

**ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING-CONTINUANCE
DECEMBER 2, 2025
6:30 P.M.**

SUBJECT: UASI25-002; DENVER PIPELINE EXPANSION PROJECT

ERNIE ROSE, SENIOR PLANNER

CONTINUANCE FROM NOVEMBER 18, 2025

On November 18, 2025, the Planning Commission (PC) held a public hearing on Case No. UASI25-002, the Denver Pipeline Expansion Project, involves a Use by Special Review with a 1041 component for a proposed 33-mile pipeline in Arapahoe County. After hearing staff and the applicant's presentations and taking public testimony, the PC closed the public hearing and voted unanimously (6 Ayes- 0 Nays) to continue the case until December 2, 2025, to review the suggested changes to the approval conditions and the pipeline installation within the Bijou Basin Open Space Recreational Area Conservation Easement.

Conditions of Approval

Before and during the public hearing, the applicant's attorney provided the Planning Division and Commissioners with a list of several edits to the staff report and the proposed Conditions of Approval. Planning staff reviewed and edited the staff report as requested whenever possible. The Conditions of Approval included both Public Works and Development (PWD) conditions and Colorado Parks and Wildlife (CPW) conditions. The applicant and planning staff met on Friday, November 21, 2025, to discuss the Conditions of Approval.

Staff Report Edits:

The following proposed edits to the staff report were received November 17, 2025

Page 4 (Policy GM 3.1) – Staff report amended to state Bore crossings include Middle Bijou Creek, West Bijou Creek, Comanche Creek, Kiowa Creek, Wolf Creek, and Box Elder Creek.

Page 4 (Policy PFS 12.2) – you reference that the pipeline will transport refined petroleum to Denver and Colorado Springs. Please remove the reference to Colorado Springs.
Colorado Springs Removed

Page 5 – Please note that some of the 10-inch line will be in 50-foot easements as result of historical easements being 50 feet. Staff report amended to state 30 to 50 feet wide along the 10-inch-diameter pipeline.

Page 11 (Other) – The Underground Storage/Aboveground Storage Tanks are not applicable to this project. Additionally, the Colorado Division of Oil and Public Safety does not have any jurisdiction over this project. Please remove that reference. Reference Removed.

Page 19 (Staff Recommendation #4) – The Colorado Public Utility Commission has no jurisdiction over this project. Please remove them from your list. The Colorado Public Utility Commission was removed from the list.

Public Works and Development (PWD):

The Planning Commission Staff Report from November 18, 2025, listed fourteen Conditions of Approval. The applicants' proposed amendments decreased this number to eight. There are now 10 Conditions of Approval reviewed and approved by county staff and the applicant.

STAFF RECOMMENDATION

Considering the findings and other information provided herein, the Staff recommends approval of Case No. UASI25-002 Denver Expansion Project [Magellan Pipeline] is subject to the following conditions of approval:

1. The applicant will make all necessary changes as indicated with specificity by the County's Engineering staff prior to final execution and approval of the following documents: (1) the Use by Special Review Plan Set depicting the Denver Expansion Project, last submitted October 29, 2025; (2) Construction Drawings – Scott City to Denver Pipeline (10/24/25); (3) Grading, Erosion, and Sediment Control Report – Denver Expansion Project (October 2025); (4) Grading, Erosion, and Sediment Control Plans, Denver Expansion Project – Scott City to Denver Pipeline (10/24/25); (5) Arapahoe County Floodplain Delineation Study for Magellan Denver Expansion Project (8/07/25); and (6) Phase III Drainage Report – Denver Expansion Project 1041 - Watkins Junction Site (August 2025).
2. The applicant shall comply with all applicable Colorado Department of Public Health and Environment rules and regulations for solid and hazardous waste, water quality, and air quality.
3. The applicant shall provide a copy of all required state and federally approved permits to the Planning Division prior to construction.
4. The applicant's construction, maintenance, and operation of the pipeline shall be in compliance with all applicable federal and state laws and regulations, including but not limited to: Pipeline and Hazardous Materials Safety Administration, Department of Transportation, and Transportation Security Administration.
5. Prior to execution of the Use by Special Review, the applicant will have secured all necessary property rights, easements, or licenses needed for the pipeline, including those for the crossing of County roads.
6. Prior to the execution of the Uses by Special Review, the applicant is required to record the AGREEMENT FOR USE AND RESTORATION OF ARAPAHOE

COUNTY'S BIJOU BASIN OPEN SPACE PROPERTY with the Arapahoe County Clerk and Recorder.

7. If grading is to take place from March 15 to April 30, the applicant will first conduct pre-construction surveys for swift fox den sites in Arapahoe County. The survey results must be submitted to Colorado Parks and Wildlife (CPW) and the Planning Division for their review. If a den is found, no human encroachment, surface disturbance, or construction will be allowed within 100 feet of an active maternal den.
8. If grading is to take place from March 15 to August 15, the applicant will conduct pre-construction burrowing owl surveys, following CPW's protocol. The survey results must be submitted to CPW and the Planning Division for their review. If owls are found, the applicant will limit activities within 200 meters of nests from March 15 to August 15 or until migration.
9. If grading is scheduled to take place from April 1 to August 15, the applicant will conduct a pre-construction Mountain Plover survey. The survey results must be submitted to CPW and the Planning Division for their review and approval. If an active plover nest is identified, grading shall occur outside the April 1 to August 15 nesting period.
10. To the extent laydown yards are to be utilized, Temporary Use Permits (TUPs) must first be obtained.

Colorado Parks and Wildlife (CPW) Conditions:

The approval conditions were sent to CPW. While CPW couldn't support removing big game stipulations, they acknowledge that meeting the timing recommendations isn't feasible. They've worked to reduce impacts on big game, leading to the elimination of conditions for mule deer and pronghorn.

Bijou Basin Open Space Recreational Area:

A representative of Arapahoe County Parks and Open Spaces (Open Spaces) addressed the meeting and requested that the Planning Commission continue the public hearing scheduled for November 18, 2025. The purpose of this request was to facilitate further discussion.

Open Spaces and the applicants are currently engaged in negotiations regarding the terms of the agreement. The deadline for the Planning Commission staff report, coinciding with the upcoming holiday, did not allow sufficient time to reach an agreement before sending it to the Planning Commission.