

To: Sue Liu, P.E., CFM
Arapahoe County Public Works and Development Engineering Services Division

From: Stephanie Phippen, PG
Tetra Tech Inc.

Cc: Jennifer Chester and Cory Miller
Xcel Energy

Date: January 5, 2026

Subject: Colorado's Power Pathway - Engineer's Certification of No 404 Permit Required (Case No. LE25-003)

Dear Sue Liu,

Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy (Xcel Energy), proposes to construct, maintain, and operate Colorado's Power Pathway (Pathway) in eastern Colorado. Pathway facilities proposed in Arapahoe County include approximately 18 miles of new 345-kV double-circuit electric transmission line.

This letter serves as the Engineer's Certification of No 404 Permit Required for Pathway (Case No. LE25-003). This letter has been revised to address the Arapahoe County Engineering Redlines dated May 5, 2025. Pathway intends to avoid impacts to wetlands, waters of the United States (WOTUS), and State Water features to the extent practicable. The potential wetlands, WOTUS, and State Waters identified through desktop analysis of National Wetland Inventory data that may be impacted by construction will be verified in the field and inventoried and/or delineated to determine the actual locations and extent of wetlands prior to construction. The span between transmission line poles can be up to 1,400 feet, and thus poles can be sited to avoid placement within wetlands and other WOTUS and State Water features to avoid permanent impacts. Associated access roads, laydown yards, and other appurtenant features will also be sited to avoid permanent impacts to wetlands and other WOTUS and State Water features. In the event that a regulated water resource cannot be avoided, Pathway will comply with applicable federal and state regulations, including permit requirements under Section 404 of the Clean Water Act and Colorado Revised Statutes 25-8-205.

Temporary impacts to wetlands and other WOTUS or State Waters during construction will be avoided to the extent practicable. If wetlands cannot be avoided, matting and other protective temporary measures will be used. Depending on the condition of the wetland soil and hydrology, matting may be used in some cases to protect wetlands from rutting. To avoid potential indirect impacts from construction-related erosion and sediment movement during construction, Pathway will adhere to best management practices outlined in the stormwater management plan, which include erosion control and revegetation measures.

As requested in the Arapahoe County Engineering Redlines dated May 5, 2025, Tetra Tech Inc. contacted Ellison Koonce, the Regulatory Project Manager for the U.S. Army Corps of Engineers (USACE), on June 26,

2025. Mr. Koonce confirmed that Pathway would not need a Nationwide Permit (NWP) and would not need to provide USACE with pre-construction notification if Pathway avoids all WOTUS and the pre-construction notification conditions of NWP 58 and Colorado's Regional General Conditions are adhered to (see the attached Record of Conversation, Colorado's Power Pathway-Segment 5 Wetland Permitting Requirements).

Sincerely,

A handwritten signature in black ink that reads "Stephanie J. Phippen". The signature is written in a cursive, flowing style.

Stephanie Phippen, PG
Vice President, Operations Manager
Tetra Tech

Attachment: Record of Conversation, Colorado's Power Pathway-Segment 5 Wetland Permitting Requirements

**ATTACHMENT: RECORD OF CONVERSATION, COLORADO'S POWER
PATHWAY-SEGMENT 5 WETLAND PERMITTING REQUIREMENTS**



July 2, 2025

Jennifer Chester
Senior Manager, Siting & Land Rights
Xcel Energy

Re: Record of Conversation, Colorado's Power Pathway-Segment 5 Wetland Permitting Requirements

Dear Jennifer Chester,

The purpose of this letter is to describe the recent conversation with Mr. Ellison Koonce, the Regulatory Project Manager for the U.S. Army Corps of Engineers (USACE), pertaining to the permitting requirements for construction near wetlands and other waters of the United States (WOTUS) associated with the Colorado's Power Pathway Project (Project) transmission line in Segment 5, which includes Arapahoe County, Colorado.

On June 24, 2025, at approximately 10:03 AM MST, Payden Breneman, Wildlife Biologist and Wetlands Scientist, called Mr. Koonce and left a voicemail. On June 26, 2025, at approximately 1:28 PM MST, Mr. Breneman once again called Mr. Koonce. Mr. Koonce answered the call, and the two proceeded to have a conversation about the use of Nationwide Permit (NWP) 58, Utility Line Activities for Water and Other Substances, as it pertains to the Project. Mr. Breneman informed Mr. Koonce that the Project plans to avoid all WOTUS. Mr. Koonce confirmed that the Project would not need an NWP and would not need to provide USACE with pre-construction notification if the Project avoids all WOTUS and the pre-construction notification conditions of NWP 58 and Colorado's Regional General Conditions are adhered to.

If you have any additional questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Payden Breneman'.

Payden Breneman
Wildlife Biologist/Wetland Scientist
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payden.breneman@tetrattech.com