rattlesnake Butte 115 kV terminal addition was planned as part of the BHCT-G18 large generator interconnection process for a new 60 MW wind generation facility. The project converted the existing two terminal straight bus to a three terminal ring bus. The project was completed in Q3 2016 at an estimated cost of \$1.85 million. Construction on the project was initiated in 2016 after a CPCN was granted for the Peak View Wind Project in Decision No. C15-1182, Proceeding No. 15A-0502E. The work associated with the terminal addition at Rattlesnake Butte Substation was performed entirely within the existing substation footprint. In 2016 the Colorado Public Utilities Commission found that the project was in the ordinary course of business and that a CPCN was not necessary.

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## **West Station-West Cañon 115 kV Transmission Project**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	New 115 kV line from West Station to West Cañon with load service substation at North Cañon.
Voltage Class:	115 kV
Facility Rating:	221 MVA
Point of Origin/Location:	West Station 115kV
Point of Termination:	West Cañon 115kV
Intermediate Points:	New North Cañon 69 kV
Length of Line (in Miles):	42
Type of Project:	Transmission Line and Substation
Development Status:	Planned
Routing:	
Subregional Planning Group:	CCPG
<b>Purpose of Project:</b>	Increased reliability
<b>Estimated Cost (in 2017 Dollars):</b>	\$27 Million
<b>Schedule:</b>	
Construction Date:	2020; this is change from 2019 in last year's report.
Planned Completion/In-Service Date:	Q4 2020
Regulatory Info:	
Regulatory Date:	
Permitting Info:	
Permitting Date:	
<b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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Phone	605-721-2268

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## **North Cañon 115/69 kV Substation**

<b>Project Sponsor:</b>	Black Hills Colorado Electric
<b>Additional Project Participants:</b>	
<b>Project Description:</b>	New 115/69 kV substation near North Cañon on the West Station – West Cañon 115 kV line.
 Voltage Class:	115 kV
Facility Rating:	80 MVA
Point of Origin/Location:	North Cañon 69 kV substation (near Cañon City, CO)
Point of Termination:	
Intermediate Points:	
Length of Line (in Miles):	0
Type of Project:	Substation
Development Status:	Planned; this is change from Conceptual status in last year's report.
 Routing:	
Subregional Planning Group:	CCPG
 <b>Purpose of Project:</b>	Increased reliability and load growth capacity.
 <b>Estimated Cost (in 2017 Dollars):</b>	\$9.9 Million
 <b>Schedule:</b>	
 Construction Date:	2020
Planned Completion/In-Service Date:	Q4 2020
Regulatory Info:	
Regulatory Date:	
Permitting Info:	
Permitting Date:	
 <b>Contact Information:</b>	Wes Wingen, Manager of Transmission Planning
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**West Station-West Cañon 115 kV Line and New North Cañon Substation**

The proposed West Station – West Cañon 115 kV line would provide additional import capacity along with increased reliability into the Cañon City 115 kV system. Past TPL-001-4 reliability<sup>1</sup> and interconnection studies along with current summer peak operational studies have shown overloads on the Portland-Skala, Skala-Cañon City, and Portland-West Station #1 and #2 115 kV lines. Also the West Cañon 230/69 kV transformer, which supports the Cañon City network from the west end, is a long lead time piece of equipment that adds additional overload scenarios to the above mentioned 115 kV lines if the transformer were to fail. A corrective action plan has been developed per the TPL-001-4 standard to provide a solution. Limited options due to the geographic area and transmission system were considered to alleviate the 115 kV line overloads, including rebuilding the existing 115 kV lines. Due to the nature of the system, rebuilding the existing 115 kV lines feeding into the Cañon City network would be challenging due to operational constraints as they are the only source into Cañon City. The best overall option was identified as a new 115 kV line that would feed into the Cañon City network from the 115 kV West Station substation. The new line will provide additional capacity into the load center and eliminate the need to sectionalize the existing 115 kV system to prevent post-contingency overloads. The new line will also provide the ability to reliably rebuild the constrained 115 kV line segments between Portland and Cañon City at a future time. The addition of a new North Cañon 115:69 kV substation was added to the project since it would decrease the overloading issues on the existing Portland & Cañon City 115:69 kV transformers as identified in in past reliability studies, and provide increased operational flexibility. A summary of the project components is as follows:

- The West Station - Desert Cove 115 kV rebuild project was previously completed using double circuit structures to accommodate the new West Station to West Cañon 115 kV circuit up to Desert Cove. The new transmission line will continue on from Desert Cove to West Cañon. This project will be constructed within existing right-of-way where possible, and new right-of-way will be obtained in a manner to minimize disruption.
- Construct a new 115/69 kV substation located in the North Cañon area to support the Cañon City 69 kV network. Upgrades to the existing 69 kV facilities are required to integrate the new substation into the 69 kV network.
- Obtain new right-of-way westward from the Desert Cove transmission corridor to the new North Cañon substation for 115 kV single circuit H-Frame structures. The new North Cañon substation will intersect the Cañon City Plant-West Cañon 115 kV line in the northwest corner of Cañon City which will complete the circuit to West Cañon.
- Since the West Cañon-Arequa Gulch 115 kV line is geographically nearby the proposed site of the new North Cañon substation, bisecting it with the new substation would add additional reliability. This option will not be implemented initially, but the new substation will be designed to accommodate the additional terminals later to balance initial cost with future flexibility.
- New right-of-way is being explored that may run parallel to the existing Midway -West Cañon 230 kV line for a majority of the line length to minimize disruption to the surrounding area. The

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<sup>1</sup> Including both BHCT TCPC & CCPG studies

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existing corridor is considered WECC Risk Class 1<sup>2</sup>: Area Following Existing Linear Corridor and is preferable to higher Risk Class corridors.

- The routing of the new transmission line is under evaluation to potentially accommodate a future distribution substation in Pueblo West. The accommodation of the new substation would increase reliability and load serving capability in the Pueblo West area of the Black Hills system without materially impacting project costs or the planned benefits to the Cañon City area.
- The facility rating of the West Station – North Cañon 115 kV circuit should be at least 221 MVA Summer and 274 MVA Winter (795 ACSR Drake @ 100°C).
- The engineering and design work associated with the substation portion of the project will be performed to ensure that the completed project will meet the established noise and magnetic field requirements as stated in Rule 3206 (f) and Rule 3206 (e), respectively. Namely, the noise level of the substation will not exceed 50 db(A) at a distance of 25 feet beyond the property line, and the magnetic field level at the property line, one meter above the ground will not exceed 150 MilliGauss.
- The engineering and design work associated with the transmission line portion of the project was performed and meets the established noise and magnetic field requirements as stated in Rule 3206 (f) and Rule 3206 (e), respectively. See Appendix B, pages 6 and 10 for the detailed report.

Black Hills initially included this project in the 2015 Rule 3206 filing for informational purposes only. Transmission planning analysis has subsequently refined the project scope. Potential joint participation in the project was under consideration in the San Luis Valley Subcommittee within the Colorado Coordinated Planning Group (CCPG). There was absence of interest in joint participation in the project by other entities as well as any foreseeable long term drivers to justify constructing the project at a higher voltage. The best-cost solution was determined to have the project designed, constructed, and operated as a single 115 kV circuit. The additional right-of-way that will be acquired for this project will be 125 feet wide to accommodate an additional circuit or an increase in operating voltage if needed. The total overall cost of the project is estimated at \$36.9M, including the transmission line and the new North Cañon substation. The completion date of the line and substation portion of the project is scheduled for Q4 2020.

This project is in the ordinary course of business. Thus, Black Hills requests a determination that a CPCN is not required under Rule 3206(b)(II) because it is designed at 115 kV and the facilities are designed to meet the noise and magnetic field requirements in Rule 3206. See Appendix B, pages 6 and 10.

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<sup>2</sup> Refer to <http://ecosystems.azurewebsites.net/WECC/> for details on the WECC Long Term Planning Tool.



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**Boone-La Junta 115 kV Line Rebuild**

**Project Sponsor:** Black Hills Colorado Electric  
**Additional Project Participants:**  
**Project Description:** Rebuild the 115 kV line from Boone to La Junta.

Voltage Class: 115 kV  
Facility Rating: 221 MVA  
Point of Origin/Location: Boone 115kV  
Point of Termination: La Junta 115kV  
Intermediate Points:  
Length of Line (in Miles): 45  
Type of Project: Transmission Line Rebuild  
Development Status: Planned  
Routing:  
Subregional Planning Group: CCPG

**Purpose of Project:** Increased reliability

**Estimated Cost (in 2017 Dollars):** \$17 Million

**Schedule:**

Construction Date: 2018  
Planned Completion/In-Service Date: 2021  
Regulatory Info:

Regulatory Date:  
Permitting Info:  
Permitting Date:

**Contact Information:** Wes Wingen, Manager of Transmission Planning  
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Phone: 605-721-2268

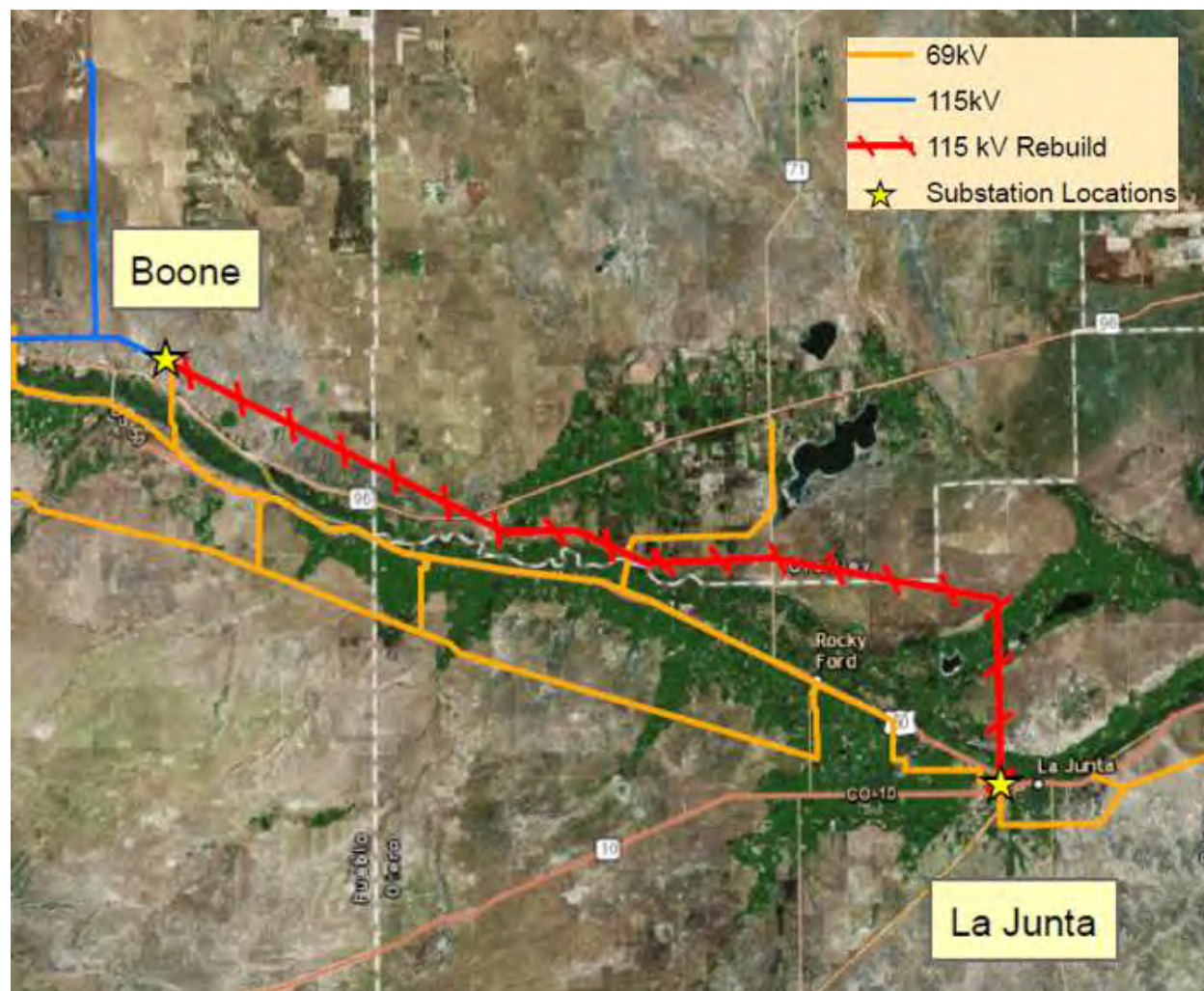
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**Boone-La Junta 115 kV Rebuild Project**

The Boone-La Junta 115 kV line is at a point late in its lifecycle and needs to be rebuilt. The project will rebuild the 45 mile line with single circuit 115 kV construction utilizing 795 kcmil 26/7 Strand ACSR “Drake” conductor utilizing the existing right-of-way. The noise and emf impacts associated with the West Station-West Cañon transmission project were considered more impactful than this project and still met the established noise and magnetic field requirements as stated in Rule 3206 (f) and Rule 3206 (e), respectively. Therefore that analysis was referenced rather than repeated for this project. See Appendix B, pages 6 and 10 for the detailed report. The project will rebuild 11 miles per year with construction beginning in 2018 and will continue into 2021.

This project is in the ordinary course of business. Thus, Black Hills requests a determination that a CPCN is not required under Rule 3206(b)(II) because it is designed at 115 kV and the facilities are designed to meet the noise and magnetic field requirements in Rule 3206 and as modelled for the similar West Station-West Cañon 115 kV line project. See Appendix B, pages 6 and 10.

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## Appendix B

### West Station-West Cañon 115 kV Line Noise and EMF Study



# B

Community Outreach





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**RELIABILITY UPGRADE**  
For Southern Colorado

## **Attachment B: Pueblo County Community Outreach Plan, Supporting the Reliability Upgrade for Southern Colorado**

After the previous 1041 permit application was denied by Pueblo County Commissioners, Black Hills Energy recognized a need to increase community education and engagement efforts related to the proposed transmission line and substations before resubmitting the application.

In their project comments, members of the community asked for more information, a clearer rationale for the project and proposed locations, and a better understanding of who will benefit from the upgraded transmission line. Additionally, they sought information on safety and impact on property values. Our community engagement approach, outlined below, has been focused on delivering this information and proactively engaging and educating the broader community, including property owners along the proposed route.

### **Community Outreach Approach**

1. Better convey the proposed project's broader regional benefits, and develop simple, fact-based messages
2. Develop materials to engage and inform Southern Colorado customers about the proposed project, planning efforts and route rationale, and benefits to local customers and the broader Southern Colorado electric system
3. Plan for and implement community engagement forums, including coffee shop talks, community meetings and a telephone town hall presentation, to listen to customer feedback and answer questions
4. To the extent possible, reflect and address community concerns in the project's design

### **Items to Discuss With The Community**

- *[Project intent]* The Reliability Upgrade for Southern Colorado is intended to help us better serve our Southern Colorado customers, particularly in Pueblo West, Penrose and Cañon City, by improving reliability and providing capacity for future growth and economic development.
- *[Rationale]* The proposed project will significantly reduce the chance of service loss, improve overall reliability of the system and provide additional capacity for future growth, enabling economic development in the areas it passes through – a necessary tool for future growth in Southern Colorado, including bringing visitors and businesses to our region.
- *[Project planning considerations]* Selecting the route is a complex process and we had to balance constraints like cost and residential and environmental impacts with the goal of delivering improved reliability to these communities. To ensure we're proposing the best route, we partnered with a third-party expert to analyze a variety of alternative routes and proposals, including undergrounding the line, and listened to customer feedback.
- *[What's next]* Our goal right now is to share project information, listen to community feedback, and reflect that feedback to the extent possible. Then, we'll apply for permits later this year.



## Community Outreach Activities

1. **Rename the project.** Renaming the project was intended to signal a fresh start for the community engagement aspects of our project, acknowledging that we heard the feedback, understand the need to share more information with the broader community and respond to suggestions received from community members and customers.
  - ⇒ *Project name and logo* – Reliability Upgrade for Southern Colorado was selected to better convey the project’s benefits to the broader community.
  - ⇒ *One-page fact sheet* – A comprehensive project fact sheet was developed and periodically updated to provide background on the project, route rationale, benefits, etc. with supporting visuals and contact information. The fact sheet was added to the updated website and shared directly with customers.
2. **Create community outreach materials.** A “toolkit” of materials was developed with the intent of increasing accuracy and availability of fact-based project information.
  - ⇒ *Overview* – To improve engagement and education around the project, we reevaluated how we talk about the key components, route selection, benefits and rationale. A fact-based key message overview was developed and used to create content that seeks to engage customers and local stakeholders in productive dialogue on the project, while also addressing some of the misinformation shared in the community.
  - ⇒ *FAQ document* – Addressing frequently asked questions and misinformation was critical, so a ‘frequently asked questions document’ was developed and shared on the project website. Questions were sourced from online forums like Facebook, local media outlets and previously submitted 1041 permit application comments, as well as questions from community meetings.
  - ⇒ *Updated web copy* – The previous website received a fresh URL to match the new project name, and all copy and visuals were updated to increase recognition of key project components, benefits and BHE’s efforts to address comments and (where possible) to make adjustments to the route.
3. **Engage with customers.** Demonstrating a willingness to engage and actively listen to the community is a critical step to understand and address concerns.
  - ⇒ *Coffee talks* – The project team partnered with local coffee shops in Pueblo West, Penrose and Cañon City to host informal meet-and-greets intended to listen to concerns, provide basic project information and direct customers toward additional information available online. Plus, BHE covered the cost of morning coffee at highly trafficked coffee shops and diners.
  - ⇒ *In-person community meetings* – Community meetings were planned and hosted in Pueblo West, Florence and Penrose, and they are intended to inform and engage those most impacted by the proposed project. Both events featured a “science fair” style format, where attendees are invited to move from station to station to engage with project team experts from BHE and project partners, ask questions, review project information via infographic-style posters and large-scale maps, and gather handouts.

- ⇒ *Telephone town hall meeting* – In addition to in-person meetings, a telephone town hall-style meeting was offered as a flexible alternative for those unable to attend the in-person meetings. The meeting included a brief (10-15 minute) presentation and open phone lines allowing participants to ask questions and share feedback. After the meeting, a recap of the questions asked was shared on the project website to provide complete transparency on the issues and answers.
- ⇒ *Media relations* – To extend messages shared in one-to-one and community meeting interactions to broader audiences, BHE increased delivery of project information via local media outlets. Information was shared via reporter briefings, and project leaders submitted perspective in opinion articles.
- ⇒ *Social media* – BHE's Facebook page was utilized to reach additional community members with information about engagement opportunities. Posts were geo-targeted by zip code to reach Pueblo West, Penrose and Cañon City residents with details of upcoming community meetings, to learn more fact-based project background and benefits. It also provided another avenue for direct engagement with landowners.

### **Community Outreach by the Numbers**

Additional detail around community outreach efforts, materials and results can be found below.

- **Two opinion articles** were submitted to local media, reaching an estimated total of about **17,000 print and online readers**.
- **More than 3,770** Pueblo and Fremont County residents received postcard invitations to in-person and telephone town hall community meetings; an additional nearly **12,500 readers** of *Cañon City Daily Record* and *Pueblo West View* were reached via newspaper advertisement and approximately **19,000 unique residents** were targeted via Facebook event pages and posts.
- **About 125 community members** have attended our in-person community meetings to date and **five community members** participated in our telephone town hall meeting.

# Reliability Upgrade for Southern Colorado *Community Outreach Materials*

March through August 2019



**RELIABILITY UPGRADE**  
For Southern Colorado

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# Community Outreach

Developed materials to engage and inform Southern Colorado customers about the proposed project, planning efforts and route rationale; host forums for community engagement

# Project Name Change

## **Action: Changed the project name to Reliability Upgrade for Southern Colorado to...**

- Better indicate the project's benefits and regional impact, delivering increased reliability to all of Black Hills Energy's 96,000 Southern Colorado customers



**RELIABILITY UPGRADE**  
For Southern Colorado

# Project Materials

## Action: Created project materials, such as fact sheet, glossary, contact card and later, FAQ, to...

- Address the need for more fact-based, educational materials for customers
- Support the community engagement process with visual and educational materials customers could read either on the project website or via handouts at the community meetings

## Results:

- Handed out over 90 fact sheets and contact cards at the community meetings





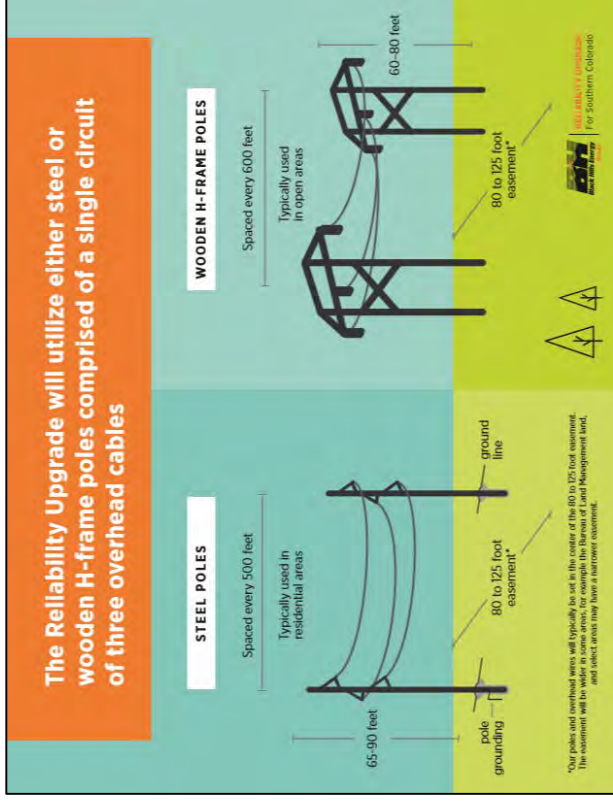
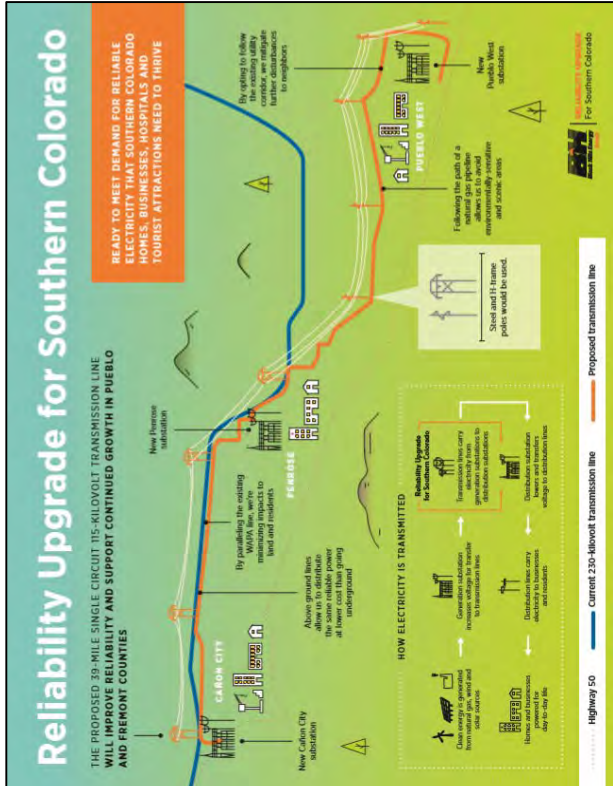
# Community Meeting Visuals

## Action: Designed station visuals for the community meetings to...

- Serve as educational resources for customers looking for additional project information
- Visually demonstrate complexities of project, such as determining route based on constraints

## Results:

- Created...
  - 2 educational handouts, the fact sheet and the About the Planning and Approval Process document
  - 6 posters of various aspects of the project, including the need for the project and Black Hills Energy's proposed solution, the benefits to customers, proposed route map, key pole components, construction timeline and Black Hills Energy's community impact on Southern Colorado
  - 1 large laminated map, to draw on and demonstrate why alternative routes were not viable options





RELIABILITY UPGRADE  
For Southern Colorado

Black Hills Energy  
SOUTH

Share your feedback

First Name\*

Last Name\*

Uniq\*

Phone

Address 1

Address 2

City

State

Zip

Add me to your mailing list

☐ Yes

☐ No

Feedback\*

Submit

Upgrade Schedule

Additional Resources

RELIABILITY UPGRADE  
For Southern Colorado

Black Hills Energy  
SOUTH

Receive information about the Reliability Upgrade for Southern Colorado

Fill out the below contact preference form

Name\*

Address 1\*

Address 2

Email\*

Phone\*

How would you prefer to be contacted\*

☐ Types Mail

☐ Email

☐ Phone

Opt out of being contacted by Black Hills Energy for the Reliability Upgrade

☐ Check this box to opt out

Submit

Upgrade Description

Participating with the Community

Upgrade Schedule

Additional Resources

# Project Website Updates

## Action: Updated project website to...

- Include latest project information and materials
- Serve as informational resource for customers looking for additional project information
- Act as ongoing touchpoint for customers to ask questions and share feedback through the Share Your Feedback function and by signing up to receive project updates

## Results:

- **5 Pueblo West customers** submitted feedback via the Share Your Feedback function
- **3 Pueblo West customers** signed up to be on the project updates list

### Action: Submitted informational opinion piece in local newspaper to...

- Re-introduce project to Southern Colorado customers, highlighting the 1) need for additional, reliable electric service in Southern Colorado, and 2) complexities of determining the route balanced against the goal of providing reliable electric service
- Express desire to work with impacted communities and customers, taking into account their feedback, to find the best solution for all

### Results:

- Reached ~4,800 customers via March 28 print edition
- Reached ~3,700 customers via March 28 digital edition

Black Hills Energy customers have said reliability is their most important marker of satisfaction. Consistently-available electric service powers day-to-day life at home and at work and empowers economic development and prosperity in Southern Colorado communities.

Our employees work tirelessly maintaining our system's infrastructure and quickly solving problems to ensure uninterrupted service, as our crews did most recently following the blizzard that struck Southern Colorado. In fact, our average downtime after a power outage is in the top 25 percent of all electric utilities in the U.S. for reliable service.

Today, the electrical infrastructure serving some of our communities – including Cañon City, Penrose and Pueblo West – is near capacity and cannot accommodate any more demand. This puts a strain on the reliability you've come to expect and inhibits the economic growth and jobs that our region needs to thrive. Our solution: upgrading the infrastructure that serves these areas by constructing a 115-kilovolt transmission line stretching from Pueblo West to Cañon City. The transmission line will deliver power from our existing West Substation in Pueblo to Pueblo West, Penrose and Cañon City.

Determining where to construct the transmission line and substations is a complex, multi-layer process – it's not as simple as drawing a line on a map. The route we've proposed considers existing constraints, including habitable and non-habitable structures, the number of properties that would be crossed, and existing conservation easements that protect local wildlife.

We must also comply with regulatory requirements, including Federal Aviation Administration safety guidelines requiring clear paths for takeoffs and landings at a private airstrip in the area of the proposed line.

Economic feasibility is also a core consideration, as the proposed plan must be a cost-effective solution for all our 97,000 Southern Colorado customers. We completed an in-depth engineering cost study, which showed that undergirding the line would cost our customers seven times more than building it as proposed.

We will continue to work cooperatively with landowners along the proposed route, most of whom do not oppose our plans. The compensation we are offering for easements needed to construct the line is competitive and based on industry best practices.

In coming months, we're committed to increasing – and improving – our engagement with the Cañon City, Penrose and Pueblo West communities to create a clearer picture of the proposed project and why it's absolutely necessary to ensure service reliability.

As we have throughout this process, we will continue to answer questions and consider feedback to ensure we are working cooperatively to create a clear-cut 'win' for reliability and economic growth for Southern Colorado.

# Informal Coffee Shop Talks

## **Action: Hosted informal coffee shop talks to...**

- Provide a casual setting for engaging with customers
- Buy cups of morning coffee and chat with customers to gather qualitative feedback, answer questions and share high-level project background
- Identify opportunities to apply feedback to plans, as applicable, and to upcoming communications efforts

## **Results:**

- Held coffee shop talks in **3 communities** (Pueblo West, Penrose, Cañon City)
- Spent **2 hours** at P.J's Coffee in Pueblo West engaging with residents
- Answered questions from **2 Pueblo West residents (out of 45** who came through P.J's Coffee) about the Reliability Upgrade



# Community Meeting Engagement

*Hosted four community meetings (to date), three in-person open houses and one via telephone town hall, to formally present key aspects of the Reliability Upgrade, seek feedback to apply to plans, where applicable, and answer questions from customers.*



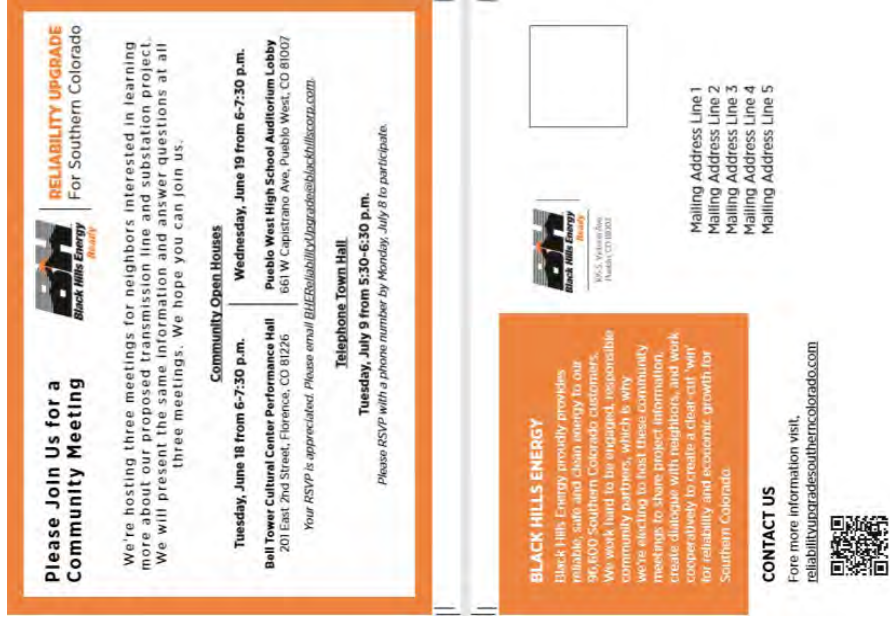
# Open House Invitations

## Action: Leveraged multiple channels to invite customers to the three initial community meetings...

- Mailed **postcard invitations** to share details for open houses and telephone town hall, including instructions for RSVPing to telephone town hall
- Placed **newspaper ads** with the *Pueblo West View* and *Cañon City Daily Record*, sharing the same meeting details
- Created **three Facebook event pages and boosted visibility to local residents via paid promotion**, targeting Pueblo West (and Penrose and Cañon City) customers via zip codes, inviting them to attend the meetings and telephone town hall

## Results:

- Mailed **3,776 postcards** to customers and businesses along the proposed route (including **2,082 Pueblo West customers**)
- Reached about **12,500 customers** via newspaper ads in print and online editions (including **4,000 customers via Pueblo West View**)
- Reached approximately **10,800 Pueblo West customers** through the Facebook event page and targeted social post (out of about **19,000 unique residents** reached via community meeting Facebook notices)



# Open House Meeting Invitations (Cont.)

Events

Events


Calendar

Birthdays

Discover

Hosting

+ Create Event



JUN 19

Black Hills Energy Reliability Upgrade Open House

Public · Hosted by Black Hills Energy

★ Interested

✓ Going

...

🕒

Wednesday, June 19, 2019 at 6 PM – 7:30 PM

about 1 month ago

📍

661 W Capistrano Ave, Pueblo, CO 81007-7036, United States

Show Map

About


Discussion

Details

We're hosting an open house focused on the Reliability Upgrade for Southern Colorado on June 19 for our Pueblo West neighbors interested in learning more about our proposed transmission and substation project. Neighbors will be able to navigate a series of stations to learn more about key aspects of the plan, ask questions and offer feedback.

If you are unable to attend on June 19, we will present the same information and answer questions via a telephone town hall meeting on Tuesday, July 9 at 5:30 p.m. Registration is as simple as visiting our website – [reliabilityupgradesoutherncolorado.com](http://reliabilityupgradesoutherncolorado.com) – or emailing us at [BHEReliabilityUpgrade@blackhillscorp.com](mailto:BHEReliabilityUpgrade@blackhillscorp.com) – and providing your contact information, including the phone number you'll use for the telephone town hall.

Related Events



Google is coming to Rawlins...  
Fri, Aug 23 at Pueblo City-Coun...  
553 guests  
Interested Going



Fall Makers Market 2019  
Sat, Nov 30 at TickTock Pueblo  
197 guests  
Interested Going




Farm to Table Dinner: Summe...  
Saturday at El Pueblo History M...  
529 guests  
Interested Going



Garrison Ortiz Re-Election Ca...  
5 PM at 303 S Santa Fe Ave, P...  
143 guests  
Interested Going



CSU-Pueblo at Pueblo Pride 2...  
Sunday at Colorado State Unive...  
343 guests  
Interested Going



Home of Heroes Spirit and Br...  
Sat, Nov 16 at Pueblo Conventi...  
486 guests  
Interested Going

English (US) · Español · Português (Brasil) · Français (France) · Deutsch

+

Privacy · Terms · Advertising · Ad Choices

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Facebook © 2019

Reliability Upgrade for Southern Colorado

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# Open House Meetings

**Action:** Hosted three open house meetings, with five stations each dedicated to its own topic and with its own visuals, at local venues to...

- Engage with Southern Colorado customers to share facts about the project
- Answer questions and listen to feedback
  - Created feedback postcards for attendees to share written comments and feedback either at the meeting or by mailing postcard to the Black Hills Energy office
- Build and strengthen relationships with customers

*The open house format provided a comfortable, flexible environment for customers to review project information at their own pace and interact with the Black Hills Energy team, while also better accommodating schedules as customers could arrive at a time convenient to them.*

## Results:

- Hosted **three open house meetings**, in Pueblo West, Florence and Penrose
- Spent **an hour and a half** at each meeting talking to and answering questions from customers
- **36 Pueblo West meeting attendees** (out of **128 total attendees** at all three meetings)
- Received **5 feedback postcards** from Pueblo West customers (out of **27 total feedback postcards**)



## SHARE YOUR FEEDBACK



**RELIABILITY UPGRADE**  
For Southern Colorado

Name (optional): \_\_\_\_\_

Contact (optional): \_\_\_\_\_

Feedback or questions:

Would you like for someone to follow-up? \_\_\_\_ Yes \_\_\_\_ No



# Telephone Town Hall Invitations

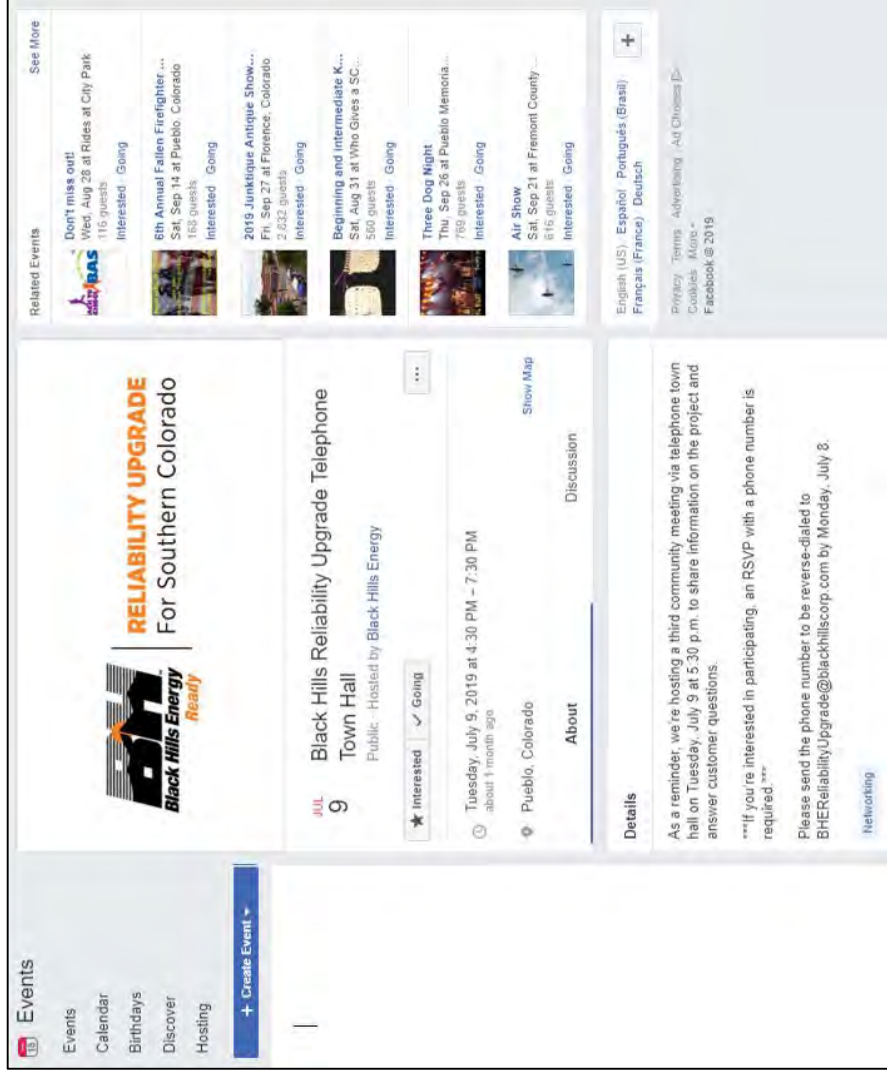
## Action: In addition to the inclusion of telephone town hall details on open house meeting invitations

- Created a **Facebook event page and ad**, targeting Pueblo West (and Penrose and Cañon City) customers via zip codes, encouraging them to RSVP for and attend the telephone town hall
- Connected with the **Pueblo West Chamber of Commerce** (as well as those in Penrose and Cañon City) asking for their support in reaching customers via their website, social channels and newsletter, encouraging participation in the telephone town hall
- Included telephone town hall and RSVP details in **open house meeting Cañon City Daily Record opinion submission**

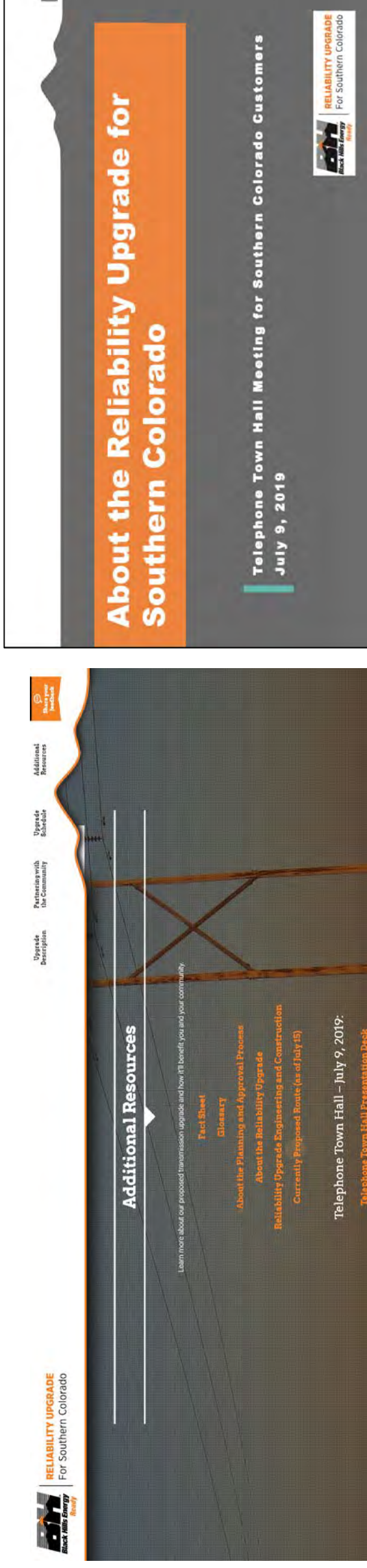
*The additional Facebook event and social posts were intended as reminders for the telephone town hall, which was hosted three weeks after the open houses, and to encourage the required RSVP.*

## Results:

- Mailed **3,776 postcards** to customers and businesses along the proposed route (including **2,082 Pueblo West customers**)
- Reached **12,500 customers** via newspaper ads in print and online editions (including **4,000 customers** via *Pueblo West View*)
- Reached **8,500 customers** via *Daily Record* opinion piece in print and online editions
- Reached **12,300 customers** through the Facebook event page and targeted social post



# Telephone Town Hall Meeting



**Action: Hosted one telephone town hall meeting with a formal presentation, available on the project website, and live Q&A session to...**

- Engage with Southern Colorado customers to share facts about the project in a convenient, comfortable setting for customers that were unable to attend the open houses or simply preferred to join by phone
- Answer questions and listen to feedback
- Build and strengthen relationships with customers

**Results:**

- Telephone town hall was attended by **5 customers (out of the 11 that RSVPed)**
- Responded to questions from **4 customers**

# Meeting Follow Up

*Connected with residents after the community meetings to share follow up information, such as the availability of meeting materials and FAQ on the project website*



## Action: Published recap opinion piece in local newspaper to...

- Recap community engagement efforts and most commonly asked questions from community meetings, with Black Hills Energy responses
- Remind customers of upcoming telephone town hall and how to RSVP
- Direct customers to project website for additional information or to share feedback and/or reach out to Black Hills Energy to ask questions

## Results:

- Reached ~4,800 customers via print June 28 edition
- Reached ~3,700 customers via June 28 digital edition

### OPINION

## Black Hills Energy answers common questions asked for proposed line, substations

June 28, 2019 at 8:30 am

As I shared in our May 2019 opinion piece, Black Hills Energy proposed the Reliability Upgrade for Southern Colorado – a 39-mile, 115-kilovolt transmission line and three new substations – to meet the needs of our customers in and around Pueblo West, Penrose and Cañon City. The Reliability Upgrade will improve overall system reliability to power customers' daily lives at home and work and empower future growth through added capacity while maintaining our commitment to provide safe and clean energy for Southern Colorado.

We've redoubled our efforts to engage customers in the planning process. Recently, we hosted two Open Houses for Pueblo West, Penrose and Cañon City customers to learn more about the project, ask questions and share feedback on our proposed plans. We want to thank the 100 or so customers that joined us at the meetings – our team appreciated the discussion and we've recorded each of the comments shared and will be following up to address specific customer concerns in coming weeks.

For those who weren't able to join us, here are the three most common questions we heard at the Open Houses:

### Has Black Hills considered a different approach to the transmission line, like an underground line or renewable energy alternatives?

After identifying the need for increased reliability and additional electric service capacity, we evaluated a variety of technologies and options, including an above-ground transmission line, undergrounding the line, and variations in the location of the transmission line and substations.

We looked at a variety of alternative transmission line routes to determine one that would impact the least amount of residents and land. We partnered with utility planning experts and various agencies, including the State Land Board and Colorado Parks and Wildlife, to evaluate the routes against different constraints, such as residential, land and environmental impacts and cost. Other routes we looked at either impacted more homeowners, disturbed more land or were more expensive, so we believe our currently proposed route, with the adjustments to accommodate customer input, is our best solution.

As part of our alternative analysis, we also conducted an in-depth engineering cost study to determine the cost and feasibility of undergrounding the line. We found that undergrounding the line would be seven times more expensive for all customers, not just those directly benefiting from the upgrade, so we decided not to pursue this option.

Black Hills continues to explore renewable energy and storage as part of our Southern Colorado system, but in this case, it was cost-prohibitive, in addition to other constraints.

### As you work toward a new Pueblo County 1041 permit, have you made any changes to your proposed plans?

Yes. Based on customer feedback, we've explored route alternatives and negotiated changes to the route originally proposed to the Pueblo County Commissioners. For example, after hearing feedback from Penrose customers, we worked with Fort Carson to construct the line north of Penrose, removing the easement from 12 customers' backyards. We're continuing to engage with customers to determine if there are other cost-efficient and feasible options for altering the route to minimize land and customer impacts.

Selecting a route is a complex process and it isn't as easy as drawing a line on a map. We have to balance local, physical and technological constraints with the goal of delivering improved reliability to the community.

### Is it true you'll use eminent domain to take right-of-way easements?

So far, we've received landowner approval for an estimated 85 to 90 percent of the required easements through a completely collaborative approach. While some landowners have expressed an intent to hold out and force an eminent domain process, our intent from the very beginning has been to work through a voluntary process. We hope to continue those conversations to secure the remaining easements.

If you were unable to join us at the previous Open Houses, we have another opportunity to connect and answer customer questions in a telephone town hall-style meeting July 9 – customers can join us by phone and online from a convenient location. Please RSVP with a phone number to be reverse-dialed to BHEReliabilityUpgrade@blackhillscorp.com by July 8.

Additionally, customers can find more information on our project website, [www.reliabilityupgradesoutherncolorado.com](http://www.reliabilityupgradesoutherncolorado.com).

# Additional Resources on Project Website Notifications

**Action: Added community meeting materials, including route map, open house station visuals, and meeting FAQ, on the project website, then notified customers by**

- Creating a **Facebook ad**, targeting Pueblo West (and Penrose and Cañon City) customers via zip codes, informing them of the availability of additional project materials on the website to check out
- **Emailing** customers who had signed up, via the website, for project updates

## Results:

- Emailed **3 Pueblo West customers** who signed up to be on the project updates list (**out of 13 in total**)
- Reached customers through the **Facebook targeted social post**

Subject: Black Hills Reliability Upgrade Community Meeting Follow-up Items

Dear [insert name],

As follow-up to our recent community meetings, we've added new materials to the Reliability Upgrade for Southern Colorado project website – [www.reliabilityupgradesoutherncolorado.com](http://www.reliabilityupgradesoutherncolorado.com). We received a handful of questions and feedback that is addressed in the materials, which you'll find under the 'Additional Resources' tab:

- A summary Q&A, including questions received and topics discussed during our two June Open Houses and the July 9 Telephone Town Hall
- The Telephone Town Hall presentation deck
- Open House station materials and handouts
- Currently proposed route map

As always, if you have questions or feedback you'd like to share with us directly, please email us at [BHEReliabilityUpgrade@blackhillscorp.com](mailto:BHEReliabilityUpgrade@blackhillscorp.com). Thank you for your willingness to engage with us in this process.

Best,  
Black Hills Reliability Upgrade team



C

Letters of Intent to  
Colorado Parks and  
Wildlife and U.S. Fish and  
Wildlife Service





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March 19, 2018

Ms. Susan Linner  
United States Fish and Wildlife Service  
Colorado Ecological Services Field Office  
134 Union Boulevard, Suite 670  
Lakewood, CO 80228

**RE: Preliminary Assessment of USFWS Threatened and Endangered Species and Species Protected by the MBTA and the BGEPA  
Cañon West Reliability Project  
Fremont and Pueblo Counties, Colorado**

Dear Ms. Linner,

On behalf of Black Hills Energy (BHE), HDR, Inc. (HDR) is providing this preliminary assessment of federal threatened and endangered species for the proposed Cañon West Reliability Project (Project) located in Fremont and Pueblo Counties, Colorado. This letter describes the findings of a desktop analyses of effects to threatened and endangered species listed under the protection of the Endangered Species Act (ESA) of 1973 (16 USC 1531-1543). In addition, the effects analysis includes migratory birds for compliance with the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). While this letter is not intended to fulfill informal consultation, it will provide a preliminary assessment of federally-protected species that could occur in the Project vicinity and/or otherwise have the potential to be affected by the Project. Please note that a similar letter is being submitted to the Colorado Parks and Wildlife (CPW) discussing state listed species.

## **Project Description**

Black Hills Energy is proposing to construct this Project in order to expand capacity and improve reliability in the Cañon City area. The Project area is defined as an approximately 39-mile-long transmission line corridor within a 125-foot-wide right-of-way (ROW). The Project will start at BHE's West Station transmission corridor in Pueblo County and traverses west toward a proposed 115/69 kV substation in the North Cañon area in Fremont County (**Appendix A: Project Overview Figure 1**). The 115 kV single circuit transmission line will provide an additional connection to Cañon City and the surrounding areas, and also connect to new distribution substations in Pueblo West and Penrose. While the new 115 kV transmission line will improve overall reliability of the system by significantly reducing the chance of service loss, it will also provide additional capacity for future growth. Assuming all necessary permits are secured, construction is expected to begin in early 2019 and be complete in late 2021.

In Pueblo County, the Project crosses about 18 miles of land, of which 14.8 miles are private property and 3.4 miles are owned by Pueblo West Metropolitan District. In Fremont County, the Project crosses about 21 miles of land, of which 17 miles are private property, 3 miles are Bureau of Land Management (BLM)



land, and 1 mile is State land. Alternative routes under consideration in Fremont County avoiding BLM land.

The transmission line will be designed and constructed as a single circuit 115 kV transmission line utilizing both steel mono poles and wooden H-frame structures (60 to 70 feet high and about 600 feet apart). Construction activities would require minor clearing and grading of the construction ROW. Grading would be minimized to the extent practicable, and any excess cut material would be spread along existing access roads and not over undisturbed areas outside of the current or improved access route. BHE will keep work areas around structures clear of vegetation and will limit the height of vegetation (trees and shrubs) under the conductors along the right-of-way to 14 feet. Construction of structures will require a 100 x 100 foot work area. Ongoing operation of the Project will require a 50 x 50 cleared area around each structure. Access roads will be required to each tower site for construction, operation and maintenance activities. Helicopters will also be required to support the Project during construction and operation. Impacts will be reduced during construction by avoiding sensitive resources, including wetlands and waterbodies, with strategic access and pole placement.

## Methods

This preliminary assessment is based on a desktop review of the Project area using 7.5-minute topographic maps, high resolution imagery, U.S. Geological Survey (USGS) vegetation landcover data, and CPW raptor nesting data. In addition, a U.S. Fish and Wildlife (USFWS) Information Planning and Conservation (IPaC) System was used to generate the ESA-listed species in **Table 1** (USFWS 2018). The IPaC system also identified any designated critical habitat that could occur within the Project or otherwise be affected as a result of Project activities. This assessment identifies which of these ESA-listed species or critical habitat have the potential to be affected as a result of the Project.

## Environmental Setting

The Project area spans the transitional ecotone zone between the Southern Rocky Mountain and the Great Plains, both Level 1 ecoregions. Rugged terrain and evergreen forests are typical of the Southern Rockies ecoregion, whereas rolling plains are typical of the Great Plains ecoregion (Bailey et. al 1994). The Project area occurs entirely within the Arkansas River Watershed and crosses ephemeral drainages, intermittent streams, and some wetlands of which are primarily associated with the stream features.

The soil types along the Project area include the Penrose-Minnequa complex (shallow, well-drained loamy soil), Manvel silt loam (well-drained loamy silt), and Limon and Limon-Gaynor silty clay loams (some with Farmlands of Statewide Significance).

## Vegetation

The Project area contains three general vegetation cover types including grasslands, shrublands and woodlands, in order of prevalence. Based on review of USGS GAP analysis data, the majority of the Project occurs within Western Great Plains Shortgrass Prairie. Evergreen forests and shrublands are collectively the most prevalent cover types in the western portion of Project area in Fremont County, whereas grasslands dominate the central and eastern portions of eastern Fremont and Pueblo Counties (USGS 2015).



Drought-resistant graminoid species including buffalo grass (*Bouteloua dactyloides*), galleta grass (*Pleuraphis jamesii*), and blue grama (*Bouteloua gracilis*) likely compose the majority of the grassland species along the Project area. Grasses dominate the flat to rolling uplands in the eastern portions of the Project area throughout Pueblo County and eastern Fremont County. The salt desert scrub community, associated with the grasslands, is likely composed of cholla cactus (*Cylindropuntia imbricata*), fourwing saltbush (*Atriplex canescens*), and winterfat (*Krascheninnikovia lanata*). The collective grasslands and salt desert scrub communities compose about 60 percent of the land cover vegetation within and along the Project area.

Pinyon-juniper woodlands composed of two-needle pinyon (*Pinus edulis*) and one-seed juniper (*Juniperus monosperma*) dominate large areas of the woodland communities along the Project. Associated grasses within the pinyon-juniper woodlands include New Mexico feathergrass (*Hesperostipa neomexicana*), side oats grama (*Bouteloua curtipendula*), and ring muhly (*Muhlenbergia torreyi*) (CRPCI 2011). Ponderosa pine (*Pinus ponderosa*) trees will occur in small, isolated pockets scattered among the pinyon-juniper woodlands. These evergreen woodland communities are primarily restricted to Fremont County at mid- to upper-elevation in the western and central portions of the Project area, and comprise about 30 percent of the total vegetative landcover.

Sagebrush (*Artemisia spp.*), mountain mahogany (*Cercocarpus spp.*), and oak (*Quercus spp.*) shrublands are found in the foothills, canyon slopes, and lower mountains of the Rocky Mountains. This shrubland community occurs within the Project area at lower elevations in the western and central portions in Fremont County where exposed rocky outcrops and steep, dry conditions limit tree growth. To a lesser degree, this shrubland community is also likely to occur in discrete areas of western Pueblo County where hill slopes provide suitable conditions. Collectively, this community will comprise about 5 to 10 percent of the Project.

#### *Non-Native Plant Species*

The above description identifies much of the Project area's vegetation in its historically native form. However, livestock grazing, agricultural practices, and other soil disturbance have resulted in the spread of non-native (noxious and invasive) species within the Project area. Fremont and Pueblo Counties contain 20 and 18 List B noxious weed species, respectively (CDA 2018). Approximately 100,000 acres in Pueblo County are infested with List B noxious weed species, while only about 1,100 acres are infested in Fremont County (CDA 2018). Other non-native invasive perennial grasses and weeds categorized as A, B, or C List species could also occur in the Project area.

In accordance with Colorado's Noxious Weed Act (35-5.5 CRS), BHE will follow state guidelines and regulations during the construction and operation of the transmission line in order to avoid the spread of noxious and invasive plant species.



## Threatened and Endangered Species Assessment

The IPaC report identified five ESA-listed species but no designated critical habitat for any of these species occur within the 125-foot-wide Project ROW. Of the five ESA-listed species, two could occur within the Project vicinity and have the potential to be affected by Project activities.

The IPaC report lists one threatened fish species, the greenback cutthroat trout (*Oncorhynchus clarki stomias*), that may be indirectly affected by water-related activities during Project activities (**Table 1**). However, no significant water usage will be required for this Project and the species does not occur within any stream or river system that could be directly affected by Project activities. Therefore, the greenback cutthroat trout will not be affected by the Project.

The IPaC report also identifies four other species with the potential to occur within the Project (**Table 1**). The Project area contains suitable habitat for the Mexican spotted owl (*Strix occidentalis lucida*) and black-footed ferret (*Mustela nigripes*). Experimental populations of black-footed ferrets were released in 2013 and 2014 on the Walker Ranch in Pueblo County, south of Fort Carson. Until the current extent of the black-footed ferret experimental population(s) is determined, it will be assumed that Project activities could temporarily affect the species during construction. The Project crosses suitable wintering/foraging habitat and potentially suitable nesting habitat for the Mexican spotted owl in Fremont County, and therefore could result in temporary effects to the species during construction. The Project area contains extensive pinyon-juniper woodlands and open mountain-shrub habitats in Fremont County which are preferred by Mexican spotted owls for wintering. The Project also contains potential nesting canyon/cliff habitat which would need to be evaluated for suitability by a field survey.

The other two mammal species, the Canada lynx (*Lynx canadensis*) and North American wolverine (*Gulo gulo luscus*), do not have suitable habitat within the Project area. The wolverine almost exclusively requires alpine habitat with persistent snow cover late into the spring, while the Canada lynx inhabits dense coniferous forests above 8,000 feet elevation with abundance populations of snowshoe hare. None of these habitat parameters occur within the Project, and therefore these two mammals will not occur or be affected by the Project.

**Table 1: ESA-Listed Species Considered for Analysis**

Common Name	Scientific Name	Federal Listing Status	Habitat Description	Habitat Present in/along Project (by County)	Potential to Occur and Affect Species
<b>Bird</b>					
Mexican Spotted owl	<i>Strix occidentalis lucida</i>	Threatened	Old-growth forest with complex structure, or narrow cliff-lined canyons. Forest habitat often white pine, Douglas fir, and ponderosa pine within steeply sloped canyons (USFWS 2012).	Yes – Fremont County	Yes
<b>Mammal</b>					
Black-footed ferret	<i>Mustela nigripes</i>	Endangered	Almost exclusively dependent on prairie dogs within grasslands and shrublands of the eastern plains, the mountain parks and the	Yes – Pueblo County	Yes



Common Name	Scientific Name	Federal Listing Status	Habitat Description	Habitat Present in/along Project (by County)	Potential to Occur and Affect Species
			western valleys of Colorado (CPW 2018).		
Canada lynx	<i>Lynx canadensis</i>	Threatened	Dense subalpine forest, spruce-fir, lodgepole pine conifer forests and dense willow corridors with snowshoe hare generally above 8,000 in Colorado (Ulev 2007).	No	No
North American wolverine	<i>Gulo gulo luscus</i>	Threatened	Boreal and alpine habitat containing persistent snow late into May (USFWS 2013).	No	No
<b>Fish</b>					
Greenback cutthroat trout	<i>Oncorhynchus clarki stomias</i>	Threatened	The only genetically pure population of greenback cutthroat trout survives outside of their historic range in Bear Creek, a small tributary of the Arkansas River west of Colorado Springs (USFS 2017).	No	No

Source: USFWS 2018

## Birds Protected by the MBTA and BGEPA

The Project area contains potential habitat for many species of migratory birds. The nesting season for most migratory birds is generally April 1 to July 15 in this region with some raptors fledging as late as September. The prominent cliffs along the western and central portions of the Project are known to contain seasonal nesting locations for golden eagles (*Aquila chrysaetos*). Golden eagle nesting season in Colorado is generally December 15 through July 15. If construction is planned during the nesting season near a known golden eagle nest site or within suitable habitat, BHE will conduct a nesting survey within a 0.5 mile buffer of the Project alignment to determine the presence/absence of active nests.

If any active eagle or other raptor nests are identified near the Project alignment, construction could be delayed within a spatial and season buffer in accordance with CPW and/or U.S. Fish and Wildlife recommended nesting guidelines, or as established through additional coordination with the appropriate agency. In addition, to minimize impacts to eagles during operation of the transmission line, BHE will follow Avian Power Line Interaction Committee (APLIC) guidelines in the design of the transmission line. Therefore, by implementing due diligence efforts to avoid impacts, BHE does not anticipate the disturbance or “take” of an eagle or other nesting birds as a result of the Project.

## Conclusion

The proposed construction of the Cañon West Reliability Project may affect two ESA-listed species and the golden eagle protected by the MBTA and BGEPA. However, these potential effects would be significantly reduced or eliminated based upon Project surveys, construction timing, strategic access and pole placement, and other impact minimization and conservation measures.



## **Request for Comment**

HDR respectfully seeks comment from the USFWS concerning this assessment of potential effects to ESA-listed species and birds protected under the MBTA and BGEPA. If there are any questions or additional information is required, please contact me at (719) 272-8816 or [andrew.phillips@hdrinc.com](mailto:andrew.phillips@hdrinc.com).

Appreciatively,

Andrew Phillips -- Senior Biologist, HDR Engineering, Inc.

### **Attachments:**

**Attachment A – Project Overview Figure 1**

**Attachment B – US Fish and Wildlife IPaC Report**

## References

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- USGS 2015. National Gap Analysis Project (GAP): Land Cover Data Portal. U.S. Department of the Interior (US Geological Survey). Available online: <https://gapanalysis.usgs.gov/gaplandcover/>. Accessed March 3, 2018.





**Attachment A: Project Overview Figure 1**









**Attachment B: US Fish and Wildlife IPaC Report**



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Colorado Ecological Services Field Office  
Denver Federal Center  
P.O. Box 23486  
Denver, CO 80225-0486  
Phone: (303) 236-4773 Fax: (303) 236-4005  
<http://www.fws.gov/coloradoES>  
<http://www.fws.gov/platteriver>



In Reply Refer To:

March 01, 2018

Consultation Code: 06E24000-2018-SLI-0671

Event Code: 06E24000-2018-E-01732

Project Name: CAÑON WEST RELIABILITY PROJECT

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered

species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
  - USFWS National Wildlife Refuges and Fish Hatcheries
  - Migratory Birds
  - Wetlands
-

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Colorado Ecological Services Field Office**

Denver Federal Center

P.O. Box 25486

Denver, CO 80225-0486

(303) 236-4773

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## Project Summary

Consultation Code: 06E24000-2018-SLI-0671

Event Code: 06E24000-2018-E-01732

Project Name: CAÑON WEST RELIABILITY PROJECT

Project Type: TRANSMISSION LINE

**Project Description:** The project would result in a 39-mile 115 kV single circuit transmission line would begin at Black Hill Energy's West Station substation located in Pueblo County and terminate at a substation in the North Cañon area. The new 115 kV transmission line will significantly reduce the chance of service loss, improve overall reliability of the system, and provide additional capacity for future growth. Currently, a 3-mile-long segment of the proposed route crosses BLM parcels (Township 18S, Range 70W, Sections 13 and 14, and Township 18S, Range 69W, Sections 17 and 18) that are managed by the BLM Royal Gorge Field Office. However, alternative routes have been proposed that entirely avoid BLM and all other federal land.

**Project Location:**

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.415565182016195N104.95545728416721W>



Counties: Fremont, CO | Pueblo, CO

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## Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

### Mammals

NAME	STATUS
<b>Black-footed Ferret</b> <i>Mustela nigripes</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>Special incidental take provisions pursuant to Section 10(a)(1)(A) of the ESA apply to a reintroduced population of black-footed ferrets. Contact the Colorado Ecological Services Field Office for additional details.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/6953">https://ecos.fws.gov/ecp/species/6953</a>	Endangered
<b>Canada Lynx</b> <i>Lynx canadensis</i> Population: Wherever Found in Contiguous U.S. There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/3652">https://ecos.fws.gov/ecp/species/3652</a>	Threatened
<b>North American Wolverine</b> <i>Gulo gulo luscus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5123">https://ecos.fws.gov/ecp/species/5123</a>	Proposed Threatened

### Birds

NAME	STATUS
<b>Mexican Spotted Owl</b> <i>Strix occidentalis lucida</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/8196">https://ecos.fws.gov/ecp/species/8196</a>	Threatened

### Fishes

NAME	STATUS
<b>Greenback Cutthroat Trout</b> <i>Oncorhynchus clarki stomias</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2775">https://ecos.fws.gov/ecp/species/2775</a>	Threatened

03/01/2018

Event Code: 06E24000-2018-E-01732

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### **Critical habitats**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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## **USFWS National Wildlife Refuge Lands And Fish Hatcheries**

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA

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## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\)](#) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see maps of where birders and the general public have sighted birds in and around your project area, visit E-bird tools such as the [E-bird data mapping tool](#) (search for the name of a bird on your list to see specific locations where that bird has been reported to occur within your project area over a certain timeframe) and the [E-bird Explore Data Tool](#) (perform a query to see a list of all birds sighted in your county or region and within a certain timeframe). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<b>Bald Eagle <i>Haliaeetus leucocephalus</i></b> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Oct 15 to Aug 31

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NAME	BREEDING SEASON
<b>Black Rosy-finch</b> <i>Leucosticte atrata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9460">https://ecos.fws.gov/ecp/species/9460</a>	Breeds Jun 15 to Aug 31
<b>Black Swift</b> <i>Cypseloides niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8878">https://ecos.fws.gov/ecp/species/8878</a>	Breeds Jun 15 to Sep 10
<b>Brewer's Sparrow</b> <i>Spizella breweri</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9291">https://ecos.fws.gov/ecp/species/9291</a>	Breeds May 15 to Aug 10
<b>Burrowing Owl</b> <i>Athene cunicularia</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9737">https://ecos.fws.gov/ecp/species/9737</a>	Breeds Mar 15 to Aug 31
<b>Cassin's Sparrow</b> <i>Aimophila cassinii</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9512">https://ecos.fws.gov/ecp/species/9512</a>	Breeds Aug 1 to Oct 10
<b>Clark's Grebe</b> <i>Aechmophorus clarkii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jan 1 to Dec 31
<b>Golden Eagle</b> <i>Aquila chrysaetos</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds Jan 1 to Aug 31
<b>Grace's Warbler</b> <i>Dendroica graciae</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 20 to Jul 20
<b>Lark Bunting</b> <i>Calamospiza melanocorys</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 10 to Aug 15
<b>Lesser Yellowlegs</b> <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere



NAME	BREEDING SEASON
<b>Lewis's Woodpecker</b> <i>Melanerpes lewis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9408">https://ecos.fws.gov/ecp/species/9408</a>	Breeds Apr 20 to Sep 30
<b>Long-billed Curlew</b> <i>Numenius americanus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/5511">https://ecos.fws.gov/ecp/species/5511</a>	Breeds Apr 1 to Jul 31
<b>Long-eared Owl</b> <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3631">https://ecos.fws.gov/ecp/species/3631</a>	Breeds Mar 1 to Jul 15
<b>Marbled Godwit</b> <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9481">https://ecos.fws.gov/ecp/species/9481</a>	Breeds elsewhere
<b>Mountain Plover</b> <i>Charadrius montanus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3638">https://ecos.fws.gov/ecp/species/3638</a>	Breeds Apr 15 to Aug 15
<b>Olive-sided Flycatcher</b> <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3914">https://ecos.fws.gov/ecp/species/3914</a>	Breeds May 20 to Aug 31
<b>Pinyon Jay</b> <i>Gymnorhinus cyanocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9420">https://ecos.fws.gov/ecp/species/9420</a>	Breeds Feb 15 to Jul 15
<b>Rufous Hummingbird</b> <i>selasphorus rufus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8002">https://ecos.fws.gov/ecp/species/8002</a>	Breeds elsewhere
<b>Semipalmated Sandpiper</b> <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
<b>Virginia's Warbler</b> <i>Vermivora virginiae</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9441">https://ecos.fws.gov/ecp/species/9441</a>	Breeds May 1 to Jul 31

NAME	BREEDING SEASON
<b>Whimbrel</b> <i>Numenius phaeopus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9483">https://ecos.fws.gov/ecp/species/9483</a>	Breeds elsewhere
<b>Willet</b> <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5
<b>Willow Flycatcher</b> <i>Empidonax traillii</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA. <a href="https://ecos.fws.gov/ecp/species/3482">https://ecos.fws.gov/ecp/species/3482</a>	Breeds May 20 to Aug 31

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in your project's counties during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.







Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding



in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the counties which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

**What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

**How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird entry on your migratory bird species list indicates a breeding season, it is probable that the bird breeds in your project's counties at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

**What are the levels of concern for migratory birds?**

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Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

#### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

#### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the BGEPA should such impacts occur.

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## Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

### FRESHWATER EMERGENT WETLAND

- [PEMA](#)
- [PEMC](#)
- [PEMAh](#)
- [PEMCh](#)
- [PEMAd](#)
- [PEMAx](#)

### FRESHWATER FORESTED/SHRUB WETLAND

- [PSSA](#)
- [PSSC](#)

### FRESHWATER POND

- [PUBF](#)
- [PUSA](#)
- [PUBFx](#)
- [PUSAh](#)

### RIVERINE

- [R4SBA](#)
  - [R3UBH](#)
  - [R4SBC](#)
-



March 19, 2018

Mr. Mike Trujillo  
Colorado Parks and Wildlife  
600 Reservoir Road  
Pueblo, Colorado, 81005

**RE: Preliminary Assessment of State Protected Species and Sensitive Resources  
Cañon West Reliability Project  
Fremont and Pueblo Counties, Colorado**

Dear Mr. Trujillo,

On behalf of Black Hills Energy (BHE), HDR, Inc. (HDR) is providing this preliminary assessment of State of Colorado protected species and other sensitive species and habitat for the proposed Cañon West Reliability Project (Project) located in Fremont and Pueblo Counties, Colorado. Specifically, this letter is intended as an assessment of the State of Colorado threatened and endangered species (TES), along with other state sensitive wildlife and plants that could occur in the Project vicinity or otherwise have the potential to be affected by the Project. HDR is coordinating with the U.S. Fish and Wildlife Service regarding federal listed species in a separate letter.

## **Project Description**

Black Hills Energy is proposing to construct this Project in order to expand capacity and improve reliability in the Cañon City area. The Project area is defined as an approximately 39-mile-long transmission line corridor within a 125-foot-wide right-of-way (ROW). The Project will start at BHE's West Station transmission corridor in Pueblo County and traverses west toward a proposed 115/69 kV substation in the North Cañon area in Fremont County (**Attachment A: Project Overview**). The 115 kV single circuit transmission line will provide an additional connection to Cañon City and the surrounding areas, and also connect to new distribution substations in Pueblo West and Penrose. While the new 115 kV transmission line will improve overall reliability of the system by significantly reducing the chance of service loss, it will also provide additional capacity for future growth. Assuming all necessary permits are secured, construction is expected to begin in early 2019 and be complete in late 2021.

In Pueblo County, the Project crosses about 18 miles of land, of which 14.8 miles are private property and 3.4 miles are owned by Pueblo West Metropolitan District. In Fremont County, the Project crosses about 21 miles of land, of which 17 miles are private property, 3 miles are Bureau of Land Management (BLM) land, and 1 mile is State land. Alternative routes under consideration in Fremont County avoiding BLM land.

The transmission line will be designed and constructed as a single circuit 115 kV transmission line utilizing both steel mono poles and wooden H-frame structures (60 to 70 feet high and about 600 feet apart). Construction activities would require minor clearing and grading of the construction ROW.





Grading would be minimized to the extent practicable, and any excess cut material would be spread along existing access roads and not over undisturbed areas outside of the current or improved access route. BHE will keep work areas around structures clear of vegetation and will limit the height of vegetation (trees and shrubs) under the conductors along the right-of-way to 14 feet. Construction of structures will require a 100 x 100 foot work area. Ongoing operation of the Project will require a 50 x 50 foot cleared area around each structure. Access roads will be required to each tower site for construction, operation and maintenance activities. Helicopters will also be required to support the Project during construction and operation. Impacts will be reduced during construction by avoiding sensitive resources, including wetlands and waterbodies, with strategic access and pole placement.

## Methods

This preliminary assessment is based upon a desktop analysis of publicly available data including 7.5-minute topographic maps, high resolution imagery, Colorado Parks and Wildlife (CPW) list of threatened and endangered species, U.S. Geological Survey (USGS) vegetation landcover data, Colorado Natural Heritage Program (CNHP) element occurrence data, CPW raptor nesting data, and CPW Species Activity Data (CPW 2011). The CNHP data used for this assessment are publically available on a coarse geographic scale (generalized to 7.5-minute USGS quadrangles) and include the general occurrence pattern of state listed and sensitive species in Colorado. These collective data were used to identify the state protected and sensitive species assessed within this report for their potential to occur and be affected by the Project.

## Environmental Setting

The Project area spans the transitional ecotone zone between the Southern Rocky Mountain and the Great Plains, both Level 1 ecoregions. Rugged terrain and evergreen forests are typical of the Southern Rockies ecoregion, whereas rolling plains are typical of the Great Plains ecoregion (Bailey et. al 1994). The Project area occurs entirely within the Arkansas River Watershed and crosses ephemeral drainages, intermittent streams, and some wetlands of which are primarily associated with the stream features.

The soil types along the Project area include the Penrose-Minnequa complex (shallow, well-drained loamy soil), Manvel silt loam (well-drained loamy silt), and Limon and Limon-Gaynor silty clay loams (some with Farmlands of Statewide Significance).

## Vegetation

The Project area contains three general vegetation cover types including grasslands, shrublands and woodlands, in order of prevalence. Based on review of USGS GAP analysis data, the majority of the Project occurs within Western Great Plains Shortgrass Prairie. Evergreen forests and shrublands are collectively the most prevalent cover types in the western portion of Project in Fremont County, whereas grasslands dominate the central and eastern portions of eastern Fremont and Pueblo Counties (USGS 2015).

Drought-resistant graminoid species including buffalo grass (*Bouteloua dactyloides*), galleta grass (*Pleuraphis jamesii*), and blue grama (*Bouteloua gracilis*) likely compose the majority of the grassland species along the Project area. Grasses dominate the flat to rolling uplands in the eastern portions of the



Project area throughout Pueblo County and eastern Fremont County. The salt desert scrub community, associated with the grasslands, is likely composed of cholla cactus (*Cylindropuntia imbricata*), fourwing saltbush (*Atriplex canescens*), and winterfat (*Krascheninnikovia lanata*). The collective grasslands and salt desert scrub communities compose about 60 percent of the land cover vegetation within and along the Project area.

Pinyon-juniper woodlands composed of two-needle pinyon (*Pinus edulis*) and one-seed juniper (*Juniperus monosperma*) dominate large areas of the woodland communities along the Project. Associated grasses within the pinyon-juniper woodlands include New Mexico feathergrass (*Hesperostipa neomexicana*), side oats grama (*Bouteloua curtipendula*), and ring muhly (*Muhlenbergia torreyi*) (CRPCI 2011). Ponderosa pine (*Pinus ponderosa*) trees will occur in small, isolated pockets scattered among the pinyon-juniper woodlands. These evergreen woodland communities are primarily restricted to Fremont County at mid- to upper-elevation in the western and central portions of the Project area, and comprise about 30 percent of the total vegetative landcover.

Sagebrush (*Artemisia spp.*), mountain mahogany (*Cercocarpus spp.*), and oak (*Quercus spp.*) shrublands are found in the foothills, canyon slopes, and lower mountains of the Rocky Mountains. This shrubland community occurs within the Project area at lower elevations in the western and central portions in Fremont County where exposed rocky outcrops and steep, dry conditions limit tree growth. To a lesser degree, this shrubland community is also likely to occur in discrete areas of western Pueblo County where hill slopes provide suitable conditions. Collectively, this community will comprise about 5 to 10 percent of the Project.

### ***Invasive and Noxious Plant Species***

Much of the Project area's vegetation detailed above is described in its historically native form. However, livestock grazing, agricultural practices, and other soil disturbance have resulted in the spread of non-native (noxious and invasive) species within the Project area. Fremont and Pueblo Counties contain 20 and 18 List B noxious weed species, respectively (CDA 2018). Approximately 100,000 acres in Pueblo County are infested with List B noxious weed species, while only about 1,100 acres are infested in Fremont County (CDA 2018). Other non-native invasive perennial grasses and weeds categorized as A, B, or C List species could also occur in the Project area. The most common invasive plants within the Project area will include cheatgrass (*Bromus tectorum*), common mullein (*Verbascum thapsus*), and Russian thistle (*Salsola sp.*) (CNHP 2018).

In accordance with Colorado's Noxious Weed Act (35-5.5 CRS), BHE will follow state guidelines and regulations during the construction and operation of the transmission line in order to avoid the spread of noxious and invasive plant species.

## Species Assessment

### *State Threatened and Endangered Species*

Colorado's threatened and endangered species law (Title 33, Parks and Wildlife, Article 2, Nongame and Endangered Species Conservation, § 33-2-105) identifies species for management and monitoring and prohibits the take of any indigenous state wildlife. A total of eleven state listed TES are analyzed in this assessment. Five of these species were determined to have the potential to occur and be affected by Project activities.

Three fish TES have the potential to occur within the Project area. The greenback cutthroat trout (*Oncorhynchus clarki stomias*) will not be affected by Project activities because the species is only known to occur in Bear Creek which is hydrologically disconnected from the Project's watershed. The Arkansas darter (*Etheostoma cragini*) and the Southern redbelly dace (*Phoxinus erythrogaster*) both have the potential to occur in either county within the Project due to the presence of low order stream habitat. However, these species will not be affected because strategic access routes and pole placement will avoid impacts to streams and wetlands. In addition, no significant water usage will be required for this Project and therefore no fish species will be indirectly affected by water withdrawals.

One of the three mammals, the black-footed ferret (*Mustela nigripes*), has a potential to occur within the Project area. Experimental populations of black-footed ferrets were released in 2013 and 2014 on the Walker Ranch in Pueblo County, south of Fort Carson. Until the exact location(s) of the black-footed ferret experimental population is determined, it should be assumed that Project construction activities could affect the species. The other two mammal species, the Canada lynx (*Lynx canadensis*) and North American wolverine (*Gulo gulo luscus*), do not have suitable habitat within the Project area and will not be affected by Project activities. The wolverine almost exclusively requires alpine habitat with persistent snow cover late into the spring, while the Canada lynx inhabits dense coniferous forests above 8,000 feet elevation with populations of snowshoe hare.

Two of the five birds, the Mexican spotted owl (*Strix occidentalis lucida*) and the burrowing owl (*Athene cunicularia*), could occur and be affected by Project activities. The Project crosses suitable wintering/foraging habitat and potentially suitable nesting habitat for the Mexican spotted owl, and therefore could result in effects to the species. Extensive pinyon-juniper woodlands and open mountain-shrub habitats occur within the Project area in Fremont County, which are preferred by Mexican spotted owls for wintering. The Project area also contains potential nesting canyon/cliff habitat which would need to be evaluated for suitability by a field survey. In addition, the burrowing owl is a seasonal nesting bird on the eastern plains of Colorado and could occur in the Project area within shortgrass prairie grasslands of both counties due to the availability of suitable habitat and a high probability of prairie dog occurrence. Protocol nesting surveys for the burrowing owl may be required if extensive prairie dog colonies are found.

The bald eagle (*Haliaeetus leucocephalus*) could forage within the Project vicinity, but due to the lack of suitable open water bodies nearby, the bald eagle is unlikely to nest along the Project area. Bald eagles will prefer to nest along the Arkansas River to the south of the Project area. No suitable habitat exists within the Project area for nesting or migrating whooping cranes (*Grus americana*). And, the plains sharp-tailed grouse (*Tympanuchus phasianellus jamesii*) will also not occur within the Project because the



species has been extirpated from most of the eastern plains of Colorado and exist today in the extreme northeastern corner of the state.

The preliminary determinations of this assessment for state listed TES are listed in **Table 1** below. However, agency data or site-specific survey findings could result in changes to the below determinations.

**Table 1: State listed Species Considered for Analysis**

Common Name	Scientific Name	State Listing Status	Habitat Description	Habitat Present in/along Project (by County)	Potential to Occur and Affect Species
<b>Bird</b>					
Bald eagle	<i>Haliaeetus leucocephalus</i>	Threatened	Typical nesting habitat is near coastlines or larger rivers and lakes allowing for optimal foraging. Eagles often nest within old-growth forests utilizing the tallest trees or cliffs (CPW 2018b).	No	No
Burrowing owl	<i>Athene cunicularia</i>	Threatened	Dry, open areas with short grasses and limited trees. They nest and live in underground burrows created by prairie dogs, ground squirrels, and badgers (CPW 2018c).	Yes - Both Counties	Yes
Mexican Spotted owl	<i>Strix occidentalis lucida</i>	Threatened	Habitat typically consists of mature, old-growth forest with complex structural components, or narrow cliff-lined canyons. Forest habitat often contains species such as white pine, Douglas fir, and ponderosa pine within steeply sloped canyons with rocky cliffs (USFWS 2012).	Yes – Fremont County	Yes
Plains sharp-tailed grouse	<i>Tympanuchus phasianellus jamesii</i>	Endangered	Habitat consists of rolling hills with scrub oak thickets and grassy glades. Currently exists in the northeastern plains of Colorado (CPW 2014a).	No	No
Whooping crane	<i>Grus americana</i>	Endangered	Wetlands for migratory stopover feeding, along with mudflats around reservoirs and in agricultural areas. The species nests in wetland communities dominated by bulrush (CPW 2014b).	No	No
<b>Mammal</b>					
Black-footed ferret	<i>Mustela nigripes</i>	Endangered	Almost exclusively dependent on prairie dogs within grasslands and shrublands of the eastern plains, the mountain parks and the western valleys of Colorado (CPW 2018d).	Yes – Pueblo County	Yes
Canada lynx	<i>Lynx canadensis</i>	Endangered	Dense subalpine forest, spruce-fir, lodgepole pine conifer forests and dense willow corridors with snowshoe hare generally above 8,000 in Colorado (Ulev 2007).	No	No
North American wolverine	<i>Gulo gulo luscus</i>	Endangered	Boreal and alpine habitat containing persistent snow late into May (USFWS 2013).	No	No
<b>Fish</b>					



Common Name	Scientific Name	State Listing Status	Habitat Description	Habitat Present in/along Project (by County)	Potential to Occur and Affect Species
Arkansas darter	<i>Etheostoma cragini</i>	Threatened	Shallow, clear, sandy streams with spring-fed pools and abundant rooted aquatic vegetation (CPW 2018e)	<b>Yes – Both Counties</b>	<b>No</b>
Greenback cutthroat trout	<i>Oncorhynchus clarki stomias</i>	Threatened	Historically found in the South Platte River basin. Currently, the only genetically pure population of greenback cutthroat trout survives outside of their historic range in Bear Creek, a small tributary of the Arkansas River west of Colorado Springs (USFS 2017).	<b>No</b>	<b>No</b>
Southern Redbelly Dace	<i>Phoxinus erythrogaster</i>	Endangered	Stream channels and off-channel wetlands. Headwaters of low-order streams and in areas of groundwater seepage. Populations documented within small tributaries to the Arkansas River, near Pueblo, Colorado.	<b>Yes – Both Counties</b>	<b>No</b>

Source: CNHP Element Occurrence data (CNHP 2017) and CPW 2018a

## ***Other State Sensitive Species and Habitat***

### ***Species of Special Concern***

Suitable habitat occurs in the vicinity of the Project area for eight state species of special concern. Although species of special concern are not a statutory category, keystone species (i.e., prairie dogs in general) provide suitable habitat for other species that are legally protected by the State of Colorado.

According to CNHP 2017, the species of special concern with historical record of occurrence near the Project area include: black-tailed prairie dog (*Cynomys ludovicianus*), Botta's pocket gopher (*Thomomys bottae rubidus*), pale lump-nosed bat (*Corynorhinus townsendii pallescens*), swift fox (*Vulpes velox*), American peregrine falcon (*Falco peregrinus anatum*), ferruginous hawk (*Buteo regalis*), mountain plover (*Charadrius montanus*), and Colorado checkered whiptail (*Aspidoscelis neotesselata*).

The black-tailed prairie dog, mountain plover, swift fox and ferruginous hawk could occur in open grasslands within the Project area of either county. In addition, the checkered whiptail could occur in grasslands or juniper woodlands of both counties. The pale lump-nosed bat has been historically recorded in both counties but to the north and south of the Project area. If the species occurs, the presence of the pale lump-nosed bat will be restricted by the availability of roosts (i.e., caves, mines, tunnels, and structures) near woodlands.

Botta's pocket gopher has only been recorded to occur near Canon City in Fremont County. The gopher inhabits a wide variety of habitats from valleys to high mountains and agricultural areas, but tends to avoid forested areas. Preferred soil conditions include sand to friable loams and hard clays. Peregrine falcons could forage anywhere within the Project area but are unlikely to nest along the alignment due to the lack of suitable cliff nesting habitat.



Based upon available habitat and recorded species occurrence within the Project vicinity, construction could result in direct and/or indirect effects to all of the mentioned state species of special concern except the peregrine falcon which is unlikely to have suitable nesting habitat within or along the Project area.

### Migratory Birds

The Project area contains potential habitat for many species of migratory birds. The nesting season for most migratory birds is generally April 1 to July 15 in this region with some raptors fledging as late as August (e.g., burrowing owl). The prominent cliffs along the western and central portions of the Project are known to contain seasonal nesting locations for golden eagles (*Aquila chrysaetos*). Golden eagle nesting season in Colorado is generally December 15 through July 15. If construction is planned during the nesting season near a known golden eagle nest site or within suitable habitat, BHE will conduct a nesting survey within a 0.5 mile buffer of the Project alignment to determine the presence/absence of active nests.

If any active eagle or other raptor nests are identified near the Project alignment, construction could be delayed within a spatial and seasonal buffer in accordance with CPW and/or U.S. Fish and Wildlife recommended nesting guidelines, or as established through additional coordination with the appropriate agency. In addition, to minimize impacts to eagles during operation of the transmission line, BHE will follow Avian Power Line Interaction Committee (APLIC) guidelines in the design of the transmission line. Therefore, by implementing due diligence efforts to avoid impacts, BHE does not anticipate the disturbance or “take” of an eagle or other nesting birds as a result of the Project.

### Other Wildlife

Big game habitat occurs in the Project area for four species of ungulates and the black bear (*Ursus americanus*) (CDA 2018). The four species of ungulates include the elk (*Cervus canadensis*), mule deer (*Odocoileus hemionus*), pronghorn (*Antilocapra americana*), and white-tailed deer (*Odocoileus virginianus*).

The black bear’s overall range covers the entire Project area within Fremont County and into Pueblo County. In addition, a narrow section of the black bear’s fall concentration habitat occurs at the western end of the Project area where it crosses Fourmile Creek. A narrow section of elk overall winter range occurs within the Project area at the boundary of Fremont and Pueblo County, but no crucial elk habitat occurs within the Project area. White-tailed deer are known to use portions of the Project area in both counties for their overall range, but do not use any portion of the Project area for crucial habitat. The entire length of the Project area in Fremont County occurs in mule deer severe winter range and pronghorn use a 0.2-mile-long portion of the extreme western end of the Project area for severe winter range.

BHE will implement impact minimization measures during construction in Fremont County where the majority of big game species occur. Special considerations (i.e., lower vehicle speeds and awareness training) will be employed to avoid vehicle collisions.





### Conservation Areas and Associated Sensitive Plants

The CNHP has designated certain areas of the state with high biological diversity or significance as Potential Conservation Areas (PCAs) and has defined a Network of Conservation Areas (NCA) as landscape areas that encompass PCAs with similar species or natural communities as well as ecological processes. NCAs include unoccupied or unsurveyed areas that are within the same ecological system (i.e., suite of vegetation communities) that the species or natural communities require, or that demonstrate connectivity of the landscape. The NCA known as the Arkansas Valley Barrens encompasses the Project area. Within the Arkansas Valley Barrens NCA, several PCAs could be crossed by the Project area depending on the alignment route. Many of the PCAs in the Project area have *high (B3)* to *outstanding (B1)* biodiversity significance, as listed below.

- Beaver Creek PCA (B1-outstanding) – Pueblo and Fremont Counties
- Pumpkin Hollow PCA (B1-outstanding) – Pueblo County
- Canon City Hogback PCA (B2-very high) – Fremont County
- Fourmile Creek PCA (B2-very high) – Fremont County
- Turkey Creek PCA (B3-high) – Pueblo County

Another PCA within the Project area at Brush Hollow Reservoir in Fremont County is of general biodiversity interest (B5).

The Beaver Creek and Pumpkin Hollow PCA's are botanical hotspots and contain four globally imperiled (G2/S2) plant species: round-leaf four-o'clock (*Oxybaphus rotundifolius*), golden blazing star (*Nuttallia chrysantha*), Pueblo goldenweed (*Oenopsis puebloensis*), and Fendler's Townsend-daisy (*Townsendia fendleri*) (CNHP 2018). In addition, several other globally vulnerable (G3/S3) species occur within these PCAs and the greater Arkansas Valley Barrens.

## Conclusion

This assessment determined that the proposed construction of the Cañon West Reliability Project could affect three state listed TES and up to seven state species of special concern. Five big game animals and several global/state rare plants could occur within the Project area. Noxious and invasive plants are expected to occur within the Project area, particularly in Pueblo County.

The effects to state listed TES, state species of special concern, and other sensitive flora and fauna could be significantly reduced or possibly eliminated based upon Project surveys, construction timing, strategic access and pole placement, and other impact minimization and conservation measures.



## **Request for Comment**

HDR respectfully seeks comment from CPW concerning our assessment of potential effects to state listed and managed species. If there are any questions or additional information is required, please contact me at (719) 272-8816 or [andrew.phillips@hdrinc.com](mailto:andrew.phillips@hdrinc.com).

Appreciatively,

Andrew Phillips -- Senior Biologist, HDR Engineering, Inc.

### **Attachments:**

**Attachment A: Project Overview**

## References

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D

The Nature Conservancy  
Letter of Concern





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Seth Boutilier  
Black Hills Energy Corporation  
105 S. Victoria Ave.,  
Pueblo, CO 81003

April 17, 2019

Dear Mr. Boutilier,

I write today to express The Nature Conservancy's concern over a proposed re-route of a Black Hills Energy transmission line over the ranch owned by the Walker family, adjacent to Pueblo West. The potential re-route would cross at least three conservation easements held by The Nature Conservancy (the "Conservancy") near the southeast corner of the U.S. Army's Fort Carson military installation.

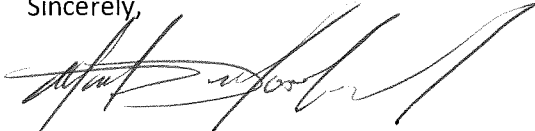
As you are aware, the Conservancy has worked for nearly 20 years with the Walker family, the U.S. Army and the State of Colorado to conserve over 50 square miles of the Walker's extraordinary property. In addition to important prairie and pinon-juniper woodland habitats supporting local populations of large mammals like elk and pronghorn, the Walker Ranch also contains habitat for several rare native plant species known only from a small area of the Arkansas River Valley. These plant species' highest concentrations are found in shale-barren formations within the hills and pinon-juniper woodlands of the Walker Ranch, and specifically in the narrow portion of the ranch adjacent to Fort Carson's southeast corner where the proposed re-route is depicted. The conservation easements held by the Conservancy in this portion of the Walker Ranch were designed to protect these habitats and these species of rare plants, as well as protect the integrity of the Fort Carson military training installation from future adjacent residential development.

The Conservancy is concerned that constructing the proposed re-route could cause significant direct and indirect harm to the habitat and rare plant populations in this area of the Walker Ranch. Direct disturbance to the existing plant populations is of course a risk for major construction projects, but in this instance, we also have significant concerns about potential indirect harm. A major construction project to install the transmission lines in the proposed area of the Walker Ranch could create new vectors for invasive weeds, altered hydrology and erosion that could diminish or eradicate the rare plant populations.

While the rare plant populations have persisted and even thrived under the ranch management practices of the Walker family, the populations are isolated and lack the geographic mobility to adapt to new threats/disturbances. We are concerned that construction of a transmission line in this portion of the Walker Ranch introduces a new disturbance in an area with a high concentration of rare plant populations, increasing the possibility of damage to or loss of the plant populations. Damage to or loss of the populations of rare plants could create new natural resource management problems for the Walkers, the Conservancy, the U.S. Army and the State of Colorado.

The Conservancy has worked to be a valuable partner to the Walker family and to Fort Carson for many years. As a product of that work, we have also quietly provided significant open space, scenic and natural resource benefits to the citizens of Pueblo West and Pueblo County. We hope that Black Hills Energy and Pueblo County will find an alternative pathway to the proposed re-route that avoids impacting the Conservancy easements on this portion of the Walker Ranch and protects the integrity of the habitats that protect the plant populations and generally support the natural resources so important to this region and the State of Colorado.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Moorhead', with a stylized, flowing script.


Matt Moorhead

Director of Business Development and Strategic Partnerships  
The Nature Conservancy in Colorado



Pueblo County Department of  
Planning and Development  
229 West 12th Street  
Pueblo, CO 81003  
719-583-6100

**RECEIPT**

TRANSACTION: 5183  
DATE: September 19, 2019  
RECEIVED FROM: Seth Boutilier, Black Hills Energy  
FOR: 1041 2019-003  
Application Fee  
HOW PAID: Check  
CHECK NUMBER: 0000702873  
RECEIVED BY: Gail L. Wallingford-Ingo, Interim Director 

RECEIPT	FEE TYPE	UNITS	UNIT DESCRIPTION	DESCRIPTION	DOLLARS
6227	Application	1		Activity Permit - Application Fee	\$5,000.00

TOTAL \$5,000.00

# 1041 PERMIT NO. 2019-003

11-19-2019 Staff Report

2 pages total



## PUEBLO COUNTY

C O L O R A D O

Engineering and Public Works Department

David Benbow  
Interim Director

TO: Gail Wallingford-Ingo, Interim Director  
Department of Planning & Development

THRU: David Benbow, Interim Director of Engineering & Public Works 

FROM: Dominga Jimenez-Garcia, General Services Engineer 

DATE: October 29, 2019

SUBJECT: House Bill 1041 Permit No. 1041 – 2019-003

**BCC  
EXHIBIT**

2

11-26-2019

The applicant requests approval of a Permit pursuant to Pueblo County's Regulations for Areas and Activities of State and Local Interest (1041 Permit) for a 115-kilovolt electric transmission line. The transmission line would start in Pueblo West and traverse toward Cañon City. The proposed Cañon West Reliability Project will occupy a 125-foot wide right-of-way, crossing about 16.9 miles of land in Pueblo County on lands in the A-1 Agricultural, S-1 Public Use, and I-2 Industrial Zone Districts. In Pueblo County, all of the proposed line is to be built: (1) in existing utility easement corridors that are intended to be used for projects exactly like this one and which BHE has an existing "use by right", (2) on Walker Ranch where there is approval from the landowner; and (3) in an easement that is located on property owned by the Pueblo West Metropolitan District located near the Pueblo West Industrial Park. The overhead transmission line will be constructed within the existing Wild Horse Creek and West Station utility corridors; structures will be between 70-90 feet high and spaced about every 500 feet. Structures in the industrial park area will be steel tangent monopoles that are between 90-105 feet high. The wood H-frame structures will be 60 - 80 feet high and spaced about every 600 feet.

The proposed 115 kV electric transmission line will cross Stone City Road, a County road right-of-way. The applicant is required to apply for an access permit and excavation permit with the Department of Engineering and Public Works and comply with the conditions of those permits. The access permit is for access from every County road that would be used to access the project and the excavation permit will be for crossing County right-of-ways. Through an intergovernmental agreement between Pueblo County and the District the review of the transmission line in Pueblo West is under the purview of the District and they should be solicited for comments.

This area is located outside our current stormwater permit area; however, any disturbance over one (1) acre will require a stormwater permit from the Colorado Department of Health and Environment. A copy of the approved storm water permit and stormwater management plan if

required shall be submitted to the Department of Engineering and Public Works. The project area within Pueblo West will require a stormwater management plan through the Pueblo West Metropolitan District Public Works Department.

The proposed transmission line route and structures do not appear to create a concern for the County drainage or transportation infrastructure along the proposed route; therefore, this department does not oppose the application.

c: Mr. Seth Boutilier, Project Manager, Black Hills Energy  
Ms. Pamela McWharter, Project Manager, HDR Engineering, Inc.  
Shawn Winters, Interim Director of Public Works, Pueblo West Metropolitan District

**BCC  
EXHIBIT**

2 (con't)

11-26-2019

November 12, 2019

Ms. Gail Wallingford-Ingo  
Pueblo County  
Department of Planning and Development  
229 W. 12<sup>th</sup> Street  
Pueblo, CO 81003



(VIA EMAIL)

Subject: House Bill 1041 Permit No. 1041 - 2019-003

Dear Ms. Wallingford-Ingo,

The Pueblo West Metropolitan District's Public Works and Utilities Departments have reviewed the above referenced case. As such, we have the following comments as follows:

Public Works Department:

1. Pueblo West Metropolitan District (PWMD) has been mandated to enforce an MS4 Permit through the State of Colorado. In order to ensure enforcement of this permit, PWMD passed Resolution 1835 on May 12, 2009. This resolution establishes the requirement for, but not limited to, the enforcement inspection of projects that disturb 1-acre or more. As such, all projects exceeding the disturbance requirements as part of their overall plan will be required to submit evidence of a NDPES Permit and submit for review a Stormwater Management Plan (SWMP). The applicant shall be responsible for all relative inspection fees.
2. Through an intergovernmental agreement with Pueblo County, the District will require at any locations where activities cross public right-of-way, a Right-of-Way Use Permit. This permit will require, but not be limited to documentation of a Contractor's License, Insurance and Traffic Control Plans as necessary. The applicant shall be responsible for all relative inspection fees. The permit can be found as follows:

<https://pueblowestmetro.com/DocumentCenter/View/1892/2019-ROW-USE-PERMIT--FEE-SCHEDULE>

**1041 PERMIT NO. 2019-003**

11-20-2019 Staff Report

2 pages total

**BCC  
EXHIBIT**

3

11-26-2019



Utilities Department:

Pueblo West Utilities has both water and wastewater infrastructure in the proposed project areas. Pueblo West Utilities expects a full Subsurface Utility Engineering Quality Level A survey of the proposed project area to protect and avoid water and wastewater infrastructure.

Please contact Shawn Winters, Interim Public Works Director, at 719-547-5064 or Jeffrey DeHerrera, Interim Utilities Director, at 719-547-5044 with any questions or comments.

Sincerely,



Jeffrey DeHerrera

Interim Utilities Director

Ec      File

**BCC  
EXHIBIT**

3 (con't)

11-26-2019

Gail Wallingford-Ingo  
Interim Planning Director  
Pueblo County Dept. of Planning and Development  
229 W. 12<sup>th</sup> St.  
Pueblo, CO 81003

## 1041 PERMIT NO. 2019-003

November 12, 2019

11-20-2019 Staff Report

Dear Ms. Wallingford-Ingo,

I am writing to provide comments to the pending 1041 permit application 2019-003 for Black Hills Energy's proposed transmission project. The preferred alternative for the project is slated to cross land conserved by The Nature Conservancy (the Conservancy) under a conservation easement funded by the U.S. Department of Defense.

By and large, the permit application appears to adhere to the routing and implementation recommendations made to Black Hills Energy's project team by the Conservancy and ecologists familiar with the easement property and the suite of rare plants and other conservation priorities that reside there. However, the Conservancy does have some minor requests for the permit. Those requests are as follows:

- While the permit application notes that there are Conservancy easements in the preferred and some alternative routes, we request that the body of the permit have more detailed acknowledgement of the presence of the easement(s) and their purpose to protect populations of rare plants. The section on page 36 (Conservation Areas and Associated Sensitive Plants) appears to be an appropriate place to note not only the biological resources but the active efforts to protect them through the easement held by the Conservancy.
- Protection and management of the habitat on the transmission line right-of-way requires that invasive species (weeds) be mapped, monitored, and, if necessary, controlled post-construction. Black Hills Energy expressed an intent and willingness to do so for the Walker Ranch and the easement held by the Conservancy. The permit should note this.
- The Conservancy also requests that the permit note that Black Hills Energy will consult with the Conservancy and the Walkers about any seed mixes utilized on the easement property for restoration as needed.

Thank you for your attention in this matter. Please feel free to contact me with any questions.

Sincerely,

Matt Moorhead  
The Nature Conservancy  
Director of Business Development & Strategic Partnerships

**BCC  
EXHIBIT**

4

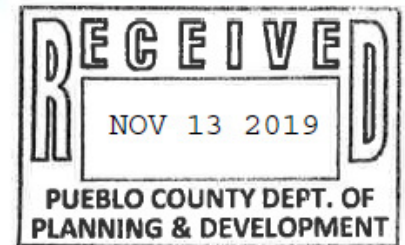
11-26-2019

cc. Mr.Seth Boutilier (Project Manager), Ms. Pamela McWharter (Project Manager)



**Pueblo West**  
COLORADO

1041 2019-003



November 13, 2019

Ms. Gail Walingford-Ingo  
Pueblo County  
Department of Planning and Development  
229 W. 12<sup>th</sup> Street  
Pueblo, CO 81003  
*Sent Via E-Mail Only* [gailwi@pueblocounty.us](mailto:gailwi@pueblocounty.us)

RE: 1041 Permit Application No. 1041-003

Dear Ms. Walingford-Ingo:


The Pueblo West Metropolitan District Board of Directors has reviewed the above referenced 1041 Permit No. 1041 - 2019-003 application. The Board of Directors submits the following comments for your review.

The applicant has requested approval of a permit for a proposed line to be constructed in an easement that is located on property owned by the Pueblo West Metropolitan District located near the Pueblo West Industrial Park, referred to as the West Station utility corridor, with structures 70-90 feet high and spaced about every 500 feet.

The Board of Directors has concerns regarding the necessity of Black Hills Energy's application as it relates to the construction near the Pueblo West Industrial Park. Apart from a brief presentation to the Board of Directors in the summer of 2019, Black Hills Energy has made no further presentation to the Board of Directors regarding the expansion of the easement and whether this is part of a future sub-station development project.

Therefore, at this time the Board of Directors would oppose approval of the application until Black Hills Energy's intent regarding the West Station utility corridor is further defined.

Sincerely,

  
Doug Proal  
President, Pueblo West Metropolitan District

**1041 PERMIT NO. 2019-003**

11-20-2019 Staff Report

cc: Pueblo West Metropolitan District General Counsel  
Pueblo West Metropolitan District Board of Directors

**BCC  
EXHIBIT**

5

11-26-2019

# **BCC EXHIBIT 6**

(29 total pages)

## **1041 PERMIT NO. 2019-003**

### **LETTERS, EMAILS AND PETITION IN OPPOSITION**

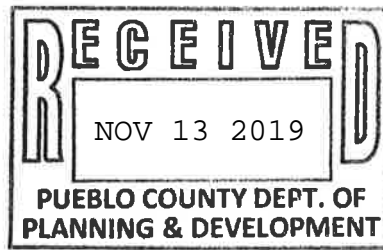
- Letter from John & Ann Kosovich & Children
- Letter and Photographs from Kathleen Mikatich
- Letter and Photographs from Pamela A. Kuhrt
  - Email and Petition from Pamela A. Kuhrt

11-20-2019 Staff Report

**BCC  
EXHIBIT**

6

11-26-2019



1041 2019-003

Nov. 12, 2019

To: Pueblo Board of County Commissioners  
From: John & Ann Kosovich & children  
Subject: 2019 1041-003, Black Hills Energy proposed Transmission Line

Dear Board,

My wife, children, and I recently moved from the Denver area to a beautiful home on 2 acres of land in Pueblo West. After working for 33<sup>+</sup> years in busy & crowded Denver, we semi-retired here in P.W. to get back to our roots (I am from the Trinidad area, and my wife is from Cañon City). We found a home with a gorgeous, open view of the Spanish Peaks, Sangre de Cristos, and the wet mountains miles away across a beautiful open stretch of high desert Great Plains. We spent a premium price for this house and land, having been told that the Pueblo West Metro District (PWMD) easement adjoining our property would not be developed further.

To our shock and great disappointment, we then discovered that Black Hills Energy had tried to put a large Power Transmission line close to our property in 2018, but this was rejected by the Board later in 2018. Now, Black Hills is coming back for approval of a new route that joins our (and many of our neighbors') backyards with the same above-ground line. We don't want this to happen!

BHE has merely changed the location of their 2019 route to take advantage of PWMD easements along Wildhorse Creek in Pueblo West.

Letter from your Board to BHE Denying their application: It's the same thing now in 2019 except for a new corridor along an unspoiled, fantastic view shed and recreational <sup>that</sup> area will be spoiled forever with Transmission lines. We respectfully ask that you carefully examine the 2019 1041-003, and give it the heave-ho it deserves!

Value will significantly decrease if these power lines are built. Thank you!

Sincerely,  
John Kosovich      Ann Kosovich      Lisa Kosovich      (Kate Kosovich)  
John Kosovich      (Ann Kosovich)      (Lisa Kosovich)      Kate Kosovich  
270 E. Parkridge Dr., Pueblo West



# Wildhorse Creek Easement

**Views of Spanish Peaks, Sangre de Cristos/Culebra Range, and Wet Mountains**

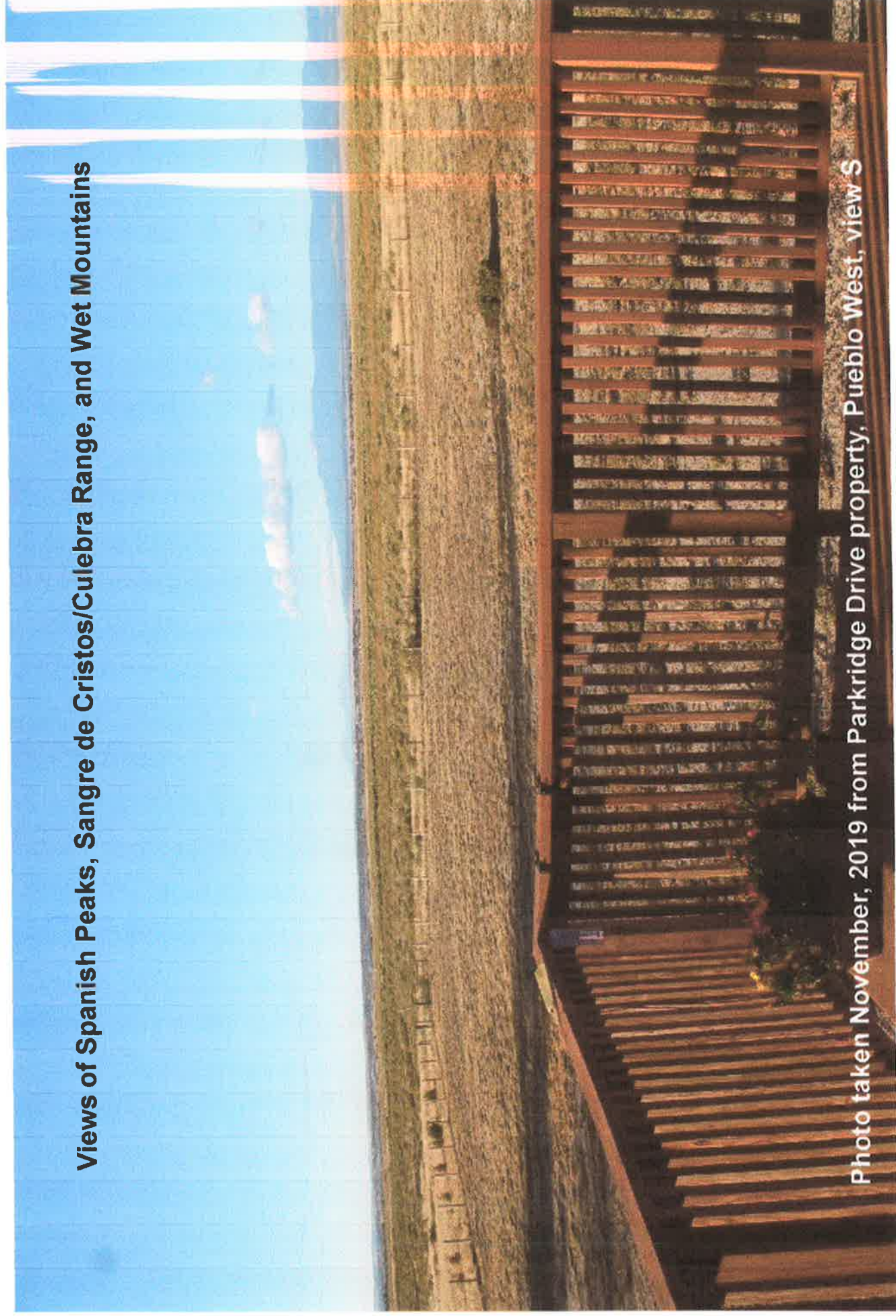
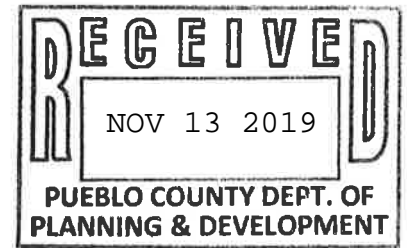


Photo taken November, 2019 from Parkridge Drive property, Pueblo West, view S



November 13, 2019

Dear County Commissioners,



I am writing this in concern of the proposed Permit #1041 2019-003. Again, Black Hill's Energy is trying to construct 115kV power lines through our neighborhoods in Pueblo West North. The proposed route not only impacts more residence than in 2018 but disrupts the ecosystems and upheaval of lands in our area. The reason many homeowners buy in Pueblo West is because of wanting to retire here with the serenity of views of Pikes Peak, the Wet Mountains and Spanish Peaks. Black Hill's plans are not in sequence of the kind of lifestyle neighbors here ever thought would happen. Just take a drive out here from Highway 50, or E. Platteville to Purcell and you will already see a web of power lines. Keep power lines in existing corridors, only if needed.

Second, that kind of power, 115kV transmission lines, are not needed in residential neighborhoods. We all know that the power is solely for Canon City and beyond. There is no good reason why this should be happening in Pueblo West yet again.

Please honor our wishes and turn down the proposed permit and do what's right for Pueblo West. We want people to be able to live and build out here without the constant threat of the obstruction of views, health concerns, decreased property values and most importantly, Pueblo West all going up in smoke due to downed powerlines in high winds. A good example of that is what happened in California last year and just recently.

The idea of power lines running though residential properties and S1 land that is not designated for that, is not within the guidelines of our Comprehensive Plan for Pueblo West.

Thank you for taking my perspective into consideration.

Sincerely,

A handwritten signature in cursive script that reads "Pamela A. Kuhrt".

Pamela A. Kuhrt

1237 N. Parkridge Dr.  
Pueblo West 81007



November 13, 2019



Pueblo County Commissioners:

Terry Hart

Garrison Ortiz

Chris Wiseman

Re: Black Hills Energy 1041 2019-003

Gentlemen:

My name is Kathleen Mikatich owner of property located at 242 E Parkridge Drive in Pueblo West. My property is one of many that will be highly impacted if this permit is approved.

Your decision on this project will be "Ever Lasting" for some and "Life Changing" for others.

My late husband Nick and I purchased this property at a premium price because of its vista views of Spanish Peaks, Greenhorn Mountain and the Wet Mountains. We made this purchase and had our home built just prior to our retirements 13 ½ years ago. A beautiful place for our retired years. We have been residents of Pueblo West since 1973 and are native Puebloans.

Most of my neighbors are senior citizens and like me purchased their properties at a premium price because of the esthetics of the properties. A special place to spend our retirement years. Spectacular panoramic views of the mountains, Pueblo West and Pueblo Skylines, UNOBSTRUCTED.

Nobody wants this in their backyard. Black Hills Energy has proven time and again they are a Corporation that cares only for their bottom line, whatever damage or expense that may cause their users to incur means nothing to them. Hike the rates, gouge the community they have no other choice for electrical service is their mantra. Black Hills Energy could bury the lines if they had any compassion or decency for their users.

What will be gained if this application is approved. There will only be two parties to benefit from this applications approval and one party that will pay dearly. Only Black Hills Energy and the Walker family will benefit, the Pueblo West residents will lose.

**Black Hills Energy will receive:**

- More assets to entrench themselves in Pueblo County
- Another reason to again gouge the community with a rate hike (somebody must pay for their projects even if you don't benefit from them)

**Walkers will receive:**

- A prime payment package for access to their property (a Mil plus) and maybe more if Black Hills doesn't treat his property with white gloves, he'll sue as history shows and get a larger settlement yet.
- New scratching posts for their cattle, they'll love it
- Guarantee that these lines will be no where near their home, their lifestyle will not be affected

**Pueblo West Residents will lose:**

- Property esthetics will be gone
- Our quality of life diminished
- Fire hazard, as has been proven by the recent California fires
- Property values will decrease as will those around us.
- Potential Health issues, with powers lines much too close at 300 feet
- Some residents will have to move because their current health issues prevent them from being in that environment
- Noise pollution from the constant buzzing of the large electrical cables and their interference with our televisions, computers and other home devices

I urge you to decline this application. There are other routes that are available. There are other ways to accomplish this project if it is so important, BURY THE LINES. Black Hills Energy needs to stop pretending that the community matters and do something that really shows the community they service and the community that pays their wages and pumps money into their bottom line and profits that they are more than a greedy corporation. So far, their actions and their ads ring very hollow.

Again, I ask you to please reject this damaging application by Black Hills Energy. This will impact well more people and families than they would have you believe. For those of us on Parkridge Drive, it will change our quality of life forever.

Sincerely,

A handwritten signature in cursive script, appearing to read "K. Mikatich".

Kathleen Mikatich  
242 E Parkridge Drive  
Pueblo West, Co 81007

Enclosures (2)

242 E Parkridge Drive

Pueblo West, Colorado

Property Owner: Kathleen Mikatich

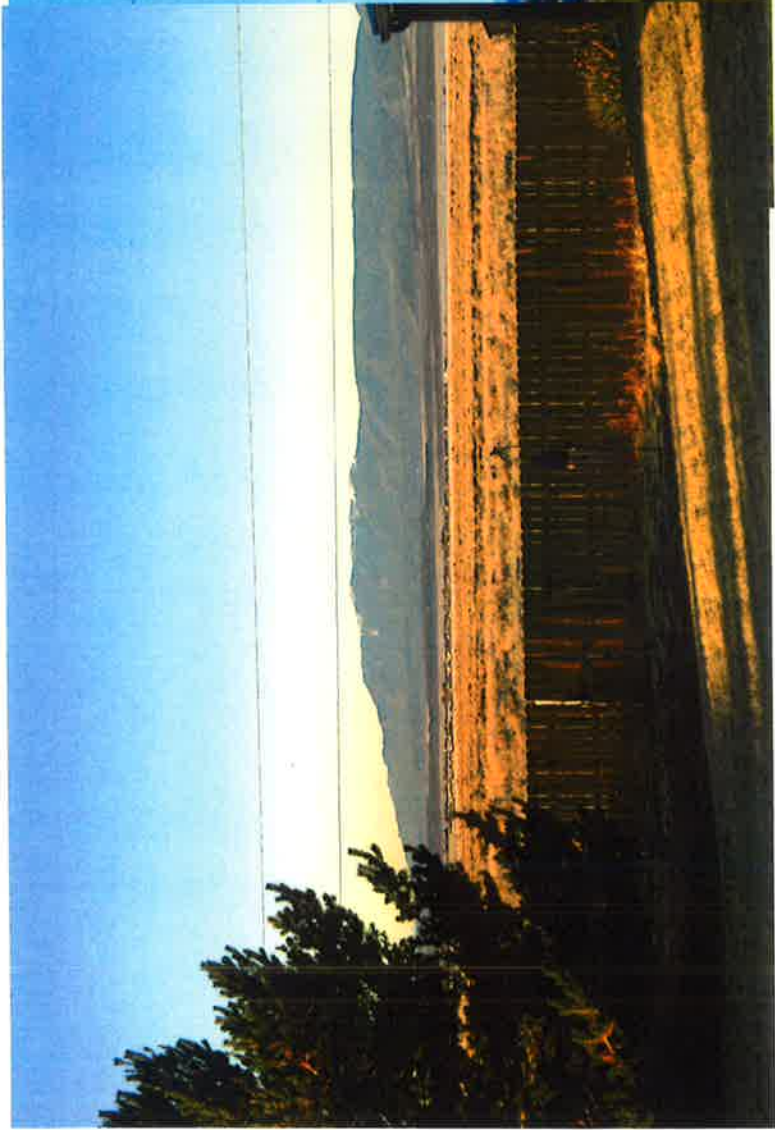
UNOBSTRUCTED VISTA VIEWS seen 365 days a year  
from my back patio:

SPANISH PEAKS

GREEN HORN MOUNTAIN

WET MOUNTAINS









242 E Parkridge Drive

Pueblo West, Colorado

Property Owner: Kathleen Mikatich

If the Black Hills Energy project track behind Parkridge Drive is approved our PRISTEEN VIEWS WILL BE OBSTRUCTED. Parkridge properties will be highly impacted, our prime properties, because of our vista views, will lose value and marketability.

Would you buy our properties after they are marred by massive steel towers and massive H frame wood towers for your retirement home?









## **Wallingford-Ingo, Gail**

---

**From:** Pamela A Kuhrt <pkuhrt61@outlook.com>  
**Sent:** Sunday, November 17, 2019 9:19 PM  
**To:** Wallingford-Ingo, Gail  
**Subject:** Re: Notice of Public Hearing Permit no. 1041 2019-003

Dear Ms. Wallingford-Ingo,

Thank you for submitting our letters and documents to the final staff report.

I am happy to explain the petition signatures that I dropped off at your office on November 13th. Some of the pages were collected last year for Permit #1041 2018-002 and since the new permit 2019-003 is of similar nature, including the proposed route, I resubmitted some of the forms with reference to this years filing.

I went door to door last year and spent many days speaking to residences who would or would not be directly affected and the citizens who signed the petitions did so willingly. I explained that this is not just a "not in my backyard" issue, but a concern for Pueblo West citizens as a whole. I just gave neighbors the facts as I knew them and then citizens signed the petition form so that their opinions would be recognized. I am the circulation resource for the petitions that were submitted.

I carry with me, informational fliers that explain community meetings and the Notice of Public Hearing(s). These were handed out to interested parties if they were unaware of the proposal. I also informed people of the Planning and Development website to find out more information about the 1041(s).

Some of the petition pages are signatures from neighbors of Pueblo West that came to various meetings this year and last. I had petition and email forms available for citizens to sign at all of these meetings. How people were informed of community meetings and any other meetings of interest was through a collected email list and from posting on Pueblo West Facebook sites and Nextdoor, a free private social network for neighborhood communities.

I hope this answers your questions and please feel free to contact me with any other concerns.

Sincerely,

Pamela A. Kuhrt

**From:** Wallingford-Ingo, Gail <gailwi@pueblounty.us>  
**Sent:** Saturday, November 16, 2019 10:21 AM  
**To:** Pamela A Kuhrt <pkuhrt61@outlook.com>  
**Subject:** RE: Notice of Public Hearing Permit no. 1041 2019-003

Good Morning Ms. Kuhrt:

Thank you for providing the information that was dropped off on Wednesday, November 13<sup>th</sup>. I will make sure to incorporate the documents into the final staff report.

Can you please provide me some additional information regarding the petition you submitted, including:

Who circulated it?

Were the comments solicited on a door to door basis or at a specific location?



## Wallingford-Ingo, Gail

---

**From:** Wallingford-Ingo, Gail  
**Sent:** Saturday, November 16, 2019 9:22 AM  
**To:** Pamela A Kuhrt  
**Subject:** RE: Notice of Public Hearing Permit no. 1041 2019-003

Good Morning Ms. Kuhrt:

Thank you for providing the information that was dropped off on Wednesday, November 13<sup>th</sup>. I will make sure to incorporate the documents into the final staff report.

Can you please provide me some additional information regarding the petition you submitted, including:

Who circulated it?

Were the comments solicited on a door to door basis or at a specific location?

Was there was a cover letter or summary provided to the parties who did sign the petition?

Since these types of questions are usually asked of staff, I would like to be able to include the information in conjunction with the reference to the petition.



Gail L. Wallingford-Ingo  
Deputy Director / Interim Director  
Department of Planning and Development

Department of Planning and Development  
229 West 12<sup>th</sup> Street  
Pueblo, CO 81003  
719.583.6100 (main)  
719.583.6376 (fax)  
[gailwi@pueblocounty.us](mailto:gailwi@pueblocounty.us)  
<http://county.pueblo.org/planning>

**Notice:** All information, including emails, submitted to Pueblo County Department of Planning and Development is considered public record and is therefore available for public review.

**From:** Pamela A Kuhrt [mailto:pkuhrt61@outlook.com]  
**Sent:** Tuesday, October 29, 2019 4:36 PM  
**To:** Wallingford-Ingo, Gail <gailwi@pueblocounty.us>  
**Subject:** Re: Notice of Public Hearing Permit no. 1041 2019-003

Dear Ms. Wallingford-Ingo,

Thank you for your email. It is good information and I'll pass it on to members of our group. Please let me know if you hear from Black Hill's regarding a more descriptive map. When your department generates a map

# Black Hills Energy 115 kV Transmission Line Petition

Permit 1041 2019-003

RECEIVED  
NOV 13 2019  
PUEBLO COUNTY DEPT. OF  
PLANNING & DEVELOPMENT

[illegible]

# Black Hills Energy 115 kV Transmission Line Petition

Permit # 1041 2019-003

Printed Name & Signature	Address	Oppose/Approve	Reason
Patricia L. Johnson <i>Patricia L. Johnson</i>	215 E. Longmont Dr. Pueblo West, CO	oppose	noise, deterioration, property value decrease
Bruce Kelt <i>Bruce Kelt</i>	371 E. Fredonia Dr. PW 81007	oppose	Property Value
James G. Herbertson <i>James G. Herbertson</i>	68 E Lyons Dr. PW 81007	oppose	Property value
Kathy Gilbertson <i>Kathy Gilbertson</i>	" "	oppose	" "
William L. Lange <i>William L. Lange</i>	17 E Lyons Dr 192 N. AERILL	" "	" "
Ralph Henshin <i>Ralph Henshin</i>	207 N. AERILL DR	" "	" "
Robert L. Moore Jr <i>Robert L. Moore Jr</i>	1215 N. Parkridge DR	oppose	
Tamara R. Moore <i>Tamara R. Moore</i>	1285 N. Parkridge Pueblo West CO 81007	oppose	Health Hazard To me & mine
Darryl Clark <i>Darryl Clark</i>	839 N. MAY DR PUEBLO WEST, CO 81007	oppose	PROPERTY VALUE, LIFESTYLE - VIEW

## Permit # 1041 2019-003

[illegible]

# Black Hills Energy 115 kV Transmission Line Petition

Permit # 1041 2019-003

Printed Name & Signature	Address	Oppose/Approve	Reason
Robin Eddy	608 E Idledale	OPPOSE	PROPERTY VALUE! NOT IN MY BACK YARD!!
Sheri A Ackerman	329 N. Longmont Rd	OPPOSE	LOSS OF VIEW, Health Issues, EMF interference with TV property value
JAMES LIWO	256 E LONGMONT	OPPOSED	BLOCK VIEW HEALTH CONCERNS PROPERTY VALUES
Michelle Liwo			
Thomas J. Perkins	185 E Auburn Ave Pueblo West, CO 81007	Opposed	Block View: aesthetics & health issues
Chandra Fassett	671 N MATH DR	OPPOSED	Property value decrease, cancer ↑
Steve FASSETT	Pueblo West CO 81007		
JOE CORRO	6063 N. MATH DR	OPPOSED	PROPERTY VALUES WILL GO DOWN
Katy Corro	P.W. 81007		
Jeanne Fante	690 E. Paseo Durandix.	OPPOSE	Block View - unnecessary!
Shane Eddy	PW CO 81007		
Shane Eddy	608 E IDLEDALE	OPPOSE	PROPERTY VALUE - EYESORE - HEALTH ISSUES

## Permit #1041 2019-003

- Value of Property  
- Damage to Life - Value of Contents



## Permit #1041 2019-003

[illegible]

Permit #1041 2019-003

[illegible]

# Black Hills Energy 115 kV Transmission Line Petition

Permit # 1041 2019-003

Printed Name & Signature	Address	Oppose/Approve	Reason
Matthew Jackson <i>Matthew Jackson</i>	871 N Matt Dr	Oppose	Blocked View / health
Shari Clark <i>Shari Clark</i>	839 N Matt Dr.	Oppose	Very close to house, health, Blocked View
Thomas Johnson <i>Tom Johnson</i>	815 N. Matt Dr	Oppose	Block View
Vehma Madrid <i>Vehma Madrid</i>	478 E McLave Dr	oppose	Block View
Elizabeth Mielke <i>Elizabeth Mielke</i>	1261 N. Parkridge Dr. 81007	oppose	decreased property value blocked view, health hazard
Don Armstrong <i>Don Armstrong</i>	196 E Hancock	oppose	Block View
<del>Karen Hine</del> <i>Karen Hine</i>	314 N. Longmont Dr	oppose	decrease property value
John Hine <i>John Hine</i>	313 N. Longmont Dr.	oppose	decreased property value Blocked Views Health Hazard
Lori Rey Gutierrez <i>Lori Rey Gutierrez</i>	306 N. Lyons Dr	oppose	decreased property values Block View more dust, noise
Rheba L. Olivares <i>Rheba L Olivares</i>			



# Black Hills Energy 115 kV Transmission Line Petition

Permit 1041 2019 003

Sign 4/2

Printed Name	Address	Oppose/Approve	Reason
David Haweck	284 E. Parkridge Dr.	oppose	Esthetics, health property values
Jan Kowecsi	"	oppose	"
Sandra Oshier	270 E Parkridge Dr.	oppose	devalue property
Grant Oshier	270 E Parkridge	oppose	
Thomas R. Haynie	326 E. Parkridge Drive	oppose	devalue property property value Health
Chris McGowan	1237 N. Parkridge Dr. Pueblo West, CO 81007	oppose	Obstruction of Views and de-value of properties.
Tomalad. Kubat	1237 N. Parkridge Dr.	oppose	Obstruction of beautiful vistas and views from our new deck.
Amela G. Kubat	P.P.W. 81007	oppose	De-value of home & destruction of Ecosystem & wildlife. Conserving.
Mark C. Kubat	1237 N. Parkridge Pueblo West, CO 81007	oppose	Health - devalue of my Property + my views.

# Black Hills Energy 115 kV Transmission Line Petition

Permit 1041 2019-003

Sign &

Printed Name	Address	Oppose/Approve	Reason
LAMAR MC MILLAN	1287 N Gaultsford Ave Pueblo CO 81007	OPPOSE	Property Value Views Health
Robert J. Eaglin 719-543-1178	1286 N. Gaultsford Ave Pueblo West CO, 81007	OPPOSE	Health Concerns, Property Value, Views, Power Line Noise
ROBERT ULIBARRI	1250 N. Gaultsford Ave Pueblo West CO 81007	OPPOSE	Views, Health Concerns
Izel Clark	1239 North Gaultsford Pueblo West CO 81007	OPPOSE	Property Value Views
Neil Womach	1227 Gaultsford Pueblo West CO 81007	OPPOSE	Not be place with our area.
Phyllis Womach	1227 Gaultsford Pueblo	OPPOSE	Not be place with our area
Liz Meppner	1215 N Gaultsford Ave.	opposed	Property Value.
Lorelei Balderston	233 E Longmont Dr.	oppose	Property Value, View, can trench underground
Kelly Balderston	233 E Longmont Dr	OPPOSE	Fire Hazard Property Value Health View
ROBERT WANDER	863 N. W. H. Dr.	OPPOSE	PROPERTY VALUES - <del>ESTATES</del>



# Black Hills Energy 115 kV Transmission Line Petition

Permit 1041 2019-003

Printed Name	Address	Oppose/Approve	Reason
Tam + Bruce 354 N. Parkridge →		Oppose →	
Evelyn 186 N. Parkridge →		Oppose →	
Shirley Loewen 17 E Aurora		Oppose	I don't want it. Why does life have to be this way. Go down hill 50.
Sunny Davis		OPPOSE	I came to Colorado to see the mountains, not power lines.
NATHAN KOELEN	1069 RANCH	OPPOSE	Home value decrease & Block view
Red Ruyter	122 E PARKRIDGE	oppose	Home Value & View - Ruined
Franklyn Orter	1249 N. PARKRIDGE	oppose	
Janis Kawecki/Dave	284 E Parkridge Dr	"	janiskawecki@gmail.com

**Black Hills Energy 115 kV Transmission Line Petition  
Permit 1041 2019-003**

Signatures

Printed Name	Address	Oppose/Approve	Reason
THOMAS FRAZER	1678 E. Buffalo Lane	OPPOSE	Eye Sore
Marniah Delick	598 E. Marigold Dr.	OPPOSE	ruining aesthetics of land
MELVIN MAUROSE	228 E Parkridge Dr	OPPOSE	EYE SORE - HEALTH HAZARD
Heidee Manrose	228 E Parkridge Dr	Oppose	Eye Sore - Health Hazard
MAT MAUROSE	228 E Parkridge Dr	Oppose	Eye Sore - Health Hazard
KATHLEEN MIKATICH	242 E Parkridge Dr	Oppose	Ruins the Aesthetics of Land Did not purchase property to see power poles -
Myranda Weper	158 E Parkridge Dr	oppose	eyesore, hazard prop value due to view
JOYCE THOMPSON	130 E PARKRIDGE DR.	OPPOSE	BOUGHT property because of views, privacy and safety. DONOT WANT that compromised.
Mildred Vasquez	63 E Parkridge Dr.	Oppose	Just dont want it looks so ugly!!
Shelley Rizzo	201 E Parkridge Dr	oppose	ugly, unwanted!

## Permit 1041 2019-003

Wings &

[illegible]

## PUEBLO COUNTY ZONING PROOF OF COMPLIANCE

Black Hills Energy, Pueblo West Metropolitan District, and Gary R. and Georgia A. Walker, (Owners), Seth Boutilier, Project Manager, Black Hills Energy (Applicant), HDR Engineering, Inc., c/o Pamela McWharter, Project Manager (Representative), 115-kilovolt Electric Transmission Line in Unincorporated Pueblo County  
Applicant, Address of Premises Involved

House Bill 1041 Permit No. 1041 2019-003  
Zoning Action Number

I, Gail L. Wallingford-Ingo, Pueblo County Interim Zoning Administrator, as Secretary of the

_____	(1) Pueblo County Planning Commission
<u>      x      </u>	(2) Board of County Commissioners
_____	(3) Pueblo County Zoning Board of Appeals

do hereby certify that I gave notice of the above numbered and designated hearing by depositing the same in the United States mail on October 17, 2019, to the following owners of real property and other persons as provided in the Pueblo County Code, Title 17, at the following addresses:

(Applicant), Seth Boutilier, Project Manager Black Hills Energy, 105 South Victoria Avenue, Pueblo, CO 81003

(Representative), HDR Engineering, Inc., c/o Pamela McWharter, Project Manager, 1670 Broadway, Suite 3400, Denver, CO 80202

505003001, Giffing, Russell W., 325 North Benito Drive, Pueblo West, CO 81007-1181

505003002, Osting, Erin M., 2523 Funston Street, Hollywood, FL 33020-5837

505003003, Jensen, Robert H. & Valerie J., 388 Beartooth Drive, Stevensville, MT 59870-6277

505003004, Zamora, Michael J., 6465 Highline Place, Colorado Springs, CO 80908-3338

505003005, Steele, Verle A. Life Estate, 309 North Benito Drive, Pueblo West, CO 81007-1181

505003006, Reese, Nina Beth, 303 North Purcell Blvd., Pueblo West, CO 81007-1172

505005005, Parker, Ronald A. & Vona J., 1058 East Sequoya Drive, Pueblo West, CO 81007-1118

505005007, Proctor, C.T., P.O. Box 3430, Pueblo, CO 81005-0430

505005019, Gillespie, Danial J. & Megan, 1064 East Sequoya Drive, Pueblo West, CO 81007-1118

505005020, Custom Villas II, Inc., 17580 Chipped Arrow Way, Monument, CO 80132-8514

505005025, Balchuck, Steven T., 1349 28th Lane, Pueblo, CO 81006-9610

505005031, Rivera, Ryan A. & Marcella B., 5848 West Ken Caryl Place, Littleton, CO 80128-9002

505010006, Zech Buys Land, LLLC, 445 East Cheyenne Mountain Blvd., Suite C 180, Colorado Springs, CO 80906-4560

505010009, Padilla, Adam T. & Frances, P.O. Box 9021, Pueblo, CO 81008-0021

505010010, Bastin, Stuart D. & Pearl A., 1066 East Marengo Drive, Pueblo West, CO 81007-1258

505010011, Custom Villas II, Inc., 17580 Chipped Arrow Way, Monument, CO 80132-8514

505010013, Trujillo, David J., Jr., 1057 East Sequoya Drive, Pueblo West, CO 81007-1130

505010014, Salas, James & Tina, 1045 East Sequoya Drive, Pueblo West, CO 81007-1130

505011008, DeHaven, Bruce II & Bruce, 954 East Desert Cove Drive, Pueblo West, CO 81007-6500

505011015, Zaggy, Carolyn S., 10770 Roedel Road, Frankenmuth, MI 48734-9130

505011016, Montiel, Rigoberto, 20 Taos Road, Pueblo, CO 81001-1541

505014007, Saul, Moises G., 1246 Levinson Street, Torrance, CA 90502-1855  
505014008, Deppe, James M., 2500 North Desert Links Drive, Apartment 2107, Tucson, AZ 85715-3750  
505015001, Dampier, Billy R., 298 North Purcell Blvd., Pueblo West, CO 81007-1169  
**505015002, Black Hills Colorado Electric, P.O. Box 1400, Rapid City, SD 57709-1400**  
505015005, DeFoe, Marcella H., 211 South Spaulding Avenue, Pueblo West, CO 81007-1885  
505015006, Thompson, Kenneth P. & Bonnie L., 11867 Lawndale Drive, Parma Heights, OH 44130-4215  
**505015007, Pueblo West Metropolitan District, 109 East Industrial Blvd., Pueblo West, CO 81007-1404**  
505015008, Daniel, Myer S. & Kim R., 1206 Pelham Street, Norfolk, VA 23505-3166  
505015009, Koller, Nathan J. & Misty M., 1069 East Ranch Drive, Pueblo West, CO 81007-1183  
505015023, Hildreth, Christopher A., 1102 East Orchid Drive, Pueblo West, CO 81007-1098  
505015024, Lehman, Charles R. & Dianne C., 27 Greendale Cres, Kitchener, ON N2a-2r5, Canada  
505015025, Schaden, Evelyn T. & Paul H., 158 Flat Rock Drive, Denver, NC 28037-6110  
506005004, Jackson, George E. & Anita J., 544 East Idledale Drive, Pueblo West, CO 81007-2136  
506005006, Beery, Mark A., 556 East Idledale Drive, Pueblo West, CO 81007-2136  
506006004, Nghiem, Nancy, 746 East Paseo Dorado Drive, Pueblo West, CO 81007-1154  
506006005, Pinales, Daniel & Audelia V., 760 East Paseo Dorado Drive, Pueblo West, CO 81007-1154  
506006008, Aragon, Rudolph R., 808 East Paseo Dorado Drive, Pueblo West, CO 81007-1133  
506006009, Koury, Shawn A., 832 East Paseo Dorado Drive, Pueblo West, CO 81007-1133  
506006011, Vaughan, Susan, 333 North Benito Drive, Pueblo West, CO 81007-1181  
506006012, Angert, Charles D., 7050 Swan Road, Colorado Springs, CO 80908-2842  
506006014, Michelli, Frank A., 816 East Paseo Dorado Drive, Pueblo West, CO 81007-1133  
506006015, Torres, Mary D., 824 East Paseo Dorado Dr., Pueblo West, CO 81007-1133  
506006016, Cox, Jennifer R., 840 E. Paseo Dorado Drive, Pueblo West, CO 81007-1133  
506006020, Pool, Thomas E. & Raye Ann, 415 South Alaric Drive, Pueblo West, CO, 81007-1501  
506006021, Foute, James A. & Jeanne M., 690 East Paseo Dorado Drive, Pueblo West, CO 81007-2172  
506006022, Singleton, James D. & Donna K., 776 East Paseo Dorado Drive, Pueblo West, CO 81007-1154  
506006023, Haggart, Albert Wayne, 337 North Benito Drive, Pueblo West, CO 81007-1181  
506006024, Trujillo, Joseph J., 732 East Paseo Dorado Drive, Pueblo West, CO 81007-1154  
**506010002, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005**  
506010012, Famcor, Inc., 1244 South Winterhaven Drive, Pueblo West, CO 81007-2622  
506010013, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005  
506099242, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005  
**508099251, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005**  
**508099254, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005**  
601016006, Campbell, Duane P. Trust, 484 East Mcculloch Blvd., Pueblo West, CO 81007-4027  
**601016008, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005**  
**9529000001, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005**

9529001002, Cox, Kevin, 1045 East Jaroso Drive, Pueblo West, CO 81007-1108  
9529001003, Burke, Virgil G., Jr. & Peggy A., 23387 County Road 2, Canon City, CO 81212-9708  
9529001013, Connolly, Michael L., Jr., 5010 Golden Valley Trail, Castle Rock, CO 80109-8643  
9529001014, Pishotta, Rita J., 285 West Highland Park Avenue Aptartment 637, Appleton, WI 54911-1184  
9529004008, Fadenrecht, Derek & Amanda, 823 North Ravencliff Drive, Pueblo West, CO 81007-2313  
9529005001, Cress, Pamela C., 30400 Elf Way, Pueblo, CO 81006-9555  
9529005002, Siefford, Leanna, 25822 Hillside Road, Pueblo, CO 81006-9747  
9529005003, Clemence, Lontie J., 1030 East Jaroso Drive, Pueblo West, CO 81007-1138  
9529005005, Siefford, Linda R., 816 North Ravencliff Drive, Pueblo West, CO 81007-2313  
**9529099238, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005**  
9530015002, Fong Woo Trust, 1505 Hampton Road, San Marino, CA 91108-1921  
9530019001, Fetty Trust, 460 South Tejon Avenue, Pueblo West, CO 81007-2249  
9530019002, Moreno, Neil P., 631 East Longsdale Drive, Pueblo West, CO 81007-6578  
9532006004, Bakun, Joleen Ann, 996 Jolanda Circle, Venice, FL 34285-4448  
9532006005, Oglesby, Gregory D. & Patricia, 662 N. Mancos Drive, Pueblo West, CO 81007-1275  
9532006006, Jordan, Kirk, 650 North Mancos Drive, Pueblo West, CO 81007-1275  
9532006007, Guimont, Sherman T. & Ramona J., 2864 South Winona Court, Denver, CO 80236-2048  
9532006008, Gravatt, Kurt M. & Christina L., 614 North Mancos Drive, Pueblo West, CO 81007-1275  
9532006009, Gravatt, Ronald A., 2214 South Drive, Pueblo, CO 81008-1725  
9532006010, Martinez, Rogelio, 594 North Mancos Drive, Pueblo West, CO 81007-1298  
9532006011, Atencio, Frank C. & Rachel A., 578 North Mancos Dr., Pueblo West, CO 81007-1298  
9532006012, Curry, Laura, 570 North Mancos Drive, Pueblo West, CO 81007-1298  
9532006013, Ross, Mary K., 4017 Coleman Avenue, Fort Wayne, IN 46804-2927  
9532006014, N. T. T. L. S., LLC., 19381 Legend Avenue, Parker, CO 80134-7524  
9532006017, Ross, Mary K., 4017 Coleman Avenue, Fort Wayne, IN 46804-2927  
9532006018, Gomez, Tracy R., 507 North Canvas Drive, Pueblo West, CO 81007-2400  
9532006019, P & A, Inc., 631 East Industrial Blvd., Pueblo West, CO 81007-1411  
9532006020, Schroeder, Robin L. & Kurt L., 587 North Canvas Drive, Pueblo West, CO 81007-6502  
9532006021, Burns, Leilani Ann Rodriguez, 1126 Norwood Avenue, Colorado Springs, CO 80905-3554  
9532006022, Realty Colorado, LLC., 5232 San Jacinto Court, Pueblo, CO 81005-3919  
9532006023, Paine, Bradley J., Jr., 531 North Canvas Drive, Pueblo West, CO 81007  
9532006024, Broughton, Amanda N., 563 North Canvas Drive, Pueblo West, CO 81007-6502  
9532006025, Romeo, Michael L., 4345 Loma Del Norte Drive, El Paso, TX 79934-3785  
9532006026, McKercher, Nathan N., 1901 Constitution Road Lot 150, Pueblo, CO 81001-2215  
9532006027, Jarvies, Bradley G., Tr., 466 West Leah Avenue, Gilbert, AZ 85233-2031  
9532006028, Cuevas, Sotero Felix, 586 North Mancos Drive, Pueblo West, CO 81007-1298  
9532006029, Housman, Bob, 63 Cornell Circle, Pueblo, CO 81005-1644  
9532006030, Spencer, William Kagua, 1586 Kamohoalii Street, Honolulu, HI 96819-3615  
9532006031, Walter, Douglas E. & Laurie G., 539 North Canvas Drive, Pueblo West, CO 81007-6502  
9532006032, Krupp, Herbert W., Jr. & Debra L., 620 Hagerer Street, Racine, WI 53402-4728  
9532006033, Hemberger, William A., 14673 Summer Blossom Lane, Chesterfield, MO 63017-5670



9532006034, Callow Mosher, Angela S., 3097 Ivy Drive, Loveland, CO 80537-3681  
9532006035, Kenney, Noah, 579 North Canvas Drive, Pueblo West, CO 81007-6502  
9532006036, McManahan, John, 583 North Canvas Drive, Pueblo West, CO 81007  
9532006037, Bratcher, John J. & Linda E., P.O. Box 7811, Pueblo West, CO 81007-0811

**Remailed 11-4-2019, 595 N. Canvas Dr., Pueblo West, CO 81007**

9532006038, French, Johnathan E., 607 North Canvas Drive, Pueblo West, CO 81007-2401  
9532006039, Thornton, Charles, 607 North Canvas Drive, Pueblo West, CO 81007-2401  
9532006040, Henke, Tyler Ray, 623 North Canvas Drive, Pueblo West, CO 81007-2401  
9532006041, Manji, Roshana H., 3023 Clemson Place, Lawrenceville, GA 30043-7624  
9532006042, Jackson, E. Neal, 643 North Canvas Drive, Pueblo West, CO 81007-2401  
9532006043, Dilcher, Matthew B., 655 North Canvas Drive, Pueblo West, CO 81007-2401  
9532006048, Ward, David, 538 North Mancos Drive, Pueblo West, CO 81007-1298  
9532006049, McFall, Phillip Thad II, 530 North Mancos Drive, Pueblo West, CO 81007-1298  
9532017004, Hernandez, Elizabeth & Elias, 11664 Lincoln Street, Northglenn, CO 80233-2008  
9532017005, Mancio, Nickerson A., 1409 Teal Court, Pionciana, FL 34759-5101  
9532017008, Rollins, Garret S. & Brandy K., 1110 East Jaroso Drive, Pueblo West, CO 81007-1163  
9532017010, Gamiao, Roderick T., 817 La Porte Drive, La Canada Flintridge, CA 91011-2738  
9532017011, Brannen, Spencer S. & Pamela S., 733 North Iliff Drive, Pueblo West, CO 81007-6594  
9532017012, Gelmini, Bert A. & Maryann D., 745 North Iliff Drive, Pueblo West, CO 81007-6594  
9532017015, Rollins, Garret S. & Brandy K., 1110 East Jaroso Drive, Pueblo West, CO 81007-1163  
9532018001, Pagan, Garcia Melissa, 695 North Canvas Drive, Pueblo West, CO 81007-2401  
9532018002, Pagan, Garcia Melissa Nicole, 695 North Canvas Drive, Pueblo West, CO 81007-2401  
9532018003, Quezada, Adolfo & Jessica, 717 North Canvas Drive, Pueblo West, CO 81007-6554  
9532018005, Bryant, Lucas T. & Berit D., 746 North Iliff Drive, Pueblo West, CO 81007-6594  
9532018007, Tano, Darrel G., 46-039 Heeia Street, Kaneohe, HI 96744-3602  
9532018008, Mosinski, Michael, Tr., 10454 Ouray Street, Commerce City, CO 80022-0586  
9532018009, Harvey, Kelly, 729 North Canvas Drive, Pueblo West, CO 81007-6554  
9532018011, Snyder, Heather M., 703 North Canvas Drive, Pueblo West, CO 81007-6554  
9532018012, Koch, David A. & Rebecca S., 1902 County Road 1600 North, Urbana, IL 61802-9631  
9532018013, Pipal, Maria Teresa, 3343 Santa Rosa Street, Colorado Springs, CO 80909-5223  
9532018014, Bertoglio, Gordon H. & Mi Son, 860 Aspenglow Lane, Colorado Springs, CO 80916-5538  
9532019002, Andrin, Maria T., 620 South Del Rio Drive, Pueblo West, CO 81007-2768  
9532019003, Bell, W. Greg, 771 North Purcell Blvd., Pueblo West, CO 81007-1115  
9532026009, Felix, Antonio & Teresa, 23300 La Salle Road, Pueblo, CO 81006-1762  
9532026010, Aquila Colorado Electric, 625 9th Street Suite 200, Rapid City, SD 57701-2674

**Returned Undeliverable, 11/1/2019**

9532026011, Custom Villas II, Inc., 17580 Chipped Arrow Way, Monument, CO 80132-8514  
9533099233, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005  
9600000026, United States of America, Denver Federal Center, GSA/PSC, P.O. Box 25006, Lakewood, CO 80225  
**9600000133, Walker, Gary R. & Georgia A., 7170 Turkey Creek Ranch Road, Pueblo, CO 81007-1282**  
9624000001, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005  
9624006001, Buchs, Gary W., 1811 Hammond Avenue, Superior, WI 54880-2748

9624006003, Kosovich, John J. & Ann F., 270 East Parkridge Drive, Pueblo West, CO 81007-1326  
9624006004, Kosovich, John J. & Ann F., 270 East Parkridge Drive, Pueblo West, CO 81007-1326  
9624006005, Weber, Nathan & Myndee M., 158 East Parkridge Drive, Pueblo West, CO 81007-1393  
9624006007, Lantz, Jean A., 1073 Circle 313 East, Tyler, TX 75706-3606  
9624006009, Miceli, Bernice, 715 South Walton Drive, Pueblo West, CO 81007-5018  
9624006010, Haynie, Thomas R., 326 East Parkridge Drive, Pueblo West, CO 81007-5311  
9624006011, Mikatich, Kathleen M., 242 East Parkridge Drive, Pueblo West, CO 81007-1326  
9624006012, Manrose, Melvin L. & Heidee A., 228 East Parkridge Drive, Pueblo West, CO 81007-1326  
9624006013, Land Office, LLC., 1123 North Elizabeth Street, Pueblo, CO 81003-2259  
9624006014, Bidon, Eugene P. & June L., 3050 County Road 137, Westcliffe, CO 81252-9623  
9624006015, Quinonez, Ernesto T., 186 East Parkridge Drive, Pueblo West, CO 81007-1393  
9624006016, Thompson, Joyce M., 130 East Parkridge Drive, Pueblo West, CO 81007-1393  
9624006017, Kaweck, Janis E., 284 East Parkridge Drive, Pueblo West, CO 81007-1326  
9625099232, Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007-0005  
9700000058, United States of America, Denver Federal Center, GSA/PSC, P.O. Box 25006 Lakewood, CO 80225  
9700000111, Simmons, Janet Lee, 12500 North 6th Street, Parker, CO 80134-9437  
9700000112, Wands, bThomas Van, P.O. Box 504, Hartsel, CO 80449-0504  
**9700000147, Walker Georgia A, Walker Gary R., 7170 Turkey Creek Ranch Road, Pueblo, CO 81007-1282**  
Dave Benbow, Interim Director, Department of Engineering and Public Works, 33601 United Avenue, Pueblo, CO 81001  
Jody Carrillo, Division Director, Environmental Health and Emergency Preparedness, Pueblo Department of Public Health & Environment, 101 West 9<sup>th</sup> Street, Pueblo, CO 81003  
Keith Berger, Field Manager, United States Department of the Interior, Bureau of Land Management, 3028 East Main Street, Canon City, CO 81212-2731  
Marci Day, Assistant Pueblo County Attorney, Pueblo County Attorney's Office, 215 West 10<sup>th</sup> Street, Room 312, Pueblo, CO 81003

It is further certified that Legal Notice be published as required in the Pueblo County Code, Title 17, and given as evidence by Publisher's Certification retained and preserved in the office of the Zoning Administrator.



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Gail L. Wallingford-Ingo, Interim Zoning Administrator

1041 Permit  
No. 2019-003  
Adjacent  
Owners Map

Page 1 of 2

- Transmission Line
- Roads
- Railroads
- Streams & Rivers



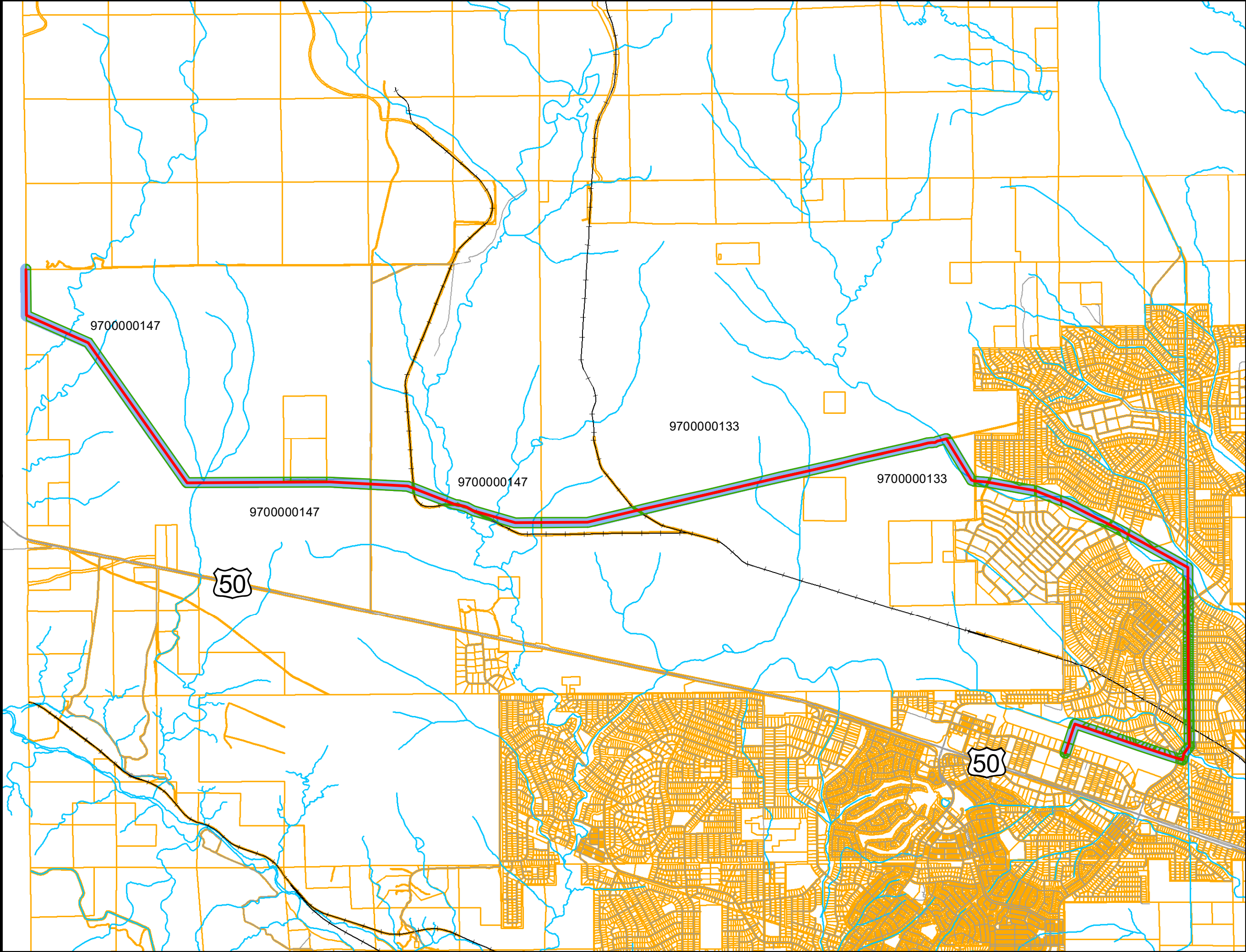
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Map Generated 10/29/2018

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For further information, please contact the Pueblo County GIS Center.

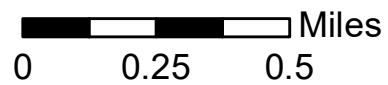
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## Streams & Rivers



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