



3500 Blake Street  
Denver, CO 80205

July 22, 2025

Kari Parsons, Senior Planner  
El Paso County Planning & Community Development  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

RE: Responses to El Paso County's Staff Report and Conditions of Approval for Colorado's  
Power Pathway 1041 Permit Application (File Number: AASI231)

Dear Kari Parsons,

Attached to this letter, please find Xcel Energy's responses to the El Paso County Board of County Commissioners Hearing Staff Report (Staff Report) and Conditions of Approval for the 1041 Permit Application for Colorado's Power Pathway (Pathway).

Xcel Energy has reviewed the Staff Report and Conditions of Approval and would like to make one correction to Item 7. Fire Protection and Emergency Response under Section E, Elements of Criterion Analysis, and has responded to all items under Section F, Recommended Conditions and Notation. Xcel Energy has proposed several revised Conditions of Approval in the attached document.

Xcel Energy also notes that the Staff Report lists the applicant's address on page 1 as 1800 Larimer Street, Suite 400, Denver, CO 80202. Xcel Energy recently moved to a new office location and notes that address is 3500 Blake Street, Denver, CO 80205.

We look forward to continuing to work with you and other representatives of El Paso County to prepare for the hearing for the 1041 Permit Application for Pathway.

Please contact me by telephone at (303) 285-6533 or email at [jennifer.l.chester@xcelenergy.com](mailto:jennifer.l.chester@xcelenergy.com), Tiffany Hennig at (806) 378-2146 or email at [Tiffany.A.Hennig@xcelenergy.com](mailto:Tiffany.A.Hennig@xcelenergy.com), or our environmental consultant Stephanie Phippen with Tetra Tech Inc. at (303) 980-3515 or at [stephanie.phippen@tetrattech.com](mailto:stephanie.phippen@tetrattech.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer L. Chester'.

Jennifer Chester, Senior Manager  
Siting & Land Rights  
Telephone: (303) 285-6533  
[jennifer.l.chester@xcelenergy.com](mailto:jennifer.l.chester@xcelenergy.com)

Attachment: Colorado's Power Pathway – Xcel Energy Responses to El Paso County Board of County Commissioners Hearing Staff Report and Conditions of Approval

## Colorado's Power Pathway – Xcel Energy Responses to El Paso County Board of County Commissioners Hearing Staff Report and Conditions of Approval

CASE NUMBER: AASI231

### Responses to Staff Report

Section of Document/Information	Response
<b>E. ELEMENTS OF CRITERION ANALYSIS</b>	
<b>7. Fire Protection and Emergency Response</b>	
<p>The Pathway corridor lies within the Edison Fire Protection District, Big Sandy Fire Protection District, and the Tri-County Fire Protection District. Edison Fire Protection District and Big Sandy Fire Protection District did not provide a comment. The Tri-County Fire Protection District has no objections to the request and has commented that they will continue to work with the applicant. Grassland fires are the fastest spreading wildfires in this Region. The 2018 "117-Fire" in Hanover was the 14th largest fire recorded in the State of Colorado, which had similar vegetation and topographical characteristics as the Pathway project. The Fire Prevention Plan submitted is not specific to the hazards present in the eastern portion of El Paso County and does not consider the limited capabilities and water resources of the three volunteer fire protection districts. The applicant states in their application that, "Xcel Energy addresses wildfire mitigation at the state level and does not prepare county-level wildfire mitigation plans." El Paso County's Fire Safety and Wildfire Mitigation Program Manager recommends that a detailed Fire Protection Plan and Wildland Fire and Hazard Mitigation Plan is submitted with the Site Development Plan and/ or Construction Drawings. The Fire Protection Plan and Wildland Fire and Hazard Mitigation Plan should include, but are not limited to, addressing wildfire management considering the terrain, roadway infrastructure, response times, limited water sources and the vegetation in the area.</p>	<p>On May 7, 2025, as part of the Responses to El Paso County's Third Referral Comments for Colorado's Power Pathway 1041 Permit Application, Xcel Energy submitted the document titled "Wildfire Mitigation Plan – Colorado's Power Pathway El Paso County Segment". This document contains information specific to El Paso County, including wildfire burn probability, vegetation management, local emergency response and coordination, and fire prevention measures.</p> <p>In response to the project's third round of referral comments, the project provided the following in response to El Paso County Fire and Wildfire Program Manager comments:</p> <p><i>According to the National Land Cover Database, the Pathway route through El Paso County does not cross forested areas and the area around the Pathway route is dominated by grassland/herbaceous and shrub/scrub land cover as shown in the Land Cover Resource Map in Appendix A, Resource Maps, of the Routing and Siting Study for Segment 5 (Attachment C of the 1041 Application); a copy of the Land Cover Resource Map from the Routing and Siting Study for Segment 5 is provided concurrent with this response document for ease of review. The majority of land crossed by the Pathway route in El Paso County is below 15% slope; only 0.2 miles (or 0.4%) of the route crosses areas above 15% slope as shown in the Slope Resource Map in Appendix A, Resource Maps, of the Routing and Siting Study for Segment 5 (Attachment C of the 1041 Application); a copy of the Slope Resource Map from the Routing and Siting Study for Segment 5 is provided concurrent with this response document for ease of review. Therefore, one Wildfire Mitigation Plan specific to El Paso County is sufficient for Pathway.</i></p> <p>The El Paso County Fire and Wildfire Program Manager did not submit comments on the fourth round of referral comments provided to the project and, therefore, assume that the plan submitted is complete, and no further edits are required.</p>

Section of Document/Information	Response
<b>F. RECOMMENDED CONDITIONS AND NOTATION CONDITIONS</b>	
1. Construction Permits, Work in the Right-of-Way Permits, and Special Transport Permits shall be obtained where necessary for construction in or through County rights-of-way.	Noted.
2. The hours of operation during construction of the facility and hauling to the site within Unincorporated El Paso County shall be limited to Monday through Saturday, excludes all Federal Holidays, and is within seasonal daytime hours, except in non-typical circumstances unless otherwise approved by the Planning and Community Development Director. Non-typical circumstances may include extended time needed to expeditiously restore traffic flow and/or public access, extended time needed to ensure public health and safety, or extended time needed to maintain utility service.	We anticipate that construction of the facility will occur during daylight hours Monday through Saturday but note that additional hours may be required on Sundays or some federal holidays based on availability of crews and time sensitive activities that may require continuous work (such as pouring concrete or restrictions placed on construction from other entities such as CDOT). Xcel Energy will coordinate with the El Paso County Planning and Community Development Director when work on Sunday or a federal holiday is expected to occur.
3. Site lighting, including temporary lighting, will be limited to that shown on the site development plan and or construction drawings(s).	Noted.
4. Operations shall comply with the County Noise Ordinance. If complaints occur, the County may require that the Applicant conduct additional testing to determine noise levels associated with construction or vehicle traffic noise levels. The County may require changes to the hours of operation, or noise controls may need to be installed to achieve acceptable levels as defined in the County Noise Ordinance.	<p>Xcel Energy proposes the following revised condition to align with C.R.S. 25-12-103 which addresses maximum permissible noise levels, including those related to electric transmission facilities and limits that can be imposed by counties (C.R.S. 25-12-103(12)(b):</p> <p>Construction and operation of the facility shall comply with the County Noise Ordinance, C.R.S. 25-12-103 or the PUC's acceptable noise level for the facility, as applicable. If complaints occur, the County may require that the Applicant conduct additional testing to determine noise levels associated with construction or vehicle traffic noise levels associated during construction of the facility comply with the County Noise Ordinance or C.R.S. 25-12-103, as applicable. The Applicant will make any changes to the hours of operation or use of noise controls to maintain compliance with the County Noise Ordinance or C.R.S. 25-12-103, as applicable during construction of the facility.</p>
5. The applicant shall comply with all applicable local, State, and Federal laws and regulations regarding the use, disposal, storage, and transportation of solid and/or hazardous materials on and off-site.	Noted.
6. Access Permits shall be obtained for all temporary and permanent access to the project from County roads.	Noted.
7. The activity shall be conducted in accordance with the regulations of El Paso County and the accompanying documents/reports in the Planning and Community Development Department's files for the matter of State Interest permit application (AASI-23-1).	Noted.

Section of Document/Information	Response
8. The <i>Development Agreement Segment 5 - Colorado's Power Pathway</i> shall be executed and recorded, and the collateral surety bond in an amount equal to one hundred fifteen percent (115%) of the Company's estimated costs to repair and complete final restoration of the General Construction Haul Routes damaged by the Company's use during construction of the Project shall be provided to the Planning and Community Development Department by the applicant pursuant to the Development Agreement prior to construction activity.	Noted.
9. The applicant, developer and successor shall comply with Federal and State laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.	Noted.
10. Applicant shall be required to pay Road Impact Fees in accordance with the El Paso County Road Impact Fee Program (Resolution No. 24-377). Road Impact Fees shall be paid at time of Site Development Plan and/or Construction Drawing application approval.	<p>Xcel Energy proposes the following revised condition:</p> <p>The Applicant has entered into a Development Agreement that addresses the Applicant's obligation to mitigate and repair damage to County Roads that have been approved as Construction Haul Routes, and which damage is caused by the Applicant's use of such County Roads. Applicant and the County shall mutually agree to a County Road Impact Fee that is reasonable and roughly proportional to the long-term impacts of the Applicant's operation of the project on such County Roads, which shall be memorialized in an amendment to the Development Agreement.</p>
11. Applicant, developer and successor shall submit a Site Development Plan and or Construction Drawings meeting the El Paso County Land Development Code, Engineering Criteria Manual, and Drainage Criteria Manual prior to any ground disturbance or staging.	<p>Xcel Energy proposes the following revised condition:</p> <p>Applicant shall submit a Site Development Plan and/or Construction Drawings meeting the El Paso County Land Development Code, Engineering Criteria Manual, and Drainage Manual prior to any use of the subject parcels. Applicant shall be allowed to submit the Site Development Plan and/or Construction Drawings prior to securing easements for all parcels included in the Site Development Plan or Construction Drawings and without the signatures of the fee owners of such parcels, but shall not be allowed to begin construction on or otherwise use parcels for which it has not acquired an easement for the project until such time as the Applicant has obtained a voluntary easement or a court order granting the Applicant immediate possession of the easement area.</p>

Section of Document/Information	Response
<b><i>F. RECOMMENDED CONDITIONS AND NOTATION NOTATION</i></b>	
1. In the event that the Applicant fails to take substantial steps to initiate the above development or activity within five (5) years from the date of this permit or, if such steps are taken, in the event the Applicant fails to complete the development or activity with reasonable diligence, this Permit may be revoked by the Board of County Commissioners.	Noted.