



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: January 2, 2020

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.

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. 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.

UPDATED INFORMATION

The Board of County Commissioners opened the hearing for 1041 Permit No. 2019-003 at its November 26, 2019 public hearing. After receiving public testimony, the Board of County Commissioners voted to continue 1041 Permit No. 2019-003 to its January 9, 2020 hearing to allow for the submission of additional correspondence from all parties both in support of and in opposition to the proposed project.

All aspects of staff's November 20, 2019 staff report as entered into the record at the November 26, 2019 Board of County Commissioners public hearing remain unchanged and have been previously provided to the Board of County Commissioners for review and consideration.

At a public meeting held on December 2, 2019, the Board of County Commissioners provided a list of issues/concerns to the applicant, those in opposition and other affected and/or concerned parties and requested additional information be provided. The list is as follows:

- Black Hills:
 - Floodplain –Black Hills is to provide information on the maximum variation from the indicated center line alignment that may be possible due to engineering requirements and what will be the minimum possible distance from the alignment to the property line of all adjacent properties. Black Hills is to provide information on the effect of steel monopoles within a 100-year floodplain in the event of a 100-year flood and possible mitigation and reclamation measures that may be taken to prevent and remedy such effects.
 - Fremont County – Black Hills is to provide information on the current status of the project in Fremont County and clarify statements made by the applicant in the Pueblo County 1041 permit application as to the status of the project in Fremont County.
 - Undergrounding Report – Black Hills is to provide a copy of any reports or documents prepared or to prepare reports or documents that examine the feasibility and cost of undergrounding transmission lines in the portion of the alignment that borders residential properties.
 - Existing Substation Expansion – Black Hills is to provide additional information, reports or documents that support the position that the existing substation could not support additional infrastructure required to complete the project and that a new substation is necessary.
 - Feasibility of the use of alternatives routes (i.e., Highway 50 corridor and along the north section of the Walker Ranches adjacent to the Fort Carson Military Reservation).
- Black Hills and Opposition:
 - Property Value – Both the applicant and those in opposition are to provide documentation, reports or other evidence that property values are or are not affected by the placement of transmission lines near adjacent residential properties.

- Pueblo West

- Pueblo West Opposition – Pueblo West is to provide additional information regarding their position of opposition to the application and status of any easement agreement between the parties.

The attached reflects the additional correspondence received by the Department of Planning and Development to date.

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

**DOCUMENTATION PROVIDED BY
BLACK HILLS ENERGY ON
1041 PERMIT NO. 2019-003**



Improving life with energy

December 20, 2019

Gail Wallingford-Ingo
Interim Director
Pueblo County Department of Planning and Development
229 West 12th Street
Pueblo, CO 81003-2810
Phone: 719.583.6100
Fax: 719.583.6376
Email: gailwi@pueblocounty.us

**Re: Information Requests for 1041 Permit No. 2019-003: Black Hills Energy's
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 *Response to Information Requests* issued December 12, 2019, regarding the Reliability Upgrade for Southern Colorado Project (Project) brought before the Commissioners on November 26, 2019.

Should you have any questions or comments, please do not hesitate to contact Seth Boutilier at 719-546-6449 (Seth.Boutilier@blackhillscorp.com) or Pam McWharter at 303-764-1570 (Pamela.McWharter@hdrinc.com).

Sincerely,

Black Hills Energy
Seth Boutilier
Project Manager

Enclosure

**DOCUMENTATION PROVIDED BY OPPOSITION
ON 1041 PERMIT NO. 2019-003**

1041 PERMIT NO. 2019-003

OPPOSITION CORRESPONDENCE

<u>Date</u>	<u>Individual's Name</u>
12/23/2019	Melvin & Heidee Manrose
12/23/2019	Pamela Kuhrt
12/19/2019	Janet Jordan
12/11/2019	Sunny Davis
12/10/2019	William Johnson
12/10/2019	Pamela Kuhrt
12/5/2019	Melvin Manrose
12/4/2019	Marcia DeFoe
12/3/2019	John Kosovich
12/3/2019	Mistry Hoshi
12/3/2019	Janet Jordan
11/27/2019	Melvin Manrose
11/27/2019	Marcia DeFoe/Pamela Kuhrt
11/27/2019	Melvin Manrose (4 emails)
11/27/2019	Larry Swisher

**DOCUMENTATION PROVIDED BY
PUEBLO WEST METROPOLITAN DISTRICT
ON 1041 PERMIT NO. 2019-003**

Wallingford-Ingo, Gail

From: Nina Vetter <nvetter@pwmd-co.us>
Sent: Friday, January 3, 2020 2:16 PM
To: Wallingford-Ingo, Gail
Cc: Harley Gifford
Subject: Re: BOCC ACTION LETTER - 1041 2019-003

Good afternoon,

The Pueblo West Metro District Board has submitted a letter itemizing its concerns regarding the Black Hills 1041 permit application. Pursuant to your request for further information, the remaining concerns that the Board has includes the fact that there have been no negotiations regarding the purchase of a lot owned by PWMD for the placement of a substation, and additionally there have been no negotiations or discussions regarding approving an expanded easement area for the purposes of the transmission line within PWMD.

Thanks
Nina

On Fri, Dec 13, 2019 at 4:48 PM Wallingford-Ingo, Gail <gailwi@pueblocounty.us> wrote:

Hello Ms. Vetter:

Comments need to be provided in writing to me by December 23, 2019. The permit was continued to January 9, 2020.

Please let me know if you should have any additional questions.



Gail L. Wallingford-Ingo

Interim Director / Deputy Director

Department of Planning and Development

Department of Planning and Development