

**ARAPAHOE COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**May 19, 2026**  
**6:30 P.M.**

**SUBJECT: CASE NUMBER: ASI25-001 – COLORADO’S POWER PATHWAY 345-KV TRANSMISSION LINE 1041 (AREAS AND ACTIVITIES OF STATE INTEREST)**

**MOLLY ORKILD-LARSON, PRINCIPAL PLANNER**

**LOCATION AND VICINITY MAP**

The proposed 345kV transmission power line commences at the Harvest Mile Substation (4455 S. Harvest Road) and then heads north to the north side of E. Quincy Avenue. The transmission line then continues east for approximately 11.5 miles and then crosses E. Quincy Avenue and travels east along this road. The transmission line then turns south between S. Tom Bay Road and S. Brick Center Road. The line continues south for five miles until E. County Line Road and then heads east approximately 1.3 miles before turning south into Elbert County.

The subject transmission line is situated in Commissioner District No. 3 and traverses parcels that are zoned Agricultural-One (A-1), Agricultural-Estate (A-E), Floodplain (F), Heavy Industrial (I-2), Heavy Industrial Planned Unit Development (I-2 PUD), and Open (O).



Transmission Line Alignment (shown in red above)

**ADJACENT SUBDIVISIONS, ZONING, AND LAND USE**

The adjacent parcels are primarily agricultural and zoned A-1, A-E, F, O, and Industrial (I-1, I-2, I-2 PUD).

## **PURPOSE AND REQUEST**

The applicant, Public Service Company of Colorado (Xcel Energy), has submitted an Areas and Activities of State Interest (1041 Regulations) application to locate and construct major facilities of a public utility. A Location and Extent application is also being reviewed concurrently with this application.

Xcel Energy proposes approximately 18 miles of new 345-kV double-circuit electric transmission line (one mile is within the City of Aurora and was approved separately by the City of Aurora). The construction of this project will also include temporary construction areas associated with the construction of the transmission line, including a temporary eight-acre laydown yard (Beichle Laydown Yard). This laydown is located at the northwest corner of E. Quincy Avenue and S. Brick Center Road. It is being reviewed under a temporary use permit (ZTU-2025-0004) through the Zoning Division and is not being reviewed as part of the 1041 or Location and Extent applications.

The transmission lines will connect to the Harvest Mile Substation located at 4455 S. Harvest Road. The Harvest Mile Substation was approved in 2017 (ASI16-004 and L16-006), and the applicant has indicated that they are not altering from what was approved within the substation with the 1041 and Location and Extent applications.

The new 345-kV double circuit transmission line will be constructed using steel poles. A single pole will be used for most transmission pole locations; however, two poles will be required in certain locations where the weight of the conductor requires extra structural support. These are typically 'angle locations' where the line changes direction. Each pole will be placed on a concrete foundation. Voltage, conductor sag, pole type, terrain, length of span between transmission poles, and minimum clearances of existing buildings influence the necessary height of the transmission pole. The transmission poles will be weathering steel in a brown or rust color. The height of these poles can range from 105 to 140 feet, with a maximum height of 199 feet. The typical span between poles is 950 feet, but it can go up to 1,400 feet in order to avoid obstacles such as drainage areas and wetlands.

The transmission lines will be located within a 150-foot easement (75 feet on either side of the center line) and located outside the right-of-way of E. Quincy Avenue and E. County Line Road. Easement agreements with property owners will need to be solidified before the issuance of a construction permit. Staff will make this a condition of approval.

Temporary Construction Areas (TCA) will be used during construction to stage equipment and materials, including construction trailers, cranes, water trucks, traffic control items, BMP materials, and transmission poles. These areas are located within or adjacent to the transmission line easement. Some TCAs may require grading to level out the area for equipment placement and materials storage. TCAs are also necessary when stringing the conductor wire. These areas are required at specific angles to ensure the conductor wire is pulled in line with the transmission poles, thereby limiting the strain on the poles. At the end of each construction phase, all equipment will be removed that was used for that construction phase. No proposed improvements at the TCAs will be permanent and will be restored to preconstruction conditions.

The Beichle Laydown Yard will be used for equipment delivery, storage, and assembly. This area will also be used as a helicopter fly yard, where helicopter assistance is required for transmission pole installation. The use of helicopters will occur during daylight hours, between 7:00 a.m. and 5:00 p.m., and comply with all FAA regulations. As mentioned above, this laydown yard is being reviewed through a Temporary Use Permit.

Construction of the transmission line is expected to occur in phases. It is anticipated that one 12-hour shift per day (Monday through Saturday) from 6:00 a.m. to 6:00 p.m. will be worked during transmission line and substation connections. The applicant believes proposing shifts during daylight hours, from early morning to early evening, will assist in reducing disturbance to residential subdivisions in the area. If additional hours are required for a shift, a 24-hour work permit will be obtained in advance from Arapahoe County. The maximum number of construction workers on site for the substation and transmission line on any one day will be approximately 95 in total. At peak construction, there will be an estimated maximum of 30 construction workers at the Harvest Mile Substation.

Portable temporary bathrooms will be provided for the workers and serviced on a regular basis during the construction period. Portable toilets will be used within the transmission line easement and will be trailer-mounted and hauled to the easement in the morning and removed at the end of the workday.

Bottled water will be provided to employees at the Beichle Laydown Yard and also carried in vehicles in coolers. Bottled water is provided by a local commercial vendor.

## **BACKGROUND**

The Harvest Mile Substation was approved in 2017 (ASI16-004, L16-006), and the applicant is not proposing to change what was approved within the substation.

The Eastern Plains region of Colorado is one of the nation's best areas for wind and solar energy generation, but it does not currently have a network transmission system that can integrate these new generation resources into the state's interconnected grid system, which is needed to meet Colorado's legislature's statutory clean energy targets. The Colorado's Power Pathway project (Pathway) will support Xcel Energy's Clean Energy Plan (Xcel Energy 2021) that is estimated to deliver as much as an 85 percent reduction in carbon dioxide emissions by 2030 and add approximately 5,000 megawatts of new wind, solar, and other energy resources. Pathway is a critical component of Xcel Energy's efforts to meet the state's statutorily required clean energy targets as well as Colorado's growing electricity needs. Pathway will also improve safety, reliability, and energy affordability.

Xcel Energy proposes to construct, maintain, and operate Pathway in eastern Colorado. Pathway is a \$1.7 billion investment proposed by Xcel Energy to improve the state's open, interconnected electric grid and enable future renewable energy development around the state. Pathway includes:

- Installation of approximately 550 miles of new 345-kilovolt (kV) double-circuit transmission line in 12 counties.

- Construction of four new electric substations (Canal Crossing, Goose Creek, May Valley, and Sandstone).
- Expansion, equipment additions, or equipment upgrades at four existing electric substations (Fort St. Vrain, Pawnee, Harvest Mile, and Tundra).

Pathway will be constructed in five segments. Segment 5 includes approximately 124 miles of new 345-kV double-circuit electric transmission line within a 150-foot-wide easement, as well as permanent and temporary easements required for access during construction and for operation and maintenance, and temporary construction areas during construction. Segment 5 will be constructed within five counties, including Arapahoe, Elbert, El Paso, Lincoln, and Pueblo. Approximately 17 miles of Segment 5 are within Arapahoe County.

### **ANALYSIS OF THE 1041 REVIEW APPLICATION**

Staff review of this application included a comparison of the proposal to: 1) applicable policies and goals outlined in the Comprehensive Plan; 2) 1041 Regulations Governing Areas and Activities of State Interest; and 3) analysis of referral comments.

#### **1. The Comprehensive Plan**

The transmission line crosses Lowry Trust Properties, Denver Arapahoe Disposal Site, Employment, Urban Development Area, Future Development Area, Heavy Industrial, and Tier 3, as identified in the Comprehensive Plan. Regulations Governing Areas and Activities of State Interest (1041 regulations) apply to this application for major facilities of a public utility. Major public facilities include transmission lines, power plants, and substations of electrical utilities.

This proposal complies with the Comprehensive Plan as follows:

#### *Policy PFS 6.1 – Continue Collaboration with Utility Companies in the Development Review Process*

The applicant believes that this transmission line will improve the state's electric grid and enable future renewable energy development by providing backbone transmission capacity. The Eastern Plains region of Colorado is one of the nation's best areas for wind and solar energy generation, but it does not currently have a transmission network that can integrate these new generation resources into the state's interconnected grid, which is needed to meet Colorado's clean energy goals. This project will allow developers of energy generation projects to interconnect energy resources located in the areas of the state that are underserved by backbone transmission lines and allow Xcel Energy to deliver energy to electric customers.

#### *Policy PFS 7.1 – Continue Collaboration with Service Providers to Ensure an Adequate Level of Service is Provided to Existing and New Development*

Xcel Energy understands and agrees with this policy to ensure adequate levels of service are provided to existing and new development. The applicant indicates that they're working with each Fire District crossed by the transmission line in Arapahoe County, including the Sable Altura Fire Protection District, the Aurora Fire Rescue District, and the Bennett-

Watkins Fire Rescue District, and have obtained the Letters of Service provided by these fire districts.

*Policy NL 5.1 – Implement Actions to Create a Countywide System of Connected Open Space, Public Parks, and Trails*

The Powerline Trails Act (Act) was passed in 2022 to help raise awareness and create opportunities for Public Entities defined as “the state, a local government, or a district” to co-locate public recreation trails within transmission corridors.

The applicant has indicated that Xcel Energy is not in the business of building, owning, or maintaining public recreation trails, and its land rights typically do not give it the right to do so. Nor does the Act require transmission providers to allow a powerline trail or any other facility in any of its transmission corridors. Xcel Energy’s role under the Act is limited to facilitating the potential co-location of such trails by providing guidance to public entities. Public entities will ultimately construct powerline trails after consulting with Xcel Energy, the Colorado Parks and Wildlife (CPW), and landowners about the safety and feasibility of such trails after the transmission corridor is constructed.

The Open Spaces Division has indicated that they are not interested in pursuing any trails with the transmission easements at this time, but may in the future.

*Policy PFS 12.2 – Consider Utility Needs to Support Growth and Development of the Region*

This project will also allow developers of energy generation projects to interconnect energy resources located in the areas of the state that are underserved by backbone transmission lines and allow Xcel Energy to deliver energy to electric customers.

*Policy PFS 12.3 – Require Land Use Compatibility when Siting Local and Regional Utility Facilities*

This project is sited within mainly agricultural and industrial zone districts within Arapahoe County, and where feasible, the transmission line’s route is co-located alongside existing infrastructure to minimize impacts to the surrounding area. Of the approximately 18-mile transmission line route in the County, approximately 13 miles (76 percent) is co-located along existing electric transmission infrastructure and existing roads.

The applicant has also indicated that they have been working with individual landowners to minimize impacts on their parcels.

*Policy NL 2.1 – Require New Development to be Compatible with Existing Residential Neighborhoods*

The applicant indicated that the avoidance of residential neighborhoods, subdivisions, and planned developments was a major factor in identifying the preferred and alternative routes.

*Policy EH 1.2 – Encourage Environmentally Friendly Businesses and Jobs in Arapahoe County*

This project will add a network transmission system that can integrate environmentally friendly wind and solar energy generation sources in the Eastern Plains region of Colorado,

where they are most efficient, to where the energy demand is the highest. The applicant believes this project will increase electric service safety and reliability, boost the regional economy, and create jobs during construction.

*Policy NCR 6.2 – Encourage the Development and Use of Alternative Energy Sources*

This project will add a network transmission system that can integrate wind and solar energy generation sources in the Eastern Plains region of Colorado. By linking the best areas for generating wind and solar energy with where demand is, this project will improve the state's electric grid and enable future renewable energy development in the Eastern Plains region of Colorado. This project will increase electric service safety and reliability, boost the regional economy, and create jobs during construction.

*Policy T3 GM 1.1 – Retain Agricultural Uses in Tier 3*

Construction and operation of the transmission line will not inhibit agricultural production or operations. The transmission line will result in minimal permanent impacts to agricultural lands. Aside from the transmission pole foundation footprint, areas under and around transmission lines/poles can continue to be used for agricultural operations after construction has been completed.

Through private agreements with individual landowners, the proposed alignment spans existing irrigation ditches and pivot irrigation in fields. It is designed adjacent to and parallel with section lines, parcel boundaries, and public right-of-way to limit impacts from the development on overall agricultural operation and production in the area.

2. Application of 1041 Approval Criteria.

The approval criteria of the 1041 Regulations, set forth at Section V, Parts A and C therein, apply to this application for a Major Facilities of a Public Utility.

A. General Approval Criteria

- 1) *Documentation that prior to site disturbance associated with the Proposed Project, the applicant can and will obtain all necessary property rights, permits, and approvals. The Applicant is the contract purchaser of the subject property and is pursuing this application with the consent of the property owner. The Board may, at its discretion, defer making a final decision on the application until outstanding property rights, permits, and approvals are obtained.*

Xcel Energy is currently negotiating with all of the landowners for the necessary land rights along the proposed transmission line route. These negotiations include securing an option for a permanent non-exclusive easement for the 150-foot-wide easement of the transmission line, as well as permanent and temporary easements required for access and temporary construction areas during and after construction. In accordance with Section V A.1 the applicant is required to obtain all necessary property rights for the project. Therefore, the applicant is to obtain all easement agreements with all the landowners on which the transmission line crosses prior to the signing of the Location and Extent plan set. This will be a condition of approval.

Federal, state, and local permits and approvals that have been or will be required for the project are listed below.

- FAA Form 7460-1, Notice of Proposed Construction or Alteration
- Construction General Stormwater Permit and Stormwater Management Plan (SWMP)
- Land Development Air Pollution Emissions Notice (APEN)
- Access and Crossing Permits
- Determination of Compliance with Historical, Prehistorical, and Archaeological Resources
- 404 Permit, if necessary

Local permits and approvals that will be required by Arapahoe County include:

- 1041 Approval
- Location and Extent Approval
- Street Cut ROW Use Permits
- GESC Permit
- Floodplain Development Permit
- Oversize/Overweight Permits
- Temporary Use Permits

- 2) *The Project considers the relevant provisions of the regional water quality plans.* Pathway will be consistent with the South Platte Basin Implementation Plan. Water quality will be maintained during construction by using BMPs and the site-specific SWMP. The transmission line will span streams and waterways that cross the corridor. A permanent water supply will not be required for Pathway. Bottled water will be used for employees and construction workers.

Existing stormwater detention facilities at the Harvest Mile Substation are adequate for detention, water quality treatment, and discharge rate control for the previously approved equipment additions since the impervious areas will not exceed the original design assumption. Therefore, this project will be consistent with the South Platte Basin Implementation Plan.

Xcel Energy will comply with County standards and construction protocols to ensure that this project does not violate water quality standards. Before construction, a GESC Permit will be obtained from Arapahoe County for the transmission line, and a SWMP will be obtained from CDPHE.

- 3) *The applicant has the necessary expertise and financial capability to develop and operate the Proposed Project consistent with all requirements and conditions.* Xcel Energy is a major U.S. electricity and natural gas company, with operations in eight western and midwestern states. Xcel Energy provides a comprehensive portfolio of energy-related products and services to 3.7 million electricity customers and 2.1 million natural gas customers through its regulated operating companies.

Construction contractors will be chosen prior to construction. Pathway will be constructed in compliance with all applicable federal, state, and local permits and authorizations. Construction contractors will work with the appropriate jurisdictions to obtain and follow all related construction permits. The names, addresses, and qualifications of the Xcel Energy representatives responsible for constructing and operating Pathway can be found in 2.2.b Applicant's Qualification and Expertise of the 1041 Regulation narrative.

The applicant has both the financial and technical ability to construct, maintain, and operate Pathway. Xcel Energy held seventy billion, thirty-five million dollars in assets in 2024. As a public utility providing service to customers in Colorado, Xcel Energy is authorized by law to recover the prudently incurred costs associated with providing utility service in rates charged to customers. Xcel Energy finances the construction of electrical infrastructure through both debt and equity and recovers those costs from customers over the life of the infrastructure.

Per the Colorado Public Utilities Commission (CPUC) Certificate of Public Convenience and Necessity (CPCN) approval on June 2, 2022, CPUC determined that Xcel Energy met its burden of proof to establish that Pathway is in the State's public interest and recovery of the anticipated cost of Pathway is appropriate.

4) *The project is technically and financially feasible.*

The applicant has both the financial and technical ability to construct, maintain, and operate Pathway. Xcel Energy is a major U.S. electricity and natural gas company, with operations in eight western and midwestern states, and held seventy billion, thirty-five million dollars in assets in 2024. As a public utility providing service to customers in Colorado, Xcel Energy is authorized by law to recover the prudently incurred costs associated with providing utility service in rates charged to customers. Xcel Energy finances the construction of electrical infrastructure through both debt and equity and recovers those costs from customers over the life of the infrastructure.

Per the CPUC CPCN approval on June 2, 2022, in doing so, the CPUC determined that Xcel Energy met its burden of proof to establish that Pathway is in the State's public interest and recovery of the anticipated cost of Pathway is appropriate.

5) *Proposed Project is not subject to significant risk from natural hazards.*

The Karst Areas and Soil Erodibility Maps in the Addendum to Routing and Siting Study for Segment 5 show areas of evaporite basin and soil erodibility within Arapahoe County. Pathway facilities will be located in areas mapped as loams, silts, clays, alluvium, and eolian deposits.

Further geotechnical studies and soil borings at the Harvest Mile Substation site and along the length of the transmission line will be conducted for the project. Engineers will use this study to determine the size and type of foundations needed to support substation equipment and transmission line poles, as well as soil resistivity.

No significant natural hazards have been identified in the areas planned for Pathway development in Arapahoe County. Professional engineers will guide construction and do not foresee any unusual risks. Pathway is designed to withstand seismic considerations and is not anticipated to impact or be impacted by subsidence. Pathway has been sited and will implement BMPs to avoid and minimize erosion impacts to soils.

- 6) *The Proposed Project is in general conformity with the applicable comprehensive plans.*

See 1. The Comprehensive Plan of this report.

- 7) *The Proposed Project will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.*

Pathway will not require additional local government services beyond those currently provided in the area. Pathway creates no additional demand for transportation infrastructure, educational facilities, housing, water (other than temporary need for water for Pathway construction), wastewater treatment, or public transportation.

- 8) *The Proposed Project will not create an undue financial burden on existing or future residents of the County.*

Pathway is estimated to cost approximately \$1.7 billion, and the Sandstone to Harvest Mile segment will cost approximately \$372 million. Per the CPUC's CPCN approval on June 2, 2022, in doing so, the CPUC determined that Xcel Energy met its burden of proof to establish that Pathway is in the State's public interest and recovery of the anticipated cost of Pathway is appropriate through the provision of required CPCN application materials and testimony. Revenues associated with Pathway are collected through cost-of-service rates regulated by the CPUC and Federal Energy Regulatory Commission.

Project construction will require substantial amounts of contract labor, while also providing local jurisdictions and host communities with additional tax revenues and potential employment opportunities. Once Pathway has been completed, it will drive ongoing job opportunities and employment in the clean energy projects (wind, solar, etc.) that ultimately interconnect to Pathway.

Xcel Energy currently pays property taxes for its assets located in Arapahoe County. In 2024, Xcel Energy paid \$26,204,914.40 in Arapahoe County property taxes. After the construction of Pathway in Arapahoe County, Xcel Energy will pay additional property taxes based on the valuation of the new facilities located within the County. This amount is estimated to be approximately 1.26% of the installed cost of Pathway in Arapahoe County, which is estimated to be approximately \$440,000 per year based on current cost and rate projections, but subject to change.

Xcel Energy does not anticipate any negative financial impacts or burdens to Arapahoe County residents due to the construction, operation, and maintenance of

Pathway. As described previously in this section, the CPUC gave Xcel Energy CPCN approval for Pathway, and in doing so, determined that Xcel Energy met its burden of proof to establish that Pathway is in the State's public interest and that recovery of the anticipated cost is appropriate.

- 9) *The Proposed Project will not significantly degrade any substantial sector of the local economy.*

Pathway will deliver short and long-term economic benefits to communities across eastern and southern Colorado, including Arapahoe County. More immediately, Pathway construction will provide local jurisdictions and host communities with potential additional tax revenue and employment opportunities. Xcel Energy anticipates that a crew of up to 95 construction workers will be needed for the construction of Pathway in Arapahoe County. Construction crews may reside in the area during construction. There may also be an increase in revenue for some local businesses, such as restaurants, gas stations, grocery stores, and hotels, as well as other local businesses.

- 10) *The Proposed Project will not unduly degrade the quality or quantity of recreational opportunities and experience.*

Pathway will not impact the quality or quantity of recreational opportunities and experiences. Three existing pedestrian trails are crossed by the proposed Pathway route where it crosses E. Quincy Avenue near the Arapahoe County Fairgrounds, Senac Creek at E. Quincy Avenue, and Black Shack Creek at E. Quincy Avenue; the three existing transmission lines on the south side of E. Quincy Avenue also cross the existing trails along Senac Creek and Black Shack Creek where these creeks cross E. Quincy Avenue. The Pathway route in Arapahoe County is located approximately one mile north of the Aurora Reservoir. Pathway is not expected to impact or change the character of the Aurora Reservoir recreation area or recreational experiences because of the distance between the recreation resource and Pathway. During construction, trails may need to be temporarily closed during stringing or other construction activities for public safety. Trails will be reopened after work has been completed and will have no long-term impact. Pathway will work with Arapahoe County as needed regarding trail crossings. There are currently no existing trails located on the north side of E. Quincy Avenue where the transmission line route will be located.

The Powerline Trails Act was passed in 2022 to help raise awareness and create opportunities for Public Entities, defined as “the state, a local government, or a district,” to co-locate public recreation trails within transmission corridors.

The Open Spaces Division is aware of the above-mentioned Act, but does not wish to pursue any recreation trail at this time. However, a trail may be pursued in the future.

- 11) *The planning, design, and operation of the Proposed Project will reflect principles of resource conservation, energy efficiency, and recycling or reuse.*

Once Pathway has been constructed, it will drive ongoing development associated with the clean energy projects (wind, solar, etc.) that will ultimately interconnect to

Pathway. Pathway will support Xcel Energy's Clean Energy Plan (Xcel Energy 2021) that is estimated to deliver as much as an 85 percent reduction in carbon dioxide emissions by 2030 and add approximately 6,500 megawatts of new wind, solar, and other energy resources.

12) *The Proposed Project will not significantly degrade the environment.*

a. *Air quality.*

Arapahoe County is in attainment with National Ambient Air Quality Standards for the following criteria pollutants: particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide, and lead; Arapahoe County is in non-attainment for ozone (EPA 2025). Therefore, this geographic area has air quality that fails to meet the National Ambient Air Quality Standards for ground-level ozone.

Short-term effects are anticipated from a temporary increase in construction vehicles, which may increase fumes and fugitive dust, construction equipment exhaust (fumes), and clearing and preparing areas for construction (dust). Dust (particulate emissions) will be suppressed using water trucks. The short-term effects are not expected to cause a public nuisance. If a nuisance arises during construction, the nuisance will be mitigated in coordination with Arapahoe County.

It is anticipated that an average of 30 trucks per day will be utilized during the construction of the transmission line. The impact on local roads will vary day by day as the construction moves along the route. The construction of the Harvest Mile Substation equipment additions will involve mostly personal vehicle trips for construction workers, with 10 trips per day.

Concrete truck deliveries will be made daily when the foundations and piers are constructed. Multiple deliveries of yard rock (up to 48 per day) and cement (up to 28 per day) will be required daily at certain stages of construction. Water trucks will be utilized during construction activities to suppress dust from vehicles and equipment as necessary within the Pathway easement and county roads, as per coordination with Arapahoe County.

Xcel Energy will apply for a CDPHE APEN (Air Pollutant Emission Notice) for land development prior to construction and follow state standards to control the release of fugitive dust related to construction if necessary. The APEN will be required for a disturbance greater than 25 contiguous acres and land development activities longer than six months.

During operation, Pathway will not generate trips in excess of those currently experienced, as the transmission line facilities represent a passive use and will not be staffed. Transmission line operations will not require on-site staff and will be monitored remotely. Visits from personnel will be limited to emergencies or maintenance and inspection activities, and increased fumes, exhaust, and dust during operation are not expected.

b. *Visual quality.*

The existing visual landscape in the area around the proposed Pathway transmission line route consists mainly of agricultural land uses, including pivot irrigated crops and pastureland. Trees are sparse, and shrub/scrub and herbaceous land cover dominate the area. Industrial facilities present near Pathway facilities include solar farms, high-voltage electric transmission lines, and industrial development. Electric distribution lines are visible throughout the area and are generally located along roads to serve residential and commercial areas. There are several existing high-voltage transmission lines and electrical substations in Arapahoe County.

Where feasible, the Pathway route through Arapahoe County is co-located along this existing infrastructure to minimize new impacts to the surrounding area. The transmission line will be visible to viewers with direct, open views. Viewers located farther away are likely to experience less visual impact because the existing screening (topography, vegetation, buildings) and distance from the facilities will decrease potential views. Typical transmission pole configurations, representative photographs, and visual simulations of Pathway are included in Plans, Representative Photographs, and Simulations (ASI25-001\_LE25-003-Photosim).

c. *Surface water quality.*

The applicant has indicated that the construction of the transmission line will not create runoff in excess of previous site levels and will not change existing topography or adversely affect drainage. No alteration in the pattern or intensity of surface drainage as a result of the construction or operation of the transmission line will occur. Xcel Energy will comply with permit application requirements, County standards, and construction protocol to ensure that Pathway does not violate water quality standards. Prior to construction, a GESC Permit will be obtained from Arapahoe County for the transmission line, and a Storm Water Permit for Construction Activities will be obtained from CDPHE.

Pathway intends to avoid impacts to streambeds to the extent practicable. The span between transmission line poles can be up to 1,400 feet and thus can be sited to avoid placement over streambeds and to span across them. Based on the lengths provided in Table 9 in Section 2.12.c.1 of the 1041 narrative, it is not anticipated that Pathway will result in any impacts to streambeds in Arapahoe County.

Associated access roads, laydown yards, and other appurtenant features of Pathway will also be sited to avoid impacts to streambeds. 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 (CWA). To avoid potential indirect impacts from construction-related erosion and sediment movement during construction,

Pathway will adhere to BMPs outlined in the SWMP as well as the GESC Plan, which will include erosion control and revegetation measures.

*d. Groundwater quality.*

Construction and operation of Pathway are not anticipated to impact existing aquifers. Pathway will not require permanent drawing out of a well or aquifer.

*e. Wetlands, floodplains, streambed meander limits, recharging areas, and riparian areas.*

A desktop analysis of the portion of Pathway within Arapahoe County was completed to identify potentially jurisdictional wetlands and other Waters of the U.S. (WOTUS) that may be subject to regulation under Section 404 of the Clean Water Act (CWA). The digital information and site visit were evaluated for the 150-foot Pathway easement and an additional 50-foot buffer on either side of the Pathway easement.

Tetra Tech wetland scientists also conducted site visits within areas where land access has been granted to Xcel Energy to perform wetland evaluations and jurisdictional stream determinations within the transmission line easement. The site visits were conducted in October 2023, February 2024, July 2024, April 2025, and November 2025.

The transmission line will span or avoid any wetlands, streams, lakes, and reservoirs as much as possible. There are poles located in the FEMA-designated 100-year floodplain. Xcel Energy will submit separate floodplain permits for processing by Arapahoe County and SEMSWA, as applicable, to ensure compliance with each jurisdiction's regulations on this matter. A FEMA permit shall be obtained before construction can occur on the subject parcel. This will be made a condition of approval.

Pathway intends to avoid impacts to wetlands and WOTUS features to the extent practicable. The applicant believes no federally jurisdictional wetlands or waters will be impacted by the Project, and 404 CWA permits will not be required by the U.S. Army Corps of Engineers. The span between transmission line poles can be up to 1,400 feet and thus can be sited to avoid pole placement within and to span across wetlands and other WOTUS features to avoid permanent impacts. Associated access roads, laydown yard, and other appurtenant features of Pathway will also be sited to avoid permanent impacts to wetlands and WOTUS 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 CWA. If a 404 CWA is impacted, a permit will need to be obtained before construction can occur on the subject parcel. This will be made a condition of approval.

Temporary impacts to wetlands and WOTUS during the construction of Pathway will be avoided. To avoid potential indirect impacts from construction-related

erosion and sediment movement during construction, Pathway will adhere to BMPs outlined in the SWMP as well as the GES Plan, which will include erosion control and revegetation measures.

In areas where access roads are not planned to cross a wetland or stream and crossing of a wetland or stream is not necessary for Pathway construction, driving access will be restricted by installing high-visibility construction fencing as a visual aid to prohibit construction subcontractors from driving through aquatic features to avoid impacts to potentially jurisdictional wetlands, State Waters, and WOTUS.

*f. Terrestrial and aquatic animal life.*

Desktop Information

A desktop analysis of the portion of Pathway was completed to characterize the environmental setting of Pathway and evaluate the potential for the occurrence of special-status species based on available habitat. The analysis included the transmission line route plus a one-mile buffer. The one-mile buffer was used to evaluate biological resources that could be influenced by project construction or operation (i.e., raptor nests).

The above research identified a total of 15 special-status wildlife species occurring within one mile of proposed Pathway facilities, including: Preble's meadow jumping mouse, swift fox, Bald eagle, Ferruginous hawk, Golden eagle, Piping plover, western burrowing owl, Whopping crane, Pallid sturgeon, common garter snake, and Monarch butterfly, Ute ladies'-tresses orchid, and western fringed prairie orchid. The Piping plover, Whopping crane, Pallid sturgeon, and western fringed prairie orchid are unlikely to occur due to unsuitable habitat in the project and vicinity. In addition, the Ute's Ute ladies' tresses orchid has a low chance of occurring due to the habitat in the area.

As per CPW mapping, the proposed transmission line route does cross a portion of the swift fox, ferruginous hawk, and common garter snake range, and the entirety of the proposed route overlaps black-tailed prairie dog high-potential colony occurrence range, Preble's meadow jumping mouse overall range, golden eagle breeding range, and burrowing owl breeding range.

In addition to the above-listed species, CPW tracks and maps data for big game species habitat throughout the state. The mountain lion's overall range and peripheral range are located within the one-mile buffer of proposed Pathway facilities. Three mule deer concentration areas, one migration corridor, four severe winter ranges, one winter concentration area, and three areas identified as winter range occur within the one-mile buffer of proposed Pathway facilities. Two pronghorn antelope concentration areas, one winter concentration area, one area identified as winter range, and pronghorn perennial water sources occur within the one-mile buffer of proposed Pathway facilities. Two white-tailed deer

concentration areas and two areas identified as winter range occur within the one-mile buffer of proposed Pathway facilities.

#### Field Survey

In addition to publicly available information, windshield and ground-based surveys of proposed Pathway facility locations were completed from September 2021 to the present (where access was available) to identify any potential areas of concern for biological resources and identify habitat for special status species.

#### Raptor:

Ground-based raptor nest surveys and aerial raptor nest surveys were initially conducted in April and May 2022 to identify potentially active eagles and other raptor nests within 0.5 miles of the proposed transmission line route. Ground-based raptor nest surveys along Segment 5 of Pathway have been ongoing since the initial aerial raptor nest surveys in 2022. Every nesting season since 2022, Tetra Tech biologists have performed ground-based raptor nest surveys to account for changes in the transmission line alignment and newly acquired property access, as well as to verify the presence and activity of previously mapped nests and document newly constructed nests.

#### Burrowing Owl:

Since May of 2022, burrowing owl habitat/prairie dog colony surveys have also been completed along the transmission easement of Segment 5, where landowner access has been granted. Biologists have made an effort to document potential swift fox dens observed during these surveys, but have yet to encounter any.

Surveys for nesting raptors, burrowing owls, and other ground-nesting birds will continue to be conducted in areas with suitable nesting habitat prior to construction activities of that phase of construction.

#### Preble's meadow jumping mouse habitat and Ute-ladies' tresses:

Surveys to assess areas for suitable Preble's meadow jumping mouse habitat and Ute-ladies' tresses habitat were completed in October of 2023, and determined that suitable habitat for both species was not present along Segment 5 within Arapahoe County.

#### CPW Request:

CPW has requested the following for the applicant to consider.

Aquatic Native Species Conservation Waters: CPW has identified Aquatic Native Species Conservation Waters within the State of Colorado's 2015 State Wildlife Action Plan. These surface water features provide critical habitat for native aquatic wildlife, such as amphibians and fish, while also providing crucial habitat for mammals, birds, and reptiles that utilize the habitat. Within the proposed Project area, there is a possibility of sensitive aquatic native species (fish and amphibians) present within Coal Creek and Box Elder Creek. CPW recommends no surface occupancy and no ground disturbance (year-round) within 500 feet of

the ordinary high-water mark of all of these surface waters and the implementation of appropriate stormwater and sediment control BMPs.

**Mule Deer Severe Winter Range:**

Mule Deer Severe Winter Range is defined as the portion of a species' range where 90% of individuals are found during the harshest two winters out of ten, when snowpack is highest, and temperatures are lowest. Within the proposed Project area, Mule Deer Severe Winter Range is present along the proposed transmission route at Township 5S, Range 64W, Sections 3 and 4, and Township 5S, Range 65W, Sections 2 and 4. For the identified portions of the proposed Project area that traverse Mule Deer Severe Winter Range, CPW recommends the following timing limitation be implemented for construction, operation, and decommissioning phases:

- No permitted or authorized human activities from December 1st to April 30th. If this cannot be achieved, CPW recommends starting construction outside of the winter timing to reduce impacts to mule deer during this crucial time of year.

**Mule Deer Winter Concentration:**

Mule Deer Winter Concentration is defined as the part of the winter range where densities are at least 200% greater than the surrounding winter range density during the same period used to define winter range in the average five winters out of ten. Within the proposed Project area, Mule Deer Winter Concentration is present along the proposed transmission line route at Township 5S, Range 64W, Sections 3 and 4. For the identified portions of the proposed Project area that traverse Mule Deer Winter Concentration, CPW recommends the following timing limitation be implemented for construction, operation, and decommissioning phases:

- No permitted or authorized human activities from December 1st to April 30th. If this cannot be achieved, CPW recommends starting construction outside of the winter timing to reduce impacts to mule deer during this crucial time of year.

**Pronghorn Winter Concentration Area:**

CPW defines Pronghorn Winter Concentration Areas as the part of the winter range where pronghorn densities are at least 200% greater than the surrounding winter range density during the same period used to define winter range in the average of five winters out of ten. The Mapped Pronghorn Winter Concentration Area is present within the entire project area except Township 5S, Range 65W, Sections 4, 5, 6, 7, 8, and 9. For the identified portions of the proposed Project area that traverse Pronghorn Winter Concentration, CPW recommends that the following timing limitation be implemented for the construction, operation, and decommissioning phases:

- Complete construction in these areas outside of the winter season, which falls from January 1st to April 30th. If this cannot be achieved, CPW recommends

starting construction outside of the wintertime to reduce impacts to pronghorn during this crucial time of year.

#### Burrowing Owls:

Burrowing Owls are listed as State Threatened and are known to nest in active or inactive prairie dog (black-tailed or white-tailed) burrows or the burrows of other terrestrial wildlife. Because burrowing owls are included in the protections afforded by the Migratory Bird Treaty Act, it is important to avoid actions that could negatively impact the owls, nests, and eggs. To best avoid or minimize impacts to Burrowing Owls within the project area, CPW recommends the following:

- If development is proposed to occur in a prairie dog colony that has been active within the past 10 years, CPW recommends conducting surveys consistent with CPW's Burrowing Owl Survey Protocol.
- CPW recommends that targeted surveys be conducted for any activities resulting in ground disturbance between March 15th and October 31st.
- If nesting Burrowing Owls are present, no human encroachment or surface disturbance should occur within a 200-meter buffer of nesting burrows from March 15th to August 31st.
- If Burrowing Owls occupy the site, CPW recommends that earthmoving and other disturbance activities be delayed until late fall after they have migrated.
- If seismic work could disturb or collapse dens containing nests, that work should avoid the nesting period.

#### Swift Fox Potential Denning Habitat:

Swift fox is listed in Colorado as a species of State Special Concern, and several of the areas of the proposed Project area contain potential swift fox denning habitat. To minimize the impact of future development on occupied, high-quality swift fox habitat, CPW recommends that the developer conduct pre-construction surveys for active den sites in coordination with CPW. CPW also recommends no human encroachment, surface disturbance, or construction activity within 0.25 miles of an active maternal den site from March 15th through June 15th. The

#### Mountain Plover Nest Sites:

Mountain Plovers are listed in Colorado as a species of State Special Concern. CPW recommends that surveys be completed using USFWS protocols in potential nesting habitats and that any active Mountain Plover nests within the proposed Project area are protected through the application of appropriate spatial buffers, and planning construction activity within nesting habitats outside of critical nesting periods for the species (April 1 through August 15). Mountain Plovers can nest in short-grass prairie, dryland cultivated farms, and prairie dog towns; all of which are located within the proposed Project boundary. Where active nests are identified immediately ahead of construction, CPW recommends that they be flagged and avoided through the application of a seasonal restriction of no human disturbance within 300 feet until the young are hatched and independent of the nest as determined by CPW or a qualified biologist.

**Raptors and Migratory Birds:**

The proposed Project area contains suitable habitat for nesting raptors and migratory birds. To ensure compliance with the MBTA and the Bald and Golden Eagle Protection Act, CPW recommends consultation with USFWS prior to construction of the proposed Project. All migratory birds are protected from potential take under the MBTA, and any removal or disturbance of an active migratory bird nest requires prior consultation with CPW and USFWS. Both active and potential nest sites, as well as winter night roosts, should be considered when evaluating potential disturbance during construction.

Along with the raptor nest surveys, CPW recommends transmission lines be installed consistent with Avian Power Line Interaction Committee (APLIC) standards and that bird diverters be installed within 1/4-mile of any lake, drainage, or riparian area and within the raptor nesting buffer for all active nests.

The applicant has indicated that they have been conducting ongoing coordination with CPW and the USFWS regarding potential biological resources that may be impacted by Pathway. The feedback received from CPW and USFWS during these meetings has been used in the route and siting of Pathway. Xcel Energy will continue to coordinate with CPW and USFWS through permitting, construction, and operation of Pathway, as needed, to ensure compliance with all applicable federal and state regulations.

Staff shall require that the applicant comply with the recommendations of CPW as a condition of approval.

*g. Terrestrial and aquatic plant life.*

See 12.f above.

*h. Soil and geologic conditions.*

The Karst Areas and Soil Erodibility Maps in the Addendum to Routing and Siting Study for Segment 5 (ASI25-001\_LE25-003-Routing and Siting Study), show areas of evaporite basin and soil erodibility within Arapahoe County. Pathway facilities will be located in areas mapped as loams, silts, clays, alluvium, and eolian deposits.

Pathway will be constructed based on the result of geotechnical studies to effectively site transmission poles and avoid geological hazards. During construction, Xcel Energy's contractor will minimize any soil impacts by strictly adhering to a SWMP regulated by CDPHE and will institute and maintain erosion and sediment control BMPs designed to protect soils and prevent erosion. The pathway is designed to withstand seismic considerations and is not anticipated to be affected by subsidence.

*13) The Proposed Project will not cause a nuisance.*

The project is expected to cause minor impacts, and those will be addressed as follows:

Traffic: During construction, temporary safety fences will be erected along the construction right-of-way in areas where construction activities will occur near a public road or residence. Once the facility is operational, the traffic generated by two employees every 12 hours and deliveries will be minimal.

Dust: Dust suppression techniques, such as watering, will be implemented during construction. The key to dust control is through watering roads and site construction areas. Impacts from the use of heavy equipment will be minimized to the extent possible. All construction will occur during the day; no nighttime construction is expected.

Noise:

The applicant commissioned a noise study for the proposed facility, see Noise and EMF Study.

Installation/Construction: Construction-related noise will result in temporary short-term increases in noise in areas where construction and staging are taking place. Short-term noise will result during substation construction, foundation construction, and assembly and erection of the transmission line poles. Short-term noise is anticipated from construction equipment such as augering machines, cranes, heavy machinery, and trucks. Construction vehicles and equipment will be maintained in proper operating condition and equipped with manufacturer's standard noise control devices (e.g., mufflers or engine enclosures).

Indirect effects from post-construction activities, which include the noise from transmission line inspections and maintenance activities, are anticipated to be negligible because of their short duration and infrequency.

Transmission Lines:

As per the EMF Study, the maximum projected noise level measured at 25 feet from the edge of the Pathway easement is 49.8 dBA. Pursuant to CPUC Rule 3206(f), noise levels below 50 dBA are not subject to further review (4 CCR 723-3). The audible noise level is below all levels deemed reasonable by Commission rule, including the Commission's most stringent 50 dB(A) residential noise limit outlined in Rule 3206(f).

Magnetic Field: Magnetic Fields were analyzed at the edge of the transmission easement, and the magnetic fields from both potential conductor types are below the 150 mG magnetic field level that is deemed reasonable by CPUC Rule 3206(e).

Harvest Mile Substation: The applicant has indicated that the maximum projected noise level at 25 feet from the substation will be 57 dBA. This means that the facility is under the maximum permissible noise level for "industrial use" under C.R.S. § 25-

12-103 (“Noise Statute”), which is the applicable noise standard. As per state statute, the industrial noise levels are 80 dB(A) from 7:00 a.m. to 7:00 p.m. and 75 dB(A) from 7:00 p.m. to the next 7:00 a.m.

Air Pollution:

See 12.a

Septic Systems:

The Arapahoe County Public Health Department (ACPHD) identified two potential septic systems near the transmission line easement that could be affected. These sites are located at 34501 E. Quincy Avenue (the ponds on the Appogee property) and 27901 E. Quincy Avenue (within the City of Aurora-Pronghorn Natural Area and Open Space.) The permit is for the personnel building and shop facility. After discussion with CDPHE and Xcel Energy, ACPHD doesn’t have any concerns with these sites.

Water Wells:

ACPHD had concerns about the transmission line facilities affecting existing water wells. Xcel Energy has identified all wells that are within the proposed transmission line right-of-way and has added the wells to the Location and Extent plan set. One transmission line pole (pole 694) is located within 100 feet of a well. Xcel Energy will include construction fencing around this well to prevent damage to the well during construction, as recommended by ACPHD. This has been made a condition of approval.

Landfill Operations:

The ACPHD identified two landfills potentially within 1,000 feet of the proposed transmission line easement. Both landfills are located east of S. Robertsedale Way; one is north and the other south of E. Quincy Avenue. The applicant’s construction contractor is to conduct methane monitoring within 1,000 feet of the landfill boundary and incorporate response procedures in their construction emergency response plan. ACPHD was satisfied with these recommendations.

Unexploded Ordinance:

The applicant’s construction contractor will include information about unexploded ordinance in their construction emergency response plan. ACPHD is satisfied with this recommendation.

- 14) *The Proposed Project will not significantly degrade areas of paleontological, historic, or archaeological importance.*

The Historic Places Map in Addendum to Routing and Siting Study for Segment 5 (2-ASI25-001\_LE25-003-Routing and Siting Study\_rev), shows designated historic places and historic districts within Arapahoe County.

Desktop cultural resources reviews were completed in December 2022 and again in April 2025. Cultural resource and paleontological records were reviewed using

archaeological site files and the Colorado Cultural Resource Online Database (Compass) maintained by the Colorado Historic Society Office of Archaeology & Historic Preservation. Included in the Compass database are records of properties listed in the National Register of Historic Places. The cultural resources site file search was conducted for a 150-foot buffer of the transmission line easement and the Harvest Mile Substation within Arapahoe County (the Research Area).

No paleontological resources have been recorded within the Research Area.

Within the Research Area, four (4) previous cultural resource surveys have been conducted (report numbers AH.LG.NR8, MC.AE.R26, MC.CH.R3, and MC.E.R35). These surveys include approximately 1.0 miles of Segment 5. Within the Research Area are four (4) previously recorded cultural resources. These include: a prehistoric lithic scatter (5AH.73), a prehistoric open camp (5AH.414), a historic fence (5AH.1642), and a historic transmission line (5AH.1643). The open camp, fence, and transmission line have been determined Not Eligible, and the lithic scatter is Unevaluated. "Unevaluated" means the site has been identified during a survey but has not yet undergone the necessary testing or assessment to determine if it is eligible for listing on the National Register of Historic Places (NRHP) or state-level registers.

Higher voltage transmission lines are generally installed crossing over lower voltage lines to avoid potential interference. Pathway will cross the historic transmission line. Note that the exact location of the historic transmission line cannot be provided within public documents in accordance with the required confidentiality agreement with the State Historic Preservation Office. If needed, the Pathway transmission poles on either side of the historic transmission line will be designed to be taller to increase the clearance. Pathway will span site 5AH.1642. Site 5AH.73 will be re-surveyed, and an official determination of eligibility will be obtained before the construction of this project phase, and the site will not be impacted. No transmission line poles will be constructed within the site boundaries, and the sites will not be impacted. No permits need to be obtained from the State Historic Preservation Office.

15) *The Proposed Project will not result in an unreasonable risk of releases of hazardous materials.*

a. *Plans for compliance with federal and State handling, storage, disposal, and transportation requirements.*

No hazardous materials will be used, stored, or generated on the site of Pathway facilities. Hazardous materials used during construction and operation may include:

- 6,500 cubic yards of concrete
- Unleaded fuel
- Diesel fuel
- Hydraulic fluid

Unleaded and diesel fuel will be delivered by authorized vendors, and concrete will be transported by concrete vendor trucks. Unleaded and diesel fuel will be stored at the following locations in Arapahoe County:

- Beichle Laydown Yard
- Harvest Mile Substation

*b. Use of waste minimization techniques.*

Enclosed containment will be provided for trash disposal. Construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials as described above in 15.a and will be removed and taken to a disposal facility authorized to accept such materials.

Construction, operation, and maintenance activities will comply with applicable federal, state, and local laws and regulations regarding the use of hazardous substances. Construction activities will be performed by methods that prevent entrance or accidental spillage of solid matter, contaminants, debris, and other pollutants and waste into flowing streams or dry watercourses, lakes, and underground water sources. All activities will follow BMPs for the management of wastes to avoid and minimize effects from potential spills or other releases to the environment.

*c. Adequacy of spill prevention and response plans*

To prevent accidental release and exposure to harmful substances and to mitigate environmental impacts, the following procedures will be implemented:

- Training and Protocol Adherence: All project vendors must complete environmental training and adhere to the Colorado's Power Pathway Spill Response Protocol.
- Immediate Response: In the event of a spill, Mears Group will respond immediately. The individual who discovers and reports the spill will contain it until Mears Group arrives for official cleanup.
- Spill Kits: Standard spill kits are distributed to all vendors and laydown yards.
- Notification: Once a spill has occurred Pathway team will contact QISG Environmental team and QISG safety team, to respond to proper clean up and disposal.
- Contaminated Material Removal: Contaminated soil and materials used to contain the spill will be removed and transported to Buffalo Ridge Landfill in Keenesburg, Colorado.
- Concrete Procurement and Transport: Approximately 6,500 cubic yards of concrete are required for 132 structures in Arapahoe County. American Eagle Ready Mix will procure and transport the concrete, prioritizing local vendors.
- Accidental Discharge Response: In case of accidental discharge, spill kits will be used to contain the material, which will then be taken to a designated recycling center. The QISG Environmental Team will be notified immediately to determine any additional measures needed.

Hazardous materials used during construction and operation will be used and disposed of in compliance with all applicable federal, state, and local regulations. Pathway construction in Arapahoe County will comply with the Spill Prevention and Response Procedures. Pathway activities will comply with applicable federal, state, and local laws and regulations regarding the use of hazardous substances, and activities will follow BMPs for the management of waste to avoid and minimize effects from potential spills or other releases to the environment.

- 16) *(Only Applicable to Major Permit Review) The benefits accruing to the County and its citizens from the proposed activity outweigh the losses of any resources within the County or the losses of opportunities to develop such resources.*

The applicant anticipates that Pathway will provide economic benefits to Arapahoe County. The short-term economic benefits of Pathway are driven by the \$1.7 billion investment in electric transmission assets in Colorado, which includes payments for land acquisitions and easements, as well as the creation of construction jobs and indirect economic stimulus of construction activities. More immediately, Pathway construction will provide local jurisdictions and host communities with potential additional tax revenue and employment opportunities. Revenue may increase during construction for local businesses such as restaurants, gas stations, grocery stores, hotels, and other local businesses.

Once Pathway has been constructed, it will facilitate ongoing job opportunities and employment associated with the clean energy projects (wind, solar, etc.) that may ultimately interconnect to Pathway, which will also provide tax revenues and employment opportunities. Expected long-term benefits include tax payments to the counties that will be crossed by the transmission line over the life of the project.

- 17) *The Proposed Project is the best alternative available based on consideration of need, existing technology, cost, impact, and these regulations.*

Several alternatives to Pathway were considered, including non-structural alternatives, structural alternatives, and design alternatives (Addendum to Routing and Siting Study for Segment 5 [ASI25-001\_LE25-003-Routing and Siting Study]).

Alternate locations and routes, alternative types of facilities, use of existing easements, joint use of easements with other utilities, and upgrades to existing facilities were analyzed. Pathway routing and siting efforts were divided by segment and documented in a series of routing and siting studies. Each routing and siting study is interrelated due to the overlap in segment Study Areas and shared substation endpoints. Resources that influenced the selection of the proposed route in Arapahoe County included: existing linear infrastructure, location of proposed route to the south of Arapahoe County, location of existing Harvest Mile Substation, residences, existing land uses (solar facilities, Arapahoe County Fairgrounds, Aurora Reservoir, Peter Binney Water Purification Facility), future proposed projects, and Air National Guard flight training areas.

The Army Aviation conducts low-altitude flight training east and south of Aurora Reservoir. This training is routinely performed below 200 feet at high speeds, which will affect the transmission line construction. Risk can be mitigated by ensuring air crews are accurately informed of the changes and timelines. To do this, the Army Aviation Support Facility (AASF) would need a better timeline of construction locations as well as the method of assembly (crane or helicopter use).

On March 19, 2024, Xcel Energy met with Buckley Space Force Base authorities, including those from the AASF, Defense Mission Task Force, and 240th Civil Engineer Flight, amongst others, to discuss their concerns regarding potential interference of the original preferred route on training activities on Colorado State Land Board property outside of the base area within Arapahoe County. Subsequent to this conversation, Xcel Energy revised the original preferred route to avoid the areas of concern and updated the route to what is being proposed with this application.

On April 2, 2024, Xcel Energy met with Buckley Space Force Base, including a representative from the AASF, to discuss the proposed transmission line route. During this meeting, Buckley Space Force Base confirmed that the updated preferred route addressed their concerns relative to training areas on State Land Board property and confirmed that Pathway is not anticipated to impact training activities. The updated preferred route that was approved by Buckley Space Force Base is the same route included in the 1041 and Location and Extent applications. From these discussions, the Colorado Army National Guard requested that they be contacted before and during the construction of this project. Staff have made this a condition of approval.

Given the small area occupied by the transmission poles and the substation footprint, and the minimal anticipated visual impact, landscaping is not proposed as part of Pathway. The type of steel used for the transmission poles will be determined through consultation with the local jurisdictions. Access to the transmission poles from E. Quincy Avenue is shown on the Location and Extent plan set and will be confirmed before construction.

18) *The Proposed Project will not unduly degrade the quality or quantity of agricultural activities.*

The transmission line alignment avoids existing irrigation ditches and pivot irrigation in fields to minimize effects on existing productive agricultural operations. Current uses adjacent to the Pathway facilities will be able to continue mainly unchanged after the construction of this project. Areas disturbed during construction will be restored in coordination with the landowners and their current land use.

19) *Cultural Resources. The Proposed Project will not significantly interfere with the preservation of cultural resources, including historical structures and sites, agricultural resources, the rural lifestyle, and the opportunity for solitude in the natural environment.*

Pathway is not located within any historic and archaeological areas of importance. No permits are required.

20) *Land Use. The Proposed Project will not cause significant degradation of land use patterns in the area around the Proposed Project.*

The applicant indicates that the current land uses adjacent to the Pathway facilities will be able to continue mainly unchanged after construction of this project. The transmission line alignment avoids existing irrigation ditches and irrigation in fields to minimize effects on existing agricultural operations. Areas disturbed during construction will be restored in coordination with the landowners and their current land uses.

21) *Compliance with Regulations and Fees. The applicant has complied with all applicable provisions of these regulations and has paid all applicable fees.*

The applicant has complied with all applicable provisions and has paid all applicable fees.

C. Additional Criteria Applicable to Major Facilities of a Public Utility

1. *Areas around major facilities of a public utility shall be administered so as to minimize disruption of the service provided by the public utility.*

The transmission line will have an easement of 150 feet wide, 75 feet on either side of the centerline. Xcel Energy will maintain the transmission line easement in accordance with North American Electric Reliability Corporation standard FAC-003-5 (NERC 2022) vegetation management standards and Arapahoe County weed management regulations.

Vegetation management within the transmission line easement will be required prior to, or in conjunction with, construction. Trees and tall vegetation growing within or near the Pathway easement can cause downed lines, power outages, and wildfires. Vegetation management crews will work to prevent these situations from occurring. Vegetation management involves the use of various types of treatment, including removing, pruning, and mowing vegetation, and the treatment of vegetation with herbicides to ensure safe operations. The transmission line will be inspected regularly (at least annually) to look for the following:

- Non-compatible vegetation and hazards within the Pathway easement.
- Equipment needing repair or replacement.
- Pathway easement encroachments, which can be hazardous to safety and reliable operations.
- Anything that might jeopardize the safe, reliable operation of the power line.

Operations and maintenance staff must visit the Pathway easement for these inspections, but visits typically are minimal, and landowners will be contacted prior to on-site inspections or maintenance. However, in cases of emergency, advanced contact may not be possible.

2. *Areas around major facilities of a public utility shall be administered so as to preserve desirable existing community and rural patterns.*

Current land uses adjacent to the Pathway facilities will be able to continue mainly unchanged after construction of Pathway. Areas disturbed during construction will be restored in coordination with the landowners and their current land use.

3. *Where feasible, major facilities of a public utility shall be located so as to avoid direct conflict with adopted local comprehensive, State, and regional master plans.*

The project's transmission line location does not conflict with any adopted local, comprehensive, state, and regional master plans. This includes the Arapahoe County Comprehensive Plan.

4. *Where feasible, major facilities of a public utility shall be located so as to minimize the dedication of new right-of-way and construction of additional infrastructure (e.g., gas pipelines, roads, and distribution lines).*

Pathway will negotiate with landowners to grant new transmission line easements, and Xcel Energy will construct new infrastructure, limited to the facilities discussed in this application. Of the approximately 18-mile transmission line route in Arapahoe County, approximately 13 miles (76 percent) is co-located along existing electric transmission infrastructure and existing roads. Pathway is sited in areas already encumbered by linear facilities and does not prohibit adjacent development. Pathway will interconnect at the existing Harvest Mile Substation within the existing fenceline; no additional land adjacent to the existing substation will be necessary for Pathway.

No additional demand for infrastructure, facilities, housing, water (other than trucked-in water for construction), wastewater treatment, or public transportation will be created.

#### 4. Referral Comments

Comments received during the referral process are summarized in the chart attached to this report. Any late responses will be conveyed verbally at the public hearing. One public comment was received regarding this application through an email to staff.

This individual had concerns regarding the location of the powerline alignment near Box Elder Creek and believed the lines should be relocated to run along CR 129 to avoid impacts to wildlife on Box Elder Creek and ensure Buckley Air Force Base training can proceed safely without the concerns of powerlines. The initial alignment south of E. Quincy Avenue was moved to the east, away from Box Elder Creek and out of the training zone for the Airforce. The applicant conveyed this to this individual, and he no longer has any concerns.

#### 5. Neighborhood Meetings and Outreach

On March 18, 2025, a neighborhood outreach meeting was held at the Arapahoe County Fairgrounds for the Arapahoe County 1041 and Location and Extent permit applications for

Pathway. A total of seven people attended the meeting, and the only comment received is as follows:

- “I appreciate the experts they had on hand to answer all the questions. Great to see the private sector working so proactively to get information about the future expansion and needs of Colorado. Thank you!”

Staff believes the applicant has adequately fulfilled the requirement of neighborhood outreach.

### **STAFF FINDINGS**

Staff have visited the site and reviewed the plans, supporting documentation, referral comments, and public input in response to this application. Based upon the review of applicable policies and goals in the Comprehensive Plan, review of the 1041 regulations, and analysis of referral comments, our findings include:

1. The proposed ASI25-001, Colorado’s Power Pathway 345-kV Transmission Line - 1041 generally conforms to the Arapahoe County Comprehensive Plan.
2. The proposed ASI25-001, Colorado’s Power Pathway 345-kV Transmission Line - 1041 complies with the General Submittal Requirements contained in Section 2-4 of the Arapahoe County Development Application Manual and Section III, Parts C and E of the Regulations Governing Areas and Activities of State Interest in Arapahoe County - 1041 Regulations.
3. The proposed ASI25-001, Colorado’s Power Pathway 345-kV Transmission Line - 1041 complies with the approval criteria in Section V, Parts A and C of the Regulations Governing Areas and Activities of State Interest in Arapahoe County - 1041 Regulations.

### **STAFF RECOMMENDATION**

Considering the findings and other information provided herein, staff recommends approval of Case No. ASI25-001, Colorado’s Power Pathway 345-kV Transmission Line - 1041, subject to the following conditions of approval listed under the Planning Commission’s Conditional Recommendation to Approve.

### **CONCURRENCE**

The Public Works and Development Planning and Engineering Services Divisions have reviewed the application, and the Arapahoe County Public Works and Development Department is recommending approval of this case.

The Planning Commission has alternatives that include the following:

1. Recommend to approve the proposed 1041 with conditions proposed by staff or with other conditions.
2. Continue to a date certain for more information.
3. Recommend to deny the proposed 1041.

**PLANNING COMMISSION DRAFT MOTIONS -ASI25-001, COLORADO'S POWER PATHWAY 345-KV TRANSMISSION LINE 1041 (AREAS AND ACTIVITIES OF STATE INTEREST)**

**Conditional Recommendation to Approve**

In the case of ASI25-001, Colorado's Power Pathway 345-kV Transmission Line - 1041, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the hearing, and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

1. Prior to the signature of the final copy of these plans, the applicant must update the Location and Extent Plan Set consistent with comments received from Public Works and Development staff as transmitted to the applicant on March 16, 2026, and add reception numbers to the Plan Set as per the email dated April 23, 2026.
2. Colorado Army National Guard (COARNG) shall be provided advance notice of all construction dates and construction-related ground activities on the specified property as soon as reasonably possible. Notice shall be provided to Greg White, Aviation Safety Officer, at 720-250-1601. Specified property: State of Colorado property (south and east of the Aurora Reservoir) and portions of the transmission line along E. Quincy Avenue that is north and adjacent to the State of Colorado property.
3. Transmission Pole 694 is within 100 feet of an existing water well and therefore requires protection. A protective construction fence around this well to prevent damage during the construction of the transmission line is required.
4. As defined by the Clean Water Act, if Waters of the United States are impacted, inclusive of wetlands, a CWA Permit 404 shall be obtained prior to construction.
5. No surface occupancy and no ground disturbance (year-round) within 500 feet, where reasonably possible, of the ordinary high-water mark of all of Box Elder and Coal Creek's surface waters shall be allowed. Where occupancy or ground disturbance outside the 500-foot buffer is not reasonably possible, then the applicant shall install appropriate stormwater and sediment control according to the Colorado Department of Public Health and Environment's Stormwater Management Plan and/or Arapahoe County Grading Erosion Sediment Control Plan to protect the creek and any associated wetlands from erosion and sedimentation.
6. If grading or construction is to occur on the project between January 1 through April 30, the applicant shall conduct a survey to determine if Pronghorn are present. The results of the survey shall be submitted to Colorado Parks and Wildlife ("CPW") and the Planning Division for their review. If Pronghorn are present, no construction and grading is permitted during those dates, unless CPW advises the County that the survey results do not support the need to limit construction or grading.

7. If grading or construction is to occur on the project between December 1 through April 30, the applicant shall conduct a survey to determine if Mule Deer are present. The results of the survey shall be submitted to CPW and the Planning Division for their review. If Mule Deer are present, no construction and grading is permitted during those dates, unless CPW advises the County that the survey results do not support the need to limit construction or grading.
8. The applicant shall conduct a pre-construction survey to determine the presence of burrowing owls following CPW's protocol for vegetation clearing activities resulting in ground disturbance between March 15 through October 31. The survey results shall be submitted to CPW for their review. If burrowing owls are found, the applicant shall coordinate with CPW to determine appropriate avoidance buffers or monitor active nest sites until determined to be inactive.
9. If grading or construction is to occur from March 15 to June 15, the applicant shall conduct a survey to identify and locate swift fox den sites in the construction area within the swift fox overall range. The survey results shall be submitted to CPW and the Planning Division for their review. If a den is identified and located, no human encroachment, surface disturbance, or construction within 0.25 miles of an active maternal den unless CPW advises the County that the survey results do not support the need to limit said activities.
10. If grading or construction is to occur from April 1 to August 15, the applicant shall conduct a survey for Mountain Plover Nest Sites. If active nests are identified and the applicant cannot restrict human disturbance within 300 feet of the nest through the seasonal restriction, then disturbance may be allowed if CPW advises the County that the survey does not support limiting such activities.
11. Prior to construction, if vegetation clearing cannot occur during the nonbreeding season of raptors, migratory birds and burrowing owls (September 1 through April 15), the applicant shall conduct surveys per USFWS and CPW guidance to identify avian nesting activity and determine appropriate avoidance buffers or monitor active nest sites until determined to be inactive. If construction activities must occur inside CPW recommended buffers of an active raptor nest, a qualified biologist will be assigned to monitor the active raptor nest during project construction to ensure nesting raptors do not become disturbed and abandon their nest.
12. Transmission lines shall be installed consistent with Avian Power Line Interaction Committee standards, and bird diverters shall be installed within 0.25 miles of any lake, drainage, or riparian area and within the raptor nesting buffer for all active nests.

***Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Planning Commission reaches a different determination:***

**Recommendation to Deny**

In the case of ASI25-001, Colorado's Power Pathway 345-kV Transmission Line - 1041, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the hearing, and hereby move to recommend denial of this application based on the following findings:

1. State new findings in support of denial as part of the motion.

Continue to Date Certain

In the case ASI25-001, Colorado's Power Pathway 345-kV Transmission Line - 1041, I move to continue the hearing to [*date certain*], 6:30 p.m., to obtain additional information and to further consider the information presented.

Attachments:

Engineering Staff Report

Referral Comments and Applicant's Response

Plan Set

Attachments