



# PUEBLO COUNTY

C O L O R A D O

Planning and Development Department

## **MEMORANDUM**

TO: Pueblo Board of County Commissioners

FROM: Gail L. Wallingford-Ingo, Deputy Director *GLW*

THROUGH: Carmen Howard, Director *CH*

DATE: June 24, 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.

At a public hearing 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 information requested by the Board of County Commissioners was collected by the Department of Planning and Development and compiled into a staff memorandum dated January 2, 2020.

At its public hearing of January 9, 2020, the Board of County Commissioners acknowledged receipt of the requested information and indicated it would allow for the submittal of additional correspondence in rebuttal to information previously submitted until January 27, 2020. All Information that was submitted to the Department of Planning and Development was included in a staff's January 28, 2020 memorandum.

In a letter dated (and received) February 13, 2020, the applicant requested the public hearing on the project be continued to the July 9, 2020 Board of County Commissioners public hearing. The Board of County Commissioners granted the request for continuance at its public hearing of February 13, 2020 with a direction that the submittal of any additional correspondence would not accepted until the July 9, 2020 public hearing.

## **STAFF RECOMMENDATION**

As outlined in the January 28, 2020 staff memorandum, due to the discovery of a typographical error in the STAFF RECOMMENDATION section of the initial staff report dated November 20, 2019, staff is modifying the reference to the permit number in the second paragraph of said section to correctly identify the 2019 permit. The sentence should read as follows: *Therefore, staff recommends approval of 1041 Permit No. 2019-003 (Cañon West Reliability Project) within Pueblo County, contingent on the following conditions of approval: ...*

All other aspects of the staff report and subsequent memorandums as entered into the record at the November 26, 2019, December 2, 2019, January 9, 2020 and February 13, 2020 Board of County Commissioners' public hearings remain unchanged and have been previously provided to the Board of County Commissioners for review and consideration and are available on-line to the general public at <http://www.co.pueblo.co.us/cgi-bin/webformbroker.wsc/cases3.p?caseNum=1041%202019-003>.

GLI

c: Seth Boutilier, Project Manager Black Hills Energy\*  
Pamela McWharter, HDR Engineering, Inc.\*  
Marci Day, Assistant Pueblo County Attorney\*  
Tanis A. Manseau, Director, Pueblo County Department of Engineering and Public Works\*  
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\*  
Jim Blasing, Director, Pueblo West Metropolitan District, Department of Utilities\*  
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Shawn Winters, Pueblo West Metropolitan District, Department of Public Works\*  
Harley Gifford, General Counsel, Pueblo West Metropolitan District\*  
Nina Vetter, District Manager, Pueblo West Metropolitan District\*  
Matt Moorhead, Nature Conservancy District\*

\*sent via email only