



# **COLORADO'S POWER PATHWAY**

**CITY OF AURORA  
CONDITIONAL USE PERMIT  
APPLICATION AND SITE PLAN  
FOR A MINOR UTILITY**

**APRIL 2024**



**Colorado's Power Pathway  
City of Aurora – Conditional Use Permit Application and Site Plan for a Minor  
Utility – Submittal Requirements**

<b>Information</b>	<b>Location in this Permit Application</b>	<b>Site Plan Manual Requirement</b>	<b>City of Aurora Unified Development Code Citation</b>
<b>Conditional Use Permit Application and Site Plan for a Minor Utility</b>			
Letter of Introduction	Section 1	Site Plan Manual, Section 2, 1: Letter of Introduction	
Conditional Use Criteria for Approval	Section 4, Attachment H		146-5.4.3.A Conditional Use
Site Plan and Conditional Use	Section 5, Attachment C	Site Plan Manual, Section 1: The Site Plan	146-5.3.3 Application Materials
Site Plan Criteria for Approval	Section 6		146-5.4.3.B, Site Plans
Accompanying Documents	Section 7	Site Plan Manual, Section 2	
Proof of Ownership	Section 7.1	Site Plan Manual, Section 2, 2: Proof of Ownership	
Building Material Samples	Section 7.2, Attachment D	Site Plan Manual, Section 2, 3: Building Material Samples	
Colored Elevations	Section 7.3, Attachment D	Site Plan Manual, Section 2, 4: Colored Elevations	
Response to Pre-Application Comments	Section 7.4, Attachment F	Site Plan Manual, Section 2, 5: Response to Pre-Application Comments	
Abutting Property Owners	Section 7.5, Attachment E	Site Plan Manual, Section 2, 6: Abutting Property Owners	
GIS/CAD Instructions for Addressing	Section 7.6	Site Plan Manual, Section 2, 7: GIS/CAD Instructions for Addressing	
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**LIST OF ACRONYMS AND ABBREVIATIONS**

APEN	Air Pollutant Emissions Notice
APLIC	Avian Power Line Interaction Committee
BMP	Best Management Practice
CAD	computer-aided drafting
CCR	Code of Colorado Regulations
CDPHE	Colorado Department of Public Health and Environment
CDOT	Colorado Department of Transportation
Compass	Colorado Cultural Resource Online Database
CPCN	Certificate of Public Convenience and Necessity
CPUC	Colorado Public Utilities Commission
CPW	Colorado Parks and Wildlife
CRS	Colorado Revised Statutes
CWA	Clean Water Act
dBA	A-weighted decibel
EMF	Electric and Magnetic Fields
FAA	Federal Aviation Administration
GIS	geographic information system
IEEE	Institute of Electrical and Electronics Engineers
IPaC	USFWS Information for Planning and Consultation
kV	kilovolt
mG	milligauss
NAAQS	National Ambient Air Quality Standards
Natural Area	Pronghorn Natural Area
NHD	National Hydrography Dataset
NWI	National Wetlands Inventory
Pathway	Colorado's Power Pathway
PLJV	Playa Lakes Joint Venture
POS	Parks and Open Space

ROW	Right-of-Way
SC	Species of Concern
SEATS	Southeast Area Transportation Area
SWMP	Stormwater Management Plan
TCA	Temporary Construction Area
UDO	Unified Development Ordinance
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WOTUS	Waters of the U.S.

## 1 LETTER OF INTRODUCTION

The Letter of Introduction is submitted concurrently with the Application.

## 2 PATHWAY CONTEXT

Colorado's Power Pathway (Pathway) is a \$1.7 billion investment proposed by Public Service Company of Colorado, a Colorado corporation doing business as Xcel Energy (Xcel Energy) to improve the state's electric grid and enable future renewable energy development around the state. Pathway will ensure safe, reliable, and economical electric service to the public, boost the regional economy, and create jobs during its construction. 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); and
- 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 (Figure 1). The Colorado Public Utilities Commission (CPUC) did not approve construction of the May Valley – Longhorn Extension (Extension) in the January 2024 Phase II Decision regarding Xcel Energy's Electric Resource Plan and Clean Energy Plan. Xcel Energy may bring a proposal to construct the Extension and Longhorn Substation forward again in the future but has paused its further development as part of Pathway.

Each new or expanded electric substation will serve as an endpoint for the transmission line segments:

- Fort St. Vrain – Canal Crossing (Segment 1)
- Canal Crossing – Goose Creek (Segment 2)
- Goose Creek – May Valley (Segment 3)
- May Valley – Sandstone – Tundra (Segment 4)
- Sandstone – Harvest Mile (Segment 5)

The estimated length of each transmission line segment and location of each substation is outlined in Table 1.

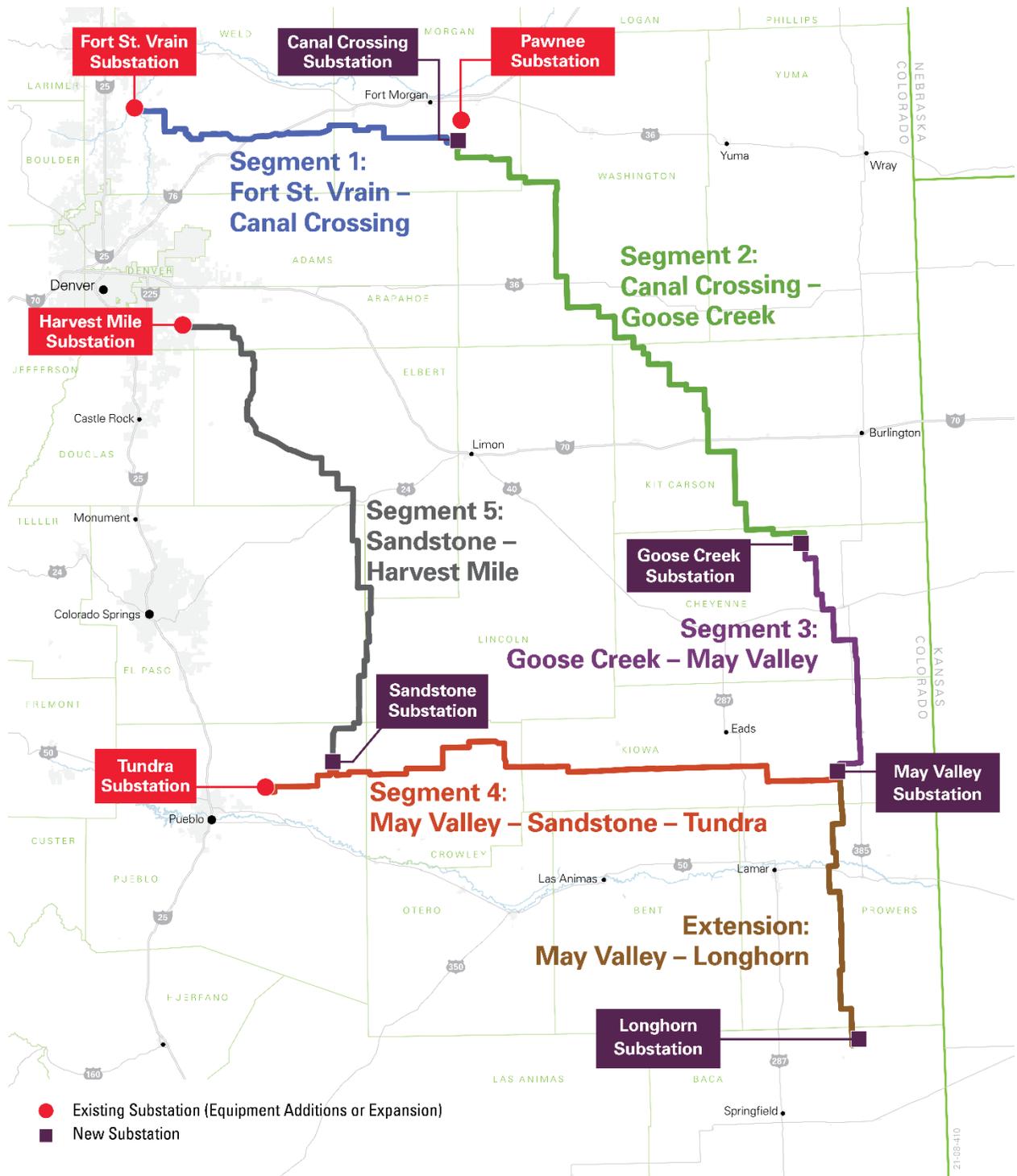


Figure 1: Colorado's Power Pathway

**Table 1: Colorado's Power Pathway by County**

County	Segment (Estimated Miles of Transmission)							Substation
	1	2	3	4	5*	Ext. **	Total	
Baca	-	-	-	-	-	2	2	New Longhorn
Cheyenne	-	9	35	-	-	-	44	New Goose Creek
Crowley	-	-	-	41	-	-	41	-
Kiowa	-	-	22	64	-	6	92	New May Valley
Kit Carson	-	62	-	-	-	-	62	-
Lincoln	-	-	-	-	4	-	4	-
Morgan	27	21	-	-	-	-	48	New Canal Crossing, Pawnee Equipment Additions
Prowers	-	-	-	-	-	51	51	-
Washington	-	53	-	-	-	-	53	-
Weld	47	-	-	-	-	-	47	Fort St. Vrain Equipment Additions
El Paso	-	-	-	-	43	-	43	-
Elbert	-	-	-	-	50	-	50	-
Arapahoe*	-	-	-	-	18	-	18	Harvest Mile Equipment Additions
Pueblo	-	-	-	25	9	-	34	Tundra Expansion, New Sandstone
<b>Total</b>	<b>74</b>	<b>145</b>	<b>57</b>	<b>130</b>	<b>124</b>	<b>59</b>	<b>589</b>	

\*The mileage for Pathway facilities in Aurora (1 mile) is included in Arapahoe County total.

\*\* The CPUC did not approve construction of the Extension in the January 2024 Phase II Decision regarding Xcel Energy's Electric Resource Plan and Clean Energy Plan. Xcel Energy may bring a proposal to construct the Extension and Longhorn Substation forward again in the future but has paused its further development as part of Pathway.

Pathway will be constructed in segments, with a portion of Segment 5 located in Aurora. Pathway facilities proposed in the City of Aurora include 1 mile of new 345-kV double-circuit electric transmission line.

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 clean energy goals. 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 resources. Pathway will help to meet the state's growing electricity needs, improve safety, reliability, and affordability, and enable the transition to clean energy. Pathway 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.

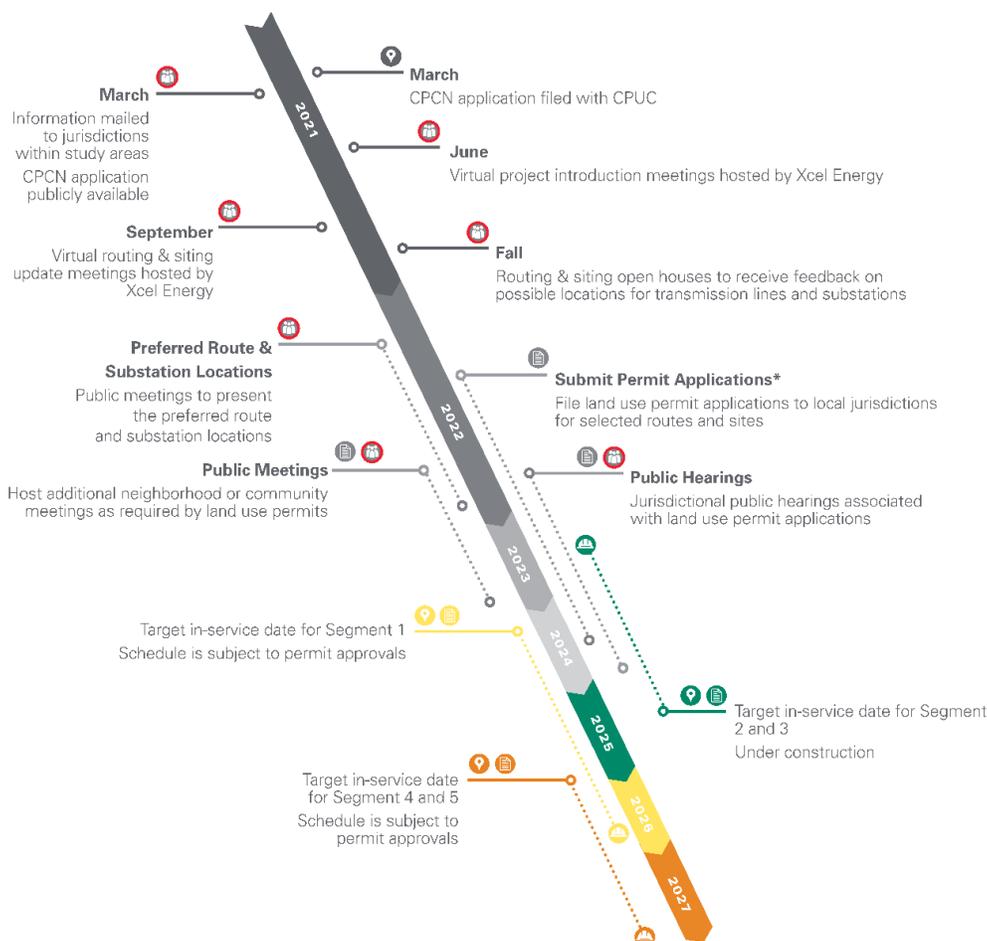
Segment 5 and associated new substations and substation expansions or equipment additions will be completed in 2027, assuming required approvals are obtained.

In March 2021, Xcel Energy filed a Certificate of Public Convenience and Necessity (CPCN) application with the CPUC describing the purpose, need, and public benefits of constructing Pathway. In February 2022, the CPUC provided verbal approval, and in June 2022, CPUC provided written approval of the CPCN for Segments 1–5, based on a determination that Pathway is in the public interest. The CPUC did not approve construction of the Extension in the January 2024 Phase II Decision regarding Xcel Energy's Electric Resource Plan and Clean Energy Plan. Xcel Energy may bring a proposal to construct the Extension and Longhorn Substation forward again in the future but has paused its further development as part of Pathway. While the CPUC determines a public need for Pathway, it does not approve the location of specific project facilities. The location and land use approvals will be through easement negotiations with landowners and the land use approval process in the applicable jurisdictions where the Pathway facilities will be located.

## **2.1 ESTIMATED PATHWAY SCHEDULE**

The estimated approval, construction, and in-service schedule for Pathway facilities is shown in Figure 2. Many variables factor into the schedule for projects of this magnitude. The construction schedule is contingent on acquiring all necessary land rights and permits.

Pathway will be constructed and brought in-service in phases. The estimated construction timeline for each segment and related substation, and anticipated in-service dates are shown in Figure 2 and Table 2.



**Figure 2: Estimated Pathway Schedule**

**Table 2: Estimated Individual Segment and Substation Construction and In-Service Dates**

Segment & Substation	Construction	In-Service Year
Segment 1 & Fort St. Vrain Substation Equipment Additions & Pawnee Substation Equipment Additions	Spring 2024–Spring 2026	Spring 2026
Segment 2 & New Canal Crossing & Goose Creek Substations	Spring 2023–Spring 2025	Spring 2025
Segment 3 & New May Valley Substation	Spring 2023–Spring 2025	Spring 2025
Segment 4, Tundra Substation Expansion & New Sandstone Substation	Spring 2025–Spring 2027	Spring 2027
Segment 5 & Harvest Mile Substation Equipment Additions	Spring 2025–Spring 2027	Spring 2027

## **2.2 PATHWAY ACTIVITIES PRIOR TO SUBMITTAL OF APPLICATION**

### **2.2.a Public Outreach**

Public outreach efforts were conducted to receive public and stakeholder feedback and input on transmission line route and substation site selection (see Transmission Line Routing and Substation Siting Studies section).

- In June 2021, three virtual introductory meetings were held for the public to discuss Pathway's benefits to communities and the process to be used to identify the locations of the proposed transmission lines and new substations. These meetings were held virtually due to restrictions on large gatherings due to COVID-19.
- In June through September 2021, Pathway representatives met with jurisdictions within Pathway's Study Areas to discuss Pathway and receive feedback. Pathway representatives met with Aurora representatives on June 13, 2022.
- In September 2021, two virtual routing and siting meetings were held for the public to learn about the progress made on Pathway, including the development of focus areas for identification of transmission line links and substation sites. These meetings were held virtually due to restrictions on large gatherings due to COVID-19.
- In October and November 2021, 15 in-person public open houses were held to gather public feedback on the preliminary transmission links. A public open house was held in Aurora on November 3, 2021.
- In January through March 2022, 15 in-person open houses were held to present the preferred route for Segments 1, 2, 3, 4, and the Extension and to present additional preliminary transmission links for Segment 5. A public open house was held in Aurora on February 28, 2022.
- In May 2022, four in-person open houses were held to gather additional public feedback on the preliminary transmission links and preferred route for Segment 5. A public open house was held in Aurora on May 2, 2022.
- In August 2022, two in-person open houses were held in the Eastern Review Area, an area further east from the Segment 5 preliminary transmission links and partial preferred route, to gather feedback from landowners in that area about potential additional route options.

## **2.2.b Transmission Line Routing and Substation Siting Studies**

Routing a new transmission line and siting a substation require a comprehensive review and analysis of factors and criteria including, but not limited to, electric system planning, engineering, environmental and cultural resources, land use, regulatory requirements, land rights, stakeholder input, and public and worker safety. As shown in Figure 3, the five-step routing and siting process assesses constraints and opportunities between segment endpoints to ultimately identify the preferred route location for the transmission line and the preferred locations for new substation sites. The process is described in detail in the routing and siting studies for each segment of Pathway. The Routing and Siting Study for Segment 5 is attached to this Application as Attachment A. The other routing and siting studies are not provided because they do not involve Pathway facilities within Aurora.

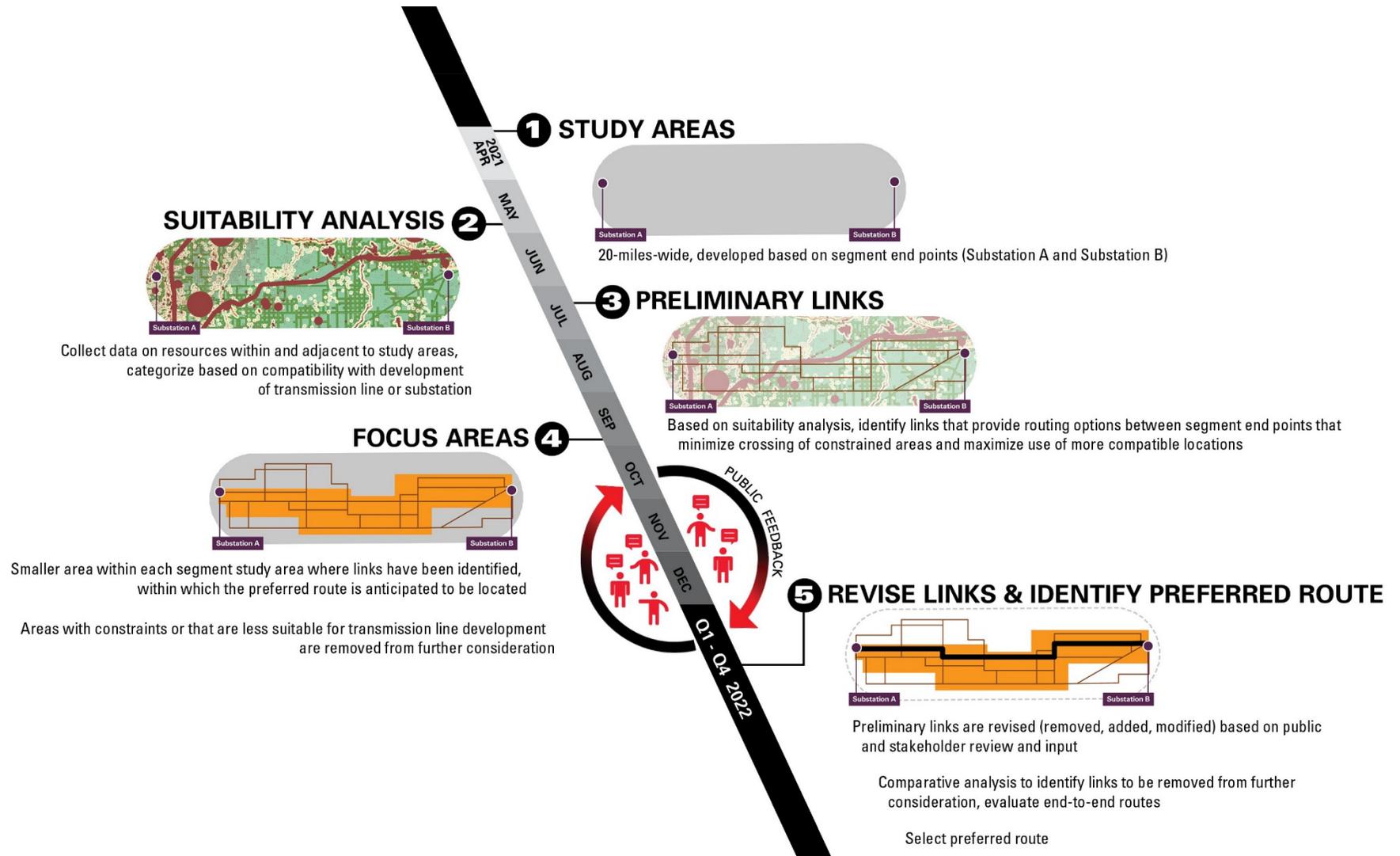


Figure 3: Pathway Routing and Siting Study Process

## 2.3 REGULATORY FRAMEWORK

Federal, state, and local permits and approvals may be required prior to Pathway construction. Outreach was conducted with each jurisdiction crossed by Pathway to solicit feedback and discuss potential permits that may be required.

Multiple Colorado statutory provisions and local government land use plans and controls apply to Pathway, including approval of a CPCN from the CPUC; notice, consultation, and permit approvals from counties and municipalities, and notice to owners of a mineral estate associated with the substation sites.

All necessary land use, environmental, and construction permits, approvals and authorizations will be obtained prior to the start of and during construction as required and may include but are not limited to major land use permits, right-of-way (ROW) permits, road use agreements, access permits, oversize/overweight permits, grading permits, and stormwater permits.

Xcel Energy anticipates avoiding impacts to jurisdictional waters of the U.S. (WOTUS) in Aurora and therefore does not anticipate that Pathway facilities in the city will require a Nationwide Permit 57 or other U.S. Army Corps of Engineers permitting under Section 404 of the Federal Clean Water Act.

The regulatory requirements identified by Xcel Energy are described in Table 3. Table 3 is intended as an illustrative list of the permits and approvals that may be required for Pathway, but other permits or approvals may be required.

**Table 3: Land Use Permit Requirements and Applicability to Pathway**

<b>Jurisdiction</b>	<b>Pathway Components</b>	<b>Title</b>	<b>Trigger</b>	<b>Statutory Reference</b>	<b>Status</b>
Federal Aviation Administration (FAA)	Structures occurring in Navigable Airspace	FAA Form 7460-1, Notice of Proposed Construction or Alteration	Objects affecting navigable airspace	Title 14 Code of Federal Regulations Part 77	To be submitted following final design
CPUC	All	CPCN	Need for new electrical facility in Colorado	Colorado Revised Statutes (CRS) 40-5-101, CRS et seq., and Rule 1303 4 Code of Colorado Regulations (CCR) 723-1 and Rules 3002, 3102, and 3206, 4 CCR 723-3	Proceeding No. 21A-0096E, Approved June 2, 2022
	All	Notification of Intention to Submit Permit Application for Major Electrical Facilities	Filing permit application for location, construction, or improvement of major electrical or natural gas facilities	CRS 29-20-108	In addition to other notifications, Xcel Energy met with Aurora on June 13, 2022; February 15, 2023; and May 18, 2023, about Pathway.

Jurisdiction	Pathway Components	Title	Trigger	Statutory Reference	Status
	All	Government and State Notice Requirements, Mineral Owners	Public hearing by a local government on an application for development	CRS 24-65.5-103	In accordance with the statute CRS 24-65.5-103, the applicant will provide notice to the mineral owners associated with the Harvest Mile Expansion prior to the Arapahoe County hearing. Mineral owners may choose to waive their right to receive the notice not less than 30 days before the hearing and may also waive their right to a separate hearing regarding notification.
Colorado Department of Public Health and Environment (CDPHE)	All	Construction General Stormwater Permit and Stormwater Management Plan (SWMP)	Construction sites that disturb 1 acre or greater	5 CCR 1002-61	To be obtained prior to construction

<b>Jurisdiction</b>	<b>Pathway Components</b>	<b>Title</b>	<b>Trigger</b>	<b>Statutory Reference</b>	<b>Status</b>
	All	Land Development Air Pollution Emissions Notice (APEN)	Construction disturbance greater than 5 acres or duration longer than 6 months	5 CCR 1001-14	To be obtained prior to construction, if necessary.
Colorado Department of Transportation	Components crossing state and federal roadways	Access and Crossing Permits	Crossings of state roadway	2 CCR 601-1	To be obtained prior to construction
Colorado State Historic Preservation Office	To be determined following final design and pre-construction surveys	Determination of Compliance with Historical, Prehistorical, and Archaeological Resources	Potential impacts to historic, prehistoric and/or archaeological resource	CRS 24-80-401-411, CRS 24-80-1301-1305, 8 CCR 1504-7	Pathway will coordinate with the State Historic Preservation Office on any applicable requirements for cultural resources review.
<b>Concurrent City and County Land Use Permits</b>					
City of Aurora	Segment 5	Conditional Use Permit and Site Plan	Proposed development of a conditional use in City of Aurora	Aurora Unified Development Ordinance, Article 146 Zoning and Subdivision Procedures, Section 5 Specific Procedures	Anticipated in first quarter of 2024

<b>Jurisdiction</b>	<b>Pathway Components</b>	<b>Title</b>	<b>Trigger</b>	<b>Statutory Reference</b>	<b>Status</b>
Arapahoe County	Segment 5; Harvest Mile Substation Expansion	1041 Permit, and Location and Extent Permit	Proposed development of an activity of state interest (major facility of a public utility) in Arapahoe County	Regulations Governing Areas and Activities of State Interest in Arapahoe County	Anticipated in first quarter of 2024
Elbert County	Segment 5	1041 Permit and Use by Special Review	Proposed development of an activity of state interest (major facility of a public utility) in Elbert County	Guidelines and Regulations for Areas and Activities of State Interest Elbert County	Anticipated in first quarter of 2024
El Paso County	Segment 5	1041 Permit	Proposed development of an activity of state interest (major facility of a public utility) in El Paso County	El Paso County Land Development Code; Attachment B: Guidelines and Regulations for Areas and Activities of State Interest	Anticipated in first quarter of 2024
Lincoln County	Segment 5	Use by Special Review	Proposed new land use or development	Lincoln County Zoning Resolution, Article 3 Use by Special Review Procedures	Anticipated in first quarter of 2024

<b>Jurisdiction</b>	<b>Pathway Components</b>	<b>Title</b>	<b>Trigger</b>	<b>Statutory Reference</b>	<b>Status</b>
Pueblo County	Segment 4, 5; Sandstone Substation, Tundra Substation	1041 Permit	Proposed development of an activity of state interest (major facility of a public utility) in Pueblo County	Pueblo County Code, Title 17, Division 2: Areas and Activities of State and Local Interest	Anticipated in first quarter of 2024
Weld County	Segment 1; Fort St. Vrain Expansion	1041 Permit, Use by Special Review, and Site Development Plan	Proposed development of an activity of state interest (major facility of a public utility) and change to an existing approved Use by Special Review permit in Weld County	Weld County Charter and County Code Chapter 21 Areas and Activities of State Interest; Weld County Charter and County Code Article 2, Division 5 Special Review Permits for Major Facilities of a Public Utility or Public Agency; Weld County Charter and County Code Article 2, Division 3 Site Plan Review and Minor Amendment to a Use by Special Review Procedural Guide	Submitted Summer 2023

Jurisdiction	Pathway Components	Title	Trigger	Statutory Reference	Status
<b>County and City Land Use Permits Obtained</b>					
Morgan County	Segment 1, 2; Canal Crossing Substation, equipment additions at Pawnee Substation	1041 Permit	Proposed development of an activity of state interest (major facility of a public utility) in Morgan County	Guidelines and Regulations for Areas and Activities of State Interest	1041 Permit issued on November 16, 2022
Kit Carson County	Segment 2	Land Use Change Permit	Any proposed change in land use in unincorporated Kit Carson County	Kit Carson County Code, Article 2	Land Use Change Permit issued on September 21, 2022
Washington County	Segment 2	Use by Special Review and 1041 Permit	Proposed development of transmission line in Washington County	Application for Use by Special Review, Washington County	Use by Special Review Permit was issued on November 21, 2022; 1041 Permit was issued on December 13, 2022
Cheyenne County	Segment 2, 3; Goose Creek Substation	Conditional Use Permit and 1041 Permit	Proposed development of a conditional use in Cheyenne County	Cheyenne County Comprehensive Plan and Zoning Ordinance	Conditional Use Permit was issued on September 30, 2022. 1041 Permit was issued on September 30, 2022

<b>Jurisdiction</b>	<b>Pathway Components</b>	<b>Title</b>	<b>Trigger</b>	<b>Statutory Reference</b>	<b>Status</b>
Kiowa County	Segments 3, 4; New May Valley Substation	1041 Permit	Proposed development of an activity of state interest (major facility of a public utility) in Kiowa County	Guidelines and Regulations for Areas and Activities of State Interest County of Kiowa	1041 Permit was issued on November 22, 2022
Crowley County	Segment 4	Use by Special Review	Development of public utility and public service structures, including transmission lines in Crowley County	Crowley County Planning and Zoning Manual, Section 2	Use by Special Review Permit approved in Resolution Number 2023-8591 on April 24, 2023.
<b>Other County and City Land Use Permits Considered</b>					
Town of Platteville	Segment 1	Not applicable	Town confirmed that the only permit approval required was from the Colorado Department of Transportation (CDOT)	Platteville Municipal Code, Chapters 15-18	Not applicable

### 3 DESCRIPTION OF THE TYPE OF LAND USE PROPOSED

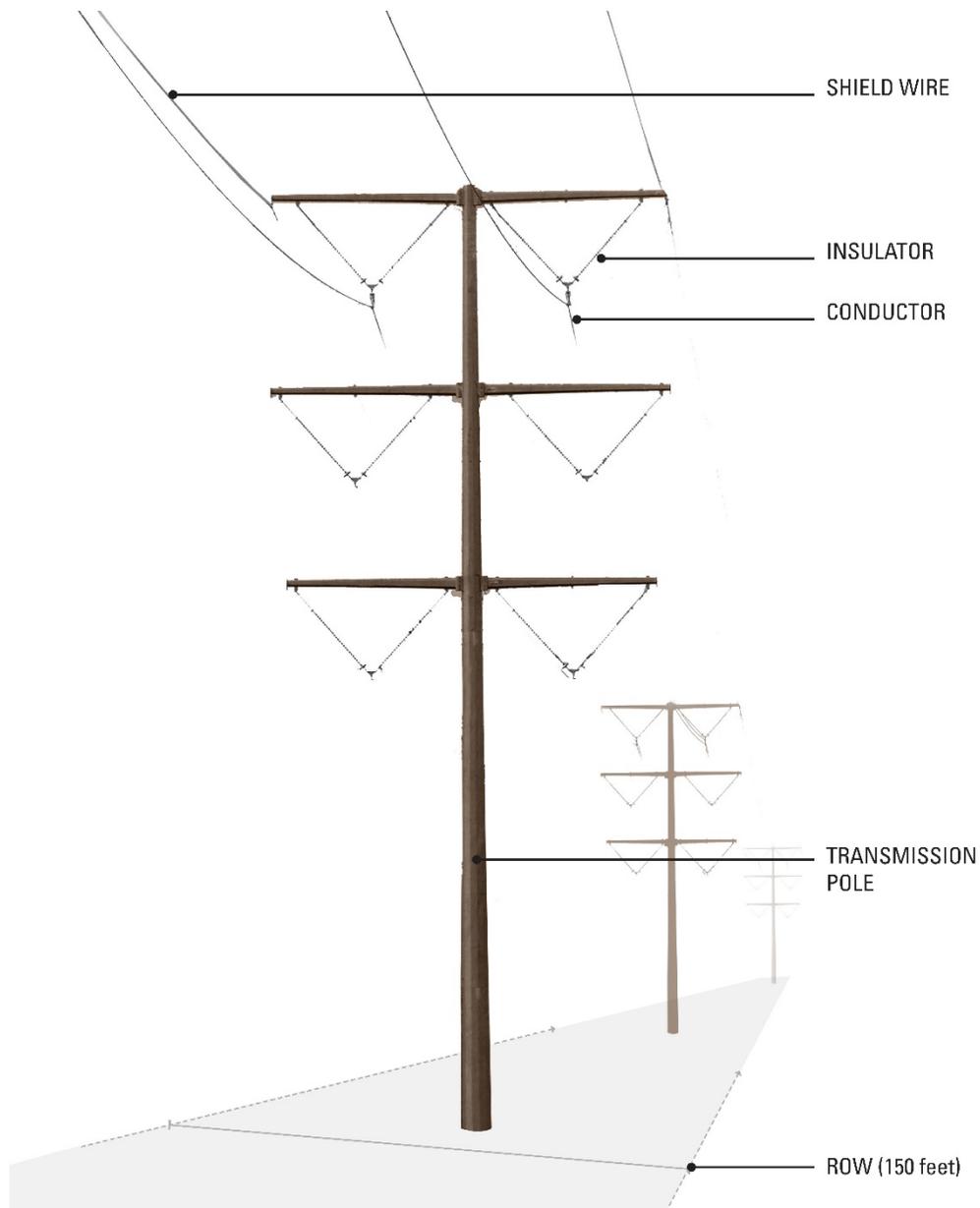
Pathway facilities proposed in Aurora include approximately 1 mile of 345-kV double-circuit transmission line in Segment 5 (Attachment B: Vicinity Map, Attachment C: Site Plan). The proposed transmission line route in Aurora begins near the intersection of Harvest Mile Road and East Quincy Avenue, north of the Arapahoe County Fairgrounds, and proceeds east and through Aurora jurisdiction for approximately 1 mile and oriented in a west to east direction. The following sections describe the Pathway facilities within Aurora jurisdiction. Pathway as a whole is described in Section 2.

#### 3.1 TRANSMISSION LINE

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 transmission pole. The transmission poles will be weathering steel and a brown or rust color. The anticipated physical characteristics of a double-circuit pole are summarized in Table 4, and a representative transmission pole with line is shown in Figure 4. Typical pole configuration profiles, a representative photograph, and a visual simulation are included in Attachment D.

**Table 4: Typical 345-kV Double Circuit Transmission Line Characteristics**

<b>Characteristic</b>	<b>Anticipated Design</b>
Typical height	105–140 feet (poles will not exceed 199-foot maximum height)
Right-of-way	150 feet total, 75 feet on either side of the centerline
Span length	Typically 950 feet between transmission poles
Material/color	Weathering steel, brown or rust color
Clearance	Maintain all clearances as required by National Electric Safety Code



**Figure 4: Typical Transmission Pole Configuration (Illustrative)**

### 3.1.a Transmission Line Access

Construction access roads will allow construction crews and vehicles to access transmission pole locations and temporary construction areas (TCAs, described below). Traffic controls may be required near TCAs during construction to ensure the safety of crews and the traveling public.

Where practicable, existing public roads and private roads will be utilized during Pathway construction, maintenance, and operation. Some private roads may require

improvements and some new access roads will need to be constructed to accommodate construction equipment and long-term maintenance of the transmission line.

Where road improvements are needed, Xcel Energy will acquire any necessary grading, stormwater, and erosion control permits and comply with permit requirements. Xcel Energy will acquire access easements where necessary access routes traverse private property. Some access routes may remain post-construction to maintain access to transmission lines for operation and maintenance activities.

### **3.1.b Temporary Construction Areas**

TCAs will be used during construction to stage construction equipment and materials including construction trailers, cranes, and transmission poles. 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. Permits will be obtained for TCAs as required. At the end of each construction phase, all equipment will be removed from the TCAs for that construction phase. Some proposed improvements at the TCAs will be permanent, and remaining areas will be restored in a manner generally similar to pre-construction conditions. Xcel Energy does not anticipate the need for TCAs for the Pathway alignment in the City of Aurora.

#### **3.1.b.1 Conductor Stringing Areas**

TCAs will be used for stringing the conductor wire. The locations and use of TCAs for this function 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. In addition, temporary TCAs may be used adjacent to public roadways for temporary guarding/protecting of the roadway during stringing of the new transmission line. Typically, these temporary guard sites will be restored following construction, as described above.

### **3.1.c Areas for Other Construction Activities**

Construction contractors may utilize temporary concrete batch plants during construction to produce concrete needed for transmission pole foundations. A concrete batch plant consists of the various equipment and materials needed to make concrete. Concrete batch plant equipment typically includes mixers, batchers, conveyors, stackers, bins, heaters, chillers, silos, controls, and dust collectors. Concrete batch plants can be either stationary or mobile. The numbers, locations, and types of concrete batch plants will be determined by the construction contractor and will be permitted separately with Aurora if located within the jurisdiction. The construction contractor will

obtain and meet the requirements related to a Concrete Batch Plan APEN with CDPHE if necessary.

Construction contractors also will use TCAs to store water trucks, traffic control items, and best management practice (BMP) materials. Water will be used in concrete production, dust suppression, and compaction activities. Traffic control will be implemented where required for the safety of the crews and the traveling public. BMPs will be installed to meet stormwater, grading, and erosion control requirements. Construction contractors will work with the appropriate jurisdictions to obtain and follow all related construction permits.

### **3.1.d Construction Process**

#### ***3.1.d.1 Construction Phases***

Construction of the transmission line is expected to occur in phases that generally include the following: construction access and vegetation clearing, installation of BMPs, equipment mobilization and material delivery, foundation construction, transmission pole placement and installation, conductor wire stringing and electrical equipment installation, and land restoration.

Construction access road improvements, grading, and setup of TCAs, along with vegetation work, will be conducted prior to construction of the transmission line. Proposed access roads will allow construction crews and vehicles to access transmission pole locations and TCAs.

Vegetation management within the ROW will be required prior to, or in conjunction with, construction. Trees and tall vegetation growing within or near the Pathway ROW can cause downed lines, power outages, and wildfire. 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 extent of this work will vary along the transmission line depending on level of vegetation encroachment and additional ROW needs.

#### ***3.1.d.2 Transmission Line Construction***

Once the pre-construction preparation work has been completed, work on the transmission lines will begin. The new transmission pole foundations will consist of concrete reinforced with steel that can range in diameter and depth based upon the subsurface conditions. Construction crews will begin drilling for transmission pole foundations. Reinforced concrete drilled pier foundations typically range from 6 to 9 feet

in diameter and are drilled 20 to 40 feet deep. Once construction crews have drilled the hole for the new transmission pole, the foundation is installed and the hole is backfilled.

Transmission poles will be placed using cranes. Crane installation will involve first hauling the transmission pole pieces to the location and then assembling the transmission poles at the installation locations and setting them with the crane. Once assembled, transmission poles will be transported by truck to installation locations and cranes will lift the transmission poles into place.

Once all the transmission poles have been put in place, the conductor wire and optical ground wire are strung using a temporary pulley system attached to the insulators. Conductor is pulled from one transmission pole to the next through a pulley system temporarily placed on the transmission pole. After a section of conductor is pulled through a series of transmission poles, the conductor is attached to insulators, which are attached to the transmission pole and the pulleys are removed. Trucks, heavy equipment, and sometimes helicopters are used in this process. FAA safety requirements may require residences near the transmission line to evacuate during helicopter use. Xcel Energy and the construction contractor will coordinate with the FAA during helicopter operations and obtain all required permits. Xcel Energy and the construction contractor will provide residents with prior notice if evacuation is required. Helicopters will only be used if needed.

Other equipment including bird diverters, spacers, and galloping devices are also installed as needed. TCAs will be located at specific angles to ensure the conductor wire is pulled in line with the transmission poles, remaining in alignment.

### ***3.1.d.3 Construction Staffing, Vehicles, and Equipment***

The first workers, vehicles, and equipment to mobilize for Pathway will conduct investigative fieldwork and prepare work areas for construction. Prior to construction and during the Pathway planning and design stages, soil borings are taken to understand the sub-surface conditions where Pathway facilities will be built. Geotechnical borings are taken using bore drill rigs. Vegetation clearing is utilized to meet requirements for conductor clearances, minimize potential ignition sources, and to provide access within the ROW. Tree clearing and other vegetation removal is completed with both manual and mechanized equipment and will take place on the identified access route and the area within the easement. Matting is utilized as needed in wet or soft areas to prevent compaction, minimize soil disturbance, and improve site safety.

It is anticipated that one 12-hour shift per day (Monday through Saturday) will be worked during transmission line construction, but additional hours may be required. This will be during daylight hours, early morning to early evening. If additional hours are

anticipated for shift work, a 24-hour work permit will be obtained from the City of Aurora. The maximum number of construction workers on site at any one time at any work area will be approximately 80. Transmission line construction is expected to be completed in phases over the duration of the construction schedule for each Pathway segment. The transmission line will not have any permanent on-site employees. Upon completion, Pathway will be operated and monitored remotely 24 hours a day, 7 days a week, 365 days a year to provide safe and reliable electric service. The transmission line will be inspected regularly (at least annually) to look for the following:

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

It is anticipated that an average of 15 trucks per day (15 round trips) will be utilized during the construction of the transmission line. The impact to local public roads will vary day-by-day as the construction moves along the route.

A crane, drill rig, concrete truck, boom trucks, trailers, transmission poles, steel casing, and rebar cages are equipment and materials that will be moved into the site for construction. The transmission line poles are delivered by truck and assembled at the foundation site and set in place with the use of cranes and other heavy equipment. Trucks, heavy equipment and sometimes helicopters are used to install conductor wire after all transmission poles are erected in an area.

Concrete will be delivered via concrete trucks and the concrete will be pumped or poured on site. There will be daily concrete truck deliveries made when the foundations are constructed. To mitigate any potential impacts to local roads, Traffic Control Plans will be prepared and followed during construction.

### **3.2 OPERATIONS PLAN**

During operation, the transmission line represents a passive use and will not be staffed with permanent employees. Visits from personnel will be limited to emergencies or maintenance and inspection activities. Construction and operation of the transmission line will not interfere with continued use of the surrounding areas.

Pathway will be operated and monitored remotely 24 hours a day, 7 days a week, 365 days a year to provide safe and reliable electric service. The electric transmission facilities will not be staffed as they are monitored remotely.

The transmission line will be inspected regularly (at least annually) to look for the following:

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

Operations and maintenance staff must visit the ROW 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.

Where practicable, existing public roads and private roads will be utilized during Pathway maintenance and operation. Some access routes may remain post-construction to maintain access to transmission lines for operation and maintenance activities.

Disturbed areas will be revegetated following construction. Disturbed areas will be returned to pre-construction conditions or reseeded according to landowner requests and Aurora requirements. Permanent Pathway facilities will be limited to the footprint of the individual transmission poles and transmission access roads.

Vegetation management within the ROW will be required prior to, or in conjunction with, construction. Trees and tall vegetation growing within or near the Pathway ROW can cause downed lines, power outages, and wildfire. 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 extent of this work will vary along the transmission line depending on level of vegetation encroachment and additional ROW needs.

### **3.3 LOCATION OF THE PROJECT**

Pathway is located within the municipal boundary of Aurora parallel to and north of East Quincy Avenue/Airline Road, between South Powhaton Road and East Quincy Avenue (north to south alignment; Attachment B). The proposed route is located on the northern side of East Quincy Avenue/Airline Road, outside of road ROW.

### **3.4 SIZE OF THE PROJECT IN ACRES**

Pathway transmission line facilities in Aurora are approximately 1 mile long (length) and includes a 150-foot ROW (width). The total size of Pathway facilities in Aurora is approximately 18 acres. Pathway does not anticipate the need for additional acreage for TCAs in Aurora.

### **3.5 INTENSITY OF THE DEVELOPMENT**

During operation, the transmission line represents 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. The intensity of the development will be similar to other transmission lines located in proximity and on the south side of East Quincy Avenue.

### **3.6 LIST OF, AND JUSTIFICATION FOR ANY PROPOSED WAIVERS OF CITY CODE**

Xcel Energy is requesting a waiver of the submittal of GIS and CAD files for addressing purposes. The transmission line will not require an address since it is an unstaffed linear facility.

### **3.7 LIST OF NAMES, ADDRESSES, AND PHONE NUMBERS OF THE PROPERTY OWNER AND ANY PROJECT CONSULTANTS**

The Surface Development Notification Act (CRS 24-65.5-103 et seq.) provides that not less than 30 days before the date scheduled for the initial public hearing by a local government on an application for development, the applicant must send a notice of that hearing by certified mail to mineral estate owners (owners or lessees of the mineral estate under the property which is the subject of the application). Pursuant to the Act, the definition of an "Application for Development" covers a wide range of surface development land use approvals, but certain named development activities are specifically exempt from that definition. One exemption includes applications with respect to utility electric lines which includes Xcel Energy's transmission lines. Thus, due to the nature and scope of Pathway, the transmission line is exempt from the statutory mineral estate owner mailing notification requirements.

The names and addresses of the surface owners within the Pathway ROW in Aurora as available in the Aurora Assessor's database are shown in Attachment E. Xcel Energy is currently negotiating with the potentially affected landowners for 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 ROW of the transmission line as well as permanent and temporary easements required for access and TCAs during and after construction. Once land surveying, final engineering design, and permitting have been completed, Xcel Energy will exercise the options and record the final easements. The easements for each phase of Pathway will be secured and recorded prior to construction starting on that phase.

The following information shows the applicant, engineer, surveyor, and consultants contact information.

Applicant:  
Jennifer Chester  
Manager, Siting and Land Rights  
Xcel Energy  
1800 Larimer Street, Suite 400  
Denver, CO 80202  
303-285-6533

Engineer:  
Josh Peterson, P.E.  
Principal Transmission Engineer  
Xcel Energy  
1800 Larimer Street, Suite 500  
Denver, CO 80202  
303-571-6559

Surveyors:  
Corey Herring  
Project Manager  
LW Survey  
12345 W. Alameda Pkwy, Ste 205  
Lakewood, CO 80202  
303-515-3337

Consultant:  
Stephanie Phippen  
Project Manager  
Tetra Tech, Inc.  
390 Union Blvd, Suite 400  
Lakewood, CO 80228  
303-980-3515

#### **4 CONDITIONAL USE CRITERIA FOR APPROVAL (146-5.4.3.A.3. A-G)**

The following section describes the proposed Pathway compliance with Aurora Unified Development Ordinance (UDO) conditional use criteria for approval in Section 146-5.4.3.A.3. a through g.

- a. The application complies with the applicable standards in this UDO, other adopted Aurora regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;**

Pathway is located within the municipal boundaries of Aurora for approximately 1 mile within the Parks and Open Space (POS) zone district (Aurora 2023a). The proposed use is classified as a Minor Utility by the UDO, which includes above-ground electric transmission lines of public utilities (146-6.2.U). A Minor Utility may be permitted in the POS zone district through the conditional use process (Permitted Use Table, Table 3.2-1 in Section 146-3.2 of the UDO). Minor Utilities do not have use-specific standards per the Permitted Use Table, Table 3.2-1 in Section 146-3.2 of the UDO.

Existing Master Plans on the properties include the Aurora Bicycle and Pedestrian Master Plan (Aurora 2012) and the Seam Interceptor Master Plan, previously referred to as the Senac Creek Interceptor Project (Aurora 2023b). Xcel Energy has reviewed the Aurora Bicycle and Pedestrian Master Plan for information regarding future regional trail corridors through the Pronghorn Natural Area (Natural Area) and identified a proposed trail within the Natural Area. (See map on page 41 of Aurora Bicycle and Pedestrian Master Plan.) The proposed trail appears to be aligned in a north to southeast direction, which assumes a perpendicular crossing. Pathway will not prohibit the construction and use of the future trail in this area.

Pathway adheres to the Seam Interceptor Master Plan (Aurora 2023b). This is a water pipeline project that Pathway will have to cross. Interference with the water pipeline location and function is not expected nor is an interference with the water facility. The Seam Interceptor Master Plan includes layout of existing and future planned facilities associated with the water treatment facilities. Pathway will be located at the property boundary with East Quincy Avenue ROW. A future trail is planned in this area. The proposed trail appears to be aligned in a west to east direction, which assumes parallel orientation with Pathway. Pathway will not prohibit the construction and use of the future trail. It is unknown whether construction schedules will overlap between trail construction and Pathway construction. Xcel Energy will coordinate with the landowners to reduce conflict or other interruption of construction progress.

Pathway is not aware of conditions of approval applied to the property by the Planning and Zoning Commission or City Council in prior decisions affecting the property.

**b. The application is consistent with the Comprehensive Plan.**

Pathway is consistent with the Aurora Comprehensive Plan, titled Aurora Places: Planning Tomorrow's City (Comprehensive Plan; Aurora 2018). An analysis of Pathway's consistency with the Comprehensive Plan is provided as Attachment H. A summary of Pathway consistency with Chapter 4: Placetypes, Chapter 5: Connecting Places, and Chapter 6: Goals, Policies, and Practices of the Comprehensive Plan are described in the subsequent text.

*Chapter 4: Placetypes*

Pathway is located in an area defined in the Comprehensive Plan as an urban greenspace (Aurora 2018). This includes the Pronghorn Natural Area (Natural Area) which is located in the POS zone district. The Urban Green Space Placetype is largely defined by three land uses: parks, trails, and open space (Aurora 2018). These, however, are not the only land uses to occur or that are allowed in this Placetype.

Pathway is a low intensity use and is compatible with the surrounding land uses. During operation and after construction, the transmission line represents 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.

Where feasible, Pathway will be collocated with an existing transmission line corridor along East Quincy Avenue to reduce impacts. Pathway is not expected to change the land use of the Natural Area because it is being located adjacent to an existing transmission line and a road. Aside from the transmission pole foundation footprint, areas under and around Pathway can continue in their current land use.

The transmission line will be located parallel to the East Quincy Avenue ROW. Pathway will mitigate impacts to roads due to construction and related transportation routing using BMPs and traffic control during construction, and through post-construction restoration efforts.

Temporary impacts to land uses are expected to be minor. Disturbed areas surrounding new transmission poles will be revegetated following construction. Construction and operation of the transmission line will not interfere with continued use of the surrounding areas. Disturbed areas will be returned to pre-construction conditions in a reasonable manner or reseeded according to landowner requests and Aurora requirements. Discussions of impacts and mitigation to various resources related to the greenspace placetype are included in the Impacts Analysis (Section 9) as follows: Public Outdoor Recreation Facilities (9.11); Visual Quality, Noise, Vibration, and Odor (9.14); Biological Resources (9.3); and Water Resources (9.13).

### *Chapter 5: Connecting Places*

Chapter 5 of the Comprehensive Plan describes the policies and goals of connecting places in Aurora. The Comprehensive Plan states that “cost effective, efficient and reliable utilities are essential to all activity in Aurora” (Aurora 2018). Pathway will ensure safe, reliable, and economical electric service to the public, boost the regional economy, and create jobs during its construction.

Chapter 5 also discusses transportation and mobility planning including the Southeast Area Transportation Study (SEATS), which includes future plans for East Quincy Avenue. SEATS plans to establish Quincy Avenue as a six-lane major arterial as far east of Monaghan Road. During the pre-application meeting, Aurora provided information regarding an Intergovernmental Agreement between Aurora and Arapahoe County about East Quincy Avenue that identifies Quincy Avenue as a six-lane arterial with a final ROW width of 144 feet. Xcel Energy proposes the future ROW for Pathway to lie directly adjacent to the north side of the Quincy Avenue ROW.

The Aurora Bicycle and Pedestrian Master Plan (Aurora 2012) is also referenced in Chapter 5. Xcel Energy has reviewed the Aurora Bicycle and Pedestrian Master Plan for information regarding future regional trail corridors through the Natural Area and identified a proposed trail within it. (See map on page 41 of Aurora Bicycle and Pedestrian Master Plan; Aurora 2012.) The proposed trail appears to be aligned in a north to southeast direction, assumes a perpendicular crossing of Pathway. Pathway will not prohibit the construction and use of the future trail.

### *Chapter 6: Goals, Policies, and Practices*

Chapter 6 discusses the seven principles and their underlying goals for future planning in Aurora. Per the Comprehensive Plan (Aurora 2018), there are several goals that encourage access to utilities. Attachment H addresses each of the principles and underlying goals in detail.

#### **c. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area.**

The size, scale, height, and density are compatible with the existing and planned uses in the surrounding area, which include an existing roadway, existing open space/natural area, an existing transmission line, future water pipeline/treatment facility, and future trail.

Surrounding uses include the Natural Area in the POS zone district. The proposed use is classified as a Minor Utility by the Aurora Unified Development Ordinance, which

includes above-ground electric transmission lines of public utilities (146-6.2.U). The Minor Utility may be permitted in the POS zone district by the conditional use process.

Pathway is a low intensity use and is compatible with the surrounding land uses including recreational open space and trails. The transmission line represents 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.

Where feasible, Pathway will be collocated with an existing transmission line corridor along the south side of East Quincy Avenue to reduce impacts. Pathway is not expected to change the land use of the Natural Area because it is being located adjacent to an existing transmission line and road. Aside from the transmission pole foundation footprint, areas under and around Pathway can continue in their current land use.

The transmission line will be located parallel to the East Quincy Avenue ROW. Pathway will mitigate impacts to roads due to construction and related transportation routing using BMPs and traffic control during construction, and through post-construction restoration efforts.

Temporary impacts to land uses are expected to be minor. Disturbed areas surrounding new transmission poles will be revegetated following construction. Construction and operation of the transmission line will not interfere with continued use of the surrounding areas. Disturbed areas will be returned to pre-construction conditions in a reasonable manner or reseeded according to landowner requests and Aurora requirements.

Traffic impacts are expected to be minimal and temporary in nature. Upon completion, Pathway will be operated and monitored remotely 24 hours a day, 7 days a week, 365 days a year to provide safe and reliable electric service. The electric transmission facilities will not be staffed as it is monitored remotely.

**d. The proposed use will not change the predominant character of the surrounding area**

The visual landscape along the route features existing transmission lines, roadways, and industrial elements, and Pathway will result in an incremental increase in transmission poles in the viewshed. Visual resources are discussed in Section 9.14.

Pathway is a low intensity use and is compatible with the surrounding land uses. The transmission line represents 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.

Where feasible, Pathway will be collocated with an existing transmission line corridor along East Quincy Avenue to reduce impacts. Pathway is not expected to change the land use of the Natural Area because it is being located adjacent to an existing transmission line and a road. Aside from the transmission pole foundation footprint, areas under and around Pathway can continue in their current land use.

- e. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable**

No new or upgraded public services or facilities are anticipated to be needed to serve Pathway in Aurora. Pathway creates no additional demand for transportation infrastructure, educational facilities, housing, water (other than trucked-in water for construction), wastewater treatment, or public transportation.

- f. The application demonstrates that the proposed use will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.**

Pathway is not located near any residential areas in Aurora and will not relocate any tenants or occupants on the subject property. Construction and operation of Pathway will result in minimal permanent impacts to natural resources or agricultural lands. Lands can continue in current land use with the exception of the footprint of the individual transmission poles.

Pathway is anticipated to provide local economic benefits during construction and long-term economic benefits should new generation resources be developed in the area. Pathway will also improve the state's electric reliability, thereby benefiting all consumers in Colorado.

- g. The application mitigates any adverse impacts on the surrounding area to the degree practicable.**

Mitigation measures planned for Pathway are listed by resource in Table 5 of this document. A full description of resources, potential impacts, and mitigation measures are included in Section 9, Impacts Analysis.

**Table 5: Proposed Mitigation Measures**

<b>Resource</b>	<b>Description of Avoidance of Impacts or Proposed Mitigation</b>
Agriculture	During construction, minimal permanent impacts to agricultural lands will occur. Disturbed areas will be revegetated following construction. Disturbed areas will be returned to pre-construction conditions or reseeded according to landowner requests and Aurora requirements. Agricultural use can continue for these lands except the footprint of each transmission pole. Permanent Pathway facilities will be limited to the footprint of the individual transmission poles and transmission access roads.
Air Quality	Water trucks will be utilized during construction activities around roadway access points to suppress dust from vehicles and equipment as necessary within the ROW and roads as per coordination with Aurora. If necessary, Xcel Energy will apply for an APEN for land development prior to construction and follow state standards to control the release of fugitive dust related to construction. An APEN will be required for a disturbance greater than 25 contiguous acres and land development activities longer than 6 months.
Biological Resources	<p>Pathway will avoid or minimize impacts to habitat as practicable. Impacts to most vegetation will be temporary and limited to the 150-foot-wide ROW and TCAs. The ROW will be cleared of tall vegetation for ongoing maintenance. Measures will be implemented to minimize the spread of noxious weeds in the ROW. To avoid or minimize impacts to aquatic habitat within the ROW, surface waters, riparian areas, and wetlands in areas at a crossing will be spanned as practicable. Pathway will adhere to BMPs and erosion control measures outlined in the SWMP.</p> <p>To avoid or minimize impacts to wildlife, Pathway will implement measures such as requiring proper trash and food debris disposal and compliance with posted speed limits. Colorado Parks and Wildlife (CPW) recommendations (CPW 2021) will be incorporated where practicable.</p> <p>To avoid or minimize potential project impacts to eagles and other migratory birds and raptors, tree/vegetation clearing will be conducted during the nonbreeding season for birds (September 1–April 15) if feasible. If vegetation clearing cannot occur during the nonbreeding season, vegetation clearance surveys, raptor nest surveys, and burrowing owl surveys may be conducted per U.S. Fish and Wildlife Service (USFWS) and CPW guidance to identify avian nesting activity and determine appropriate avoidance buffers (CPW 2020, CPW 2021) or monitor active nest sites until determined to be inactive.</p> <p>In addition, electrical components of the transmission lines will be separated to minimize the risk of avian contact and will follow Avian Power Line Interaction Committee (APLIC) guidelines</p>

Resource	Description of Avoidance of Impacts or Proposed Mitigation
	<p>(APLIC 2006). Bird flight or swan diverters or other marking devices may be used as determined necessary for specific locations.</p> <p>Xcel Energy will continue to coordinate with the U.S. Fish and Wildlife Service (USFWS) and CPW to address concerns regarding wildlife impacts throughout planning, design, and construction of Pathway, and will comply with all regulatory requirements.</p>
Electric and Magnetic Fields (EMF)	<p>An EMF study was conducted for Pathway and submitted as part of Pathway's CPCN application, Proceeding No. 21A-0096E (Attachment G). The study concluded that magnetic field levels at the edge of the Pathway transmission line ROW are projected to be 54.7 milligauss (mG). These levels are below 150 mG and were deemed reasonable by the CPUC. No related impacts to human health and safety are anticipated.</p>
Land Use	<p>Pathway will not cause a significant change in land use in the immediate area. Permanent Pathway facilities will be limited to the footprint of the individual transmission poles and transmission access roads. Current land use can continue for these lands except the footprint of each transmission pole.</p>
Noise	<p>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).</p> <p>Based on the noise study conducted for Pathway, the maximum projected noise level measured at 25 feet from the edge of the ROW is 49.8 A-weighted decibels (dBA). Per Rule 3206(f) of 4 CCR 723-3, noise levels below 50 dBA are not subject to further review regardless of the use of land, and noise levels below 75 dBA are deemed reasonable for land within an Industrial Zone at 25 feet from the property line. The projected noise levels from Pathway were deemed reasonable by the CPUC and not subject to further review.</p>
Natural Hazards	<p>Transmission lines are built and maintained to meet or exceed safety standards, such as those specified by the National Electrical Safety Code and the North American Electric Reliability Corporation. Every effort is made to ensure safety in construction, operation, and maintenance of transmission lines. Transmission lines are designed to withstand extreme weather conditions, and protective devices at line terminals stop the electricity flow under abnormal operating circumstances. The transmission poles will be equipped with shield wires above the energized line; this equipment adds to the pole height but also provides protection against lightning strikes.</p>

Resource	Description of Avoidance of Impacts or Proposed Mitigation
	<p>Xcel Energy’s transmission lines are monitored 24 hours a day, 7 days a week, 365 days a year for line contact, the term describing when an object comes in contact with the transmission line conductors. If there is an unanticipated event in the line, the line is isolated from the system to protect the public and the line from operating under unsafe conditions. Xcel Energy’s transmission lines are inspected annually to check for line connections and damage. For the safety of the general public, unauthorized personnel are not permitted to come in contact with the transmission line conductor wire.</p> <p>Xcel Energy’s facilities are designed, constructed, operated, and maintained to meet or exceed all applicable requirements of the Institute of Electrical and Electronics Engineers (IEEE) standards and accepted industry standards and practices including IEEE 979, Guide for Substation Fire Protection. Applicable fire laws and regulations, as outlined in CRS 31-15-601, will be observed during construction and normal operation of the transmission line.</p> <p>Fires along transmission lines are very rare. Xcel Energy’s powerlines are monitored and controlled remotely from an operations center where event response is coordinated. In the rare event of an emergency, Xcel Energy will likely be aware of an issue before the general public or emergency responders. Nevertheless, the public is encouraged to contact Xcel Energy’s emergency number: 800-895-1999 to report an emergency. Unauthorized personnel, including emergency responders, should not approach the facilities and should not touch the electric lines or anyone or anything in contact with them.</p> <p>Xcel Energy also coordinates closely with local fire departments and first responders and consults with them to discuss any concerns within their response area. Xcel Energy offers free online safety training to fire departments and first responders that is based on national standards through the Responding to Utility Emergencies Program.</p>
Cultural Resources	<p>No previously recorded cultural resources have been recorded along Pathway in Aurora. Therefore, the transmission line will not have adverse effects on cultural resources.</p>
Socioeconomic	<p>Existing businesses and social services are adequate to support Pathway given the size of the construction crew and temporary nature of the construction activities. No impacts to emergency health care facilities or law enforcement services are therefore anticipated. Pathway is anticipated to provide economic benefits to communities across eastern and southern Colorado, including Aurora, over the short and long-term. More immediately, Pathway construction will provide local</p>

Resource	Description of Avoidance of Impacts or Proposed Mitigation
	jurisdictions and host communities with potential additional tax revenue and employment opportunities.
Soils and Geology	Geotechnical studies are conducted for transmission poles to identify subsurface conditions and determine foundation specifications. To avoid potential indirect impacts from construction-related erosion and sediment movement during construction, Pathway will adhere to BMPs outlined in the SWMP, which will include erosion control and revegetation measures.
Toxic and Hazardous Substances	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 wastes into flowing streams or dry watercourses, lakes, and underground water sources. Activities will follow BMPs for the management of wastes to avoid and minimize effects from potential spills or other releases to the environment.
Transportation	Traffic Control Plans will be developed in areas where travel on roadways could be impacted during construction. Construction updates and schedules will be discussed with local government officials as needed as details are determined. Necessary road use and ROW permits will be obtained from Aurora and from CDOT for state highway/interstate crossings as needed prior to construction.
Vegetation	Pathway will avoid or minimize impacts to vegetation generally as practicable. Impacts to most vegetation will be temporary and limited to the 150-foot-wide ROW and TCAs. The ROW will be cleared of tall vegetation for ongoing maintenance. Measures will be implemented to minimize the spread of noxious weeds in the ROW. To avoid or minimize impacts to aquatic habitat within the ROW, surface waters, riparian areas, and wetlands in areas at a crossing will be spanned as practicable. Pathway will adhere to BMPs and erosion control measures outlined in the SWMP. Once construction has been completed for each Pathway segment, temporary work areas and the transmission line ROW will be restored in a manner generally similar to their condition prior to construction and as may be provided for in private agreements. This work may include drain tile and fence repair, rut removal, decompaction, tilling, seeding and stabilization measures. Areas not needed for ongoing operations and maintenance and not being used for crop production will be reclaimed and/or reseeded as soon as practicable and in coordination with the landowner following construction in a given area. If any loss or damage occurred to crops or other non-restorable property during construction, Xcel Energy will compensate the landowner for such loss

Resource	Description of Avoidance of Impacts or Proposed Mitigation
	<p>or damages. ROW agents will meet with landowners to learn about site-specific circumstances, which may need to be addressed.</p>
<p>Visual Resources</p>	<p>The type of steel used will be weathering steel, which oxidizes to resemble a natural brown look and is not shiny. Existing undisturbed trees, shrubs, and native vegetation will be preserved to the extent possible to maintain visual contrast in the landscape. Following construction, the ROW will be restored to pre-construction conditions consistent with previous representations.</p>
<p>Water Resources</p>	<p>Temporary impacts to wetlands and WOTUS during construction of Pathway will be avoided to the extent practicable. If wetlands cannot be avoided, matting and other protective temporary measures will be used. Depending on the condition of the wetland soil and hydrology, matting may be used to protect wetlands from rutting. Prior to construction, a SWMP will be prepared according to the CDPHE requirements. To avoid potential indirect impacts from construction-related erosion and sediment movement during construction, Pathway will adhere to BMPs outlined in the SWMP, which will include erosion control and revegetation measures.</p> <p>Construction activities will be performed in a manner that prevent entrance or accidental spillage of solid matter, contaminants, debris, and other pollutants and wastes 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.</p> <p>Impacts to water quality will be minimized during construction through BMPs and the site-specific SWMP. Xcel Energy will comply with permit application requirements, Aurora standards, and construction protocol to ensure that Pathway does not violate water quality standards.</p>

## 5 SITE PLAN AND CONDITIONAL USE

The Site Plan and Conditional Use is included as Attachment C.

## 6 SITE PLAN CRITERIA FOR APPROVAL (146-5.4.3.B.2.C, A-F)

- (a) **The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.**

Pathway is located within the municipal boundaries of Aurora for approximately 1 mile within the POS zone district (Aurora 2023a). The proposed use is classified as a Minor Utility by the UDO, which includes above-ground electric transmission lines of public utilities (146-6.2.U). A Minor Utility may be permitted in the POS zone district through the conditional use process (Permitted Use Table, Table 3.2-1 in Section 146-3.2 of the UDO). Minor Utilities do not have use-specific standards per the Permitted Use Table, Table 3.2-1 in Section 146-3.2 of the UDO.

Existing Master Plans on the properties include the Aurora Bicycle and Pedestrian Master Plan (Aurora 2012) and the Seam Interceptor Master Plan, previously referred to as the Senac Creek Interceptor Project (Aurora 2023b). Xcel Energy has reviewed the Aurora Bicycle and Pedestrian Master Plan for information regarding future regional trail corridors through the Natural Area and identified a proposed trail within the Natural Area. (See map on page 41 of Aurora Bicycle and Pedestrian Master Plan.) The proposed trail appears to be aligned in a north to southeast direction, which assumes a perpendicular crossing. Pathway will not prohibit the construction and use of the future trail in this area.

Pathway adheres to the Seam Interceptor Master Plan (Aurora 2023b). This is a water pipeline project that Pathway will have to cross. Interference with the water pipeline location and function is not expected nor is an interference with the water facility. The Seam Interceptor Master Plan includes layout of existing and future planned facilities associated with the water treatment facilities. Pathway will be located at the property boundary with East Quincy Avenue ROW. A future trail is planned in this area. The proposed trail appears to be aligned in a west to east direction, which assumes parallel orientation with Pathway. Pathway will not prohibit the construction and use of the future trail. It is unknown whether construction schedules will overlap between trail construction and Pathway construction. Xcel Energy will coordinate with the landowners to reduce conflict or other interruption of construction progress.

Pathway is not aware of conditions of approval applied to the property by the Planning and Zoning Commission or City Council in prior decisions affecting the property.

- (b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.**

Pathway will not require additional infrastructure, public improvements, or local government services beyond those currently provided in the area. Pathway creates no additional demand for water, wastewater, street, trail, or sidewalk systems.

- (c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.**

Pathway will not alter natural areas, ridgelines, swales, or natural landforms. Xcel Energy will conduct geotechnical investigations to identify potential geologic hazards along the transmission line alignment. The landscape along the Pathway facilities in Aurora is flat and has little variation in topography. Pathway will not significantly change the existing topography since it is designed to conform with existing topography to minimize the amount of necessary grading. Xcel Energy will acquire any necessary grading, stormwater, and erosion control permits and comply with permit requirements.

Pathway will avoid impacts to wetlands and WOTUS features to the extent practicable. The potential wetlands and WOTUS identified through desktop analysis of National Wetlands Inventory (NWI) data that may be impacted by construction of Pathway have been field-verified and will be marked in the field prior to construction so construction workers avoid impacts. The transmission poles can be located to span wetlands and other WOTUS features, thereby avoiding permanent impacts. Wetlands and WOTUS within the alignment are identified in the Site Plan exhibit and discussed in Section 9.13.

- (d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.**

Pathway is a backbone transmission system that will connect generation sources in eastern Colorado to demand throughout Colorado. Pathway will help to meet the state's growing electricity needs, improve safety, reliability, and affordability, and enable the transition to clean energy. Pathway 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.

Additionally, 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 collocate public recreation trails within transmission corridors. Xcel Energy has notified the City of Aurora of the potential for construction of a Powerline Trail within

the Pathway Transmission Corridor. Xcel Energy's role under the Act is limited to facilitating the potential collocation of such trails by providing guidance to Public Entities on things such as what safety clearances need to be maintained, which materials should be used in the construction of the trail, and where such trails can safely be collocated with Xcel Energy's facilities. Powerline Trails will ultimately be constructed by Public Entities after consult with Xcel Energy, the Colorado Division of Parks and Wildlife, and landowners about the safety and feasibility of such trails after the transmission corridor is constructed. Xcel Energy has a long history of working with local governments who wish to collocate public recreation trails within its transmission corridors and will work with the City of Aurora to address any thoughts, questions, or interest it has regarding potential future Powerline Trails.

**(e) The application is compatible with surrounding uses in terms of size, scale and building façade materials.**

Pathway is sited within the POS zone district and collocated along existing transmission infrastructure for approximately 1 mile along East Quincy Avenue to reduce visual impacts, where feasible. Pathway will be constructed to a similar size and scale to the existing facilities on the south side of East Quincy Avenue. The visual landscape along the route features existing transmission lines, roadways, and industrial elements, and Pathway will result in an incremental increase in poles in the viewshed. The transmission poles will be weathering steel weathering steel that oxidizes to resemble a natural brown look and is not shiny. Aside from the transmission pole foundation footprint, land uses can continue in their current use.

**(f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.**

Mitigation measures planned for Pathway are listed by resource in Table 5. A full description of resources, potential impacts, and mitigation measures are included in Section 9, Impacts Analysis.

## **7 ADDITIONAL ACCOMPANYING DOCUMENTS**

### **7.1 PROOF OF OWNERSHIP**

Xcel Energy is currently negotiating with the potentially affected landowners for 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 ROW of the transmission line as well as permanent and temporary easements required for access and TCAs during and after construction. Once land surveying, final engineering design, and permitting have been completed, Xcel Energy will exercise the options and record the final easements. Easements required for Pathway construction will be secured and recorded prior to the start of construction on each individual parcel.

## **7.2 BUILDING MATERIAL SAMPLES**

Transmission poles will be weathering steel that oxidizes to resemble a natural brown look. The anticipated physical characteristics of a double-circuit pole are summarized in Table 3, and a representative transmission pole with line is shown in Figure 4. Typical transmission pole configurations, a representative photograph, and a visual simulation are included in Attachment D.

## **7.3 COLORED ELEVATIONS**

Typical transmission pole configurations, a representative photograph, and a visual simulation are included in Attachment D.

## **7.4 RESPONSE TO PRE-APPLICATION COMMENTS**

Responses to comments received at the pre-application meeting held on May 18, 2023, are included in Attachment F.

## **7.5 ABUTTING PROPERTY OWNERS**

A list of abutting property owners is included in Attachment E.

## **7.6 GIS/CAD INSTRUCTIONS FOR ADDRESSING**

Xcel Energy is requesting a waiver of the submittal of geographic information system (GIS) and computer-aided drafting (CAD) files for addressing purposes. The transmission line will not require an address since it is an unstaffed linear facility.

## **8 ADDITIONAL REQUIREMENTS**

Xcel Energy will address additional requirements upon request.

## **9 IMPACTS ANALYSIS**

The sections that follow address potential impacts from construction, maintenance, and operation of Pathway in Aurora and proposed mitigations where appropriate. Additional information about the environmental factors considered during routing and siting is provided in the Segment 5 Routing and Siting Study (Attachment A).

Sensitive natural resources and wildlife interests were considered in identifying the preferred location for the transmission line to minimize potential interference from Pathway facilities. In addition, Xcel Energy has communicated with CPW and USFWS representatives regarding Pathway and will continue to coordinate with them throughout design and construction of Pathway including compliance with applicable regulatory

requirements. Pathway will not affect unique natural resources or historic landmarks in Aurora.

## **9.1 AGRICULTURAL RESOURCES**

There are currently no agricultural uses within the Pathway alignment in Aurora, and Pathway will therefore not impact agricultural resources.

## **9.2 AIR QUALITY**

The National Ambient Air Quality Standards (NAAQS) are tracked by county, and this analysis will make use of Arapahoe County NAAQS data because this portion of Aurora is located within Arapahoe County.

Arapahoe County is in attainment with the NAAQS for the following criteria pollutants: particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide, and lead (EPA 2023). Arapahoe County is in non-attainment for 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). 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 Aurora.

It is anticipated that an average of 15 trucks per day (15 round trips) will be utilized during construction of the transmission line. The impact to local roads will vary day by day as the construction moves along the route. Water trucks will be utilized during to construction activities to suppress dust from vehicles and equipment as necessary. If necessary, Xcel Energy will apply for a CDPHE APEN for land development prior to construction and follow state standards to control the release of fugitive dust related to construction. The APEN will be required for a disturbance greater than 25 contiguous acres and land development activities longer than 6 months.

During operation, Pathway will not generate trips in excess of those currently experienced as the transmission line represents 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 is not expected.

## **9.3 BIOLOGICAL RESOURCES**

A desktop analysis of the portion of Pathway within Aurora was completed to characterize the environmental setting and evaluate the potential for occurrence of

special-status species based on available habitat. The analysis included the transmission line route plus a 1-mile buffer. The buffer was used to evaluate biological resources that could be influenced by Pathway construction, maintenance, or operation (e.g., raptor nests). To assess the potential for occurrence of special-status species within Aurora, the following publicly available information was reviewed:

- Google Earth Aerial Imagery (Google 2023)
- National Land Cover Database (NLCD 2019)
- USFWS Information for Planning and Consultation (IPaC) online tool (USFWS 2023a)
- USFWS Critical Habitat Portal (USFWS 2023b)
- Colorado Natural Heritage Program Species Elements Database (CNHP 2023)
- CPW Species Activity Mapping Data (CPW 2023a)
- CPW State Species List (CPW 2023b)
- Online species profiles and distribution information (CPW 2023c)

In addition to publicly available information, a windshield survey of the proposed Pathway facility locations was completed in September 2021 and October 2023 to identify any potential areas of concern for biological resources. Ground-based raptor nest surveys and aerial raptor nest surveys were conducted in April and May 2022 to identify potentially active eagle and other raptor nests within 0.5 mile of the proposed transmission line route in Aurora.

The Pathway team has been conducting ongoing coordination with CPW and USFWS regarding potential biological resources that may be impacted by Pathway. The Pathway team had an introduction meeting with CPW on December 12, 2021, followed by a routing workshop on January 10, 2022, and a follow-up routing discussion on April 22, 2022. On May 9, 2022, the Pathway team had an introduction meeting with USFWS. The feedback received from CPW and USFWS during these meetings has been used to inform the siting and routing of Pathway. The Pathway team will continue to coordinate with CPW and USFWS through permitting, construction, maintenance, and operation of Pathway as needed to ensure compliance with all applicable federal and state regulations.

### **9.3.a Land Cover**

The Land Cover Resource Map in the Routing and Siting Study (Attachment A) of the Application illustrates land cover for Pathway Segment 5, of which a small portion falls within Aurora. Land cover for Segment 5 in Aurora is dominated by herbaceous

(approximately 59.8 percent) and developed, medium intensity cover (approximately 11.8 percent). The total acreage and percentage of land cover types within 1 mile of proposed Pathway facilities is presented in Table 6.

**Table 6: Land Use and Land Cover Present within 1 Mile of Proposed Pathway Facilities in Aurora**

<b>Land Use/Land Cover Description</b>	<b>Acres</b>	<b>Percent</b>
Cultivated Crops	3.0	< 1
Developed, High Intensity	33.94	2
Developed, Low Intensity	65.91	4
Developed, Medium Intensity	119.38	8
Developed, Open Space	70.18	5
Emergent Herbaceous Wetlands	65.82	4
Herbaceous	1,037.14	67
Open Water	7.48	< 1
Shrub/Scrub	134.88	9
Woody Wetlands	4.0	< 1
<b>TOTAL</b>	<b>1,541.73</b>	<b>100</b>

Source: NLCD 2019

### 9.3.b Management Areas and Priority Habitat

Federal, state, and local agencies designate areas to help conserve habitats critical to migratory birds and other sensitive species (e.g., National Wildlife Refuges, National Grasslands, state parks, and state wildlife areas). The Jurisdiction Resource Map in the Routing and Siting Study (Attachment A) of the Application illustrates land use designations in the vicinity of Pathway in Segment 5. No federally managed conservation areas are located within 1 mile of proposed Pathway facilities within the City of Aurora. In addition, no USFWS-designated Critical Habitat is mapped in the same area (USFWS 2023b). Pathway in Aurora is located within the Natural Area managed by Aurora Open Space. No regulatory guidance measures are required by Aurora for wildlife within the mapped open space, and coordination with CPW is ongoing to determine whether BMPs and seasonal timing stipulations are recommended.

Pathway transmission lines will avoid or minimize impacts to habitat as practicable. Impacts to most vegetation will be temporary and limited to the 150-foot-wide ROW and TCAs. The ROW will be cleared of tall vegetation for ongoing maintenance. Measures will be implemented to minimize the spread of noxious weeds in the ROW. To avoid or minimize impacts to aquatic habitat within the ROW, surface waters, riparian areas, and wetlands will be spanned as practicable. Pathway will adhere to BMPs and erosion control measures outlined in the SWMP. Additionally, ROW for the Pathway facilities in

Aurora will parallel Quincy Avenue on the north side. There is an existing transmission line on the south side of Quincy Avenue.

### **9.3.c Special Status Wildlife**

The USFWS IPaC online tool and CPW online databases were used to identify federally and state-protected species that may occur near Pathway facilities in Aurora, including species listed or proposed for listing under the Endangered Species Act, bald and golden eagles protected under the Bald and Golden Eagle Protection Act, and state-listed threatened or endangered species (CPW 2023a, CPW 2023b, CNHP 2023, USFWS 2023a). In addition to the federally and state-listed species that receive regulatory protection, state Species of Concern (SC) were also evaluated. Although SC species do not receive any regulatory protection, they have been identified by the state as having management interest either due to declining populations or habitat loss.

The Wildlife Species Habitat and Avian Habitat Resource Maps in the Routing and Siting Study (Attachment A) illustrate mapped special-status wildlife and avian habitat in the vicinity of Pathway in Aurora. A total of 13 special status wildlife species were identified as potentially occurring within 1 mile of proposed Pathway facilities in Aurora. Table 7 outlines the likelihood of occurrence of each species based upon review of known species ranges, habitat requirements, land cover data, and aerial imagery.

**Table 7: Special-Status Species Potentially Occurring within 1 Mile of Proposed Pathway Facilities in Aurora**

Common Name	Scientific Name	Federal/ State Status <sup>1</sup>	Habitat Associations/ Range	Likelihood of Occurrence <sup>2</sup>
<b>Mammals</b>				
Gray wolf	<i>Canis lupus</i>	FE / -	Requires large areas of contiguous habitat, including forests and mountain terrain, with an abundance of prey and cover. The species has been considered extirpated from Colorado until very recently.	Unlikely
Preble's Meadow Jumping Mouse	<i>Zapus hudsonius preblei</i>	FT	Requires dense riparian habitat that is not present in this area. The 1-mile buffer of proposed Pathway facilities occurs in species' overall range.	Unlikely
Swift fox	<i>Vulpes velox</i>	- / SC	Occurs in shortgrass prairie habitat with flat or rolling terrain and high visibility over long distances, up to 7,000 feet in elevation. The 1-mile buffer of proposed Pathway facilities occurs located approximately 0.39 mile west of the species' overall range.	Low
<b>Birds</b>				
Bald eagle	<i>Haliaeetus leucocephalus</i>	BGEPA / SC	Large rivers, lakes, and reservoirs with an abundance of fish. Nesting is typically in large trees close to water. The 1-mile buffer of proposed Pathway facilities occurs outside the range for the species.	Moderate
Golden eagle	<i>Aquila chrysaetos</i>	BGEPA / -	Open native habitats with an abundance of prey. Nesting occurs on cliffs, knolls, and raised areas. The 1-mile buffer of proposed Pathway facilities occurs within the species' breeding range.	Moderate

<b>Common Name</b>	<b>Scientific Name</b>	<b>Federal/ State Status<sup>1</sup></b>	<b>Habitat Associations/ Range</b>	<b>Likelihood of Occurrence<sup>2</sup></b>
Piping plover <sup>3</sup>	<i>Charadrius melodus</i>	FT / ST	Reservoirs, lakes, and rivers with sand and gravel areas and sparse vegetation. The 1-mile buffer of proposed Pathway facilities occurs outside the range for the species.	Unlikely – No downstream impacts anticipated.
Western burrowing owl	<i>Athene cunicularia hypugaea</i>	- / ST	Open habitats with low or sparse vegetation on gently sloping terrain. Nesting typically occurs in small mammal burrows. Often found nesting in the perimeters of prairie dog colonies. The 1-mile buffer of proposed Pathway facilities occurs in the breeding range of the species and in a high potential prairie dog colony occurrence area.	Moderate
Whooping crane <sup>3</sup>	<i>Grus americana</i>	FE / SE	Freshwater marshes, wet prairies, shallow lakes, and lagoons. The 1-mile buffer of proposed Pathway facilities occurs outside the range for the species.	Unlikely – No downstream impacts anticipated.
<b>Fish</b>				
Pallid sturgeon <sup>3</sup>	<i>Scaphirhynchus albus</i>	FE / -	Large river systems with firm sandy bottoms (i.e., Missouri River). The 1-mile buffer of proposed Pathway facilities occurs outside the range for the species.	Unlikely – No downstream impacts anticipated.
<b>Insects</b>				
Monarch butterfly	<i>Danaus plexippus</i>	FC / -	Found in a wide variety of habitats and are known to occur in grasslands and prairie habitats in Colorado. The species requires milkweed ( <i>Asclepias</i> spp.) host plants to lay their eggs.	Moderate
<b>Plants</b>				
Ute ladies'-tresses orchid	<i>Spiranthes diluvialis</i>	FT / -	Moist meadows associated with perennial stream terraces, floodplains, and oxbows at elevations below 6,500 feet.	Low

Common Name	Scientific Name	Federal/ State Status <sup>1</sup>	Habitat Associations/ Range	Likelihood of Occurrence <sup>2</sup>
Western prairie fringed orchid <sup>3</sup>	<i>Platanthera praeclara</i>	FT / -	Unplowed calcareous prairies and sedge meadows. The 1-mile buffer of proposed Pathway facilities occurs outside the overall range for the species.	Unlikely- No downstream impacts anticipated.
<b>Reptiles</b>				
Common garter snake	<i>Thamnophis sirtalis</i>	- / SC	Found in meadows, gardens, forests, and prefer areas near water.	Moderate

- 1 FC = Federal Candidate, FE = Federally Endangered, FT = Federally Threatened, ST = State Threatened, SE = State Endangered, SC = Species of Concern, BGEPA = Bald and Golden Eagle Protection Act
- 2 Likelihood of Occurrence: Unlikely—unsuitable habitat in Project and vicinity; Low—marginally suitable habitat in Project and vicinity; Moderate—suitable habitat present in Project, or species known to occur in habitat similar to Project; High—highly suitable habitat present in Project, or known populations exist in Project vicinity.
- 3 Platte River Species = Water-related activities or uses in the Platte River Basins may affect these species in downstream reaches.

Of these 13 species, one federally protected or candidate species (monarch butterfly) and one state-protected species (burrowing owl) were determined to have a moderate likelihood of occurrence within the 1-mile buffer of Pathway.

In addition to listed species, CPW tracks and maps data for big game species habitat throughout the state (CPW 2023a). The Wildlife Species Habitat Resource Map in the Routing and Siting Study (Attachment A) illustrates mapped big game habitat in Segment 5 of Pathway. The 1-mile buffer of Pathway is located within mountain lion (*Puma concolor*) peripheral range and overall range. One mule deer (*Odocoileus hemionus*) concentration area, one area identified as severe winter range, and one area identified as winter range occur within the 1-mile buffer of Pathway. One pronghorn antelope (*Antilocapra americana*) concentration area occurs within the 1-mile buffer of proposed Pathway facilities. The 1-mile buffer of Pathway is located within white-tailed deer (*Odocoileus virginianus*) overall range. No other big game species habitat is mapped in the same area.

Potential impacts to wildlife species would primarily be associated with temporary disturbance from construction activities within the ROW, namely the removal and management of vegetation. In addition, increased noise and equipment movement during construction may temporarily displace mobile wildlife species from the immediate workspace area. These impacts are considered short-term in duration and normal wildlife movements would be expected to resume after construction has been

completed and disturbed areas have been restored in a manner similar to pre-construction conditions.

To avoid or minimize impacts to wildlife, Pathway will implement measures such as requiring proper trash and food debris disposal and compliance with posted speed limits. CPW recommendations (CPW 2021) will be incorporated where practicable.

To avoid or minimize potential project impacts to eagles and other migratory birds and raptors, tree/vegetation clearing will be conducted during the nonbreeding season for birds (September 1–April 15) if feasible. If vegetation clearing cannot occur during the nonbreeding season, vegetation clearance surveys, raptor nest surveys, and burrowing owl surveys may be conducted per USFWS and CPW guidance to identify avian nesting activity and determine appropriate avoidance buffers (CPW 2020, CPW 2021) or monitor active nest sites until determined to be inactive.

In addition, electrical components of the transmission lines will be separated to minimize the risk of avian contact and will follow APLIC guidelines (APLIC 2006). Bird flight or swan diverters or other marking devices may be used as determined necessary for specific locations.

Xcel Energy will continue to coordinate with USFWS and CPW to address concerns regarding wildlife impacts throughout planning, design, construction, and operation and maintenance of Pathway and will comply with all regulatory requirements.

## **9.4 CULTURAL RESOURCES**

A desktop cultural resources study was completed in December 2022. Cultural resource records were reviewed using archaeological site files and the Colorado Cultural Resource Online Database (Compass) maintained by the Colorado Historic Society Office of Archaeology and 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 ROW within Aurora.

Within that area, one previous cultural resource survey has been conducted (report number MC.CH.R3), and no previously recorded cultural resources have been recorded. Therefore, the transmission line will not have an adverse effect on cultural resources.

## **9.5 ECONOMY**

Pathway is anticipated to provide economic benefits to communities across eastern and southern Colorado, including Aurora, over the short- and long-term. More immediately,

Pathway construction will provide local jurisdictions and host communities with potential additional tax revenue and employment opportunities. Revenue may increase for some local businesses, such as restaurants, gas stations, grocery stores, and hotels, as well as other local businesses. Existing businesses and social services are adequate to support Pathway due to the small size of the construction crew and temporary nature of the construction activities. Given the relatively small size of the crews needed for construction of Pathway, no impacts to emergency health care facilities or law enforcement services are anticipated.

Once Pathway has been constructed, it may facilitate ongoing job opportunities and tax revenue in the clean energy projects (wind, solar, etc.) that ultimately interconnect to Pathway.

Additionally, generation developers will have the opportunity to build projects that otherwise were infeasible due to lack of transmission access to market and/or transmission constraints. These generation projects may provide other additional economic development through increased jobs associated with construction and local tax-based revenue associated with land usage, and payments to existing landowners.

Xcel Energy anticipates a maximum crew of 80 construction workers will be needed for construction of Pathway transmission lines in Aurora. Construction crews will be residing in the area during construction.

## **9.6 ELECTRIC AND MAGNETIC FIELDS**

Pathway facilities will be designed, constructed, operated, and maintained to meet or exceed applicable standards of design and performance set forth in the National Electrical Safety Code.

EMF exist wherever electricity is produced or used, including around any electric appliance or wire that conducts electricity. Electric fields are created by voltage – the higher the voltage, the stronger the field. Anytime an electric appliance is plugged in, even if it is not on, an electric field is created in its vicinity. Electric fields are easily blocked by walls, trees, clothes, and skin. The farther the distance from the source of the electric field, the weaker it becomes. EMF extend outward from the conductor wire and decrease rapidly with distance from the conductor. There is no federal standard for transmission line EMF. Additional information is available online at [Transmission-EMF-Fact-Sheet.pdf \(coloradospowerpathway.com\)](https://coloradospowerpathway.com/Transmission-EMF-Fact-Sheet.pdf).

An EMF study was conducted for Pathway and submitted as part of Pathway's CPCN application, Proceeding No. 21A-0096E (Attachment G). The study concluded that magnetic field levels at the edge of the Pathway transmission line ROW are projected to

be 54.7 mG. These levels are below 150 mG and were deemed reasonable by the CPUC. No related impacts to human health and safety are anticipated.

## **9.7 GEOLOGIC RESOURCES**

Pathway will be located in areas mapped as loams, silts, alluvium, and eolian deposits (NRCS 2019). A geotechnical study, based on soil borings along the length of the transmission line will be conducted for Pathway. Engineers will use this study to determine the size and type of foundations needed to support transmission line poles as well as soil resistivity. No significant natural hazards have been identified in the areas planned for Pathway development. Professional engineers will guide construction and do not foresee any unusual risks.

## **9.8 LAND USE AND ZONING**

Pathway is sited within an area used for the Senac Creek Interceptor Project (Aurora 2023b), the Natural Area, East Quincy Avenue, and an existing transmission line. Pathway is a low intensity use and is compatible with those uses. Pathway will be collocated with an existing transmission line corridor along East Quincy Avenue to reduce impacts, where feasible. The existing transmission line is on the southern side of East Quincy Avenue.

Pathway is located within the municipal boundaries of Aurora for approximately 1 mile, in the POS zone district. The proposed use is classified as a Minor Utility by the Aurora Unified Development Ordinance, which includes above-ground electric transmission lines of public utilities (146-6.2.U). The Minor Utility may be permitted in the POS zone district by the conditional use process. Section 4 of this Application addresses the conditional use approval criteria.

The Senac Creek Interceptor Project involves the design of a wastewater service line for Aurora. Pathway will maintain required separation distances from other utility pipelines and facilities. The Natural Area is a recreational area managed by Aurora. The transmission line will parallel Quincy Avenue along the south end of the property, south of the parking lot and parallel to an existing transmission line.

Pathway is a low intensity use and is compatible with the surrounding land uses. The transmission line represents 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.

Pathway will be collocated with an existing transmission line corridor along East Quincy Avenue to reduce impacts, where feasible. Pathway is not expected to change the land use of the Natural Area because it is being located adjacent to an existing transmission

line and a road. Aside from the transmission pole foundation footprint, areas under and around Pathway can continue in their current land use.

The transmission line will be located parallel to the East Quincy Avenue ROW. Pathway will mitigate impacts to roads due to construction and related transportation routing using BMPs and traffic control during construction, and through post-construction restoration efforts.

Disturbed areas will be revegetated following construction. Disturbed areas will be returned to pre-construction conditions or reseeded according to landowner requests and Aurora requirements.

## **9.9 NOISE IMPACTS AND NUISANCE FACTORS**

The CPUC provides reasonableness determinations associated with noise and requires CPCN applicants to evaluate the expected level of noise of the proposed transmission facilities. Xcel Energy is required to meet state standards as outlined in 4 CCR 723-3.

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 foundation construction and assembly and erection of the transmission line poles and is anticipated from construction equipment such as auguring machines, cranes, heavy machinery, and trucks.

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.

All high-voltage transmission lines experience significant corona during wet weather, when water droplets form on the line. In normal, fair-weather conditions, corona and its corresponding audible noise are usually at low levels (approximately 25 decibels less than wet weather noise). Corona also increases approximately 1 decibel for every 1,000 feet in elevation gain. Based on the noise study conducted for Pathway, the maximum projected noise level measured at 25 feet from the edge of the ROW is 49.8 dBA. Per Rule 3206(f) of 4 CCR 723-3, noise levels below 50 dBA are not subject to further review regardless of the use of land, and noise levels below 75 dBA are deemed reasonable for land within an Industrial Zone at 25 feet from the property line. The projected noise levels from the Pathway transmission line were deemed reasonable by the CPUC and not subject to further review.

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). 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 Aurora.

## **9.10 PUBLIC SERVICES AND FACILITIES**

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 trucked-in water for construction), wastewater treatment, or public transportation.

## **9.11 PUBLIC OUTDOOR RECREATION FACILITIES**

Pathway will cross the Natural Area, an 848-acre city-managed area located on both the northern and southern sides of Quincy Avenue, in Aurora for approximately 1 mile. Uses of the Natural Area include hiking and wildlife viewing (Aurora 2023c). The parking area for the Natural Area is located on the northern side of Quincy Avenue.

Pathway will be collocated with an existing transmission line corridor along East Quincy Avenue to reduce impacts, where feasible. Pathway is not expected to change the recreational use of the Natural Area because it is being located adjacent to an existing transmission line and a road (Quincy Avenue). In addition, there are opportunities to locate some passive-recreational facilities and walking trails within the proposed transmission line easement. Xcel Energy has notified the City of Aurora of the potential for construction of a Powerline Trail within the Pathway Transmission Corridor. Xcel Energy's role under the Powerline Trails Act is limited to facilitating the potential collocation of such trails by providing guidance to Public Entities on things such as what safety clearances need to be maintained, which materials should be used in the construction of the trail, and where such trails can safely be collocated with Xcel Energy's facilities. Powerline Trails will ultimately be constructed by Public Entities after consult with Xcel Energy, the CPW, and landowners about the safety and feasibility of such trails after the transmission corridor is constructed. Xcel Energy has a long history of working with local governments who wish to collocate public recreation trails within its transmission corridors and will work with the City of Aurora to address any thoughts, questions, or interest it has regarding potential future Powerline Trails.

Temporary impacts to recreational uses are expected to be minor. Disturbed areas surrounding new transmission poles will be revegetated following construction. Construction and operation of the transmission line will not interfere with continued use of the surrounding areas. Disturbed areas will be returned to pre-construction conditions in a reasonable manner or reseeded according to Aurora requirements. Aside from the transmission pole foundation footprint, areas under and around Pathway can continue in their current land use.

## 9.12 TRANSPORTATION

Construction of Pathway is not expected to cause significant effects to Aurora transportation and any impacts will be temporary in nature. Work crews will mobilize each day from the laydown yard to the work areas. Traffic to local work areas will be limited to supervisory vehicles transporting work crews, required construction equipment, and equipment delivery vehicles. It is not anticipated that construction equipment or labor transportation will have a significant impact on traffic volumes or flow on local public roadways or state/county highways. Any increases in traffic will be short-term in nature and limited to the construction time period near individual transmission poles.

Pathway will cross East Quincy Avenue in Arapahoe County and then parallel the road on the northern side of the road, for the transmission line length in Aurora. Traffic will be delayed temporarily for the time it takes to string conductor across the road (crossing will take place in Arapahoe County jurisdiction). Traffic Control Plans will be developed in areas where travel on roadways could be impacted during construction. Construction updates and schedules will be discussed with local government officials as needed as details are determined. Necessary road use and ROW permits will be obtained from Aurora as needed prior to construction.

Pathway does not cross any railroads in Aurora; as such, no impacts to railroads are anticipated. Pathway is not located within the approach or departure zone of any airports in Aurora. The closest airport to Pathway is Buckley Air Force Base, approximately 7.5 miles to the north of the alignment. Therefore, no impacts to airports are anticipated. Xcel Energy will file permits with the FAA as necessary for certain transmission poles or areas of the line.

## 9.13 WATER RESOURCES

A desktop analysis of the portion of Pathway within Aurora was completed to identify potentially jurisdictional wetlands and WOTUS that may be subject to regulation under Section 404 of the Clean Water Act (CWA). The following digital information was evaluated for the 150-foot ROW and an additional 50-foot buffer on either side of the ROW:

- USFWS NWI (USFWS 2022)
- U.S. Geological Survey (USGS) National Hydrography Dataset (NHD) (USGS 2023)
- Playa Lakes Joint Venture (PLJV) Probable Playa Dataset (PLJV 2019)

The Water Resources Resource Map in the Routing and Siting Study (Attachment A) illustrates the mapped NWI, NHD, and PLJV locations within the Study Area for Segment 5, including the transmission line in Aurora. The major NHD-mapped drainages associated with wetland and other WOTUS features near Pathway include Senac Creek and associated unnamed tributaries and waterbodies. NWI-mapped features associated with these drainages include riverine wetlands, freshwater emergent wetlands and freshwater ponds, and forested/shrub wetlands. As outlined in Table 8, the transmission line ROW intersects one mapped wetland feature for approximately 11.5 feet. No PLJV-mapped playas are intersected by the transmission line ROW.

**Table 8: NWI Length Crossed by the Transmission Line in the City of Aurora**

NWI Wetland Type	Approximate Length (Feet)
Riverine	11.5

Pathway will avoid impacts to wetlands and WOTUS features to the extent practicable. The potential wetlands and WOTUS identified through desktop analysis of NWI data that may be impacted by construction of Pathway have been field-verified and will be marked in the field prior to construction so construction workers avoid impacts. The transmission poles can be located to span wetlands and other WOTUS features, thereby avoiding permanent impacts. Based on the lengths provided in Table 8, Pathway pole siting is not anticipated to result in permanent impacts to wetlands or other WOTUS features in Aurora.

Temporary impacts to wetlands and WOTUS during construction of Pathway will be avoided to the extent practicable. If wetlands cannot be avoided, matting and other protective temporary measures will be used. Depending on the condition of the wetland soil and hydrology, matting may be used to protect wetlands from rutting. Prior to construction, a SWMP will be prepared according to CDPHE requirements. To avoid potential indirect impacts from construction-related erosion and sediment movement during construction, Pathway will adhere to BMPs outlined in the SWMP, which will include erosion control and revegetation measures.

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. There will be no alteration in the pattern or intensity of surface drainage as a result of construction or operation of the transmission line.

The floodplain associated with Senac Creek at the transmission line crossing will be less than 250 feet (Aurora 2023a, Aurora 2023b). The span between transmission line

poles can be up to 1,400 feet, and thus can be sited to avoid pole placement within the floodplain to avoid permanent impacts.

Pathway will not generate pollutant loads. Construction of the transmission line will not create runoff in excess of preconstruction levels and will not change existing topography or adversely affect drainage. There will be no alteration in the pattern or intensity of surface drainage as a result of construction or operation of the transmission line.

Xcel Energy will comply with permit Application requirements, Aurora standards, and construction protocols to ensure that Pathway does not violate water quality standards.

#### **9.14 VISUAL QUALITY, NOISE, VIBRATION, AND ODOR**

The existing visual landscape in the area around the proposed Pathway facilities consists of industrial, commercial, and recreational land uses that include a water treatment plant, paintball center, and Aurora Open Space. Trees are sparse and shrub/scrub and herbaceous land cover dominate the area. Industrial facilities present near Pathway include a wastewater pipeline and treatment center called Senac Creek Interceptor Project.

An existing electric transmission line is present on the south side of East Quincy Avenue and in a parallel alignment to Pathway. Electric distribution lines are visible throughout the area and are generally located along roads to serve residential and commercial areas. Other linear infrastructure, including local roads, exist in proximity to Pathway. Where feasible, Pathway is collocated along this existing infrastructure to minimize impacts to the surrounding area. Pathway will be visible to viewers with direct, open views. Viewers located farther away are likely to experience less visual impact because the existing screening (existing transmission line, topography, vegetation, buildings) and distance from the facilities will decrease potential views.

The type of steel used will be weathering steel that oxidizes to resemble a natural brown look and is not shiny. Visual impacts of Pathway will vary based on proximity and, with distance, the scale of the transmission line poles will be minimized. The visual landscape along the route features existing transmission lines, roadways, and industrial elements, and Pathway will result in an incremental increase in transmission poles in the viewshed.

Existing undisturbed trees, shrubs, and native vegetation will be preserved to the extent possible to maintain visual contrast in the landscape. Following construction, the ROW will be restored to pre-construction conditions.

Noise impacts are addressed in Section 9.9 of this Application. Nuisance vibrations or odors are not anticipated during construction or operation of Pathway.

## **9.15 CONCLUSION**

The planning, design, construction, and operation and maintenance of Pathway will comply with all applicable regulatory requirements. Pathway is anticipated to provide economic benefits to Aurora over the short- and long-term. The construction, maintenance, and operation of Pathway transmission lines in Aurora, incorporating proposed mitigations where appropriate, will result in minimal adverse impacts to environmental factors and sensitive natural resources.

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