



**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, SEPTEMBER 15, 2020**

ATTENDANCE	<p>A regular meeting of the Arapahoe County Planning Commission was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code. The following Planning Commission members were in attendance:</p> <p>Jane Rieck, Chair; Richard Sall, Lynn Sauve, Kathryn Latsis, Chair Pro-Tem, Jamie Wollman, Rodney Brockelman, and Randall Miller.</p> <p>Also present were: Robert Hill, Senior Asst. County Attorney; Sue Liu, Engineer III; Kathleen Hammer, Planner II; Jason Reynolds, Current Planning Program Manager; Jan Yeckes, Planning Division Manager; Terri Maulik, Duty Planner; and members of the public.</p>
CALL TO ORDER	<p>Ms. Rieck called the meeting to order at 6:30 p.m. and noted a quorum of the Board was present.</p>
DISCLOSURE MATTERS	<p>Ms. Rieck disclosed that her home was adjacent to the current gasline easement alignment; however, she felt she could make an unbiased decision on the cases under consideration.</p> <p>Mr. Hill concurred that there was no conflict of interest.</p>
GENERAL BUSINESS ITEMS:	
APPROVAL OF THE MINUTES	<p>The motion was made by Ms. Wollman and duly seconded by Mr. Brockelman to accept the minutes from the September 1, 2020, Planning Commission meeting, with one revision to correct Page 3 to read “He noted that Pure Cycle had a very rich history with the project.”</p> <p>The motion passed unanimously.</p>
REGULAR ITEMS:	
ITEM 1	CASE NO LE20-002, ARAPAHOE FAIRGROUNDS AND REGIONAL PARK / 3RD AMENDMENT TO THE LOCATION AND EXTENT

	<p>No public hearing was held and no action was taken for this item. It was noted the case would be rescheduled and noticed for a future date.</p>
<p>ITEM 2</p>	<p>CASE NO LE20-001, SOUTHEAST METRO NATURAL GAS PROJECT / LOCATION AND EXTENT (LE) – Kat Hammer, Planner II</p> <p>Ms. Hammer stated Case No LE20-001 (Location and Extent) and Case No ASI20-001 (1041 Permit), Southeast Metro Natural Gas Project would be presented together. She explained the public hearings could be combined; however, separate motions and votes would be required.</p> <p>Mr. Hill reported the hearings had been properly noticed and the Planning Commission had jurisdiction to proceed.</p> <p>Ms. Hammer introduced the applications and presented a PowerPoint, a copy of which was included for the record. She explained the application was for a natural gas pipeline, a portion of which was within the unincorporated area of Arapahoe County. She explained that part of the alignment ran through Cherry Creek State Park under the jurisdiction of the U.S. Army Corps of Engineers. Ms. Hammer said staff recommended the Location & Extent and the 1041 Permit be approved on the basis of staff’s findings as outlined in the related staff reports and with the conditions of approval recommended in the staff reports for each project. She noted, while the Planning Commission took final action on the Location & Extent application, the Board of County Commissioners (BOCC) would conduct a public hearing on the 1041 Permit.</p> <p>Kelli Bradley, Xcel Project Manager, introduced the project team members who were in attendance, as follows: Tom Henley, Xcel Community and Government Affairs, Adam Pena, Xcel ROW and Permitting, Elizabeth Morris, Xcel Public Outreach, Asma Mennana, Xcel Gas Engineer, Julie Stecil, Xcel Legal, Brian Thomasen, NV5, Pipeline Engineer, John MacDonald, EPG Permitting, Maria Alvarez EPG Permitting, Vanessa Yohe, EPG Public Outreach, Matt Kizlinski, Hemlock Environmental consultant, Josh Solis, Tetra Tech Public Outreach, David Kuosman, Xcel Legal, Lily Montesano, Wright Water Engineers Water Resources Specialist, and Matt Anderson, Blackeagle Energy Services Construction Project Manager. Ms. Bradley presented a PowerPoint, a copy of which was retained for the record. She explained the length of 20-inch pipeline being placed and the approximate three miles within unincorporated Arapahoe County. She stated it was a replacement of</p>

an existing pipeline, but in a new location. She reported the new replacement would comply with all new regulations for placement of pipelines. Ms. Bradley presented a routing alternative analysis. She explained that a significant amount of infrastructure to support newer homes had built up around the existing alignment and sometimes encroached on the current easement. She explained that routes had to meet engineering requirements of the project while reducing impacts to the extent possible. She said seven alternatives were considered and she reviewed the criteria by which the alternatives were evaluated. Ms. Bradley stated the proposed route was shown on slide 5 in light blue, with the current pipeline route shown in a darker blue. She explained that the Xcel applications complied with agency and jurisdictional requirements. She said at least 14 public agencies had been consulted; these were outlined in the project materials and included local, State, and federal agencies, as well as, a number of special districts. She stated agency and jurisdictional partners would be updated with new information as the project progressed. Ms. Bradley reported permitting and design had been worked on since 2018. She said plans would be finalized by August 2021. She stated disturbed areas would be restored to original conditions. Ms. Bradley outlined activities that stakeholders would see occurring during construction and said efforts would be made to reduce inconveniences. She reviewed the public safety measures to be taken during construction. Ms. Bradley said corrosion prevention measures would help to ensure the integrity of the pipeline over time. She explained that pressure tests would be undertaken following installation and the pipeline would be internally inspected and maintained to preserve the integrity of the pipeline over its lifetime. Ms. Bradley explained that continuous remote monitoring was used, as well as, remote-control valve shut-off for emergencies. She said Xcel was a leader in damage prevention and was an active member of 811 and the Gold Shovel Standard. She addressed public outreach efforts used, which included an email subscription for information updates. Ms. Bradley summarized Xcel's qualifications to plan, construct, and manage the project. She addressed a number of questions that staff had forwarded to her from written public comment that were received prior to the public hearing.

There were discussions concerning the status of the existing pipeline, trails access during construction, above-ground structures, the valve colors being yellow for safety reasons, wildlife protection, fencing, construction schedule, owner agreements, the average lifetime of a gas pipeline, preservation of views and screening with landscaping, alternate pipeline routes, reclamation plan follow up, and construction staging areas.

Ms. Hammer noted that she had received a phone call expressing concerns about wildlife and prairie dogs and two additional emails about various types of wildlife and waterway crossings. She explained that the comments came in after the packets had been sent out; however, they were provided to the Planning Commission by separate email and would be incorporated into the record.

Ms. Rieck opened the hearing for public comment.

Mr. Reynolds noted that a number of the phone callers in the queue were part of the Xcel project team; however, he didn't recognize all of the phone numbers, so would call these unknown numbers when identifying numbers for public comment opportunity.

Michaela Hinerman stated she was opposed to the project. She felt the interests of a limited number of community members had taken precedence over the interest of other residents, a school campus and wildlife residing in Cherry Creek State Park and the surrounding area. She had concerns with the prairie dog management plan and considerations for the complex underground infrastructure of prairie dog burrows and communities. She said prairie dogs were very sensitive to vibration and other disturbances. She felt the management plan needed to be reevaluated by a responsible prairie dog consultant; until then, she strongly opposed the project.

Connie {*last name was inaudible*}, Thornton CO – Said she was concerned that the pipeline was to be ran through Cherry Creek State Park, which was home to many types of wildlife. She felt like there was no gratitude for life and that this represented “business as usual.” She said wildlife death was occurring at an alarming rate and that prairie dogs were considered a nuisance that were “in the way.” She felt that the pipeline project did not recognize the threats to the wildlife and human environment. She said the project was ill-timed and ill-placed in a park. She asked that decisions support life and wellbeing and value of our wildlife.

Deanna Meyers stated she had submitted written comments. She stated CCSP was the only habitat conservation area within the region. She reported her organization had reviewed the management plan and felt the plan would kill the prairie dogs rather than moving them out. She said relocations required experience and time; a relocation expert should be hired by Xcel. She explained that her organization had several recommendations as options for Xcel to consider. She noted a number of environmental and safety concerns and impacts to enjoyment of CCSP. She said a pipeline should not replace a cherished park and biotic communities.

Midi {last name was inaudible} expressed concern for destroying the habitat of prairie dogs. She stated no lessons had been learned about preventing destruction of this species by corporations. She said a relocation expert should be hired to consider options for preservation of the animals and habitat before moving forward.

Ray Cruz-Solano stated he had lived in the area for 25 years and was primarily concerned about safety in proximity to the project. He wanted to know how deep the pipeline would be buried. He reported having seen construction at Peoria and Orchard and would like to know whether there was any project activity underway already.

There were no further public comments. The public hearing was closed.

Ms. Bradley stated that Xcel could commit to hiring a prairie dog relocation expert to minimize impacts to the prairie dogs. She said there was no intent to exclude prairie dogs from the construction area after the pipeline as complete; prairie dogs would be able to move back into the area. She reported where the corridor was in close proximity to Peoria, there was other nearby habitat that the prairie dogs could move into temporarily. Ms. Bradley addressed the safety question. She reported the pipeline averaged a depth of four feet and was deeper for wetlands and creek crossings. She said there was some construction underway where the pipeline had already been approved and permitted (outside the unincorporated area of Arapahoe County). Ms. Bradley noted that safety was the foundation of Xcel's work and she reviewed safety measures that were shared earlier in the presentation. She said the integrity of the pipeline would be ensured. She stated that corrosion protection, pressure-testing with water, visual internal inspection with pigging every seven years, annual leak surveys, continuous remote monitoring, use of remote control valve shutoff from control center were all noted as safety measures. Ms. Bradley responded to Mr. Cruz-Solana's follow up question about shut-off points in the case of a catastrophic event. She noted that the one valve as in the section within unincorporated Arapahoe County; however, there were other shutoff valves along the system. Ms. Bradley said the depth of the pipeline was 10 feet at the drop structure being installed by Mile High Flood Control District, but the typical depth was four feet. She provided additional detail on the pressure test. She reported the test would be 8 hours, at one and a half times the design pressure and that the new pipeline would run at the same pressure as the current pipeline.

Ms. Latsis asked for information on additional utilities in the area that might create variations in depth of the pipeline.

Mr. Thomason responded that there were two water lines that would be crossed. He believed they are owned by the City of Aurora and would require an approximate ten-foot depth. He said most were telephone communication lines at a three-foot depth. He added that the water lines had easements with CCSP adjacent to Peoria.

Ms Latsis asked if it was known how many prairie dog colonies would be impacted and if the magnitude of relocation was known?

Matt Kizlinski stated approximately two miles of the park would impact prairie dogs. He stated the CCSP prairie dog management plan identified the number of prairie dog colonies, but he did not have those numbers available. He explained the numbers varied from year to year, and the construction would span from this year into next year. He did not know the magnitude of relocation, but indicated there were several large colonies. He said it might be that the entire colony would not be impacted. He believed there were 468 acres of active prairie dog habitat within CCSP. He stated the numbers could be calculated.

Ms. Latsis noted Xcel stated that 2,000 miles of pipeline in Colorado were managed by Xcel. She asked if there were some numbers to share in relation to safety statistics for area residents.

Ms. Bradley stated she did not have those numbers immediately available, but could provide that information to the area residents.

Mr. Brockelman asked about the width of disturbance, silt fence to silt fence.

Mr. Thomason responded that the average width as 50 feet. He said there was also a 25-foot temporary width in addition to the 50-foot easement for a total of 75 feet temporarily.

Mr. Miller asked about the depth of the current pipeline.

Mr. Thomason noted that the typical depth was four feet to five feet.

Ms. Wollman asked whether it was industry standard for Xcel to place a pipeline at a four-foot depth and to go deeper where crossing other utilities.

Ms. Bradley confirmed that was typical.

Ms. Rieck explained separate motions would be accepted for the Location and Extent application and the 1041 application.

It was moved by Ms. Wollman and duly seconded by Mr. Brockelman, in the case of LE20-001, Southeast Metro Natural Gas Project / Location and Extent, that the Planning Commission reviewed the staff report, including all exhibits and attachments, have listened to the applicant's presentation and any public comment as presented at the hearing, and moved to approve the application based on the findings in the staff report and subject to the following conditions:

- 1. Prior to signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.**
- 2. Prior to commencement of construction on the Project the applicant shall obtain all necessary Federal, State and County permits required for occupation, environmental and building/work permits for the project.**
- 3. The applicant shall continue to work with Mile High Flood District to resolve concerns stated in the recommendation letter received by the County on August 19, 2020.**
- 4. The applicant must meet all of Tri-County Health Department requirements and receive approval from Tri-County Health Department prior to construction.**
- 5. This Location and Extent approval is contingent upon approval of ASI20-001, Southeast Metro Natural Gas Project 1041 Permit Application**
- 6. To employ a relocation expert to relocate the prairie dogs.**
- 7. To provide safety information to the County.**

Mr. Miller noted that Xcel had committed to provide a great deal of information prior to the Board of County Commissioners meeting and should follow up on these.

Ms. Latsis then moved to amend the motion to include condition number eight (8) which required the applicant to provide

	<p>landscaping and visual screening around the above-ground valves.</p> <p>The motion for the amendment was seconded by Ms. Wollman.</p> <p>The vote to approve the amendment to the original motion was approved unanimously.</p> <p>The motion to approve the Location & Extent, as amended, was approved, as follows:</p> <p>Mr. Brockelman, Yes; Mr. Miller; Yes, Ms. Wollman, Yes; Ms. Latsis, Yes; Ms. Rieck, Yes; Mr. Sall, No; Ms. Sauve, No.</p>
<p>ITEM 3</p>	<p>CASE NO ASI20-001, SOUTHEAST METRO NATURAL GAS PROJECT / AREAS OR ACTIVITIES OF STATE INTEREST (ASI) – Kat Hammer, Planner II</p> <p>The staff and applicant presentations, questions and comments from Planning Commissioners, and public comment related to this item were included and addressed in the minutes for Item 2 above; however, a separate motion was made for Item 3.</p> <p>It was moved by Ms. Latsis and duly seconded by Ms. Wollman, in the case of ASI20-001, Southeast Metro Natural Gas Project /1041 Permit, that the Planning Commission reviewed the staff report, including all exhibits and attachments, listened to the applicant’s presentation and any public comment as presented at the hearing, and moved to recommend approval of the application based on the findings in the staff report, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Prior to signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns. 2. Prior to commencement of construction on the Project the applicant shall obtain all necessary Federal, State and County permits required for occupation, environmental and building/work permits for the project. 3. The applicant shall continue to work to work with Mile High Flood District to resolve concerns stated in the recommendation letter received by the County on August 19, 2020.

	<p>4. The applicant must meet all of Tri-County Health Department requirements and receive approval from Tri-County Health Department prior to construction.</p> <p>The vote was:</p> <p>Mr. Brockelman, Yes; Mr. Miller, Yes; Ms. Wollman, Yes; Ms. Latsis, Yes; Ms. Rieck, Yes; Mr. Sall, No; Ms. Sauve, No.</p>
<p>ANNOUNCEMENTS AND QUESTIONS</p>	<p>It was announced that the next Planning Commission meeting was scheduled for October 6, 2020, at 6:30 p.m., and would be held through the TEAMS platform and call-in.</p> <p>Mr. Reynolds thanked Ms. Maulik for attending this evening’s hearing. He noted she was being trained as his backup.</p>
<p>ADJOURNMENT</p>	<p>There being no further business to come before the Planning Commission, the meeting was adjourned.</p>