

ARTICLE 2.5.202 REVIEW CRITERIA

Application Submittal Requirements of El Paso County Guidelines and Regulations for Areas and Activities of State Interest Article 5.202

Requirement	Location in this Document/Permit Application
<p>5.202. Review Criteria A permit to conduct site selection and construction of a major facility of a public utility shall be approved if the Permit Authority, or in the case of an Administratively Approved Permit, the Director finds the application complies with the following criteria and the relevant criteria at Section 2.405. If the Permit Authority finds the application does not comply, the application shall be denied or may be approved with conditions.</p>	<p>Section 5.202</p>
<p>(1) All reasonable alternatives to the proposed action, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have been adequately assessed and the proposed action represents the best interests of the people of this County and presents the best utilization of resources in the impact area.</p>	<p>Section 5.202(1); Attachment C: Routing and Siting Study for Segment 5; Attachment S: Colorado Public Utilities Commission Decision Regarding Certificate of Public Convenience and Necessity and Noise and Magnetic Field Reasonableness for Colorado's Power Pathway</p>
<p>(2) A satisfactory program to mitigate and minimize adverse impacts has been presented.</p>	<p>Section 5.202(2); Attachment W: Monitoring and Mitigation Plan</p>
<p>(3) Reserved.</p>	<p>Section 5.202(3).</p>
<p>(4) Electric transmission lines and pipelines shall be located so as to discourage traffic congestion, incompatible uses, and expansion of the demand for government services beyond the reasonable capacity of the community or region, and to avoid unreasonable or burdensome expenditure of public resources.</p>	<p>Section 5.202(4); Letter of Intent Section 5(e)(3); Attachment I: Transportation Memorandum</p>
<p>(5) Major facilities of a public utility shall be administered so as to minimize disruption of the service provided by the utility and preserve desirable existing community patterns.</p>	<p>Section 5.202(5)</p>

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 5.202(1) All reasonable alternatives to the proposed action, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have been adequately assessed and the proposed action represents the best interests of the people of this County and presents the best utilization of resources in the impact area. 1

 5.202(2) A satisfactory program to mitigate and minimize adverse impacts has been presented..... 2

 5.202(3) Unless approval has been granted pursuant to the El Paso County Engineering Criteria Manual at Chapter 4 and Sections 5.3 and 5.5 no electric transmission line or pipeline shall be constructed, located, relocated, reconstructed, enlarged or upgraded within 105 feet of the centerline of any County road with a current or proposed classification as arterial or expressway, as set forth in the El Paso County Major Transportation Corridors Plan and in the El Paso County Engineering Criteria Manual, except to cross such road at or near a perpendicular angle or to provide service to an individual utility customer. 2

 5.202(4) Electric transmission lines and pipelines shall be located so as to discourage traffic congestion, incompatible uses, and expansion of the demand for government services beyond the reasonable capacity of the community or region, and to avoid unreasonable or burdensome expenditure of public resources 2

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LIST OF ACRONYMS AND ABBREVIATIONS

1041 permit	Permit to locate and construct major facilities of a public utility
Application	1041 Permit Application
CPUC	Colorado Public Utilities Commission
Pathway	Colorado's Power Pathway

5.202 REVIEW CRITERIA

A permit to conduct site selection and construction of a major facility of a public utility shall be approved if the Permit Authority, or in the case of an Administratively Approved Permit, the Director finds the application complies with the following criteria and the relevant criteria at Section 2.405. If the Permit Authority finds the application does not comply, the application shall be denied or may be approved with conditions.

In accordance with Section 5.202 of the Appendix B - Guidelines and Regulations for Areas and Activities of State Interest of the El Paso County Colorado Land Development Code (El Paso County §1041 Regulations; El Paso County 2024), the information in this document describes how Colorado's Power Pathway (Pathway) routing and site selection, construction, maintenance, and operation comply with the approval criteria for the Permit Authority approval of the portion of the transmission line subject to this Application. Each criterion for Site Selection and Construction of Major Facilities of a Public Utility from Section 5.202 of the El Paso County §1041 Regulations is listed, followed by a description of how Pathway will comply.

5.202(1) All reasonable alternatives to the proposed action, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have been adequately assessed and the proposed action represents the best interests of the people of this County and presents the best utilization of resources in the impact area.

The design and need of Pathway have been approved by the Colorado Public Utilities Commission (CPUC) and represents the use and application of best technology and industry standards for transmission and transformation of electric energy. The CPUC Decision for a Certificate of Public Convenience and Necessity for Pathway is provided as Attachment S. Routing and siting studies were prepared to review and consider reasonable routing and siting alternatives for the new major electrical facilities (pursuant to Colorado Revised Statutes 29-20-108(4)(a) and (b)). The Segment 5 Routing and Siting Study is included as Attachment C. Public open house meetings were conducted virtually in June 2021 and September 2021 and in El Paso County in November 2021 and March 2022 to inform the public and key stakeholders about Pathway, gather feedback, and address questions and concerns. The analyses of alternatives evaluated in the routing and siting studies and feedback from public and key stakeholders were used to determine the proposed preferred locations for Pathway facilities in El Paso County. The Project as proposed in this Application for a permit to locate and construct major facilities of a public utility (1041 permit; Application) is the preferred alternative

among those analyzed in the Routing and Siting Study for Segment 5 (Attachment C). The portions of Pathway in El Paso County as described in this Application represent the best interests of the people in the County and the best utilization of resources in the impact area.

5.202(2) A satisfactory program to mitigate and minimize adverse impacts has been presented.

Pathway will mitigate and minimize adverse impacts as described in the Monitoring and Mitigation Plan, provided in Attachment W.

5.202(3) Unless approval has been granted pursuant to the El Paso County Engineering Criteria Manual at Chapter 4 and Sections 5.3 and 5.5 no electric transmission line or pipeline shall be constructed, located, relocated, reconstructed, enlarged or upgraded within 105 feet of the centerline of any County road with a current or proposed classification as arterial or expressway, as set forth in the El Paso County Major Transportation Corridors Plan and in the El Paso County Engineering Criteria Manual, except to cross such road at or near a perpendicular angle or to provide service to an individual utility customer.

Noted.

5.202(4) Electric transmission lines and pipelines shall be located so as to discourage traffic congestion, incompatible uses, and expansion of the demand for government services beyond the reasonable capacity of the community or region, and to avoid unreasonable or burdensome expenditure of public resources

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 water for construction), wastewater treatment, or public transportation.

As described in Section 5(e)(3) of the Letter of Intent (pages 22 – 23), it is anticipated that an average of 30 trucks per day will be utilized during the construction of the transmission line for crews, spotting materials, framing poles, and erecting poles.

Concrete truck deliveries will be made daily when the foundations and piers are being constructed. Multiple deliveries of concrete (up to 30 per day) will be required daily at certain stages of construction (see Table 5 in Section 5(e)(3) of the Letter of Intent [pages 22 – 23]). Materials will be delivered to the laydown yards at the onset of construction. An additional 10 to 15 trucks will be needed to deliver steel poles, conductor, anchor bolts, and foundation materials daily to work areas. The impact to local roads will vary day-by-day as construction moves along the route. To mitigate any potential impacts to El Paso County roads, Traffic Control Plans will be prepared and followed during construction. The Transportation Memorandum is provided as Attachment I.

5.202(5) Major facilities of a public utility shall be administered so as to minimize disruption of the service provided by the utility and preserve desirable existing community patterns

Construction and operation of Pathway will not impact electric service provided by the local utility. Construction is not anticipated to disrupt existing community patterns. During construction, temporary traffic impacts are expected to be minor. The impact on local roads will vary daily, as construction teams move along the route. Permitting serves to mitigate potential impacts on local County roads. Necessary road use and right-of-way permits will be obtained from El Paso County and from Colorado Department of Transportation for state highway/interstate crossings as needed prior to construction. The permitting process includes the development of traffic control plans and necessary SWMP/erosion control plans. The resulting conditions of approval will be followed through the Pathway construction. Construction updates and schedules will be discussed with local government officials as needed, as details are determined. Construction crews may reside in the area during construction, temporarily increasing the demand for short term housing at establishments such as hotels, RV parks, and campgrounds.

Construction will occur within permanent and temporary easements acquired for Pathway. Prolonged road closures and detours are not anticipated during construction. Traffic control measures may be needed during wire pulling activities; Xcel Energy will obtain the necessary permits from El Paso County and from CDOT, as needed, prior to construction. Impacts to school bus routes are not anticipated.

Following construction, no traffic impacts are anticipated. During operation, Pathway will not require onsite personnel and is therefore not anticipated to have an impact on existing community patterns.

References

El Paso County. 2024. El Paso County Land Development Code Appendix B: Guidelines and Regulations for Areas and Activities of State Interest. Revised: May 26, 2015. As provided in El Paso County Colorado Land Development Code. Version August 22, 2024. Available online at: https://library.municode.com/co/el_paso_county/codes/land_development_code?nodeId=APXBGUREARACSTIN. Accessed September 2024.



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