



Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

Administration Department
Phone: (970) 984-2311
Fax: (970) 984-2716
www.newcastlecolorado.org

Agenda

New Castle Town Council Regular Meeting

Tuesday, May 21, 2024, 7:00 PM

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet:

<https://us02web.zoom.us/j/7096588400>

If you prefer to telephone in:

Please call: 1-346-248-7799

Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your phone to mute until called on

Call to Order

Pledge of Allegiance

Roll Call

Meeting Notice

Conflicts of Interest

Agenda Changes

Citizen Comments on Items not on the Agenda

-Comments are limited to three minutes-

Consultant Reports

Consultant Attorney

Consultant Engineer

Items for Consideration

A. Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) Water Rights.

B. Presentation: Jake Staton – Colorado Parks and Wildlife – Bear’s

C. Presentation: Jenny Lindsay – Great Expectations

D. Consider Resolution TC 2024-14, A Resolution of the New Castle Town Council Recommending Approval of a Conditional Use Permit for Utility Transmission Line and Towers on Property Located in the Industrial Zone District

E. Consider Ordinance TC2024-2, Authorizing the Sale of Real Property Owned by the Town (Second Reading)

Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

F. Consider Resolution TC 2024-13 - a Resolution of the New Castle Town Council Approving an Application from Colorado Drifters, LLC, DBA: Colorado Drifters/Down Valley Brewing Company for a Brew Pub Liquor License

G. Consider Reduction of Liquor License Fee for Drifters/Down Valley Brewing Company

Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

H. Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) regarding pending litigation against CVR Investors, Inc

I. Consider Approval of Settlement Agreement with CVR Investors, Inc.

Consent Agenda

Items on the consent agenda are routine and non-controversial and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen requests it, in which case the item will be removed from the consent agenda.

[May 7, 2024 Minutes](#)

Staff Reports

Town Administrator
Town Clerk
Town Treasurer
Town Planner
Public Works Director

Commission Reports

Planning & Zoning Commission
Historic Preservation Commission
Climate and Environment Commission
Senior Program
RFTA
AGNC
GCE
EAB
Detox

Council Comments

Items for Future Council Agenda

Adjourn



Living with bears: Prevention

New Castle Town Discussion, March 22
2023



LIVE LIFE
OUTSIDE

Key takeaways from March 1st meeting:

- Nose is 100 times more sensitive than human
- Omnivores
- Late freezes and bad food years
- Great memories
- 20,000 calories per day in late summer (hyperphagia)
- Generational learned behavior

Prevention: Trash



Prevention: Feeding



Prevention: Vehicles



Prevention: Homes



Questions?

The screenshot shows the Colorado Parks & Wildlife website. The main navigation bar includes 'Home', 'Learn', 'Plan to Go', 'About Us', and 'Buy & Apply'. The page title is 'Living With Bears' and the sub-header is 'Bears: Bearproofing your home'. The content is organized into three columns:

- Left Column:** A vertical list of links including 'Living with Wildlife', 'Avoid Wildlife Conflicts', 'Bears', 'Carcass Cases', 'Cubs', 'Dealing with Wildlife in your Yard', 'Dead Deer in Lanes', 'Feeding Wildlife Pets', 'Everyday at Risk', 'Living with Beavers', 'Raccoons', 'Rattlesnake Bites', 'Red Foxes', 'Spring Wildlife Advice', 'Wild Educational Resources', 'Woodchucks', and 'Use of the Frog'.
- Middle Column:** Titled 'Bearproofing your home', it features a sub-header 'Help Keep Bears Wild' and a video thumbnail for 'Bearproofing Your Home' with a red play button.
- Right Column:** Titled 'Living With Bears Page', it includes a sub-header 'Bear-Proof Home Audit Checklist' with a white bear silhouette on a green background. Below this is a section 'We're Here to Help' with 'CPW Offices' and 'After Hours Emergencies'.

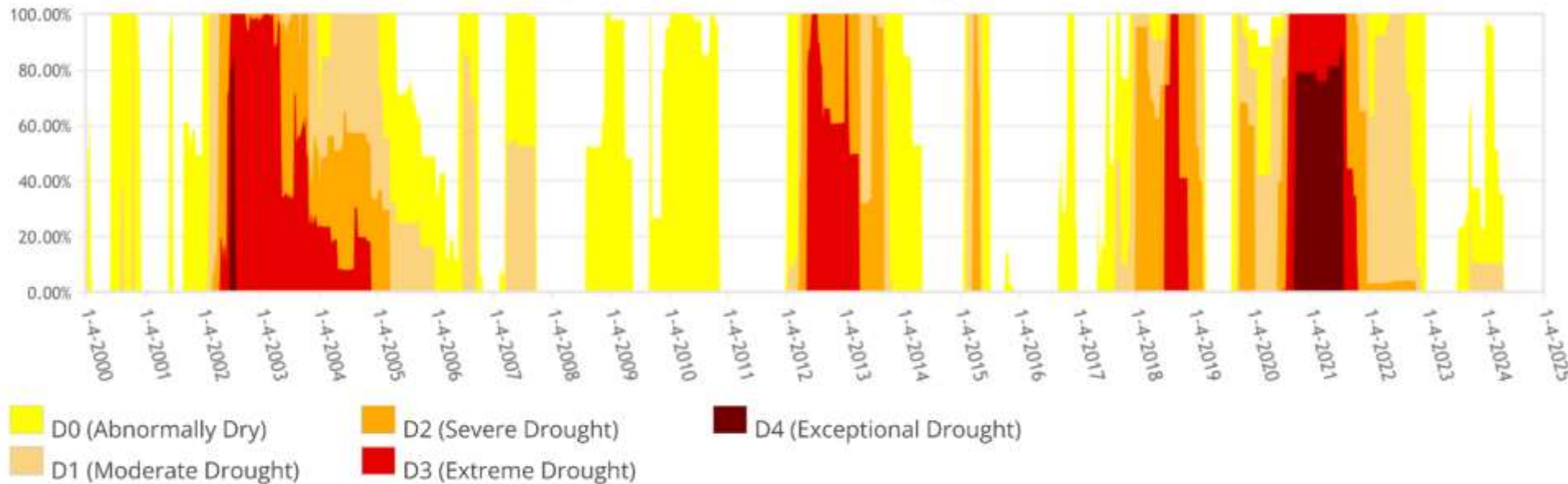
The brochure cover features the title 'Human-Bear Conflicts' in large white text on a dark background. Below the title is a photograph of a bear in a vehicle. A green circular logo with the text 'COLORADO PARKS & WILDLIFE' is positioned in the upper right corner. At the bottom, there is a row of four small thumbnail images showing various bear-related scenarios.

The brochure cover features the title 'Living With Bears' in white text on a dark background. Below the title is a close-up photograph of a bear's face. A green circular logo with the text 'COLORADO PARKS & WILDLIFE' is positioned in the upper right corner. At the bottom, there is a row of four small thumbnail images showing various bear-related scenarios.

<https://cpw.state.co.us/learn/Pages/LivingwithWildlifeBears2.aspx>

Drought and Snow Conditions

Garfield County (CO) Percent Area in U.S. Drought Monitor Categories

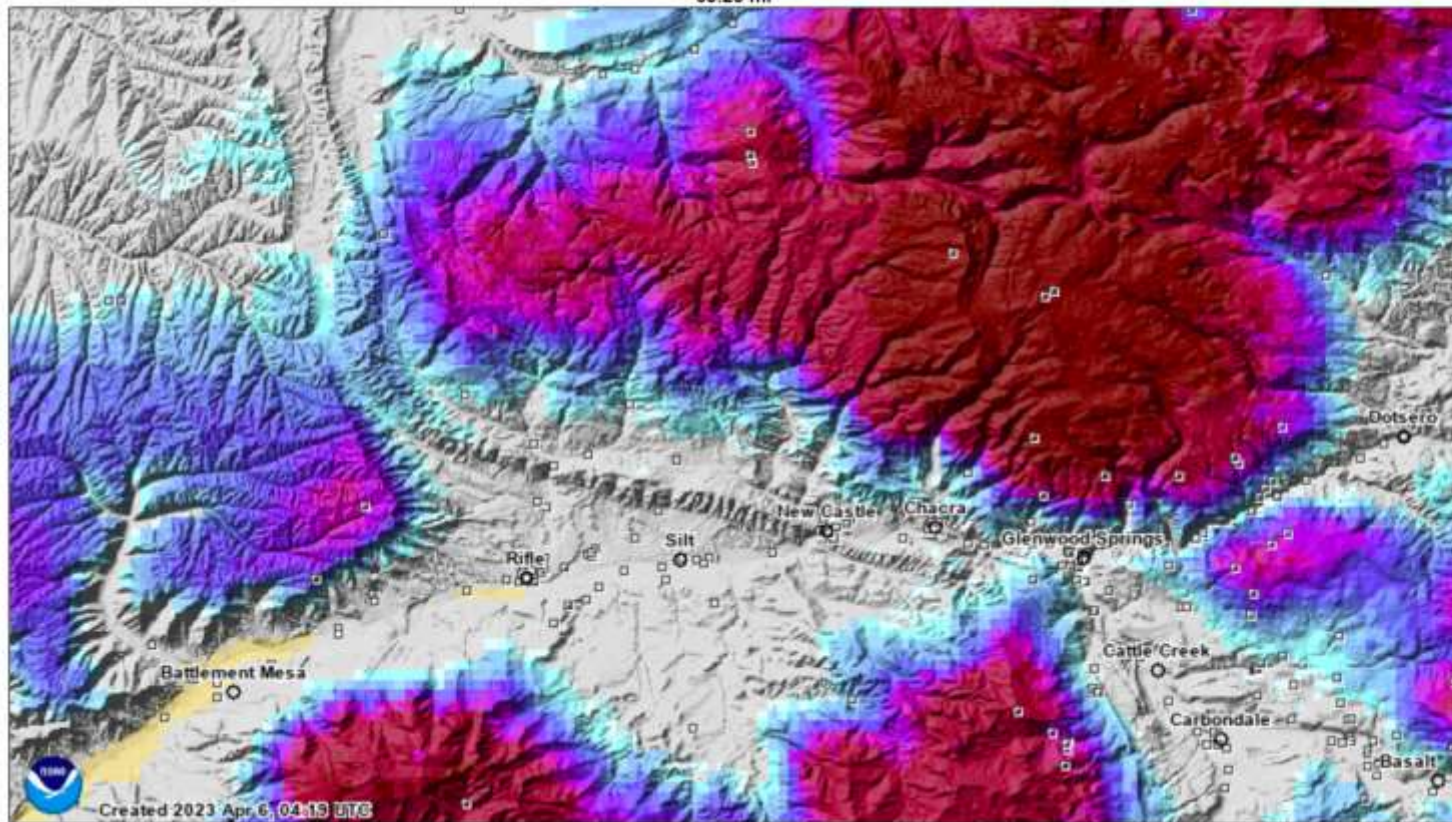
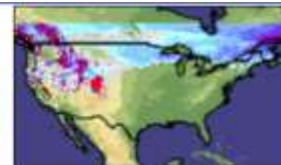


From the U.S. Drought Monitor website, <https://droughtmonitor.unl.edu/DmData/TimeSeries.aspx>, 5-8-2024



Modeled Snow Water Equivalent for 2023 April 6, 0:00 UTC

83.23 mi

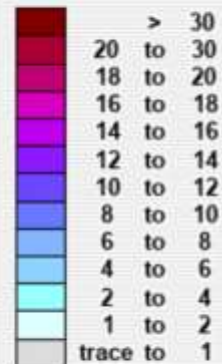


46.0 mi

46.0 mi

83.84 mi

Inches of water equivalent



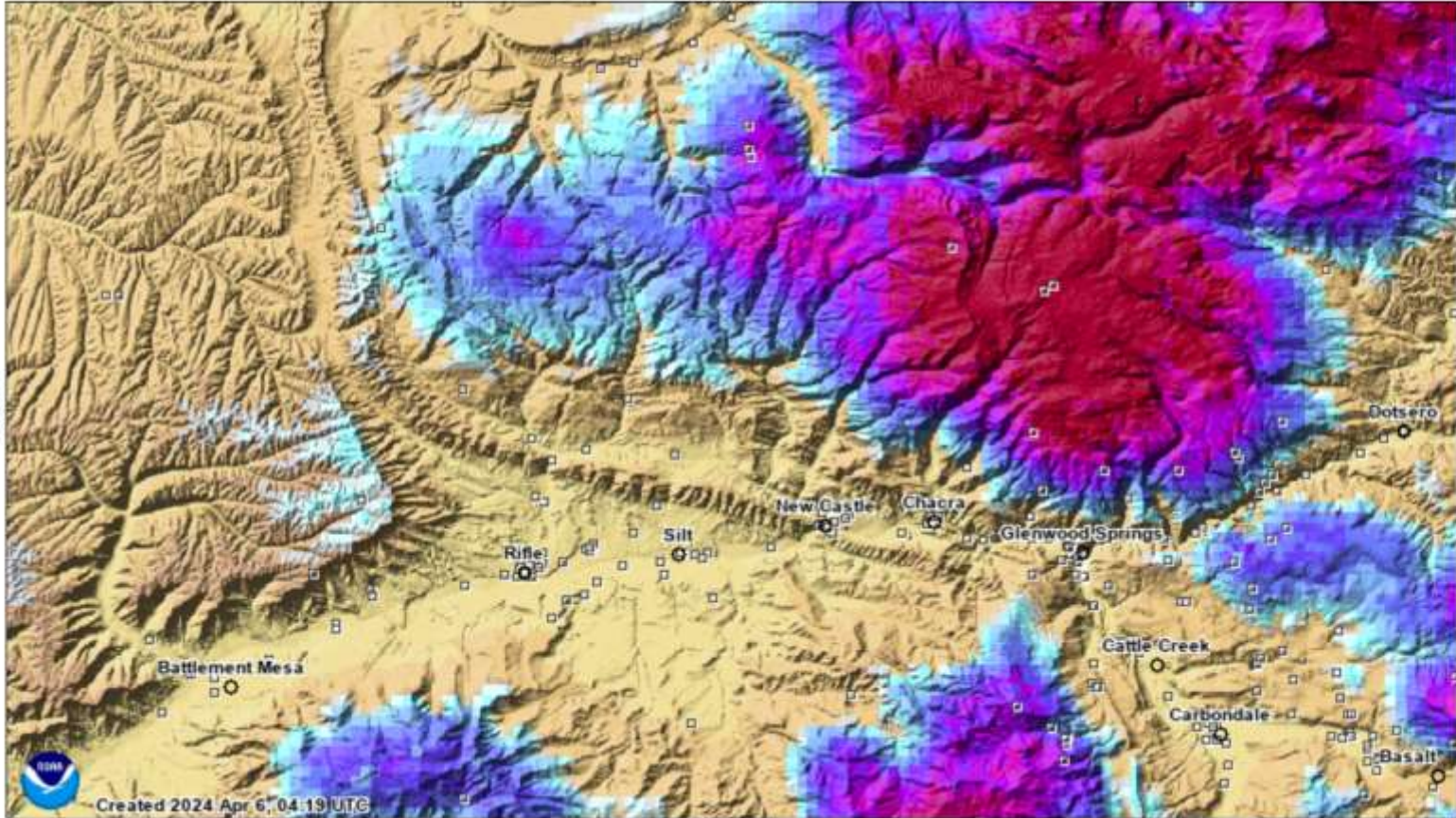
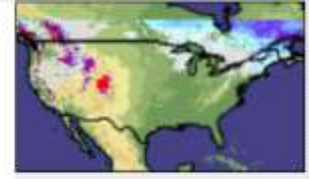
Not Estimated

Elevation in feet



Modeled Snow Water Equivalent for 2024 April 6, 0:00 UTC

63.23 mi

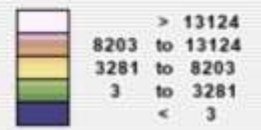


Inches of water equivalent



Not Estimated

Elevation in feet



Created 2024 Apr 6, 04:19 UTC

63.84 mi

Mast Production Surveys

Mast Production Assessment Report

Year: _____ Area: _____
 GMU(s): _____
 Location: _____

Report Completed By: _____
 Date Completed: _____

Based upon your observations in the DAU, how would you characterize overall fruit production?
 Please mark one rating for each plant species applicable within the DAU.

Gambel Oak		Juniper species		Chokecherry		Serviceberry	
N/A to this Rpt	<input type="checkbox"/>	N/A to this Rpt	<input type="checkbox"/>	N/A to this Rpt	<input type="checkbox"/>	N/A to this Rpt	<input type="checkbox"/>
Mast Failure	<input type="checkbox"/>	Mast Failure	<input type="checkbox"/>	Mast Failure	<input type="checkbox"/>	Mast Failure	<input type="checkbox"/>
Poor	<input type="checkbox"/>	Poor	<input type="checkbox"/>	Poor	<input type="checkbox"/>	Poor	<input type="checkbox"/>
Moderate	<input type="checkbox"/>	Moderate	<input type="checkbox"/>	Moderate	<input type="checkbox"/>	Moderate	<input type="checkbox"/>
Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>
Bumper Crop	<input type="checkbox"/>	Bumper Crop	<input type="checkbox"/>	Bumper Crop	<input type="checkbox"/>	Bumper Crop	<input type="checkbox"/>

Comments: _____

General Guidelines: We are seeking at least 1-2 reports per DAU in which gambel oak, juniper species, chokecherry, or serviceberry are present in at least fair abundance. In certain DAUs other mast producing species may also be important forage for bears and their production conditions should be reported in comments. Multiple assessments from different locations in the DAU or from different individuals may more accurately represent mast production conditions, but are not required.

Mast fruit production assessment considers two general factors: abundance or visibility of fruit on plants and the relative proportion of mast producing plants that have fruit on them.

	WORST	←	→	BEST	
Fruit Abundance:	Scarce		Moderate	Abundant	Super-Abundant
% Plants w/Fruit:	<25%		25-50%	51-75%	>75%

Due By: November 1

Distribution: Mark Vieira & Area Terrestrial Biologist

B-10 Fall Forage Conditions





**great
expectations**

**On a mission to
strengthen & empower
families, optimize child
development and
prevent child abuse &
neglect**





**great
expectations**

**One of the first home visiting
agencies in Colorado**

**Founded in 1983, have served more than
10,000 families**

**Nine Family Support Specialists and Nurse Home
Visitors that visit each family 1-4 times per month**



**Programs reflect
decades of
research and
practice on child
and maternal
health**





**great
expectations**



- **Receive referrals primarily from women's health providers**
- **Visit families in their homes pregnancy-age 1-5**
- **Weekly support groups and classes-New Castle Library**
- **2Gen strength-based approach**



- **Visits with families weekly up to monthly**
- **Identify needs, set goals, overcome barriers, and obtain services.**
- **Use evidence based curriculum**
- **Prenatal care, labor and delivery, parenting skills**
- **Screen for maternal depression and child's development**



**great
expectations**

Nurse Family Partnership

Participants Demonstrate:

48% decrease in child abuse and neglect

56% decrease in ER visits

50% decrease in child language delays

67% decrease in behavioral problems

59% decrease in arrests of child

61% decrease in arrests of mother

82% increase in employment of mother

Healthy Families America



Participants Demonstrate:

- **48% decrease in low-birthweight babies**
- **27% decrease in homelessness**
- **30% decrease in intimate partner violence**
- **70% decrease in pregnancy complications**

□ **MotherWise**

- ↓ **Unintended pregnancies**
- ↓ **Preterm births (@ \$76k)**
- ↑ **Postpartum checkups**
- ↑ **Contraception**
- ↑ **Conflict management**
- ↑ **Family stability**



Clients Report:

98%: Helped me improve parenting skills

98%: Heard & valued me

95%: Gave me useful information & advice

100%: Recommend to other families







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**Town Council – Meeting
Tuesday, May 21st, 2024
Resolution TC 2024-14
Staff Report**

Name of Applicant	Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy; Contact: Jennifer Chester
Mailing Address	1800 Larimer Street, Suite 400, Denver, CO 80202
Property Address	Multiple, see attached list
Name of Property Owner	Multiple, see attached list
Existing Zoning	Industrial
Surrounding Zoning	Industrial; Open Space
Surrounding Land Uses	Storage; Factory and industrial, low hazard; Park & boat ramp
Existing use of property	Existing 69kV Electric Transmission Line ROW Easement
Proposed use of property	Rebuild the existing Mitchell Creek to Rifle Ute 69kV Transmission Line and increase ROW easements.
Property size	N/A

I. Background:

The Applicant proposes rebuilding the New Castle portion of the 69 kilovolt (kV) transmission line (Transmission Line 6584) located along the Grand Hogback between Mitchell Creek to Rifle Ute substations (~25 miles). According to the project narrative, Transmission Line 6584 was originally constructed between the 1940s through the 1960s and has reached the end of its serviceable life. New power lines and poles will be installed and the easement expanded all to improve the integrity and resiliency of the power grid.

The Applicant’s proposed utility transmission line and tower use is eligible for conditional use review because it is not listed as a permitted or prohibited use under Section 17.52.050. Also, because the transmission line existed prior to the effective date of Municipal Code (MU) Title 17, the

following procedural requirements are necessary before work commences:

- 1) In accordance with MU *Section 17.84.080*, “Any use that legally existed prior to the effective date of Title 17 shall continue as an approved conditional use upon written request of the owner.” To date, no written request for a conditional use permit has been made. The current application shall serve as the request.
- 2) In accordance with *Section 17.84.070*, “No approved conditional use may be altered, structurally enlarged, (...) or expanded in ground area unless the site plan is amended and approved in accordance with the procedures applicable to approval of a conditional use”. In addition to #1 above, the application proposes several alterations as part of the conditional use approval:
 - i. The existing transmission line easement will be enlarged from approximately 40ft to a standard of 60ft to improve the powerline alignment and meet industry safety requirements.
 - ii. Existing poles and cables will be upgraded. Taller poles, allowing for longer powerline span, will reduce the total pole count from 20 to 18. Steel monopoles will replace the existing wood poles. Existing wood poles, averaging 40ft in height, will be replaced by rusted steel averaging 80ft in height. The Applicant has included a new site plan for the proposed rebuild, (**Exhibit A, pages 29-38**), and an example image (**Exhibit A, pg. 46**).
 - iii. The easement terrain will be modified with vegetation management and grading.

On May 3rd, 2024 the Planning and Zoning Commission approved resolution PZ 2024-3 recommending conditional approval of the Xcel power line replacement project. As a conditional use application, Town Council is required within sixty (60) days from the date of the Planning Commission's written decision, or within such time as is mutually agreed by Council and the Applicant, to approve the application, with or without conditions, or deny the application.

II. Application Requirements:

The purpose of this conditional use review is to determine if the nature of the proposed use is appropriate to the location and character of the New Castle Industrial Zone.

1) Site Plan:

- a. Adjacent land uses and location of adjacent structures;

Adjacent land uses include storage (Intermountain, Gabossi), low hazard industrial (National Propane, Bramco Bld.), factory use (Blue Barrel cabinetry shop, Granite Shop), business (All Dogs and Cats), and open space (Breslin Park).

b. Boundary and size of lot;

The project spans numerous lots and parcels in the county. Within New Castle, the application proposes widening easements to 60ft across 10 lots. Temporary access roads will use existing egress points for ground access for construction and pulling/tensioning sites (**Exhibit A, pg. 29**). Private easement agreements are being negotiated with private landowners affected.

c. Building location, height and setbacks;

All utility infrastructure will lie within easement boundaries. Although transmission poles are exempt from building height restrictions per Section 17.72.040 of the Code, the packet summarizes the height variation between existing poles and replacements in Table 2-2 (**Exhibit A, pg. 15**). Heights and locations of each pole are provided in the Site Plan, (**Exhibit A, pages 29-38**).

d. Off-street parking and loading areas;

Temporary access routes off Colorado River Road (County Road 335) will allow for construction vehicles and equipment to access pole locations and tensioning stations. Temporary tensioning stations will be situated at the far west Town boundary. The application does not currently comment on offsite delivery/loading/storage of materials or daily construction parking. However, the Applicant has verbally committed to providing a construction management plan prior to issuance of a conditional use certificate.

e. Points of ingress and egress;

Except for various access road driveways (**see Exhibit A, pages 29, 34, 37, and 38**), the replacement work will be conducted in the updated utility easement. CR 335 will serve as the primary access to each lot. Nine poles will be placed by helicopter assist and coordinated with the FAA. A Health and Safety Plan has also been provided (**Exhibit G**) per the request of Colorado River Fire Rescue (CRFR).

f. Service and refuse areas;

The Application omits plans for waste/sanitation management and staging of materials and equipment existing poles. The Applicant will provide a construction management plan prior to construction.

g. Signs and exterior lighting;

Permanent signage and exterior lighting are not anticipated with the project. However, temporary traffic control signs along CR 335 can be expected during the replacement process. Traffic control plans are subject to a ROW permit as regulated by the Public Works Department.

- h. Fencing, landscaping and screening;

Fence screening is required for lots operating fabrication, repair, or storage facilities. Additionally, property lines adjacent to public parks shall have tree and shrub screening. Neither case obtains with the current application, hence, no fencing or landscape screening is proposed.

- i. Compliance with performance standards;

Performance Standards are a commitment from the Applicant to minimize potential nuisances. The Applicant has signed the Performance Standards, (**Exhibit F**). P&Z moreover agreed to exempt the Applicant from standards related to excessive noise subject to **Condition #13** below.

- j. Anticipated utility requirements;

The project creates no additional demand for water, sewer, or electricity.

2) Development Timeline:

The Applicant provided an anticipated schedule of development (**Exhibit A, pg. 14**). Project construction located in New Castle, Segment 2, is anticipated to begin in Spring 2025, pending permit approvals. Materials would be delivered to the site approximately January 2025. If that schedule is tracking, construction and restoration activities are expected to be completed by late Fall 2025 and restoring service on Segment 2 of the transmission line by January 2026.

III. Approval Criteria:

A decision on a conditional use application shall be made based on the following criteria:

- 1) Is eligible for conditional review under § 17.72.040;

Staff Comment – The application is eligible for conditional review subject to sections 17.84.070 & 17.84.080 as discussed above.

- 2) Is generally compatible with adjacent land uses;

Staff Comment – The existing transmission line pre-dates New Castle’s industrial zone by several decades (platted in 2000). The utility’s consistency with other industrial uses in the area has generally been taken as a given. Nevertheless, consistency with surrounding uses has been a priority with the Applicant. The transmission line replacements will retain the same general appearance as the existing conductors. Replacement poles will remain brown though made of rusted steel rather than wood. Easements will be widened, following the general path of the existing easement, which will make minimal difference to the look of the landscape. Notably, new poles will significantly exceed the height of existing poles. Typically, this would be considered incompatible with adjacent land uses. However, heights for transmission towers are excluded from height considerations per Section 17.84.040.

- 3) Meets all requirements of § 17.84.020, is in compliance with Title 17 of the Code, and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;

Staff Comment – The application demonstrates compliance with Section 17.84.020 as overviewed in Section II above. The Applicant should also satisfy all recommendations specified in the referral comments submitted by the Town engineer and Colorado River Fire Rescue as provided in **Exhibits B & C**.

- 4) Is consistent with the comprehensive plan and

Staff Comment – The Comprehensive Plan provides guidance on impacts to the natural environment (**Goals EN 1-2**). Other than pole material and height, the transmission line project should retain the general appearance of the existing lines. Furthermore, though short-term impacts to the environment will be necessary during the replacement process, compliance with the Town Engineer’s recommendations should help keep those impacts to a minimum.

- 5) The Town has the capacity to serve the proposed use with water, sewer, and fire and police protection.

Staff Comment – The replacement project will not have any new impacts on water, sewer, and police protection. The Applicant has provided a health and safety plan which overviews fire mitigation and life safety strategies (**Exhibit G, pages 6 & 9**).

IV. Staff Recommendations:

Staff recommends approval of Resolution 2024-14 with the following conditions:

1. No construction shall begin until a conditional use certificate has been issued by the Town Planner subject to Section 17.84.040.

2. No construction shall begin on a parcel until Applicant has obtained new or revised easements from all Property owners of that parcel. Applicant shall provide recorded copies of all such easement agreements to the Town either (1) at the pre-construction meeting called for in Condition #5, below, or (2) later when obtained but prior to construction on an individual parcel for which the easement was granted. Notwithstanding the foregoing, Applicant shall provide easement agreements for all parcels that require helicopter operations for installation of power poles prior to the commencement of helicopter activity on any of said parcels.
3. Prior to issuance of the conditional use certificate, the Applicant shall demonstrate conformance with recommendations provided by the Town Engineer and CRFR (**Exhibits B & C**).
4. Prior to the issuance of a conditional use certificate, a construction management plan shall be provided for review and approval by Town staff. A construction management plan shall include, but is not be limited to, the identification of off-site storage & delivery locations, any contractor off-site parking, refuse management, and bathroom locations.
5. The Applicant shall conduct a pre-construction meeting with Town staff and relevant agencies at least 14 days prior to the beginning of construction.
6. The Applicant shall apply for any right-of-way permits through the Town's Public Works Department.
7. Easement adjustments shall be consistent with the site plan (staff report Exhibit A, page 15), as approved by Town Council. Each easement agreement shall include an exhibit showing the location of the easement across the subject property.
8. Applicant shall comply with all applicable building and municipal code requirements, including all signage permitting, and county licensing requirements.
9. No approved conditional use may be altered, structurally enlarged, expanded in parking area or expanded in ground area unless the site plan is amended and approved in accordance with the procedures applicable to approval of a conditional use as set out in § 17.84.070 of the Code.
10. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the applicant or owner may present testimony or offer other evidence on its behalf.
11. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Planning Commission or Town Council shall be considered part of the application and binding on the Applicant.
12. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs.

13. Applicant shall be exempt from the Town's performance standards concerning noise for all construction and maintenance activity that requires use of a machine or other equipment that, as designed, may emit noise in excess of Town standards, provided that all such activities comply with any local, state, or federal requirements for use of the machine or equipment in question. Specifically, use of helicopters in connection with the Proposed Use shall comply with all applicable FAA standards and requirements.

V. Application Exhibits:

- A. Land Development Application
- B. CRFR Referral – Kurt Lundin, January 23, 2024
- C. Town Engineer Referral – Jeff Simonson, January 24, 2024
- D. Public Notice
- E. Notarized Affidavit of Notice
- F. Signed Performance Standards
- G. Health and Safety Plan
- H. XCEL Proposed Conditions to Resolution – Version 1
- I. XCEL Proposed Conditions to Resolution – Version 2



Planning Department
 (970) 984-2311
 Email:
 psmith@newcastlecolorado.org

Town of New Castle
 PO Box 90
 450 W. Main Street
 New Castle, CO 81647

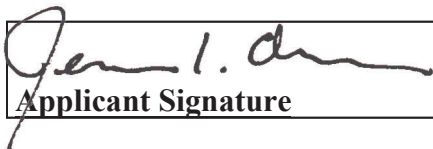
LAND DEVELOPMENT APPLICATION

Note: All land use applications must be filed with the Town Clerk. Please consult the Town Planner for codes specific to the Land Development Application. All application materials are subject to the Colorado Open Records Act (CORA), C.R.S. §24-72-201 to 207.

Applicant: Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy		
Address: 1800 Larimer Street, Suite 400, Denver, CO 80202	Phone: 303-285-6533 E-mail: jennifer.l.chester@xcelenergy.com	
Property Owner: Multiple, see attached list		
Address:	Phone:	E-mail:
Contact Person: Cory Miller (Xcel Energy)		
Address: 1800 Larimer Street, Suite 400, Denver, CO 80202	Phone: 303-285-6765 E-mail: cory.r.miller@xcelenergy.com	
Property Location/Address: Multiple, see attached list		
Legal Description: Multiple, see attached list		Acres: N/A
Existing Zone (e.g., Residential R-1, Commercial C-1): I – Industrial		Existing Land Use: Existing 69kV electric transmission line

TYPE(S) OF LAND USE(S) REQUESTED

- | | |
|--|---|
| <input type="checkbox"/> Pre-Annexation Agreement | <input checked="" type="checkbox"/> Conditional Use Permit or Special Review Use Permit |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Lot Line Adjustment or Dissolution |
| <input type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) | <input type="checkbox"/> Site Specific Development Plan/Vested Rights |
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Planned Unit Development (including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans) | <input type="checkbox"/> Zoning |
| <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Zoning Amendment |
| | <input type="checkbox"/> Re-zoning |

	12/8/23
Applicant Signature	Date



AGREEMENT TO PAY CONSULTING AND ADMINISTRATIVE COSTS

Pursuant to municipal code section 16.08.070, for any land use application, the applicant shall pay all costs incurred by the town for the preparation of plats, plans, other required data and documents, recording fees, publication costs, legal and engineering review and advice, planning review and advice, inspections and all other out-of-pocket costs incurred by the town in connection with the land use application. In the case of withdrawal or denial of a land use application, the applicant shall be responsible for all costs actually incurred by the town in connection with such application regardless of the state of the review process at which the application is withdrawn or denied.

To secure payment of costs incurred by the town, the owner of the land proposed for development (and the applicant, if different) shall be required to sign the following agreement:

By signing below, the applicant and property owner hereby agree to reimburse the Town the actual costs to the Town for engineering, planning, surveying, legal services, and all other costs incurred by the Town in connection with the review and approval of the land use application. I also agree to reimburse the Town for the cost of making any correction or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. I agree that interest shall be imposed at the rate of 1.5% per month on all balances not paid within thirty (30) days of a statement. In the event the Town pursues collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs. In addition to all other remedies allowable by law, I agree that in the event any amounts remain due and unpaid for sixty (60) days the Town shall have the power and authority to certify such amounts, plus a ten percent penalty, to Garfield County to be imposed as a tax lien against the real property subject to the development application.

SO AGREED this 8th day of December, 2023.

Jennifer Chester

Applicant (Print Name)

303-285-6533

Telephone Number

Email

Property Owner

Relationship of Owner to Applicant

Type of application: Conditional Use Permit

Property description: Existing transmission line right-of-way

Revised 3/2021

Jennifer L. Chester

Signature of Applicant

1800 Larimer St., Suite 400, Denver CO 80202

Mailing Address of Applicant

jennifer.l.chester@xcelenergy.com

Email Address of Applicant

Signature of Property Owner

Owner Mailing Address

Digitally signed by Jennifer L. Chester
Date: 2023.12.08 19:25:57 -07'00'



Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

**Building & Planning
Department**
Phone: (970) 984-2311
Fax: (970) 984-2716
www.newcastlecolorado.org

**Planning Commission – Public Hearing
Wednesday, May 8th, 2024
Resolution PZ 2024-3
Staff Report**

Name of Applicant	Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy; Contact: Jennifer Chester
Mailing Address	1800 Larimer Street, Suite 400, Denver, CO 80202
Property Address	Multiple, see attached list
Name of Property Owner	Multiple, see attached list
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Surrounding Land Uses	Storage; Factory and industrial, low hazard; Park & boat ramp
Existing use of property	Existing 69kV Electric Transmission Line ROW Easement
Proposed use of property	Rebuild the existing Mitchell Creek to Rifle Ute 69kV Transmission Line and increase ROW easements.
Property size	N/A

I. Background:

The Applicant proposes rebuilding the New Castle portion of the 69 kilovolt (kV) transmission line (Transmission Line 6584) located along the Grand Hogback between Mitchell Creek to Rifle Ute substations (~25 miles). According to the project narrative, Transmission Line 6584 was originally constructed between the 1940s through the 1960s and has reached the end of its serviceable life. New power lines and poles will be installed and the easement expanded all to improve the integrity and resiliency of the power grid.

Because the transmission line existed prior to the effective date of Municipal Code (MU) Title 17, the following procedural requirements are necessary before work commences:

- 1) In accordance with MU *Section 17.84.080*, “Any use that legally existed prior to the effective date of Title 17 shall continue as an approved conditional use upon written request of the owner.” To date, no written request for a conditional use permit has been made. The current application shall serve as the request.
- 2) In accordance with *Section 17.84.070*, “No approved conditional use may be altered, structurally enlarged, (...) or expanded in ground area unless the site plan is amended and approved in accordance with the procedures applicable to approval of a conditional use”. In addition to #1 above, the application proposes several alterations as part of the conditional use approval:
 - i. The existing transmission line easement will be enlarged from approximately 40ft to a standard of 60ft to improve the powerline alignment and meet industry safety requirements.
 - ii. Existing poles and cables will be upgraded. Taller poles, allowing for longer powerline span, will reduce the total pole count from 20 to 18. Steel monopoles will replace the existing wood poles. Existing wood poles, averaging 40ft in height, will be replaced by rusted steel averaging 80ft in height. The Applicant has included a new site plan for the proposed rebuild, (**Exhibit A, pages 29-38**), and an example image (**Exhibit A, pg. 46**).
 - iii. The easement terrain will be modified with vegetation management and grading.

As a conditional use application, the Planning Commission (P&Z) is required to hold a public hearing in accordance with the procedures set forth in Municipal Code *Chapter 16.08.040*. The hearing has been noticed, (**Exhibits D & E**). Within 30 days of the public hearing, P&Z must make one of these three recommendations to Town Council:

- 1) Approve the CUP unconditionally;
- 2) Approve the CUP with conditions;
- 3) Deny the CUP.

II. Application Requirements:

The purpose of this conditional use review is to determine if the nature of the proposed use is appropriate to the location and character of the New Castle Industrial Zone.

1) Site Plan:

- a. Adjacent land uses and location of adjacent structures;

Adjacent land uses include storage (Intermountain, Gabossi), low hazard industrial (National Propane, Bramco Bld.), factory use (Blue Barrel cabinetry shop, Granite Shop), business (All Dogs and Cats), and open space (Breslin Park).

b. Boundary and size of lot;

The project spans numerous lots and parcels in the county. Within New Castle, the application proposes widening easements to 60ft across 10 lots. Temporary access roads will use existing egress points for ground access for construction and pulling/tensioning sites (**Exhibit A, pg. 29**). Private easement agreements are being negotiated with private landowners affected.

c. Building location, height and setbacks;

All utility infrastructure will lie within easement boundaries. Although transmission poles are exempt from building height restrictions per Section 17.72.040 of the Code, the packet summarizes the height variation between existing poles and replacements in Table 2-2 (**Exhibit A, pg. 15**). Heights and locations of each pole are provided in the Site Plan, (**Exhibit A, pages 29-38**).

d. Off-street parking and loading areas;

Temporary access routes off Colorado River Road (County Road 335) will allow for construction vehicles and equipment to access pole locations and tensioning stations. Temporary tensioning stations will be situated at the far west Town boundary. The application does not currently comment on offsite delivery/loading/storage of materials or daily construction parking. However, the Applicant has verbally committed to providing a construction management plan prior to issuance of a conditional use certificate.

e. Points of ingress and egress;

Except for various access road driveways (**see Exhibit A, pages 29, 34, 37, and 38**), the replacement work will be conducted in the updated utility easement. CR 335 will serve as the primary access to each lot. Nine poles will be placed by helicopter assist and coordinated with the FAA. A Health and Safety Plan has also been provided (**Exhibit G**) per the request of Colorado River Fire Rescue (CRFR).

f. Service and refuse areas;

The Application omits plans for waste/sanitation management and staging of materials and equipment existing poles. The Applicant will provide a construction management plan prior to construction.

g. Signs and exterior lighting;

Permanent signage and exterior lighting are not anticipated with the project. However, temporary traffic control signs along CR 335 can be expected during the replacement process. Traffic control plans are subject to a ROW permit as regulated by the Public Works Department.

h. Fencing, landscaping and screening;

Fence screening is required for lots operating fabrication, repair, or storage facilities. Additionally, property lines adjacent to public parks shall have tree and shrub screening. Neither case obtains with the current application, hence, no fencing or landscape screening is proposed.

i. Compliance with performance standards;

Performance Standards are a commitment from the Applicant to minimize potential nuisances. The Applicant has signed the Performance Standards, (**Exhibit F**).

j. Anticipated utility requirements;

The project creates no additional demand for water, sewer, or electricity.

2) Development Timeline:

The Applicant provided an anticipated schedule of development (**Exhibit A, pg. 14**). Project construction located in New Castle, Segment 2, is anticipated to begin in Spring 2025, pending permit approvals. Materials would be delivered to the site approximately January 2025. If that schedule is tracking, construction and restoration activities are expected to be completed by late Fall 2025 and restoring service on Segment 2 of the transmission line by January 2026.

III. Approval Criteria:

A decision on a conditional use application shall be made based on the following criteria:

1) Is eligible for conditional review under § 17.72.040;

Staff Comment – The application is eligible for conditional review subject to sections 17.84.070 & 17.84.080 as discussed above.

2) Is generally compatible with adjacent land uses;

Staff Comment – The existing transmission line pre-dates New Castle’s industrial zone by several decades (platted in 2000). The utility’s consistency with other industrial uses in the area has generally been taken as a given. Nevertheless, consistency with surrounding uses has been a priority with the Applicant. The transmission line replacements will retain the same general appearance as the existing conductors. Replacement poles will remain brown though made of rusted steel rather than wood. Easements will be widened, following the general path of the existing easement, which will make minimal difference to the look of the landscape. Notably, new poles will significantly exceed the height of existing poles. Typically, this would be considered incompatible with adjacent land uses. However, heights for transmission towers are excluded from height considerations per Section 17.84.040.

- 3) Meets all requirements of § 17.84.020, is in compliance with Title 17 of the Code, and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;

Staff Comment – The application demonstrates compliance with Section 17.84.020 as overviewed in Section II above. The Applicant should also satisfy all recommendations specified in the referral comments submitted by the Town engineer and Colorado River Fire Rescue as provided in **Exhibits B & C**.

- 4) Is consistent with the comprehensive plan and

Staff Comment – The Comprehensive Plan provides guidance on impacts to the natural environment (**Goals EN 1-2**). Other than pole material and height, the transmission line project should retain the general appearance of the existing lines. Furthermore, though short-term impacts to the environment will be necessary during the replacement process, compliance with the Town Engineer’s recommendations should help keep those impacts to a minimum.

- 5) The Town has the capacity to serve the proposed use with water, sewer, and fire and police protection.

Staff Comment – The replacement project will not have any new impacts on water, sewer, and police protection. The Applicant has provided a health and safety plan which overviews fire mitigation and life safety strategies (**Exhibit G, pages 6 & 9**).

IV. Staff Recommendations:

Staff recommends approval of Resolution 2024-3 with the following conditions:

1. No construction shall begin until a conditional use certificate has been issued by the Town Planner subject to Section 17.84.040.

2. Prior to issuance of the conditional use certificate, the Applicant shall demonstrate conformance with recommendations provided by the Town Engineer and CRFR (**Exhibits B & C**).
3. Prior to the issuance of a conditional use certificate, a construction management plan shall be provided for review and approval by Town staff. A construction management plan shall include, but is not be limited to, the identification of off-site storage & delivery locations, any contractor off-site parking, refuse management, and bathroom locations.
4. The Applicant shall conduct a pre-construction meeting with Town staff and relevant agencies at least 14 days prior to the beginning of construction.
5. The Applicant shall apply for any right-of-way permits through the Town's Public Works Department.
6. Applicant shall comply with all applicable building and municipal code requirements, including all signage permitting, and county licensing requirements.
7. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Planning Commission or Town Council shall be considered part of the application and binding on the Applicant.
8. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs.
9. Easement adjustments shall be consistent with the site plan (**Exhibit A, page 15**), as approved by the Planning Commission. A revised boundary plat showing all altered easements shall be provided prior to the issuance of a conditional use certificate.
10. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the applicant or owner may present testimony or offer other evidence on its behalf.

V. Application Exhibits:

- A. Land Development Application
- B. CRFR Referral – Kurt Lundin, January 23, 2024
- C. Town Engineer Referral – Jeff Simonson, January 24, 2024
- D. Public Notice
- E. Notarized Affidavit of Notice
- F. Signed Performance Standards
- G. Health and Safety Plan

**Transmission Line 6584 Rebuild Project
Amended Conditional Use Permit
Application
Town of New Castle, Colorado**



**Public Service Company of Colorado, a Colorado
Corporation Conducting Business as Xcel Energy**

**Transmission Line 6584 Rebuild
Project No. 132781**

12/21/2023

Transmission Line 6584 Rebuild Project Conditional Use Permit Application

prepared for

**Public Service Company of Colorado, a Colorado
Corporation Conducting Business as Xcel Energy**

Town of New Castle, Colorado

Project No. 132781

12/21/2023

prepared by

**Burns & McDonnell Engineering Company, Inc.
Centennial, Colorado**

TABLE OF CONTENTS

	<u>Page No.</u>
1.0 INTRODUCTION	1-1
1.1 Regulatory Framework	1-5
1.1.1 Town of New Castle	1-5
1.1.2 Garfield County	1-5
1.1.3 City of Glenwood Springs	1-5
1.1.4 City of Rifle	1-5
1.1.5 BLM.....	1-5
1.2 Submittal Requirements.....	1-7
2.0 APPLICATION COMPONENTS.....	2-1
2.1 Land Development Application Form	2-1
2.2 Site Plan	2-1
2.3 Schedule of Development.....	2-1
2.4 Narrative Description.....	2-2
2.4.1 Pole Construction.....	2-3
2.4.2 Construction Methods.....	2-4
2.4.3 Visual Mitigation	2-5
2.4.4 Easement and Access Information.....	2-6
2.4.5 Traffic Information	2-6
2.5 Names and Addresses of Property Owners within 250 feet	2-6
3.0 STATEMENT ADDRESSING REVIEW CRITERIA.....	3-1
3.1 Eligibility for Conditional Review.....	3-1
3.2 Compatibility with Adjacent Land Uses.....	3-1
3.3 Meets Requirements of Section 17.84.020	3-1
3.4 Consistency with the Comprehensive Plan.....	3-2
3.5 Town Capacity for Water, Sewer, Fire, and Police	3-2
4.0 BIBLIOGRAPHY	4-1
APPENDIX A – LAND DEVELOPMENT APPLICATION FORM	
APPENDIX B – SITE PLAN	
APPENDIX C – PLAN & PROFILE	
APPENDIX D – POLE PHOTOS	
APPENDIX E – PROPERTY OWNERS WITHIN 250 FEET	

LIST OF TABLES

	<u>Page No.</u>
Table 1-1: Land Use Permit Requirements Applicable to the Project.....	1-6
Table 1-2: Town of New Castle Amended Conditional Use Permit Application Submittal Requirements	1-7
Table 2-1: Anticipated Schedule of Development for Segment 2	2-1
Table 2-2: Descriptions of the Existing and New Poles in the Town of New Castle.....	2-3

LIST OF FIGURES

	<u>Page No.</u>
Figure 1-1: Transmission Line 6584 Rebuild Project Location, Mitchell Creek to Rifle Ute Substations.....	1-3
Figure 1-2: Transmission Line 6584 Rebuild Project Location, Town of New Castle.....	1-4

LIST OF ABBREVIATIONS

<u>Abbreviation</u>	<u>Term/Phrase/Name</u>
BLM	Bureau of Land Management
BMPs	Best Management Practices
Burns & McDonnell	Burns & McDonnell Engineering Company, Inc.
CDOT	Colorado Department of Transportation
Code	New Castle Municipal Code
FAA	Federal Aviation Administration
kV	kilovolt
L&E	Location and Extent
Project	Rebuild of the existing Mitchell Creek to Rifle Ute 69 kilovolt (kV) transmission line
PSCo	Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy
ROW	Right-of-way

1.0 INTRODUCTION

Public Service Company of Colorado (PSCo), a Colorado corporation conducting business as Xcel Energy, is proposing to rebuild the existing Mitchell Creek to Rifle Ute 69 kilovolt (kV) transmission line (Transmission Line 6584 Rebuild or Project) located in Garfield County, Colorado. Transmission Line 6584 was originally constructed in the 1940s through the 1960s and, in accordance with the New Castle Municipal Code Chapter 17.84.080 – Existing Conditional Uses, is a use that legally existed prior to the effective date of Title 17 - Zoning. Xcel Energy requests endorsement by the New Castle town council that the transmission line use continues as an approved conditional use. Furthermore, in accordance with Chapter 17.84.070 - Alterations, Xcel Energy is submitting this amendment to the existing legal conditional use to rebuild the existing 6584 Transmission Line. Since the use existed prior to the relevant Code title, a site plan for the existing transmission line is not available. With this application, Xcel Energy is submitting a new site plan for the proposed Rebuild.

The existing transmission line must be rebuilt because it has reached the end of its operational life. The rebuilt transmission line will continue to operate at 69 kV but will be rebuilt to current design standards that include additional measures to reduce wildfire risk in accordance with Xcel Energy's Wildfire Mitigation Plan. Xcel Energy developed a Wildfire Mitigation Plan in 2020 that identified eight 69kV transmission lines to be replaced by 2025 as a part of its Major Transmission Line Rebuild Plan (Xcel Energy 2020). This Project is within a portion of one of the eight transmission lines identified for replacement. This Project will mitigate the wildfire risk by rebuilding the existing aging infrastructure. The approximate 25-mile rebuilt transmission line will follow the current route connecting the existing Mitchell Creek Substation, located within the City of Glenwood Springs, to the existing Rifle Ute Substation, located east of Rifle (Figure 1-1). The transmission line right-of-way (ROW Easement) crosses the following jurisdictions:

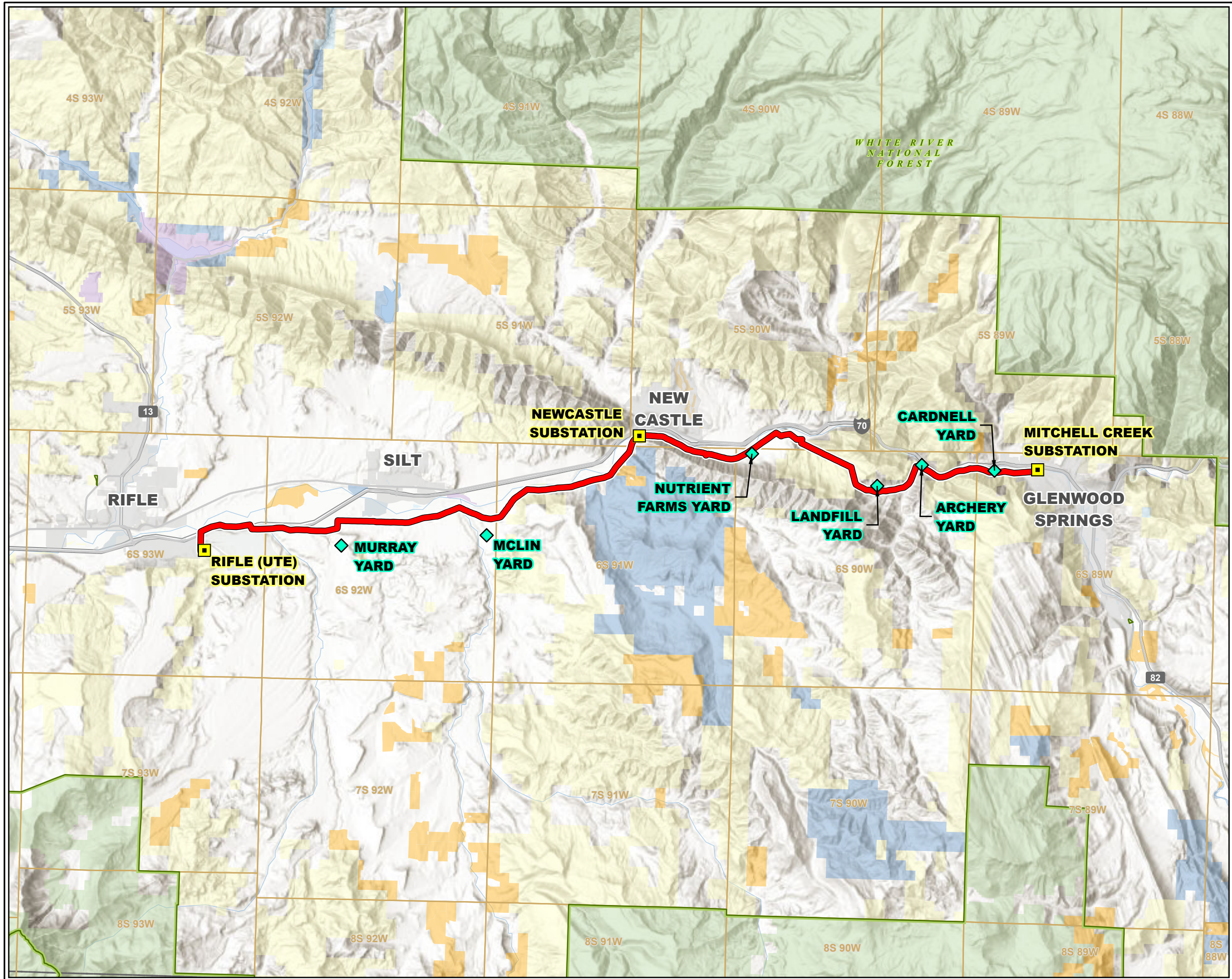
- Town of New Castle- 1 mile
- Garfield County- 18.2 miles
- Bureau of Land Management (BLM)- 4 miles
- City of Glenwood Springs- 1.5 miles
- City of Rifle- 0.20 mile

This amended Conditional Use Permit (CUP) application only addresses the portion of the Project located within the Town of New Castle (Figure 1-2). The rebuilt transmission line will be constructed within a ROW Easement 60 feet wide within Town of New Castle jurisdiction. Xcel Energy is currently

coordinating with Garfield County, BLM, the City of Glenwood Springs, and the City of Rifle on the portions of the Project located in those jurisdictions.

This amended CUP application package was prepared per the requirements of Chapter 17.84 of the New Castle Municipal Code.

Figure 1-1 - Project Overview
Xcel Energy Circuit 6584
Rebuild Project
Town of New Castle, Colorado



- Legend**
- Substation
 - ◆ Proposed Staging Yard
 - Existing Centerline

- Surface Management**
- BLM
 - USFS
 - Misc Federal
 - State
 - Local
 - Private Conservation
 - Township/Range Boundary
 - Municipal Area

Scale: 1:150,000
 Date: 11/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, CNHP, ESRI, USFS


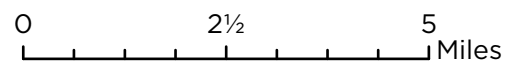




Figure 1-2 - Vicinity Map
Xcel Energy Circuit 6584
Rebuild Project
Town of New Castle, Colorado



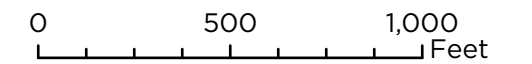
Legend

- Substation
- Existing Centerline
- Proposed Centerline
- Town of New Castle Boundary

Surface Management

- State
- Local

Scale: 1:6,000
 Date: 11/21/2023
 Data Sources: Burns & McDonnell,
 Xcel Energy, Town of New Castle,
 CDOT, ESRI



1.1 Regulatory Framework

Land use permit regulations for the Town of New Castle, Garfield County, City of Glenwood Springs, City of Rifle, and BLM apply to the Project. Descriptions of the regulatory requirements for each jurisdiction are provided in the following sections and in Table 1-1. Any applicable land use, environmental, and construction permits will be obtained prior to the start of and during construction pursuant to these regulatory requirements.

1.1.1 Town of New Castle

This amended CUP application is being submitted to the Town of New Castle for the 1-mile portion of the line within New Castle jurisdiction. 18 transmission line poles are proposed to replace the existing 20 poles located in the ROW Easement within the Town of New Castle.

1.1.2 Garfield County

A Garfield County Location and Extent (L&E) Review application will be submitted for the 18-mile portion of the line within unincorporated Garfield County. A total of 229 proposed transmission line poles are located within unincorporated Garfield County.

1.1.3 City of Glenwood Springs

A Glenwood Springs land use permit application will be determined during the pre-application meeting scheduled for November 21, 2023. The land use application for Glenwood Springs will include approximately 1.5-miles of the transmission line and 14 proposed poles within the City of Glenwood Springs jurisdiction.

1.1.4 City of Rifle

An Administrative Decision was provided on September 12, 2022, for the 0.20-mile portion of the line that crosses City of Rifle jurisdiction. There are three proposed transmission line poles within Rifle's jurisdiction.

1.1.5 BLM

A ROW grant amendment application was submitted to the BLM in July 2022 for the 4-mile portion of the transmission line within BLM jurisdiction. The BLM is in the process of preparing an Environmental Assessment under the National Environmental Policy Act to evaluate the Project.

Table 1-1: Land Use Permit Requirements Applicable to the Project

Jurisdiction	Title	Trigger	Regulatory Reference	Status
Town of New Castle	Amended Conditional Use Permit (CUP)	Any use that legally existed prior to the effective date of Title 17 shall continue as an approved conditional use upon written request of the owner. The site plan must be amended and approved for an approved conditional use to be altered, enlarged, or expanded.	Town of New Castle Municipal Code, Chapter 17.84.080 and 17.84.070	Xcel Energy (Xcel) is complying through this permit application.
Garfield County	Location and Extent (L&E) Review	Project proposed by a public utility, unless the public utility project is a designated activity of State interest	Garfield County Land Use and Development Code, Article 4-111, (1)(D)	Xcel Energy will submit the required application early 2024.
	Temporary Use Permits	A use or activity that may be conducted up to six (6) months so that it does not become a permanent use.	Garfield County Land Use and Development Code, Article 4-120	Xcel Energy will submit the required applications in 2024.
Glenwood Springs	1041 Permit	Site selection of major facilities of any public utility to be located within the City of Glenwood Springs	City of Glenwood Springs Code of Ordinances 070.080.030	Xcel Energy will submit the required application early 2024.
	Location and Extent (L&E)	Project proposed by a publicly owned utility	City of Glenwood Springs Code of Ordinances 090.060.050(d)	Xcel Energy will submit the required application early 2024.

Jurisdiction	Title	Trigger	Regulatory Reference	Status
City of Rifle	Administrative Decision	Public service utilities upgrade and maintenance for a non-conforming use in a light industrial zone	City of Rifle Municipal Code, Chapter 16-Land Use and Development, Article III, Section 16-3-420	Xcel Energy will continue to coordinate with the Planning Department regarding construction timing.
BLM	ROW Grant Amendment	An amendment to an existing grant is required when the use involves a substantial deviation from the grant	43 CFR 2807.20	Xcel Energy submitted the ROW Grant Amendment in July 2022 and BLM is currently preparing an Environmental Assessment to evaluate impacts via National Environmental Policy Act.

1.2 Submittal Requirements

Table 1-2 lists the CUP application submittal requirements as described in the New Castle Municipal Code, Section 17.84.020 - Applications and Section 17.84.070 – Alterations.

Table 1-2: Town of New Castle Amended Conditional Use Permit Application Submittal Requirements

Requirement	Location in Application Package
Land Development Application Form	Section 2.1 Appendix A
Site Plan	Section 2.2 Appendix B
Schedule of Development	Section 2.3
Narrative Description	Section 2.4
Names and addresses of property owners within 250 feet of project location	Section 2.5 Appendix E
Plan & Profile and Pole Photos	Appendices C and D

2.0 APPLICATION COMPONENTS

The following sections outline the components of the amended CUP application.

2.1 Land Development Application Form

The completed Land Development Application form and Agreement to Pay Consulting and Administrative Costs form are provided in Appendix A. Names and addresses of property owners crossed by the proposed Transmission Line 6584 Rebuild within the Town of New Castle and the legal descriptions for each property are included in Appendix A.

2.2 Site Plan

A Site Plan for the portion of the Project located in the Town of New Castle jurisdiction is provided in Appendix B.

2.3 Schedule of Development

The Project is anticipated to be divided into the following two segments for construction:

- Segment 1: Rifle Ute Substation to Newcastle Substation
- Segment 2: Newcastle Substation to Mitchell Creek Substation

Construction of both segments is scheduled for Q1 through Q3 2025, with an in-service date of Q1 2026. The portion of the Project located within the Town of New Castle is in Segment 2. Project construction in Segment 2 is anticipated to begin in Spring 2025, pending permit approvals. Construction and restoration activities are expected to be completed by late Fall 2025 and the Project will be put into service by January 2026. See Table 2-1 below for the anticipated Segment 2 Project schedule.

Table 2-1: Anticipated Schedule of Development for Segment 2

Timeline	Activity
January 2025	Material Deliveries
Spring 2025	Temporary Access Improvement and Vegetation Management
Spring 2025	Installation of New Poles
Summer/Fall 2025	Removal of Existing Line
Fall 2025	Restoration
January 2026	In Service

2.4 Narrative Description

Xcel Energy is proposing to rebuild the current 69 kV transmission line between the existing Mitchell Creek and Rifle Ute Substations by replacing aging infrastructure while continuing delivery of economic, safe, and reliable electric service to customers in the Town of New Castle and the region. Transmission Line 6584 was originally constructed in the 1940s through the 1960s. The line has reached the end of its serviceable life and needs to be rebuilt. Due to ongoing growth and development in Garfield County since the original transmission line was constructed, rebuilding the transmission line generally along the existing route is preferred to alleviate potential impacts of alternate alignments on the environment, community, and residents in the Town of New Castle. The transmission line will be rebuilt to current industry standards that includes additional measures to reduce wildfire risk per Xcel Energy's 2020 Wildfire Mitigation Plan. Xcel Energy has always worked to reduce the risks presented by wildfires. However, recent increases in the occurrence of severe weather events have impacted both the frequency and intensity of wildfires in Colorado. This has driven an increased focus on efforts and investments that can mitigate wildfire risk (Xcel Energy 2020).

The proposed 25-mile Transmission Line 6584 Rebuild involves replacing all existing poles and cables (conductor and shield wires) between the existing Mitchell Creek and Rifle Ute Substations. Transmission Line 6584 provides a source of power for communities in Garfield County. The Project is needed to continue to provide safe, reliable, and economical power in these communities.

Within the Town of New Castle, the transmission line rebuild route generally runs parallel to the south side of Colorado River Road, beginning approximately 0.2 miles west of Bruce Road and continuing west to Xcel Energy's Newcastle Substation. The rebuilt transmission line will be constructed within the existing ROW Easement in the Town of New Castle as shown on the Site Plan in Appendix B.

The current ROW Easement width varies between 30 to 50 feet and will be widened as part of the rebuild to meet current industry code and design standards. The rebuilt transmission line will be constructed within a ROW Easement 60 feet wide within New Castle's jurisdiction. The increased ROW Easement will meet the current safety clearances required by both the National Electric Safety Code and Xcel Energy and provide safe and reliable access for construction, operation and maintenance. The transmission line will continue to operate at 69 kV. Negotiations will be required with private landowners along portions of the existing route to acquire additional ROW Easement width where the existing easement documentation does not meet the minimum 60-foot width requirement. Existing and new ROW Easements will require vegetation management to create a safe working and operational space around the improved facilities.

2.4.1 Pole Construction

The rebuilt transmission line will be primarily constructed with steel transmission monopoles and strung with new conductor and optical ground wire. All poles within the Town of New Castle will be constructed with steel monopoles. Table 2-2 describes the existing and proposed poles. Although transmission poles are exempt from building height restrictions per Chapter 17.72.040 of the Code, Xcel Energy has provided the difference in pole height between the existing and the new for reference in Table 2-2 and in the Site Plan found in Appendix B.

Table 2-2: Descriptions of the Existing and New Poles in the Town of New Castle

Characteristic	Existing Poles	New Poles	Additional Details
Color and Material	Brown wood	Brown/Rust weathered steel	Steel poles comply with industry code and design standards
ROW Easement Width	30 to 50 feet for existing transmission line	60 feet for transmission line rebuild	Additional ROW Easement will be needed based on transmission line design to provide sufficient clearance to existing buildings and/or to reduce the number of poles, as well as to provide access for construction and maintenance
Height of Poles	35 to 50 feet, 40 feet on average	62 to 100 feet, 80 feet on average	Increased height needed to comply with current industry code and design standards
Number of Poles	20 existing	18 proposed	Rebuilding the line to current industry code and design standards will reduce the number of poles required
Access Required	Ground access for maintenance	Ground and helicopter access for construction, ground access for maintenance	A helicopter can be used where ground access is difficult to avoid disturbance and creation of new roads

Characteristic	Existing Poles	New Poles	Additional Details
<p>Additional Easements</p>	<p>Existing easements currently under review</p>	<p>Permanent easements of up to an additional 30 feet in some areas for transmission line on private lands</p> <p>Temporary easements will be needed for ground access for construction and pulling/tensioning sites</p>	<p>The transmission line was originally constructed in the 1940s through the 1960s</p>

A Plan & Profile for the Project within the Town of New Castle can be found in Appendix C.

Representative photos illustrating coloration of wooden poles and a weathered steel monopole are in Appendix D.

2.4.2 Construction Methods

Construction of the Project will occur in phases including the following activities: construction access development and vegetation clearing; equipment mobilization and material delivery; hole auguring and foundation construction; pole placement; conductor stringing; removal of existing poles and conductor, and revegetation of temporary disturbance areas.

Access road improvements, grading, temporary staging area set-up, and vegetation removal will be required prior to construction. Temporary access routes off Colorado River Road will allow construction crews and vehicles to access transmission line pole locations and pulling/tensioning sites.

Pulling/tensioning sites are used to string wire through new structures. There are two proposed pulling/tensions sites located within the town of New Castle. No staging areas will be located within the town of New Castle. Material deliveries from the nearest staging area to the ROW Easement will be made either by truck along the temporary access routes or by helicopter flying along the ROW Easement.

Vegetation management may be required prior to, or in conjunction with, construction within the existing and proposed ROW Easement. Trees and vegetation growing within and near the ROW Easement pose a potential risk to the transmission line by causing downed lines, power outages, and wildfires. Vegetation management crews prevent the risk of these occurrences by implementing various types of treatment including removing, pruning, and mowing vegetation, and application of approved herbicides to treat vegetation to allow safe operation of the transmission line. Depending on current levels of vegetation

encroachment and ROW Easement needs, the extent of vegetation management will vary along the rebuilt ROW Easement.

Following civil work, holes will be augured for transmission poles. Once holes are augured, the poles are set and backfilled. Some poles may require foundations that are set in the augured holes with a concrete enforced steel cage. Transmission poles will be placed in the holes or on the foundation using a crane or helicopter. Ground installation of poles involves assembling poles in the material staging areas. Once assembled, the poles are transported via truck to the installation locations where a crane will lift the poles into place. Helicopter installation involves assembling the poles in a material staging area, then transporting them via helicopter to the installation locations to be lowered into the hole or onto a foundation. Additionally, some existing poles will be removed by helicopter depending on terrain and access. Thus, the existing poles will be either flown or driven to a staging area for off-site disposal. No staging areas are located in the Town of New Castle.

There are advantages to using a helicopter for installation because it permits access to areas that are not feasible for vehicle ground access, minimizes construction impacts due to erosion and disturbance, and improves construction efficiency. Nine poles within the Town of New Castle will be installed using a helicopter. Any areas requiring helicopter construction methods will follow Federal Aviation Administration (FAA) safety requirements. Xcel Energy and their construction contractor will coordinate with the FAA and the Town during helicopter operations and obtain any necessary permits. Currently, there is no plan for evacuations as all poles near businesses will be set using trucks and cranes.

Following setting of the transmission poles, conductor wire is strung using a temporary pulley system which is attached to the insulators. Pulling/tensioning sites are required at specific angles, so the conductor wire is pulled in line with the poles, remaining in alignment. Once the conductor is in place, the existing poles and conductor will be removed by crane or by helicopter depending on terrain and access, and the Project will be energized. Throughout construction, wind erosion control BMPs, including the application of water or other dust palliatives, will be implemented as required. Following construction, the two pulling/tensioning sites within the ROW Easement will be restored to a condition reasonably similar to the pre-construction condition.

2.4.3 Visual Mitigation

The presence of the existing transmission line has previously created a visual impact. The Project will rebuild the existing line to update its materials and bring it into compliance with current industry design standards. Accordingly, it is not anticipated the Project will negatively impact the character of the

surrounding area or create new significant visual disturbances for several reasons: (1) the new transmission line route will be rebuilt within the existing ROW Easement; (2) the total number of transmission poles will be reduced from 20 to 18; and (3) the updated materials for the new transmission poles and their corresponding current design standards will minimize negative visual impacts. While some new poles will be taller than the existing poles, their overall appearance will not materially change or substantially impact the area because they will be weathered steel to blend in with the surrounding landscape. Any visual disturbance resulting from Project construction will be temporary due to the use of temporary roads and vegetation clearing. Visual disturbance due to vegetation clearing in temporary work areas will be restored in a manner reasonably similar to pre-construction conditions lessening the visual impact resulting from construction of the Project.

2.4.4 Easement and Access Information

Proposed construction access routes will allow construction crews and vehicles to safely access transmission line pole locations and pulling/tensioning sites. Existing public and private roads will be utilized during construction, operation, and maintenance of the Project. Access permissions through private property are being obtained from landowners by Xcel Energy.

Where road improvements are needed, Xcel Energy will secure the necessary permits to comply with Town of New Castle regulations including grading, stormwater, and erosion control permits. If new access is required, Xcel Energy will secure the necessary permits from the Town of New Castle, Garfield County, or the Colorado Department of Transportation (CDOT), as required.

Additional easements will be necessary for temporary pull sites to accommodate placement of pulling and tensioning machines for stringing conductor wire. Grading may be required at some pulling/tensioning sites to level out the area for equipment placement. Any permits required for grading these sites will be obtained for this work. Upon completion of construction, all equipment will be removed from the sites and will be restored in a manner reasonably similar to pre-construction conditions.

2.4.5 Traffic Information

If public roadway traffic controls are determined to be necessary, approval of Traffic Control Plans as applicable by the Town of New Castle will be obtained prior to such roadway use for specific construction activities.

2.5 Names and Addresses of Property Owners within 250 feet

Names and addresses of property owners within 250 feet of the outside boundary of the Project ROW Easement in the Town of New Castle are provided in Appendix E.

3.0 STATEMENT ADDRESSING REVIEW CRITERIA

The New Castle Municipal Code establishes approval criteria for a CUP as follows:

Section 17.84.050.A: A conditional use application shall be approved only if the town council finds that the application:

1. Is eligible for conditional review under Section 17.84.040
2. Is generally compatible with adjacent land uses
3. Meets all requirements of Section 17.84.020, is in compliance with this title and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow
4. Is consistent with the comprehensive plan and
5. The town has the capacity to serve the proposed use with water, sewer, and fire and police protection.

The transmission line use legally existed prior to the effective date of Title 17. Xcel Energy is requesting to amend, upgrade, and expand the existing transmission line under Chapter 17.84.080 and Chapter 17.84.070 of the Code. The following sections describe how the Project conforms with the approval criteria for an amended CUP.

3.1 Eligibility for Conditional Review

On May 19, 2023, Burns & McDonnell staff, an Xcel Energy Siting & Land Rights agent, and Town of New Castle planners met to discuss the Project. Town planners determined that a CUP is the appropriate review process for the proposed Project.

3.2 Compatibility with Adjacent Land Uses

The transmission line is an existing use that will remain the same and is already compatible with adjacent uses. Additionally, the transmission line will be rebuilt within the existing ROW Easement, and aside from the transmission pole foundation footprint, areas under and around the rebuilt transmission line will remain unchanged.

3.3 Meets Requirements of Section 17.84.020

Section 2.0 of this application outlines the components of the CUP application as required in Section 17.84.020 of the Code. Specifically, Xcel Energy is providing a new site plan (Appendix B) for the rebuild and is requesting approval of the rebuild in accordance with the procedures applicable to approval of a conditional use.

3.4 Consistency with the Comprehensive Plan

The vision described within the Town of New Castle Comprehensive Plan is to promote sustainable growth for a thriving community, stable economy, and a healthy environment (Town of New Castle, Colorado 2009). Land use within the existing transmission line easement will remain unchanged as a result of the Project. Thus, the location of the Project will preserve the quality of the Town of New Castle's healthy environment. Additionally, the Project will remove and replace aging infrastructure with current materials and rebuild the electric transmission line to current design standards that include an additional measure to mitigate wildfire risk (i.e., steel poles replacing wood), which will reduce risk to the natural environment and properties. Optical Ground Wire (OPGW) will be added to improve communication between substations and assist in preventing lightning strikes. Rebuilding the existing transmission line to current industry code and design standards will provide for continued delivery of safe, reliable, and economical electric service to customers in the Town of New Castle and western Colorado. The rebuilt transmission line will be constructed utilizing transmission poles that meet current design standards and will be strung with new conductor and optical ground wire.

3.5 Town Capacity for Water, Sewer, Fire, and Police

The Project creates no additional demand for water, sewer, fire, or police protection.

4.0 BIBLIOGRAPHY

Town of New Castle, Colorado. 2009. Town of New Castle Comprehensive Plan. Accessed February 2023. Available online at: <https://www.newcastlecolorado.org/planning/page/land-use-documents-applicationmapscomprehensive-plan>

Xcel Energy, 2020. 2020 Wildfire Mitigation Plan. Accessed May 2022. Available online at: https://www.xcelenergywildfireprotection.com/wp-content/uploads/2021/05/Xcel_Energy_2020-Wildfire-Mitigation-Plan_Rev-1-.pdf

APPENDIX A – LAND DEVELOPMENT APPLICATION FORM

Planning Department
 (970) 984-2311
 Email:
 psmith@newcastlecolorado.org



Town of New Castle
 PO Box 90
 450 W. Main Street
 New Castle, CO 81647

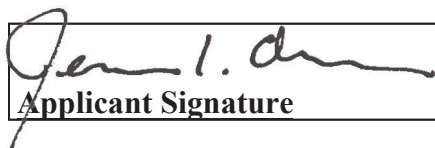
LAND DEVELOPMENT APPLICATION

Note: All land use applications must be filed with the Town Clerk. Please consult the Town Planner for codes specific to the Land Development Application. All application materials are subject to the Colorado Open Records Act (CORA), C.R.S. §24-72-201 to 207.

Applicant: Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy	
Address: 1800 Larimer Street, Suite 400, Denver, CO 80202	Phone: 303-285-6533 E-mail: jennifer.l.chester@xcelenergy.com
Property Owner: Multiple, see attached list	
Address:	Phone: E-mail:
Contact Person: Cory Miller (Xcel Energy)	
Address: 1800 Larimer Street, Suite 400, Denver, CO 80202	Phone: 303-285-6765 E-mail: cory.r.miller@xcelenergy.com
Property Location/Address: Multiple, see attached list	
Legal Description: Multiple, see attached list	Acres: N/A
Existing Zone (e.g., Residential R-1, Commercial C-1): I – Industrial	Existing Land Use: Existing 69kV electric transmission line

TYPE(S) OF LAND USE(S) REQUESTED

- | | |
|--|---|
| <input type="checkbox"/> Pre-Annexation Agreement | <input checked="" type="checkbox"/> Conditional Use Permit or Special Review Use Permit |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Lot Line Adjustment or Dissolution |
| <input type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) | <input type="checkbox"/> Site Specific Development Plan/Vested Rights |
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Planned Unit Development (including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans) | <input type="checkbox"/> Zoning |
| <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Zoning Amendment |
| | <input type="checkbox"/> Re-zoning |

	12/8/23
Applicant Signature	Date



AGREEMENT TO PAY CONSULTING AND ADMINISTRATIVE COSTS

Pursuant to municipal code section 16.08.070, for any land use application, the applicant shall pay all costs incurred by the town for the preparation of plats, plans, other required data and documents, recording fees, publication costs, legal and engineering review and advice, planning review and advice, inspections and all other out-of-pocket costs incurred by the town in connection with the land use application. In the case of withdrawal or denial of a land use application, the applicant shall be responsible for all costs actually incurred by the town in connection with such application regardless of the state of the review process at which the application is withdrawn or denied.

To secure payment of costs incurred by the town, the owner of the land proposed for development (and the applicant, if different) shall be required to sign the following agreement:

By signing below, the applicant and property owner hereby agree to reimburse the Town the actual costs to the Town for engineering, planning, surveying, legal services, and all other costs incurred by the Town in connection with the review and approval of the land use application. I also agree to reimburse the Town for the cost of making any correction or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. I agree that interest shall be imposed at the rate of 1.5% per month on all balances not paid within thirty (30) days of a statement. In the event the Town pursues collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs. In addition to all other remedies allowable by law, I agree that in the event any amounts remain due and unpaid for sixty (60) days the Town shall have the power and authority to certify such amounts, plus a ten percent penalty, to Garfield County to be imposed as a tax lien against the real property subject to the development application.

SO AGREED this 8th day of December, 2023.

Jennifer Chester
Applicant (Print Name)
303-285-6533
Telephone Number

Email

Property Owner

Relationship of Owner to Applicant

Jennifer L. Chester Digitally signed by Jennifer L. Chester
Date: 2023.12.08 19:25:57 -07'00'

Signature of Applicant
1800 Larimer St., Suite 400, Denver CO 80202
Mailing Address of Applicant
jennifer.l.chester@xcelenergy.com

Email Address of Applicant

Signature of Property Owner

Owner Mailing Address

Type of application: Conditional Use Permit

Property description: Existing transmission line right-of-way

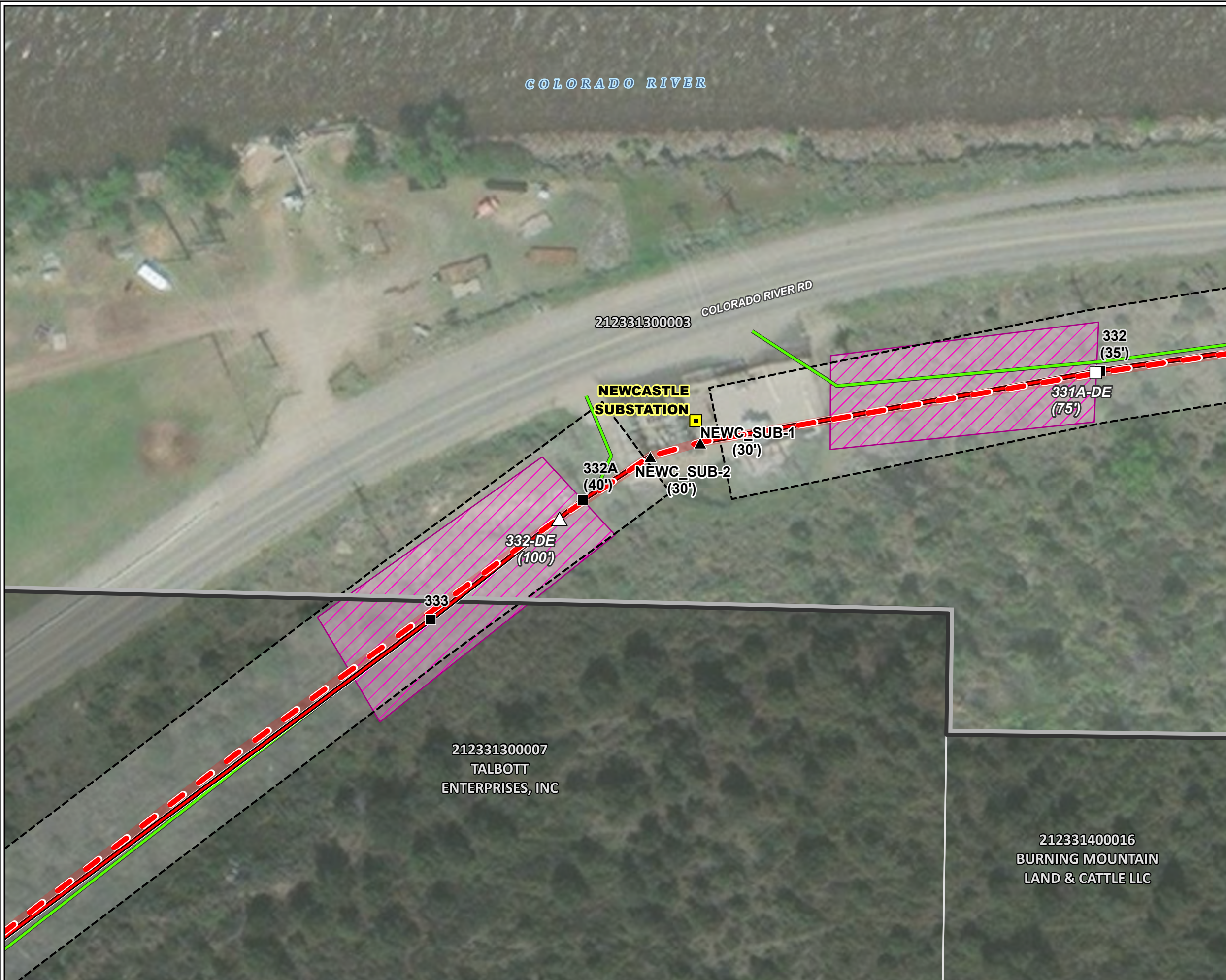
Parcels Crossed by Transmission Line 6584 and Access Roads Within the Town of New Castle

Parcel ID	Owner Name	Owner Address	Legal Description
212332305005	CCH PROPERTY LLC	565 GINSENG ROAD NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 5 2.025 ACRES
212332305003	MENDOZA, IGNACIO & MARIA LUISA	PO BOX 72 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 3 1.083 ACRES
212331412002	NEW CASTLE DUBOIS LLC	PO BOX 783 NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: PCL B AS AMD BY THE DUBOIS LOT LINE ADJ DESC AS LOT 2 OF AMD PLAT PARCEL B, TALBOTT SUB-DIV ADJUSTMENT AFFIDAVIT REC.#791735 AND QCD REC#791736.
212331400013	ROYAL MINI STORAGE, LLC	PO BOX 2526 GLENWOOD SPRINGS, CO 81602- 2526	Section: 31 Township: 5 Range: 90 A TR IN NWSE.
212332305004	MUELLER CONSTRUCTION SERVICES INC	6520 COUNTY ROAD 335 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 4 1 ACRE
212332305002	FOUR SPRYS INVESTMENTS, LLC	3792 COUNTY ROAD 117 GLENWOOD SPRINGS, CO 81601	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 2
212332305001	BRAMCO, LLC A COLORADO LIMITED LIABILITY COMPANY	PO BOX 737 NEW CASTLE, CO 81647-9646	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 1
212331400015	MATA, MARIA A & JUAN	PO BOX 407 GYPSUM, CO 81637	Section: 31 Township: 5 Range: 90 A TR. OF LAND IN NE4SE4. EXCEPT A TR. OF LAND CONT. .104 AC.+/- AS DESC. IN DUBOIS LOT LINE ADJ AMD, DESC. AS LOT 1. REC #761250 & AMD SWD REC. # 762229

Parcel ID	Owner Name	Owner Address	Legal Description
212331300007	TALBOTT ENTERPRISES, INC	9109 COUNTY ROAD 311 SILT, CO 81652	Section: 31 Township: 5 Range: 90 SWSW
212331412001	BLUE BARREL LLC	523 EMMA ROAD BASALT, CO 81621	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: A PARCEL A, AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 (2.8 AC)
212332300036	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647-0166	Section: 32 Township: 5 Range: 90 THAT PT OF THE NWSW, S2SW LYING SO OF COLORADO RIVER. EXCEPT A TR CONT 3.349 AC AS DESC IN 823/279. EXCEPT A TR CONT 9.99 AC AS DESC IN 1153/183. 23.161 ACRES
212331412003	GABOSI, ROC & MARY	44523 HIGHWAY 6 GLENWOOD SPRINGS, CO 81601	Section: 31 Township: 5 Range: 90 AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 Subdivision: TALBOTT SUBDIVISION Lot: A-1

APPENDIX B – SITE PLAN

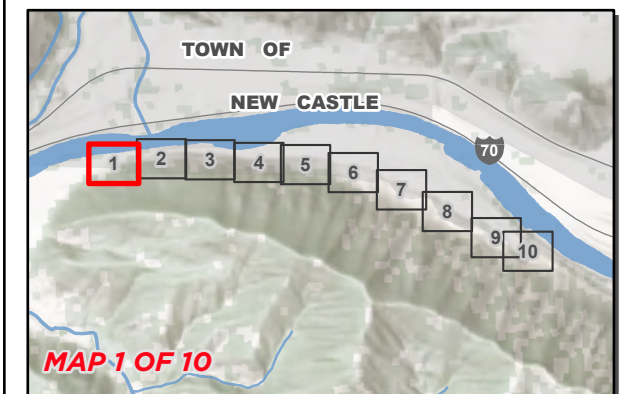
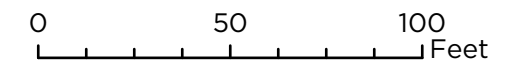
Appendix B - Site Plan
Xcel Energy Circuit 6584
Rebuild Project
 Town of New Castle, Colorado



Legend

- Substation
- Proposed Pole - Ground Construction (Height in Feet)
- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole - Not Removing
- Existing Pole (Height in Feet)
- Existing Centerline
- Proposed Centerline
- Access Road
- Right-of-Way
- Pull Site
- Town of New Castle Boundary
- Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell,
 Xcel Energy, Town of New Castle,
 CDOT, ESRI



MAP 1 OF 10












Appendix B - Site Plan

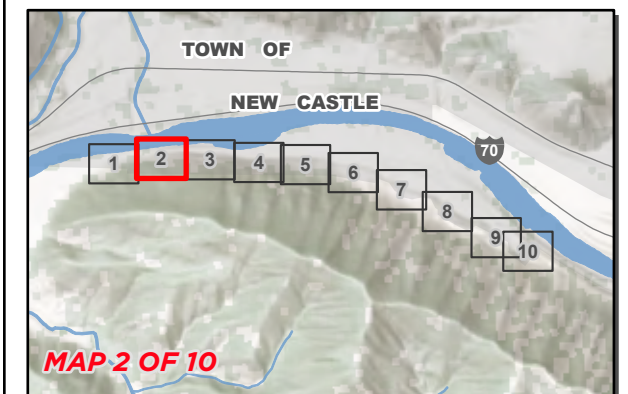
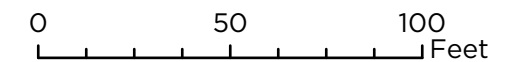
Xcel Energy Circuit 6584 Rebuild Project

Town of New Castle, Colorado

Legend

-  Proposed Pole - Ground Construction (Height in Feet)
-  Proposed Pole - Helicopter Construction (Height in Feet)
-  Existing Pole (Height in Feet)
-  Existing Centerline
-  Proposed Centerline
-  Access Road
-  Right-of-Way
-  Town of New Castle Boundary
-  Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI



COLORADO RIVER

COLORADO RIVER RD

212331300003

331
(87')

331
(40')

330A
(40')

330A
(67')









212331400016
 BURNING MOUNTAIN
 LAND & CATTLE LLC

Appendix B - Site Plan

Xcel Energy Circuit 6584 Rebuild Project

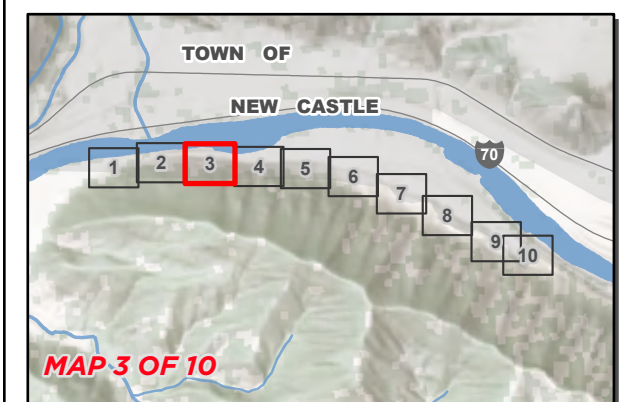
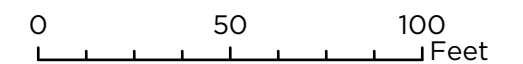
Town of New Castle, Colorado

Legend

-  Proposed Pole - Helicopter Construction (Height in Feet)
-  Existing Pole (Height in Feet)
-  Existing Centerline
-  Proposed Centerline
-  Access Road
-  Right-of-Way
-  Town of New Castle Boundary
-  Parcel Boundary



Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI











MAP 3 OF 10



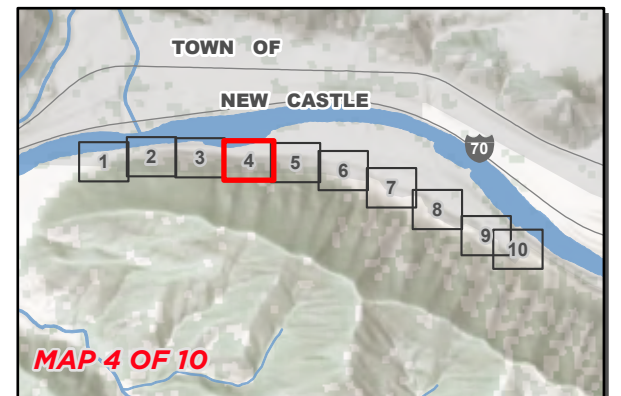
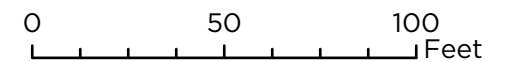
Appendix B - Site Plan Xcel Energy Circuit 6584 Rebuild Project Town of New Castle, Colorado



Legend

-  Proposed Pole - Helicopter Construction (Height in Feet)
-  Existing Pole (Height in Feet)
-  Existing Centerline
-  Proposed Centerline
-  Access Road
-  Right-of-Way
-  Town of New Castle Boundary
-  Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell,
 Xcel Energy, Town of New Castle,
 CDOT, ESRI



Appendix B - Site Plan

Xcel Energy Circuit 6584 Rebuild Project

Town of New Castle, Colorado

212331400012

212331400004 PUBLIC SERVICE COMPANY OF COLORADO

212331400005 NAP COLORADO #2 LLC

COLORADO RIVER RD

212331400013 ROYAL MINI STORAGE, LLC

212331400016 BURNING MOUNTAIN LAND & CATTLE LLC

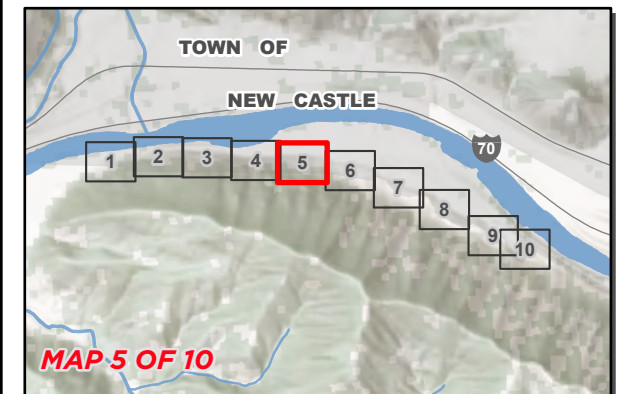
Legend

- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole (Height in Feet)
- Existing Centerline
- Proposed Centerline
- Access Road
- Right-of-Way
- Town of New Castle Boundary
- Parcel Boundary

Scale: 1:600
Date: 12/21/2023
Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI



0 50 100 Feet



MAP 5 OF 10












Appendix B - Site Plan

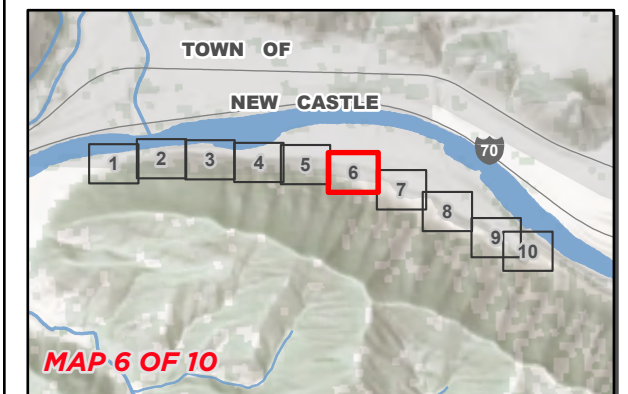
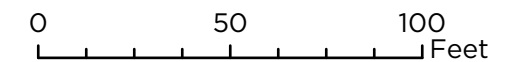
Xcel Energy Circuit 6584 Rebuild Project

Town of New Castle, Colorado

Legend

-  Proposed Pole - Ground Construction (Height in Feet)
-  Proposed Pole - Helicopter Construction (Height in Feet)
-  Existing Pole (Height in Feet)
-  Existing Centerline
-  Proposed Centerline
-  Access Road
-  Right-of-Way
-  Town of New Castle Boundary
-  Parcel Boundary

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 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI











Appendix B - Site Plan

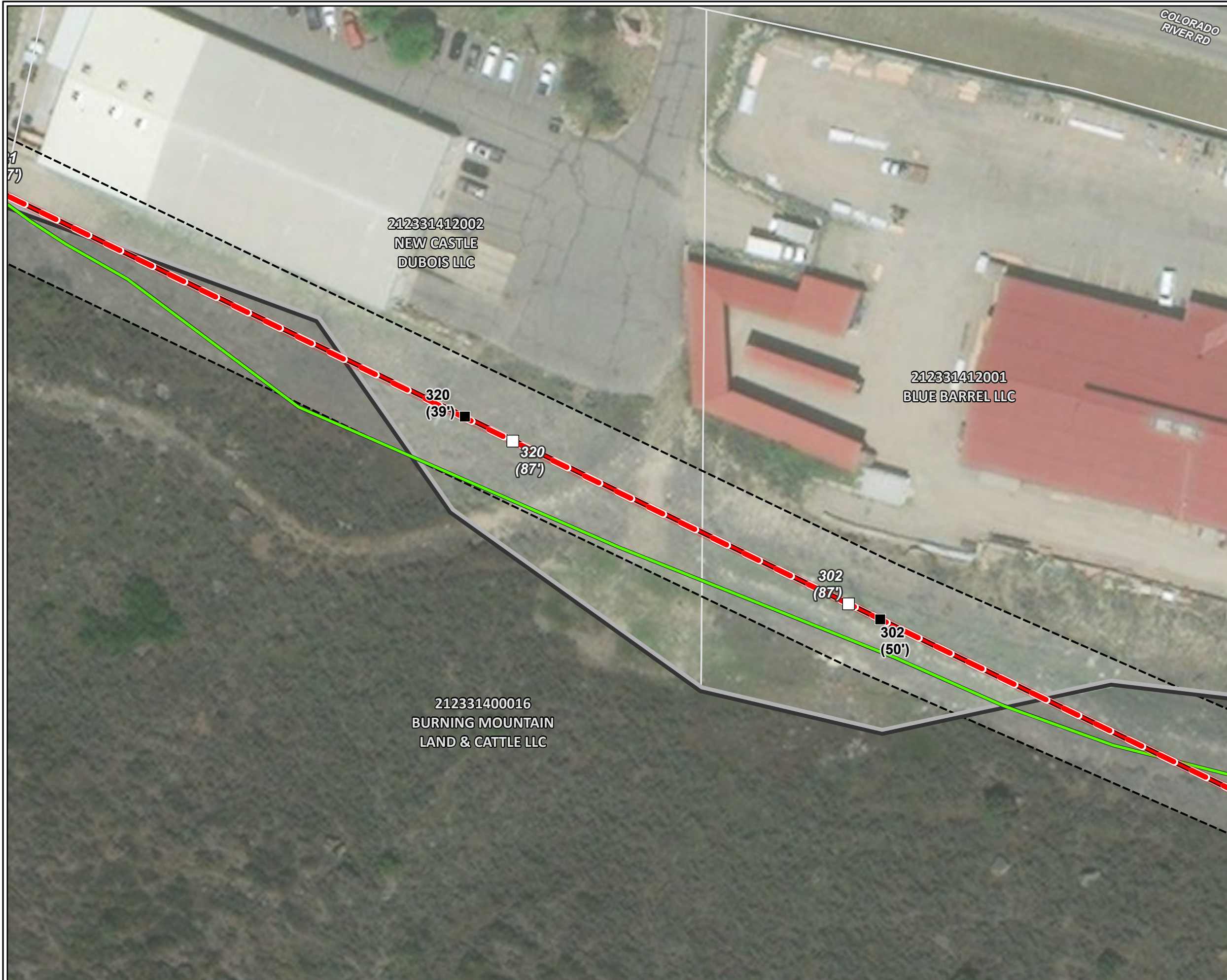
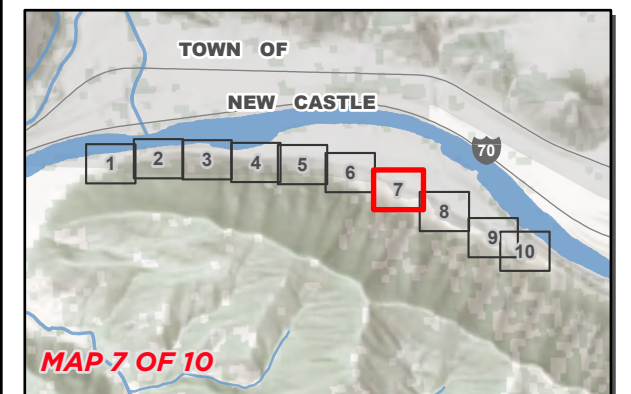
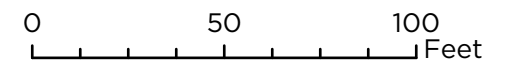
Xcel Energy Circuit 6584 Rebuild Project

Town of New Castle, Colorado

Legend

-  Proposed Pole - Ground Construction (Height in Feet)
-  Existing Pole (Height in Feet)
-  Existing Centerline
-  Proposed Centerline
-  Access Road
-  Right-of-Way
-  Town of New Castle Boundary
-  Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI











Appendix B - Site Plan

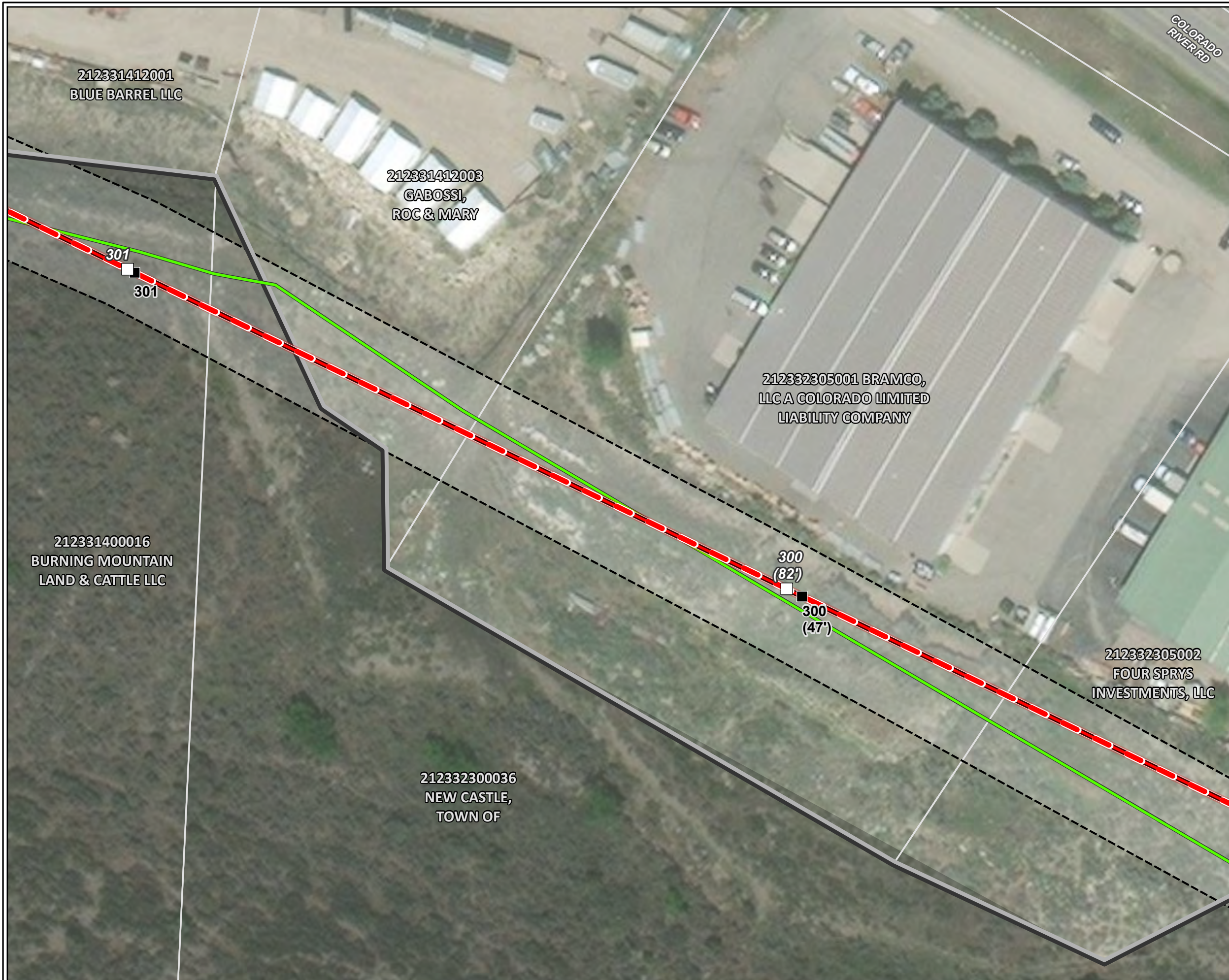
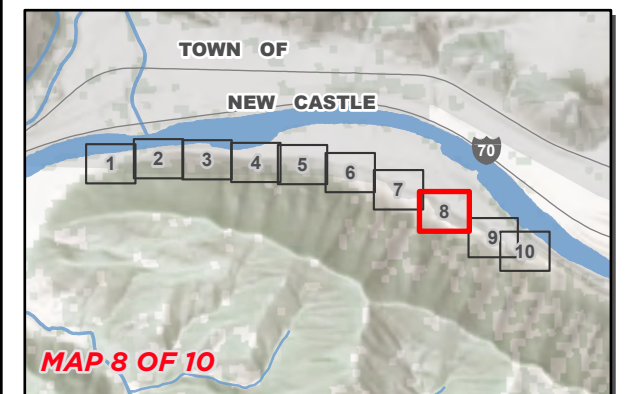
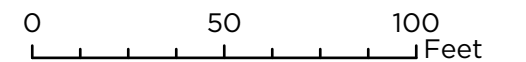
Xcel Energy Circuit 6584 Rebuild Project

Town of New Castle, Colorado

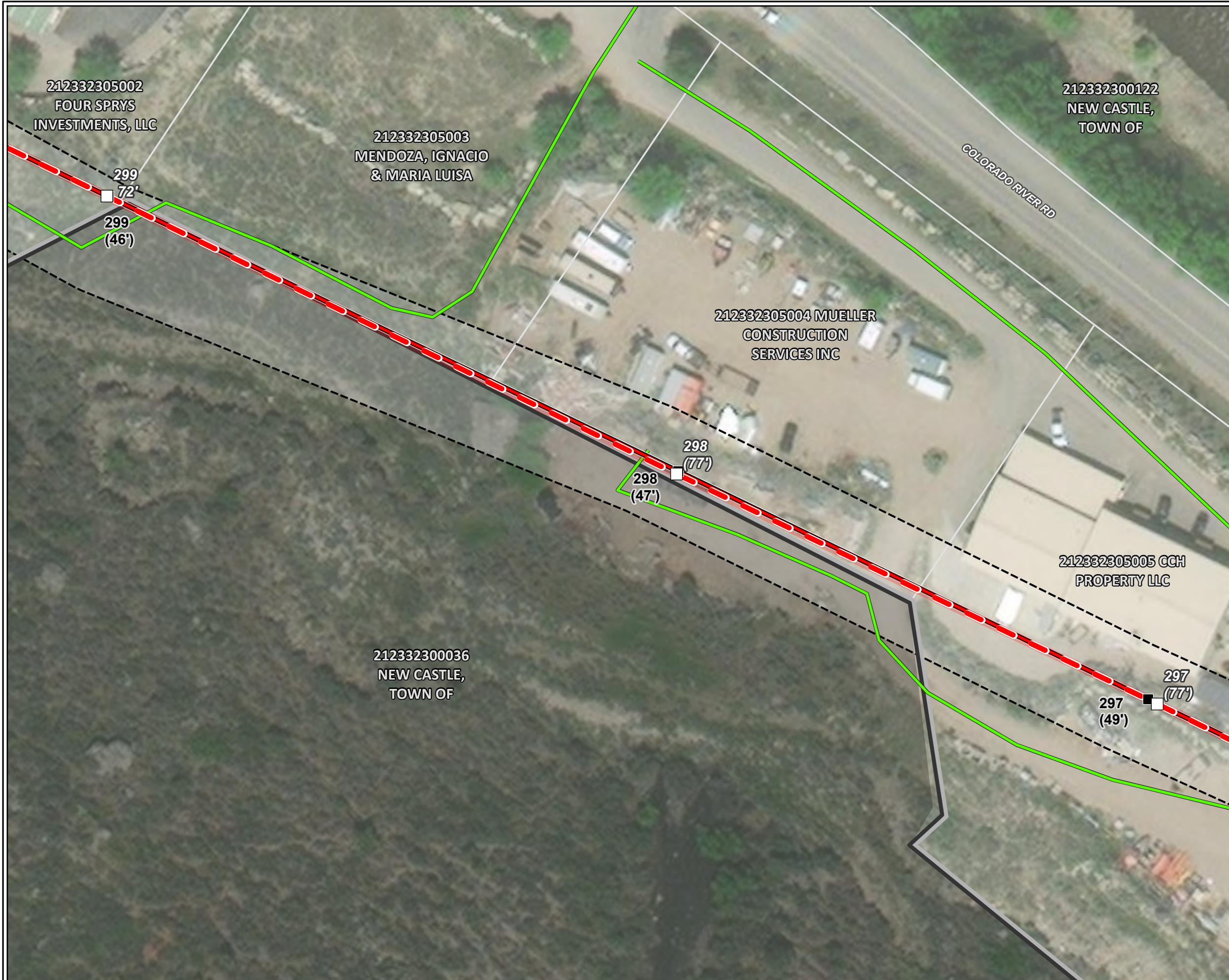
Legend

-  Proposed Pole - Ground Construction (Height in Feet)
-  Existing Pole (Height in Feet)
-  Existing Centerline
-  Proposed Centerline
-  Access Road
-  Right-of-Way
-  Town of New Castle Boundary
-  Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI



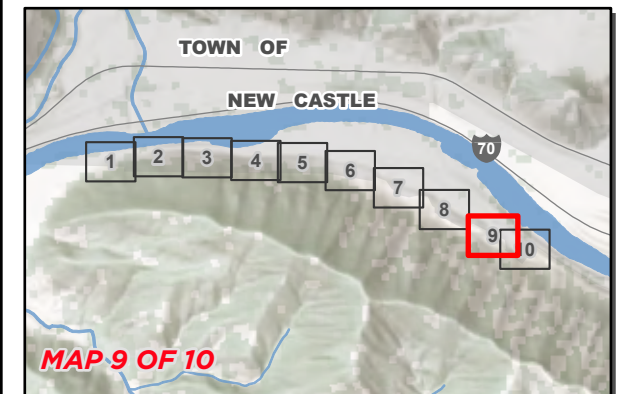
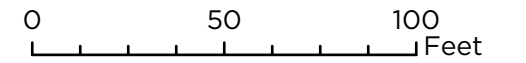
Appendix B - Site Plan Xcel Energy Circuit 6584 Rebuild Project Town of New Castle, Colorado



Legend

- Proposed Pole - Ground Construction (Height in Feet)
- Existing Pole (Height in Feet)
- Existing Centerline
- Proposed Centerline
- Access Road
- Right-of-Way
- Town of New Castle Boundary
- Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI



MAP 9 OF 10











Appendix B - Site Plan

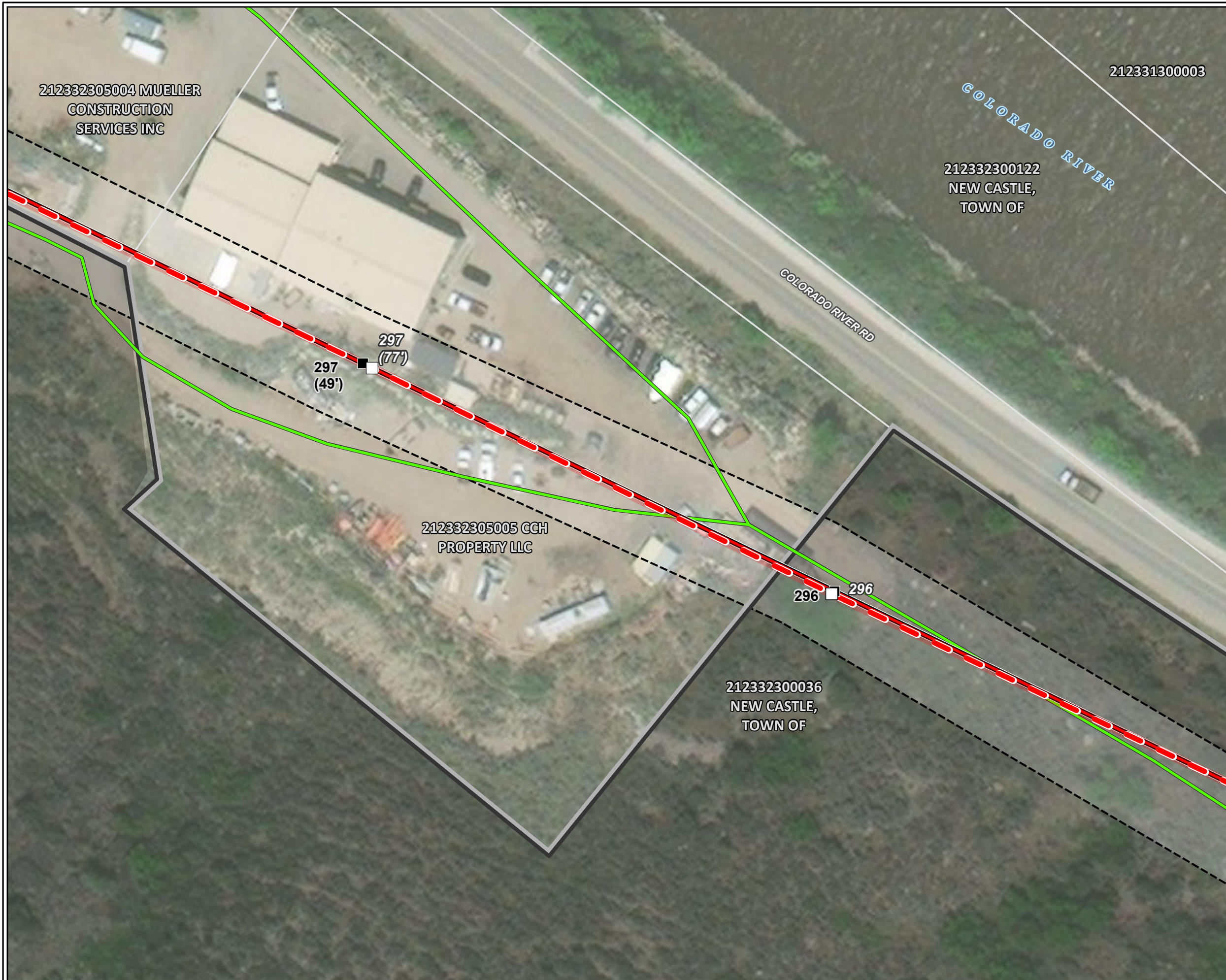
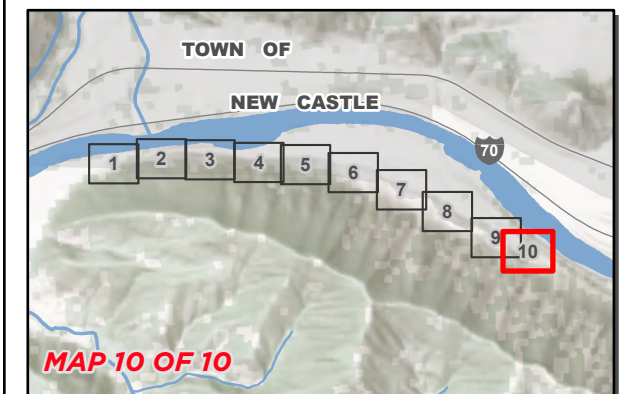
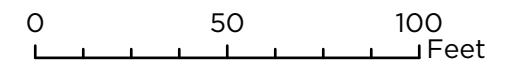
Xcel Energy Circuit 6584 Rebuild Project

Town of New Castle, Colorado

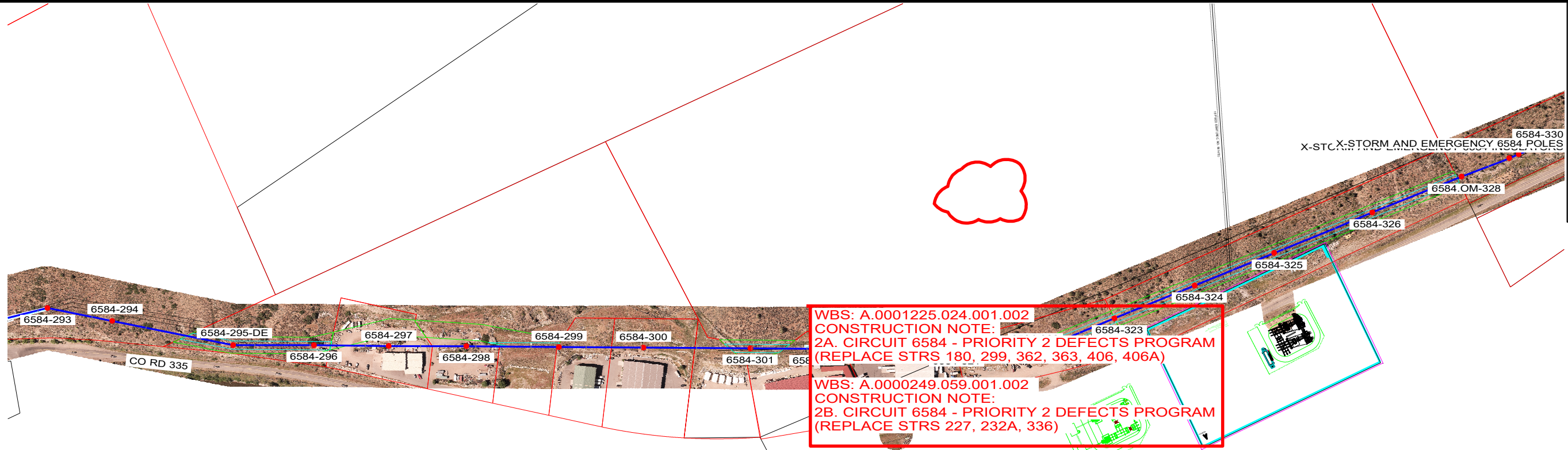
Legend

-  Proposed Pole - Ground Construction (Height in Feet)
-  Existing Pole (Height in Feet)
-  Existing Centerline
-  Proposed Centerline
-  Access Road
-  Right-of-Way
-  Town of New Castle Boundary
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Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI

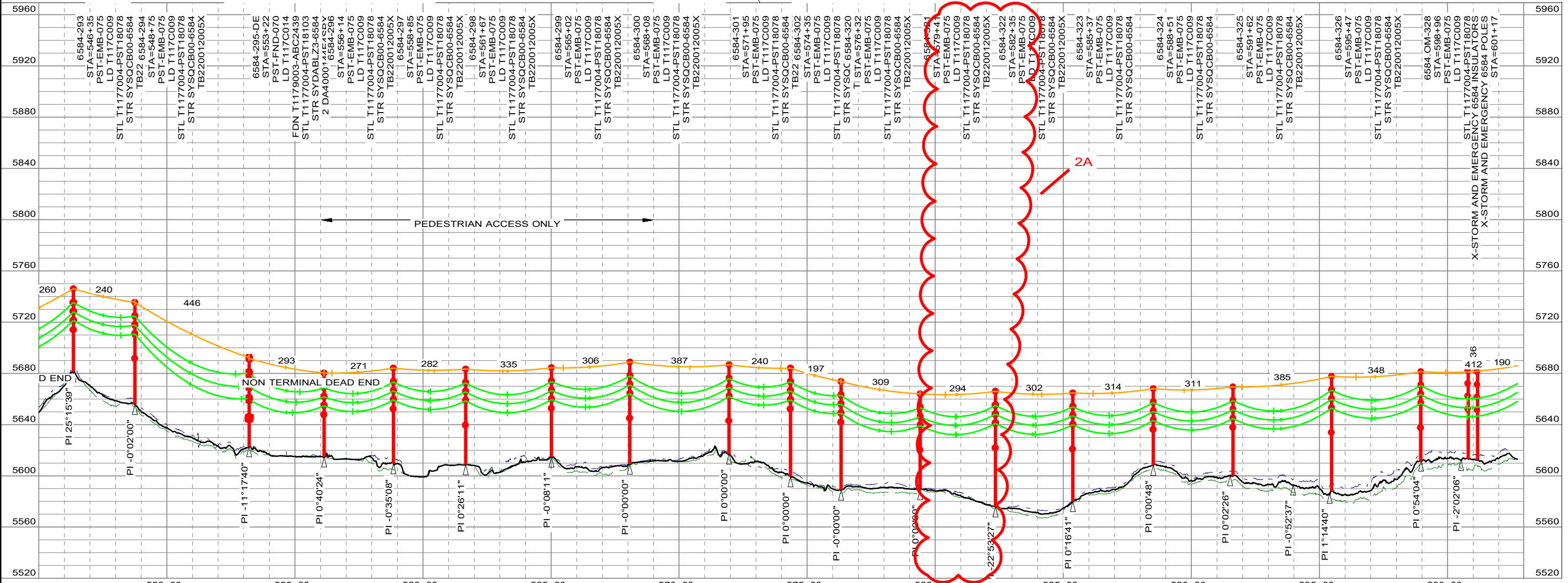


APPENDIX C – PLAN & PROFILE



WBS: A.0001225.024.001.002
 CONSTRUCTION NOTE:
 2A. CIRCUIT 6584 - PRIORITY 2 DEFECTS PROGRAM
 (REPLACE STRS 180, 299, 362, 363, 406, 406A)

WBS: A.0000249.059.001.002
 CONSTRUCTION NOTE:
 2B. CIRCUIT 6584 - PRIORITY 2 DEFECTS PROGRAM
 (REPLACE STRS 227, 232A, 336)

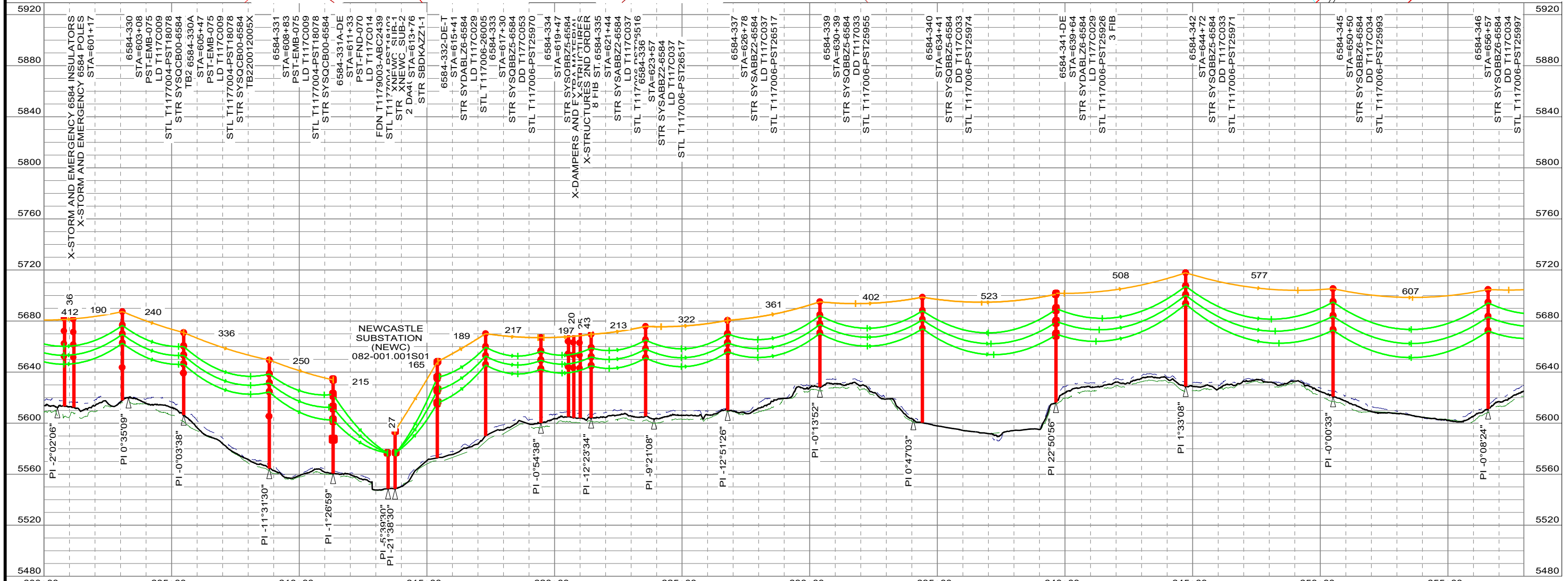
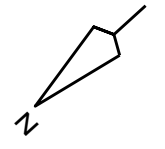


REV	DATE	WBS#	REVISION DESCRIPTION
1B	8/24/2020	A.0000249.048.001.009	IFC - PRIORITY 2&3 DEFECTS PROGRAM (REPLACE STRS 357, 470, AND 504A)
1C	8/27/2020	A.0000502.022.001.002	IFC - REMOVE & REPLACE STRS 219A&219B, REPLACE DIST STR BTWN STRS 232&233 W/ TRANS STR 232B
2A	6/28/2021	A.0001225.024.001.002	IFC - 6584 MTS-UTER POLE REPLACEMENTS - POLES 180, 362, 363, 406, 406A. CROSSARM 299
2B	6/28/2021	A.0000249.059.001.002	IFC - 6584 MTS-UTER POLE REPLACEMENTS - POLES 227, 232A, 336

ISSUED BY ENGINEERING DEPT FOR CONSTRUCTION	TRANSMISSION ENGINEERING DEPARTMENT
THIS MAP/DRAWING IS A TOOL TO ASSIST EMPLOYEES IN THE PERFORMANCE OF THEIR JOB'S. YOUR PERSONAL SAFETY IS PROVIDED FOR BY USING SAFETY PRACTICES, PROCEDURES AND EQUIPMENT AS DESCRIBED IN THE SAFETY TRAINING PROGRAMS, MANUALS AND SPARS.	
INTERNAL INFORMATION: DO NOT COPY OR DISTRIBUTE TO OTHERS WITHOUT EXPRESS WRITTEN CONSENT FROM XCEL ENERGY	400.0 FT. ———— HORIZ. SCALE 80.0 FT. ———— VERT. SCALE

CIRCUIT 6584		6584-293 TO X-STORM AND EMERGENCY 6584 POLES
MITC SUB TO UTER SUB	T117J015	OF 32
		REV 2

6584_MITC-UTER 12/15/2023 Page 40 of 56



REV	DATE	WBS4	REVISION DESCRIPTION
1B	8/24/2020	A.0000249.048.001.009	IFC - PRIORITY 2&3 DEFECTS PROGRAM (REPLACE STRS 357, 470, AND 504A)
1C	8/27/2020	A.0000502.022.001.002	IFC - REMOVE & REPLACE STRS 219A&219B, REPLACE DIST STR BTWN STRS 232&233 W/ TRANS STR 232B
2A	6/28/2021	A.0001225.024.001.002	IFC - 6584 MTS-UTER POLE REPLACEMENTS - POLES 180, 362, 363, 406, 406A, CROSSARM 299
2B	6/28/2021	A.0000249.059.001.002	IFC - 6584 MTS-UTER POLE REPLACEMENTS - POLES 227, 232A, 336

ISSUED BY ENGINEERING DEPT FOR	RECORD	TRANSMISSION ENGINEERING DEPARTMENT
THIS MAP/DOCUMENT IS A TOOL TO ASSIST EMPLOYEES IN THE PERFORMANCE OF THEIR JOB'S. YOUR PERSONAL SAFETY IS PROVIDED FOR BY USING SAFETY PRACTICES, PROCEDURES AND EQUIPMENT AS DESCRIBED IN THE SAFETY TRAINING PROGRAMS, MANUALS AND SPARS.		

400.0 FT.	HORIZ. SCALE
80.0 FT.	VERT. SCALE

CIRCUIT 6584		X-STORM AND EMERGENCY 6584 INSULATORS TO 6584-346
MITC SUB TO UTER SUB		T117J016
OF 32	REV	2

APPENDIX D – POLE PHOTOS



TRANSMISSION LINE 6584
REBUILD PROJECT
CONDITIONAL USE PERMIT
APPLICATION



Representative photograph of a
wooden pole to show coloration



TRANSMISSION LINE 6584
REBUILD PROJECT
CONDITIONAL USE PERMIT
APPLICATION



Representative photograph of a
wooden pole to show coloration



TRANSMISSION LINE 6584
REBUILD PROJECT
CONDITIONAL USE PERMIT
APPLICATION



Representative photograph of a
wooden pole to show coloration



6584 MITCHELL CREEK
SUBSTATION TO RIFLE UTE
SUBSTATION
TRANSMISSION LINE



Representative photograph of
weathered steel monopole to show
coloration

APPENDIX E – PROPERTY OWNERS WITHIN 250 FEET

Parcels Within 250ft of 6584 Transmission Line and Access Roads Within the Town New Castle

Parcel ID	Owner Name	Owner Address	Legal Description
218102100262	VIGIL, RUBEN & GONZALES VILLEGAS, JUAN	2450 COUNTY ROAD 314 NEW CASTLE, CO 81647	Section: 2 Township: 6 Range: 91 N2NE LESS THAT PT LYING N OF ROW OF CO RD 335, NW4,PT OF W2SW. EXCEPT A TR CONT 2.050 AC AS DESC IN 1051/290 AKA PORTER EX #1. EXCEPT A TR CONT 35.23 AC AS DESC IN 1112/639 AKA LOT 5 COAL RIDGE ESTATES. EXCEPT A TR CONT 3
218102108001	COAL SEAM LLC	110 SPUR DRIVE GLENWOOD SPRINGS, CO 81601	Section: 2 Township: 6 Range: 91 Subdivision: RIVERSIDE PARK SUBDIVISION Lot: 1 5.84 ACRES
212332305005	CCH PROPERTY LLC	565 GINSENG ROAD NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 5 2.025 ACRES
212332305003	MENDOZA, IGNACIO & MARIA LUISA	PO BOX 72 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 3 1.083 ACRES

212331400016	BURNING MOUNTAIN LAND & CATTLE LLC	450 COUNTY ROAD 229 SILT, CO 81652	Section: 31 Township: 5 Range: 90 S2S2. ALSO A TR CONT .54 AC. EXCEPT A TR CONT. .69 AC. AS DESC IN 1029/27. EXCEPT TALBOTT SUBDIVISION CONT. 5.40 AC.
212331412002	NEW CASTLE DUBOIS LLC	PO BOX 783 NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: PCL B AS AMD BY THE DUBOIS LOT LINE ADJ DESC AS LOT 2 OF AMD PLAT PARCEL B, TALBOTT SUB-DIV.
212331400013	ROYAL MINI STORAGE, LLC	PO BOX 2526 GLENWOOD SPRINGS, CO 81602-2526	Section: 31 Township: 5 Range: 90 A TR IN NWSE.
212332305004	MUELLER CONSTRUCTION SERVICES INC	6520 COUNTY ROAD 335 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 4 1 ACRE
212332305002	FOUR SPRYS INVESTMENTS, LLC	3792 COUNTY ROAD 117 GLENWOOD SPRINGS, CO 81601	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 2

212332305001	BRAMCO, LLC A COLORADO LIMITED LIABILITY COMPANY	PO BOX 737 NEW CASTLE, CO 81647-9646	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 1
212331400015	MATA, MARIA A & JUAN	PO BOX 407 GYPSUM, CO 81637	Section: 31 Township: 5 Range: 90 A TR. OF LAND IN NE4SE4. EXCEPT A TR. OF LAND CONT. .104 AC.+/- AS DESC. IN DUBOIS LOT LINE ADJ AMD, DESC. AS LOT 1. REC #761250 & AMD SWD REC. # 762229
212331411009	M&C FATTOR LLC	PO BOX 447 GLENWOOD SPRINGS, CO 81602	Section: 31 Township: 5 Range: 90 Subdivision: RIVERSIDE IND PARK 2ND AMD Lot: 2
212331400004	PUBLIC SERVICE COMPANY OF COLORADO	550 15TH STREET, SUITE 1000 DENVER, CO 80202-4256	Quarter: SE Section: 31 Township: 5 Range: 90 TR IN THE NWSE (LOT 5) MORE PARTICULARLY DESCRIBED IN REC.# 619633, EXCEPT A TR. OF LAND CONTAINING .1325 AC. DESCRIBED IN RECEPTION #851761. STATE ASSESSED

212331411002	KEITH, FOREST & KELLY	PO BOX 225, NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 Subdivision: RIVERSIDE IND PARK 2ND AMD Lot: 3 29141 SQ FT
212331411008	NATIONAL PROPANE, LP	PO BOX 798 VALLEY FORGE, PA 19482	Section: 31 Township: 5 Range: 90 Subdivision: RIVERSIDE IND PARK 2ND AMD Lot: 1 AND:- Lot: 1A
212331411004	TRUSFAB, INC	6181 COUNTY ROAD 335 NEW CASTLE, CO 81647-9659	Section: 31 Township: 5 Range: 90 Subdivision: RIVERSIDE IND PARK 2ND AMD Lot: 4 AND:- Lot: 5
212331400017	NEW CASTLE, TOWN OF	PO BOX 90, NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 A TR IN NWSE.

212331400005	NAP COLORADO #2 LLC	PO BOX 4030 BISMARCK, ND 58504	Section: 31 Township: 5 Range: 90 PART OF THE NWSE (LOT 5)
212331300007	TALBOTT ENTERPRISES, INC	9109 COUNTY ROAD 311 SILT, CO 81652	Section: 31 Township: 5 Range: 90 SWSW
212331412001	BLUE BARREL LLC	523 EMMA ROAD BASALT, CO 81621	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: A PARCEL A, AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 (2.8 AC)
212332300036	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647-0166	Section: 32 Township: 5 Range: 90 THAT PT OF THE NWSW, S2SW LYING SO OF COLORADO RIVER. EXCEPT A TR CONT 3.349 AC AS DESC IN 823/279. EXCEPT A TR CONT 9.99 AC AS DESC IN 1153/183. 23.161 ACRES
212332300122	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647-0166	Section: 32 Township: 5 Range: 90 TR IN NWSW & SWSW BEG.AT PT.ON SLY LINE COLO.RIVER

212331412003	GABOSI, ROC & MARY	44523 HIGHWAY 6 GLENWOOD SPRINGS, CO 81601	Section: 31 Township: 5 Range: 90 AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 Subdivision: TALBOTT SUBDIVISION Lot: A-1
218101209002	RIVERSIDE NEWCASTLE LLC	PO BOX 1530 AVON, CO 81620	Section: 1 Township: 6 Range: 91 Subdivision: RIVER PARK PUD Lot: 2B
218101300244	ARRIAGA, DAVID CAMACHO & SALINAS RAZO, MA DOLORES	PO BOX 5364 EAGLE, CO 81631	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 13" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.34 ACRES
218101300247	LEMKE RANCH LLC	312 POTTER AVENUE GILLETTE, WY 82718	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 16" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.33 ACRES
218101300241	JIMENEZ BAUTISTA, JOSE L & CRUZ MARTINEZ, MARY	2600 S OAKHURST COURT, UNIT 27 GLENWOOD SPRINGS, CO 81601	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 10" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.33 ACRES

218101300246	LEMKE RANCH LLC	312 POTTER AVENUE GILLETTE, WY 82718	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 15" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.33 ACRES
218101300243	CAMACHO ARRIAGA, DAVID & SALINAS RAZO, MA DOLORES	PO BOX 5364 EAGLE, CO 81631	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 12" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.34 ACRES
218101209001	RIVER PARK HOMEOWNERS ASSOCIATION	PO BOX 1530 AVON, CO 81620	Section: 1 Township: 6 Range: 91 Subdivision: RIVER PARK PUD Lot: 2A COMMON ELEMENT
218101300249	BELODI CREEK RANCH LLC	7999 COUNTY ROAD 312 NEW CASTLE, CO 81647	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 18" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.24 ACRES

218101300248	BELODI CREEK RANCH LLC	7999 COUNTY ROAD 312 NEW CASTLE, CO 81647	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 17" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.33 ACRES
218101300242	VIGIL, RUBEN	2450 COUNTY ROAD 314 NEW CASTLE, CO 81647	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 11" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.33 ACRES
212333300025	FARM NEW CASTLE LLC	2429 COUNTY ROAD 39 MEEKER, CO 81641	Section: 33 Township: 5 Range: 90 THAT PT OF S1/2S1/2 LYING S OF I-70 R.O.W. & NLY O COLO. RIV.(56.85A) SEC 6-6-90 LOT 4(13.63A) LYING NWLY OF COLO. RIV. SEC 1-6-91 LOTS 1(28.60A), 2(20 AC)
218101208003	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647-0166	Section: 1 Township: 6 Range: 91 Subdivision: RIVERSIDE PARK SUBDIVISION Lot: 3 19.45 ACRES
218101300245	LEMKE RANCH LLC	312 POTTER AVENUE GILLETTE, WY 82718	Section: 1 Township: 6 Range: 91 PARCEL OF LAND SITUATE IN SECTIONS 1 AND 12, BEING MORE PARTICULARLY DESCRIBED AS "TRACT 14" PER PLAT OF GRAND HOGBACK RANCHES RECEPTION NO. 967927 36.33 ACRES



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Burns & McDonnell World Headquarters
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Kansas City, MO 64114
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Colorado River Fire Rescue

1850 Railroad Avenue • Rifle, Colorado 81650
Telephone: (970) 625-1243 • Fax: (970) 625-2963 • www.crfr.us

Lauren Prentice
Town of New Castle

January 23, 2024

RE: Excel's 6584 Improvement Project located South Rifle Sub Station to Mitchell Creek Substation

The following is a review of Excel Project 6584, replacing outdated poles and transmission lines, we have the following comments on this project:

1. I have a few concerns about accessibility in some of the remote areas within this project. These areas could present a challenge for both firefighting and rescue of victims if an accident occurs. Specifically, those areas that are not in an area of a road that will not support the weight of fire and emergency apparatus. The section between Archery Yard and Nutrient farms is not accessible from a road. The section between Mitchell Creek and Archery Yard is only accessible from the railroad. Both areas are concerns to us if we are needed to remove an injured employee from this area. Does the contractor have any emergency plans to evacuate any injured employees from the construction site? Are there pre-planned Helicopter landing pads in the remote areas of this construction site? Are there any medically trained personnel on the construction site during construction? Cellular communications are not great in both mentioned areas, is there an emergency communications plan for this job?
2. I was not able to locate an Emergency Action Plan within this document, and I think it's important to have a plan in place should an incident occur.
3. Colorado River Fire Rescue (CRFR) will require a meeting to meet with the construction company prior to the job starting. We shall receive weekly updates as to where construction is occurring. An accurate emergency contact list for the job information from the construction Superintendent company who is on the job.

Let me know if you have questions,

Thank you,

Kurt Lundin

CRFR Fire Inspector

Mission Statement:

"WE ARE DEDICATED TO PROTECTING LIFE, HOME, AND PROPERTY THROUGH LEADERSHIP EDUCATION AND PARTNERSHIPS."

January 24, 2024

Mr. Dave Reynolds, Town Administrator
Town of New Castle
P.O. Box 90
New Castle, CO 81647

**RE: Xcel Energy 6584 Mitchell Creek CUP
Review Comments**

Dear Dave,

Per review of the CUP application prepared by Burns and McDonald on behalf of Xcel Energy for the 69Kv line and pole replacement through the Town of New Castle, please let this letter serve to provide our review comments for the application. We have received the application from Lauren Prentice on 12/27/23. Please note the following:

1. The application states that no new access roads are proposed to be constructed to gain access to and from the new pole constructed sites per Table 2-2. If this is the case, no specific concerns as to the temporary construction for access impacting grading or drainage is anticipated.

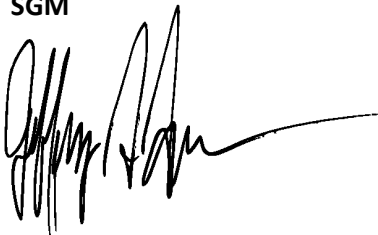
However, if there is to be grading and drainage work performed, including removal of vegetation that otherwise retards the rate of runoff movement, the Town will need to be provided more detail as to the specifics of construction that addresses means and methods necessary to control runoff, erosion and sedimentation. Likewise, means and methods for reclamation of the surfaces will need to be provided for review. We note this as review of the second paragraph of Section 2.4.2 "Construction Methods" notes "Access Road improvements, grading, temporary staging area set-up, and vegetation removal will be required prior to construction. Temporary access routes off Colorado River Road will allow construction crews and vehicles to access transmission line pole locations and pulling/tensioning sites."

2. For the poles that are to be set by helicopter, is the Civil work (i.e, foundation excavation, backfilling, compaction and concrete placement) going to require vehicular access or pedestrian access? Are the holes to be dug by hand or by machine and how is access gained to those locations? The access line shown on the maps indicates that access is to be provided, but we are not certain as to the type of access (pedestrian or vehicular).
3. For the pulling/tensioning sites (as reflected on Map 1 of 10), is temporary grading, drainage, vegetation removal proposed? If so, additional detail as noted in note 1, above is necessary.
4. We note that vegetation removal is a critical component of this work and right of way maintenance in the future. For this conditional use permit and for future maintenance of the right of way, various conditions need to be imposed that address the current work and all future work. These conditions should address access, traffic control and extent of vegetation removal complete with use of herbicides.

5. Generally, the maps reflect that most of the poles set from Map 1 through Map 6 will be set by helicopter and likely will have minimal impact to drainage and grading. However, beginning on Map 6, it appears that ground constructed poles will be set that will involve the need for vehicle access. More clarity for each of the locations is necessary to understand the extent of the access improvement that will be necessary to access the poles. Likewise, with the access improvements, the Town will need to be provided more detail as to the specifics of construction that addresses means and methods necessary to control runoff, erosion and sedimentation. Likewise, means and methods for reclamation of the surfaces will need to be provided for review. In addition, for the areas where the access will comingle with existing rockfall and drainage berms, improvements need to be provided in such a manner that the rockfall or drainage hazard to down hill improvements and properties is mitigated.
6. It is likely that much of this work will require access and mobilization from CR 335. As such a R.O.W. permit is necessary. An application to secure such will be necessary with the requisite application fee and traffic control plans. With the right of way permit, a more detailed schedule of work activities should be provided so that coordination with Public Works staff and emergency services can be adequately addressed during the work activities.
7. We trust that given the fact that some of this work will traverse Town owned lands, that the applicant has addressed any additional ROW needs with the Town and has provided specific locations, legal instruments for conveyance of such, compensation, etc.... ?
8. For work that will occur east of the boundaries included within this CUP application but within the Garfield County application, access for construction of new poles will still require access off CR 335 adjacent to River Park Condominiums. The same ROW permit application noted in note 5 above applies to this area as well. It is our recommendation that the Town request and review the application for the location and extent review. Note also that if any temporary grading and drainage improvements are to be performed, a grading permit and/or watershed permit is to be required.

Upon your receipt and review, if you have any questions, please don't hesitate to contact me.

Sincerely,
SGM



Jefferey S. Simonson, PE, Principal
Town Engineer

Characteristic	Existing Poles	New Poles	Additional Details
Additional Easements	Existing easements currently under review	Permanent easements of up to an additional 30 feet in some areas for transmission line on private lands Temporary easements will be needed for ground access for construction and pulling/tensioning sites	The transmission line was originally constructed in the 1940s through the 1960s

A Plan & Profile for the Project within the Town of New Castle can be found in Appendix C.

Representative photos illustrating coloration of wooden poles and a weathered steel monopole are in Appendix D.


2.4.2 Construction Methods

Construction of the Project will occur in phases including the following activities: construction access development and vegetation clearing; equipment mobilization and material delivery; hole auguring and foundation construction; pole placement; conductor stringing; removal of existing poles and conductor, and revegetation of temporary disturbance areas.

Access road improvements, grading, temporary staging area set-up, and vegetation removal will be required prior to construction. Temporary access routes off Colorado River Road will allow construction crews and vehicles to access transmission line pole locations and pulling/tensioning sites.

Pulling/tensioning sites are used to string wire through new structures. There are two proposed pulling/tensions sites located within the town of New Castle. No staging areas will be located within the town of New Castle. Material deliveries from the nearest staging area to the ROW Easement will be made either by truck along the temporary access routes or by helicopter flying along the ROW Easement.

Vegetation management may be required prior to, or in conjunction with, construction within the existing and proposed ROW Easement. Trees and vegetation growing within and near the ROW Easement pose a potential risk to the transmission line by causing downed lines, power outages, and wildfires. Vegetation management crews prevent the risk of these occurrences by implementing various types of treatment including removing, pruning, and mowing vegetation, and application of approved herbicides to treat vegetation to allow safe operation of the transmission line. Depending on current levels of vegetation

encroachment and ROW Easement needs, the extent of vegetation management will vary along the rebuilt ROW Easement. 

Access for vegetation management - is this done indefinitely? How to permit on-going maintenance?

Following civil work, holes will be augured for transmission poles. Once holes are augured, the poles are set and backfilled. Some poles may require foundations that are set in the augured holes with a concrete enforced steel cage. Transmission poles will be placed in the holes or on the foundation using a crane or helicopter. Ground installation of poles involves assembling poles in the material staging areas. Once assembled, the poles are transported via truck to the installation locations where a crane will lift the poles into place. Helicopter installation involves assembling the poles in a material staging area, then transporting them via helicopter to the installation locations to be lowered into the hole or onto a foundation. Additionally, some existing poles will be removed by helicopter depending on terrain and access. Thus, the existing poles will be either flown or driven to a staging area for off-site disposal. No staging areas are located in the Town of New Castle.

There are advantages to using a helicopter for installation because it permits access to areas that are not feasible for vehicle ground access, minimizes construction impacts due to erosion and disturbance, and improves construction efficiency. Nine poles within the Town of New Castle will be installed using a helicopter. Any areas requiring helicopter construction methods will follow Federal Aviation Administration (FAA) safety requirements. Xcel Energy and their construction contractor will coordinate with the FAA and the Town during helicopter operations and obtain any necessary permits. Currently, there is no plan for evacuations as all poles near businesses will be set using trucks and cranes.

Following setting of the transmission poles, conductor wire is strung using a temporary pulley system which is attached to the insulators. Pulling/tensioning sites are required at specific angles, so the conductor wire is pulled in line with the poles, remaining in alignment. Once the conductor is in place, the existing poles and conductor will be removed by crane or by helicopter depending on terrain and access, and the Project will be energized. Throughout construction, wind erosion control BMPs, including the application of water or other dust palliatives, will be implemented as required. Following construction, the two pulling/tensioning sites within the ROW Easement will be restored to a condition reasonably similar to the pre-construction condition.

2.4.3 Visual Mitigation

The presence of the existing transmission line has previously created a visual impact. The Project will rebuild the existing line to update its materials and bring it into compliance with current industry design standards. Accordingly, it is not anticipated the Project will negatively impact the character of the

surrounding area or create new significant visual disturbances for several reasons: (1) the new transmission line route will be rebuilt within the existing ROW Easement; (2) the total number of transmission poles will be reduced from 20 to 18; and (3) the updated materials for the new transmission poles and their corresponding current design standards will minimize negative visual impacts. While some new poles will be taller than the existing poles, their overall appearance will not materially change or substantially impact the area because they will be weathered steel to blend in with the surrounding landscape. Any visual disturbance resulting from Project construction will be temporary due to the use of temporary roads and vegetation clearing. Visual disturbance due to vegetation clearing in temporary work areas will be restored in a manner reasonably similar to pre-construction conditions lessening the visual impact resulting from construction of the Project.

2.4.4 Easement and Access Information

Proposed construction access routes will allow construction crews and vehicles to safely access transmission line pole locations and pulling/tensioning sites. Existing public and private roads will be utilized during construction, operation, and maintenance of the Project. Access permissions through private property are being obtained from landowners by Xcel Energy.

← Do we need to see proof of access for private properties?

Where road improvements are needed, Xcel Energy will secure the necessary permits to comply with Town of New Castle regulations including grading, stormwater, and erosion control permits. If new access is required, Xcel Energy will secure the necessary permits from the Town of New Castle, Garfield County, or the Colorado Department of Transportation (CDOT), as required.

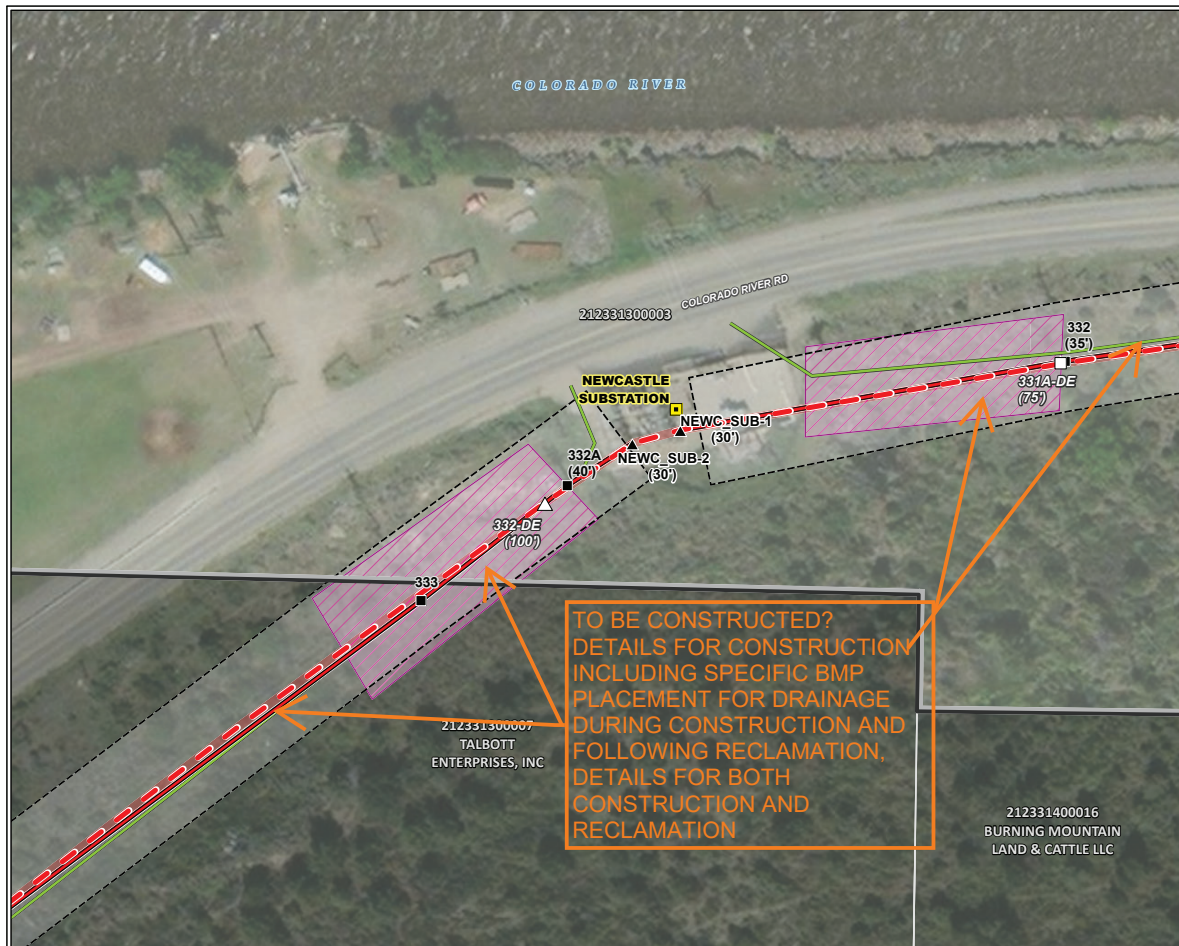
Additional easements will be necessary for temporary pull sites to accommodate placement of pulling and tensioning machines for stringing conductor wire. Grading may be required at some pulling/tensioning sites to level out the area for equipment placement. Any permits required for grading these sites will be obtained for this work. Upon completion of construction, all equipment will be removed from the sites and will be restored in a manner reasonably similar to pre-construction conditions.

2.4.5 Traffic Information

If public roadway traffic controls are determined to be necessary, approval of Traffic Control Plans as applicable by the Town of New Castle will be obtained prior to such roadway use for specific construction activities.

2.5 Names and Addresses of Property Owners within 250 feet

Names and addresses of property owners within 250 feet of the outside boundary of the Project ROW Easement in the Town of New Castle are provided in Appendix E.

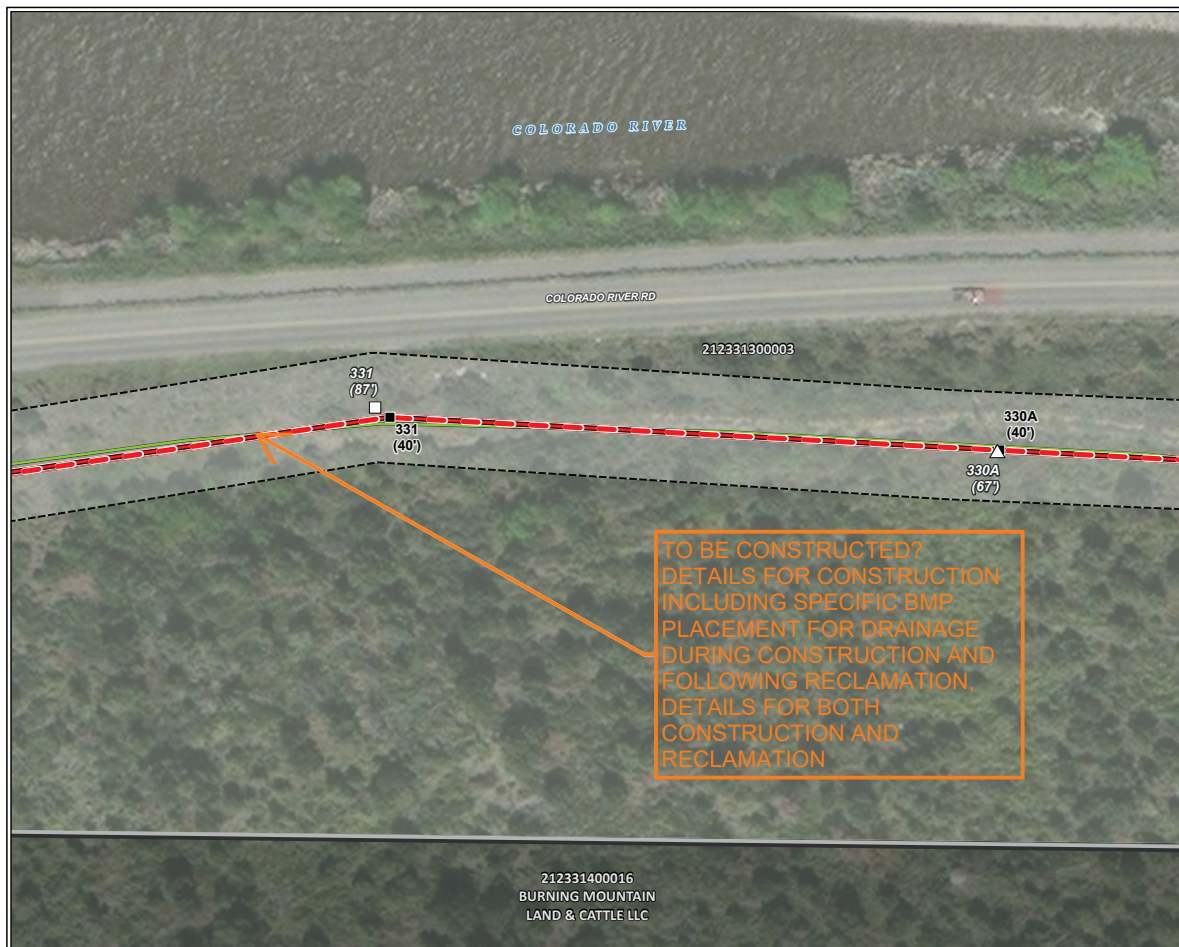


Appendix B - Site Plan
 Xcel Energy Circuit 6584
 Rebuild Project
 Town of New Castle, Colorado

- Substation
- Proposed Pole - Ground Construction (Height in Feet)
- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole - Not Removing
- Existing Pole (Height in Feet)
- Existing Centerline
- Proposed Centerline
- Access Road
- Right-of-Way
- Pull Site
- Town of New Castle Boundary
- Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI

XcelEnergy

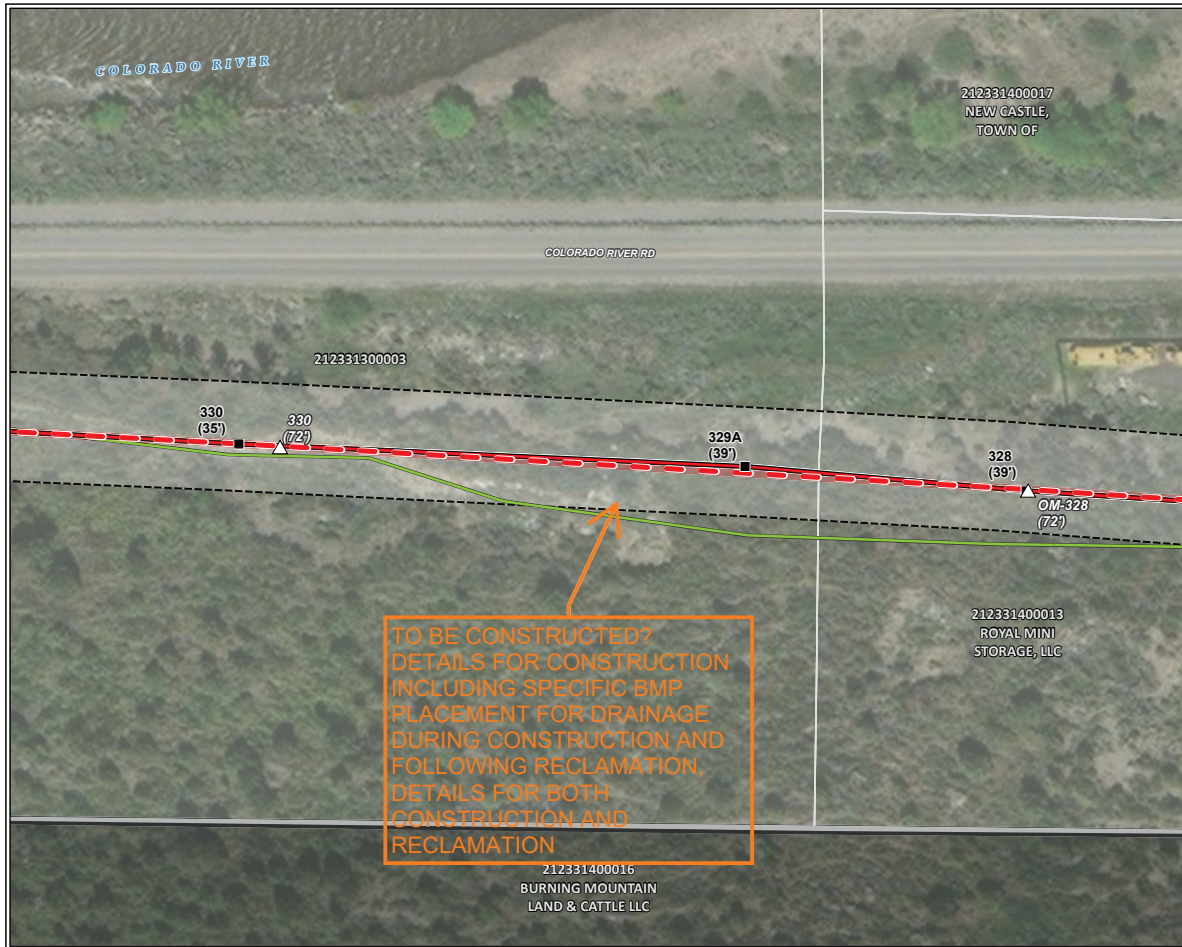


Appendix B - Site Plan
 Xcel Energy Circuit 6584
 Rebuild Project
 Town of New Castle, Colorado

- Substation
- Proposed Pole - Ground Construction (Height in Feet)
- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole - Not Removing
- Existing Pole (Height in Feet)
- Existing Centerline
- Proposed Centerline
- Access Road
- Right-of-Way
- Pull Site
- Town of New Castle Boundary
- Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI

XcelEnergy



Appendix B - Site Plan
Xcel Energy Circuit 6584
Rebuild Project
 Town of New Castle, Colorado

- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole (Height in Feet)
- Existing Centerline
- Proposed Centerline
- Access Road
- Right-of-Way
- Town of New Castle Boundary
- Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI

0 50 100 Feet

XcelEnergy®



Appendix B - Site Plan
Xcel Energy Circuit 6584
Rebuild Project
 Town of New Castle, Colorado

- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole (Height in Feet)
- Existing Centerline
- Proposed Centerline
- Access Road
- Right-of-Way
- Town of New Castle Boundary
- Parcel Boundary

Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI

0 50 100 Feet

XcelEnergy®



Appendix B - Site Plan
Xcel Energy Circuit 6584
Rebuild Project
 Town of New Castle, Colorado

- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole (Height in Feet)
- Existing Centerline
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- Access Road
- Right-of-Way
- Town of New Castle Boundary
- Parcel Boundary

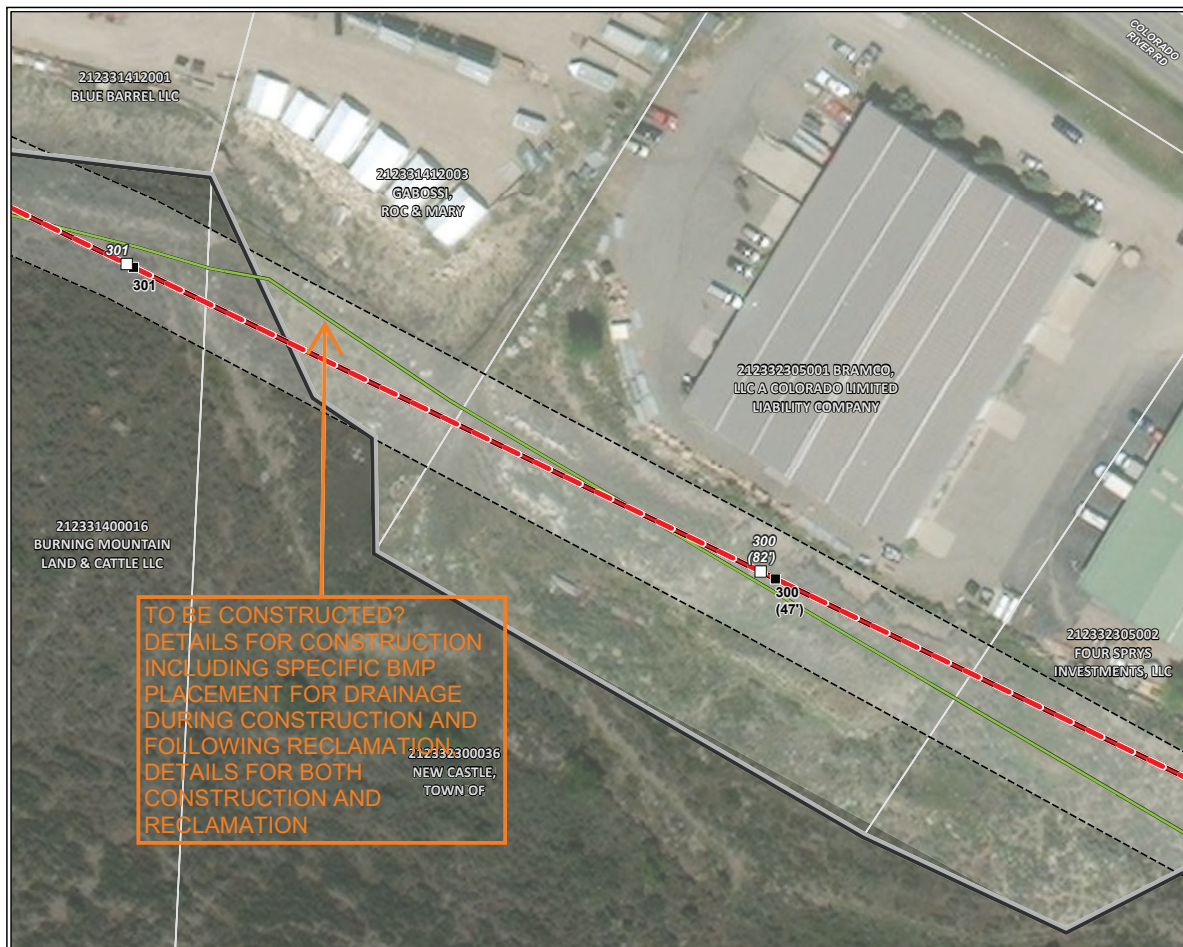
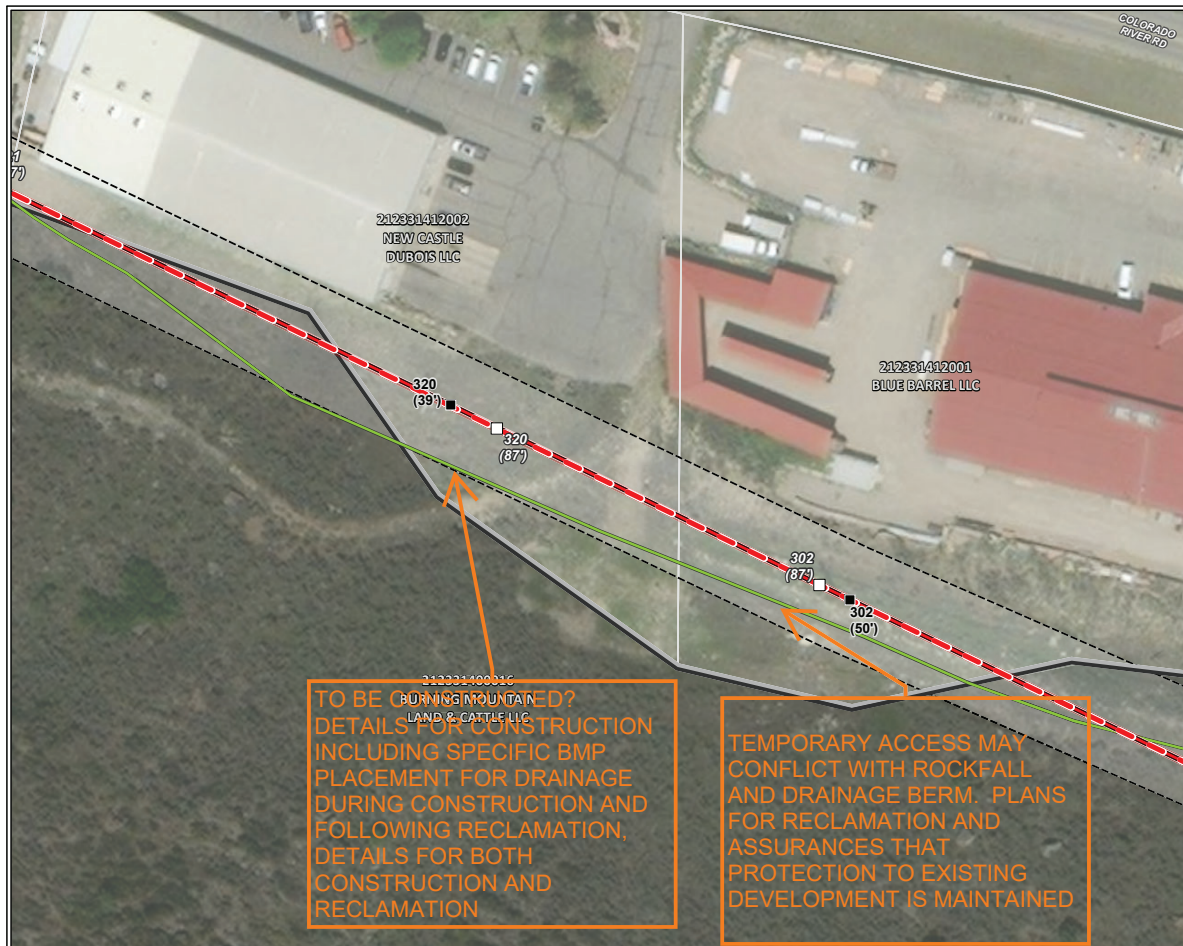
Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI

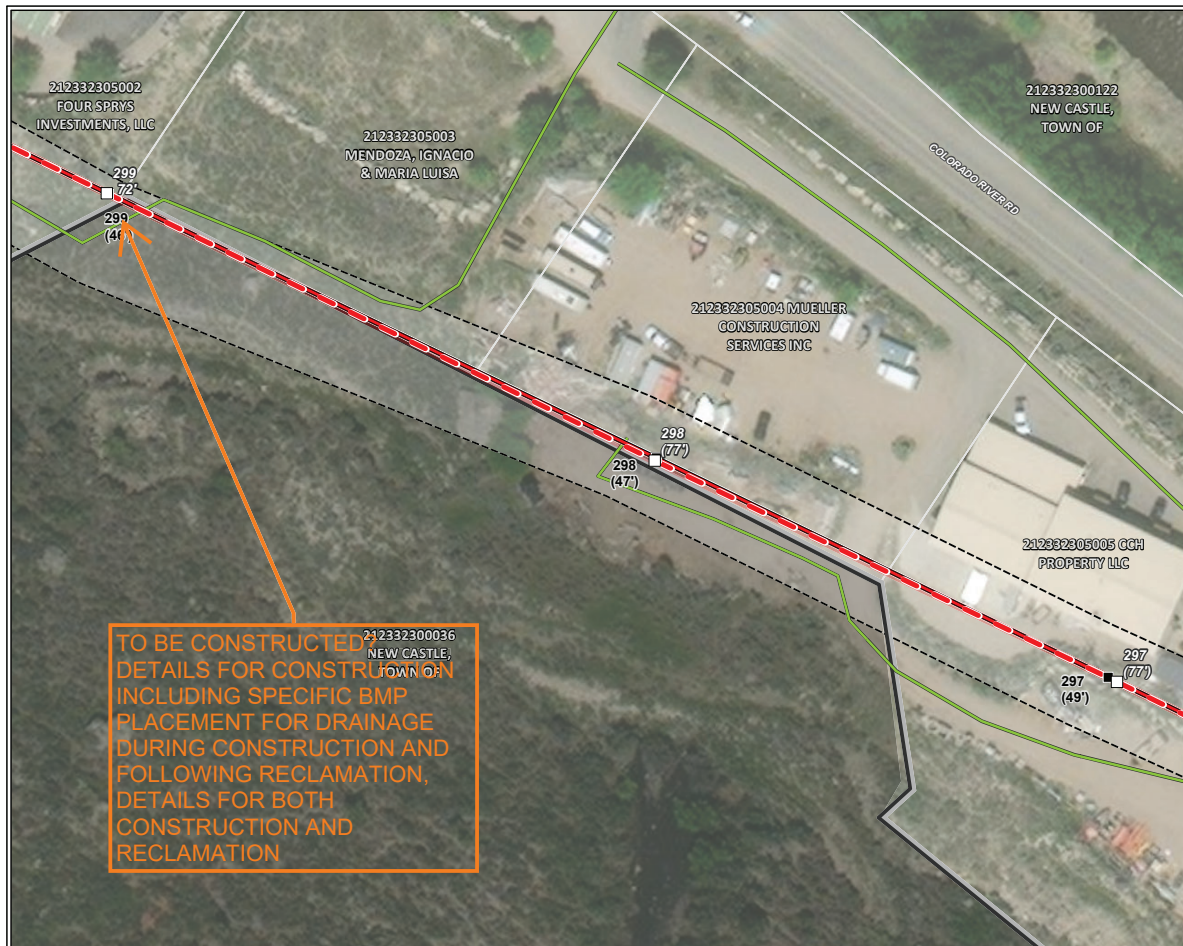


Appendix B - Site Plan
Xcel Energy Circuit 6584
Rebuild Project
 Town of New Castle, Colorado

- Proposed Pole - Ground Construction (Height in Feet)
- Proposed Pole - Helicopter Construction (Height in Feet)
- Existing Pole (Height in Feet)
- Existing Centerline
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- Access Road
- Right-of-Way
- Town of New Castle Boundary
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Scale: 1:600
 Date: 12/21/2023
 Data Sources: Burns & McDonnell, Xcel Energy, Town of New Castle, CDOT, ESRI



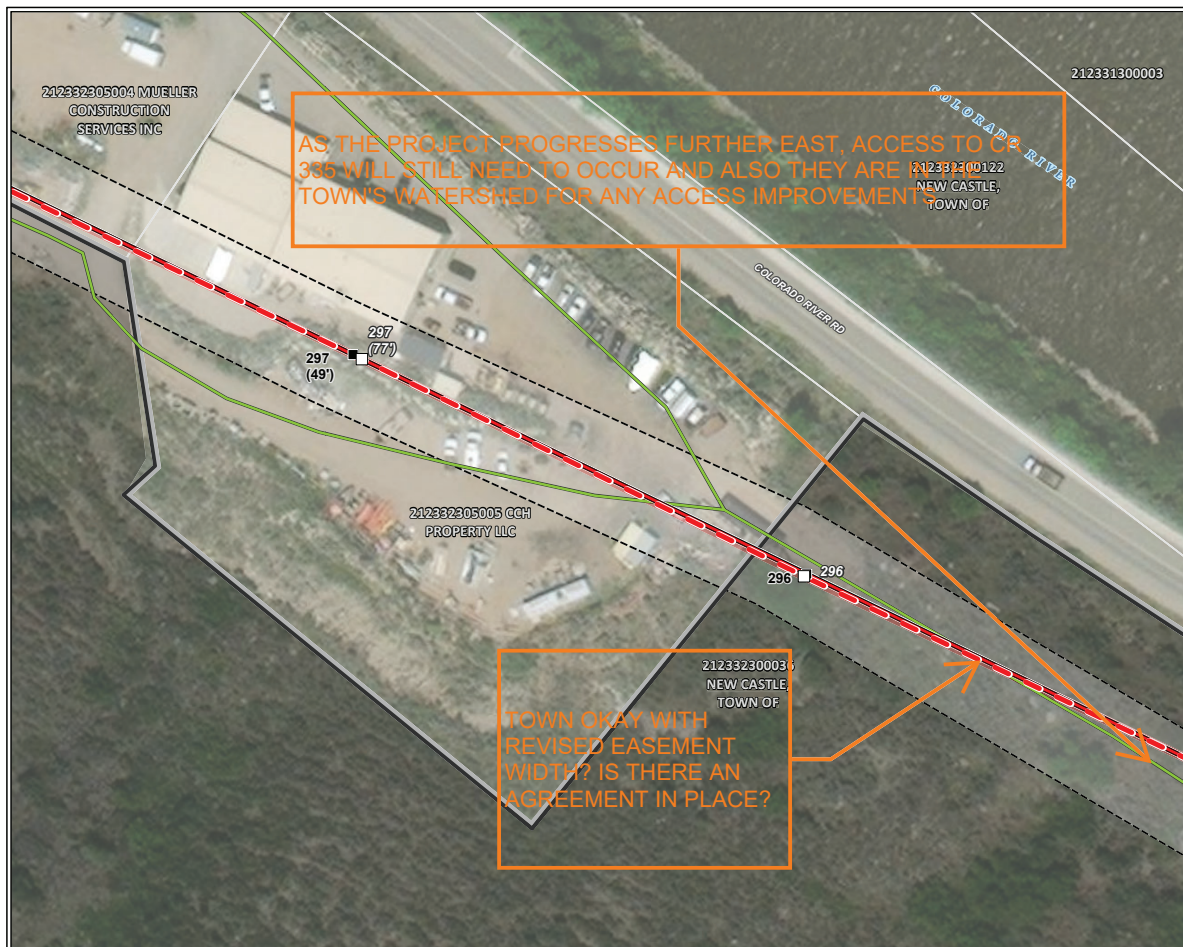
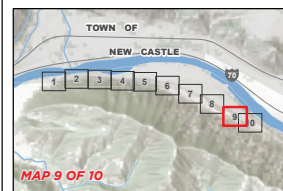


TO BE CONSTRUCTED
 DETAILS FOR CONSTRUCTION
 INCLUDING SPECIFIC BMP
 PLACEMENT FOR DRAINAGE
 DURING CONSTRUCTION AND
 FOLLOWING RECLAMATION,
 DETAILS FOR BOTH
 CONSTRUCTION AND
 RECLAMATION

Appendix B - Site Plan
 Xcel Energy Circuit 6584
 Rebuild Project
 Town of New Castle, Colorado

- Proposed Pole - Ground Construction (Height in Feet)
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 Xcel Energy, Town of New Castle,
 CDOT, ESRI



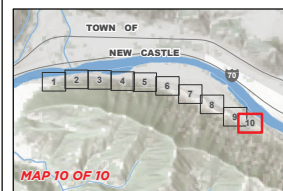
AS THE PROJECT PROGRESSES FURTHER EAST, ACCESS TO C
 355 WILL STILL NEED TO OCCUR AND ALSO THEY ARE IN THE
 TOWN'S WATERSHED FOR ANY ACCESS IMPROVEMENTS

TOWN OKAY WITH
 REVISED EASEMENT
 WIDTH? IS THERE AN
 AGREEMENT IN PLACE?

Appendix B - Site Plan
 Xcel Energy Circuit 6584
 Rebuild Project
 Town of New Castle, Colorado

- Proposed Pole - Ground Construction (Height in Feet)
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 Data Sources: Burns & McDonnell,
 Xcel Energy, Town of New Castle,
 CDOT, ESRI



NOTICE OF PUBLIC HEARING Town of New Castle

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet:

<https://us02web.zoom.us/j/7096588400>

If you prefer to telephone in:

Please call: 1-346-248-7799

Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your phone to mute until called on.

Date: May 8, 2024

Time: 7:00 PM

Place of hearing: New Castle Town Hall, 450 West Main Street, New Castle, CO

Public body conducting hearing: Planning & Zoning Commission

Brief description of application: Applicant requests Conditional Use review under Sections 17.84.070 and 17.84.080 of the Town Code in order to rebuild the existing Mitchell Creek to Rifle Ute 69kV Transmission Line and increase ROW easements.

Legal description: Multiple, see attached list

Common address: Multiple, see attached list

Applicant: Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy

Landowner: Multiple, see attached list

The complete application is available at the Town Clerk's office at 450 West Main Street, P.O. Box 90, New Castle, CO 81647. All interested persons are invited to appear and state their views, protests or objections. If you cannot appear personally at such hearing, then you are urged to state your views by letter.

Parcels Crossed by Transmission Line 6584 and Access Roads Within the Town of New Castle

Parcel ID	Owner Name	Owner Address	Legal Description
212332305005	CCH PROPERTY LLC	565 GINSENG ROAD NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 5 2.025 ACRES
212332305003	MENDOZA, IGNACIO & MARIA LUISA	PO BOX 72 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 3 1.083 ACRES
212331412002	NEW CASTLE DUBOIS LLC	PO BOX 783 NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: PCL B AS AMD BY THE DUBOIS LOT LINE ADJ DESC AS LOT 2 OF AMD PLAT PARCEL B, TALBOTT SUB-DIV ADJUSTMENT AFFIDAVIT REC.#791735 AND QCD REC#791736.
212331400013	ROYAL MINI STORAGE, LLC	PO BOX 2526 GLENWOOD SPRINGS, CO 81602-2526	Section: 31 Township: 5 Range: 90 A TR IN NWSE.
212332305004	MUELLER CONSTRUCTION SERVICES INC	6520 COUNTY ROAD 335 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 4 1 ACRE
212332305002	FOUR SPRYS INVESTMENTS, LLC	3792 COUNTY ROAD 117 GLENWOOD SPRINGS, CO 81601	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 2
212332305001	BRAMCO, LLC A COLORADO LIMITED LIABILITY COMPANY	PO BOX 737 NEW CASTLE, CO 81647-9646	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 1
212331400015	MATA, MARIA A & JUAN	PO BOX 407 GYPSUM, CO 81637	Section: 31 Township: 5 Range: 90 A TR. OF LAND IN NE4SE4. EXCEPT A TR. OF LAND CONT. .104 AC.+/- AS DESC. IN DUBOIS LOT LINE ADJ AMD, DESC. AS LOT 1. REC #761250 & AMD SWD REC. # 762229

Parcel ID	Owner Name	Owner Address	Legal Description
212331300007	TALBOTT ENTERPRISES, INC	9109 COUNTY ROAD 311 SILT, CO 81652	Section: 31 Township: 5 Range: 90 SWSW
212331412001	BLUE BARREL LLC	523 EMMA ROAD BASALT, CO 81621	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: A PARCEL A, AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 (2.8 AC)
212332300036	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647-0166	Section: 32 Township: 5 Range: 90 THAT PT OF THE NWSW, S2SW LYING SO OF COLORADO RIVER. EXCEPT A TR CONT 3.349 AC AS DESC IN 823/279. EXCEPT A TR CONT 9.99 AC AS DESC IN 1153/183. 23.161 ACRES
212331412003	GABOSI, ROC & MARY	44523 HIGHWAY 6 GLENWOOD SPRINGS, CO 81601	Section: 31 Township: 5 Range: 90 AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 Subdivision: TALBOTT SUBDIVISION Lot: A-1



AFFIDAVIT AS TO NOTICE OF PUBLIC HEARING

I, Britt Sutherland, do hereby certify that pursuant to ordinances of the Town of New Castle, Colorado, I provided notice of a public hearing before the New Castle Planning Commission on **May 8, 2024**, regarding a **conditional use permit** application by doing the following:

1. At least fifteen **(15) days prior** to such hearing, Xcel Energy sent a copy of the attached Notice of Public Hearing by **certified mail to the owners of all property within two hundred and fifty (250) feet** of the subject property and to the Town of New Castle.
- ~~2. If required by Chapter 16.10 of the New Castle Municipal Code, at least thirty **(30) days prior** to such hearing, I sent a copy of the attached Notice of Public Hearing by certified mail to the **owners of mineral estates** who have requested notification with respect to the subject property at the Garfield County Clerk and Recorder.~~
3. At least fifteen **(15) days prior** to such hearing, **Xcel Energy posted notice of the hearing on the property on a sign** approved by the Town at least twenty-two (22) inches wide, twenty-six (26) inches high, with letters at least one (1) inch in height. The sign was posted so that it was visible from a public street.
4. At least (15) days prior to such hearing, the attached Notice of Public Hearing was published on the **Town's website**.

B Sutherland
Signature

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

Subscribed and sworn to before me this 23 day of April,
2024, by BRITT SUTHERLAND.

Witness my hand and official seal.

[Signature]

Notary Public
My commission expires: 2026/04/04

DAVID BOUAPHAKEO
Notary Public
State of Colorado
Notary ID # 20224013321
My Commission Expires 04-04-2026



Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

Building & Planning
Department
Phone: (970) 984-2311
Fax: (970) 984-2716
www.newcastlecolorado.org

PERFORMANCE STANDARDS

I, [Signature], ON THIS DATE 5/1/2024 agree to abide by the following PERFORMANCE STANDARDS:

Performance Standards

- (A) Smoke. No use shall be permitted in any district unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to emission of smoke.
- (B) Particulate Matter. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to emission of particulate matter.
- (C) Dust, Odor, Gas, Fumes, Glare or Vibration. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to emission of dust, odor, gas, fumes, glare or vibration.
- (D) Radiation Hazards and Electrical Disturbances. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to radiation control.
- (E) Noise. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to noise.
- (F) Water Pollution. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to water pollution.

Source: Ord. 261, Sec. 15.04.090, 1983



Health and Safety Plan (HASP)

Xcel Energy

6584 Mitchell Creek-UTER

Table of Contents

CONTACT INFO.....	5
PROJECT DETAILS.....	6
PURPOSE.....	8
REVIEW AND UPDATES.....	8
EMERGENCY ACTION PLAN.....	9
LAYDOWN YARD TO HOSPITAL - JEFFERSON HOSPITAL CLOSEST TO THE LAYDOWN YARD	16
LAYDOWN YARD TO HOMETOWN URGENT CARE ERROR! BOOKMARK NOT DEFINED.	
CONTRACTOR EVENT REPORTING (CER) GUIDELINES.....	22
INCIDENT/EVENT RESPONSE AND REPORTING GUIDELINES.....	22
Vehicle Incident.....	22
MEDIA RELATIONS.....	23
Other Incident Scenarios.....	23
Discovery of Unknown Utilities:.....	23
Discovery of Suspect Materials:.....	23
Incidents involving or effecting multiple Persons.....	23
Remote Locations.....	24
Bloodborne Pathogens.....	24
Medical Supplies.....	24
HAZARD COMMUNICATION.....	25
HAZARDOUS SUBSTANCE RELEASE.....	28
Release of Liquid Waste:.....	28

Spill or Release of Fuel: 28

Spill Response Quick Guide..... 29

Environmental Impact Control Matrix 29

DISCOVERY OF WEAPONS/ILLICIT DRUGS OR VIOLENCE:..... 30

Bomb Threat/Violent Incidents: 30

How to Respond When an Active Shooter is in Your Vicinity 30

 1. RUN 30

 2. HIDE..... 31

 3. FIGHT..... 31

FIRE/EXPLOSION:..... 31

Fire Prevention..... 32

General Workplace Hazard Controls..... 33

 Actions designed to prevent accidents:..... 33

ENVIRONMENTAL/BIOLOGICAL HAZARDS 34

Biological Hazards 34

 Poisonous Plants 34

 Dog 34

 Venomous Spiders 35

 Venomous Snakes 36

 Vector-Borne Diseases 36

Hot and Cold 37

Lightning..... 39

Tornado..... 40

Earthquake..... 40

Flood	40
Hurricane	41
Blizzard	41
MUSTER/RALLY POINTS	42
REPORT UNSAFE CONDITIONS.....	42
JOB BRIEFING(S).....	42
ENTRANCE INTO JOB SITES	44
OSHA INVESTIGATION.....	44
PPE (PERSONAL PROTECTIVE EQUIPMENT).....	44
Arc Rated/FR Clothing Requirements	45
Fall Protection.....	47
Prescription Safety Glasses Program	47
GENERAL REQUIREMENTS – CIVIL WORK / EXCAVATIONS.....	48
EQUIPMENT.....	48
ELECTRICAL SAFETY.....	49
GROUNDING.....	52
Equipment and Vehicle Grounding	53
GROUND TESTING.....	53
HOT/ENERGIZED WORK EQUIPMENT DIELECTRIC TESTING.....	53
INDUSTRY GUIDELINES AND STANDARDS.....	55
ADDITION INFORMATION/ CONSENT FOR USE	57
ADDENDUM A – RECORD OF HASP REVIEW.....	59
ADDENDUM B – LICENSE AND PERMITS.....	61

ADDENDUM C – PAR DOCUMENTS..... 62

ADDENDUM D – RESOURCES..... 70

ADDENDUM E – TASK PLAN INDEX..... 71

ADDENDUM D – MAPS..... 72

ADDENDUM 1 – CUSTOMER..... 73



Contact Info

CUSTOMER CONTACTS	NAME	PHONE	EMAIL
Construction Manager	Jared Cox	931-273-0643	Jared.g.cox@xcelenegy.com
Sr Operations PSCo Transmission Lines	Jeff Lambrecht	661-904-5261	jeffrey.m.lambrecht@xcelenegy.com

PAR ELECTRICAL CONTRACTORS, LLC.	NAME	PHONE	EMAIL
Operations Manager	Brian Mueller	720-391-0239	bmueller@parelectric.com
Project Manager	Jeremy Needham	720-656-9334	jneedham@parelectric.com
General Foreman (Field)	(DD) Dwight Ven John	720-708-8918	dvenjohn@parelectric.com
Fleet Manager	Mike Sells	720-324-1100	msells@parelectric.com
Safety Manager	Kyle Rea	720-708-8914	krea@parelectric.com
Safety Coordinator	James Moreno	720-737-7195	jmoreno@parelectric.com

SUBCONTRACTORS	NAME	PHONE	EMAIL
Timberline Helicopters	Damon Petracci	503-991-6641	dpetracci@timberlinehelicopters.com
Vector	Israel Rubio	303-726-3716	irubio@vectorfd.com
CC Enterprises	Beverly Mclvor	970-242-0669	bev@ccenttcs.com



Project Details

Revision Date:	4/4/2024
Contractor Company:	PAR Electrical Contractors, LLC.
Project Name:	6584 Mitchell Creek to Rifle
Project Address:	<p>PAR laydown Yard</p> <p>There are five Landing zones on the project where the laydown yards will be located. Eastern most LZ is located at 39.559013, degrees N, 107.372609 degrees W, in Glenwood Springs, CO. The Western most LZ is located at 39.526530, degrees N, 107.680204 degrees W, in Silt, CO. Please see map for visual location.</p>
Mobilization Date:	9/01/2024
Project Duration:	Approximately 1 year
Workdays & Hours:	6 days a week 12 hours a day
Voltage(s) & MAD:	69kV, MAD is 3' 6" at 5761 feet
Scope of Specification	<p>The 6584 69kV line will be rebuilt between the Mitchell Creek Substation and the Ute-Rifle substation. This section of line is approximately 72.7 miles long.</p> <p>Installation:</p> <p>Conductor: New 477 ACSS Hawk from Mitchell Creek Sub to Ute-Rifle Sub.</p> <p>Shield wire: New DNO-10723 OPGW from Mitchell Creek to Ute-Rifle Sub.</p> <p>Structures: 366 new single circuit weathering steel structures.</p> <p>Foundations: 270 structures will be direct embedded. 96 structures on concrete pier foundations.</p> <p>Removal:</p> <p>366 structures and associated wire will be fully removed from existing structure outside of the Mitchell Creek Substation to the structure outside of the Ute-Rifle Substation. We will be implementing additional fire mitigation tactics to include a water buffalo to fully wet the area as well as welding or fire blankets to prevent any possible ignition. We will also be utilizing demolition Sawzall to cut the pole to help reduce any sparks. There will be a chop saw on site in case of emergency where the Sawzall get bound up and need to be freed.</p>



Subcontractor(s) Project Scope:	Quanta – OPGW Fiber Splicing Quanta – Large Crane Timberline – Helicopter Vector – Traffic control
------------------------------------	---



Purpose

The purpose of this Site-Specific Health and Safety Plan (HASP) is to provide a management approach for identifying, evaluating, analyzing, and controlling workplace hazards and work area emergencies. The intent of this program is to:

- Provide a safe and healthy working environment for PAR employees.
- Provide a pre-planning tool for employees to use for controlling workplace and work area emergencies.
- Meet the requirements of CFR 29 1926.35.

Reference: PAR Safety Manual addresses the safety, health, and environmental issues in greater detail.

Review and Updates

The HASP is designed to be “site-specific” and therefore shall be reviewed and updated by the Project Safety Professionals, as necessary.

- An example of an event that would warrant a review would be a change in project management, a significant change in the scope of the work, and/or when serious safety concerns arise that were not originally addressed in the plan.

Updates shall be communicated to all affected crewmembers.



Emergency Action Plan

All job sites must have emergency communication and an emergency response plan that has been communicated and understood by all Contractor and Subcontractor employees. The plan shall include at a minimum:

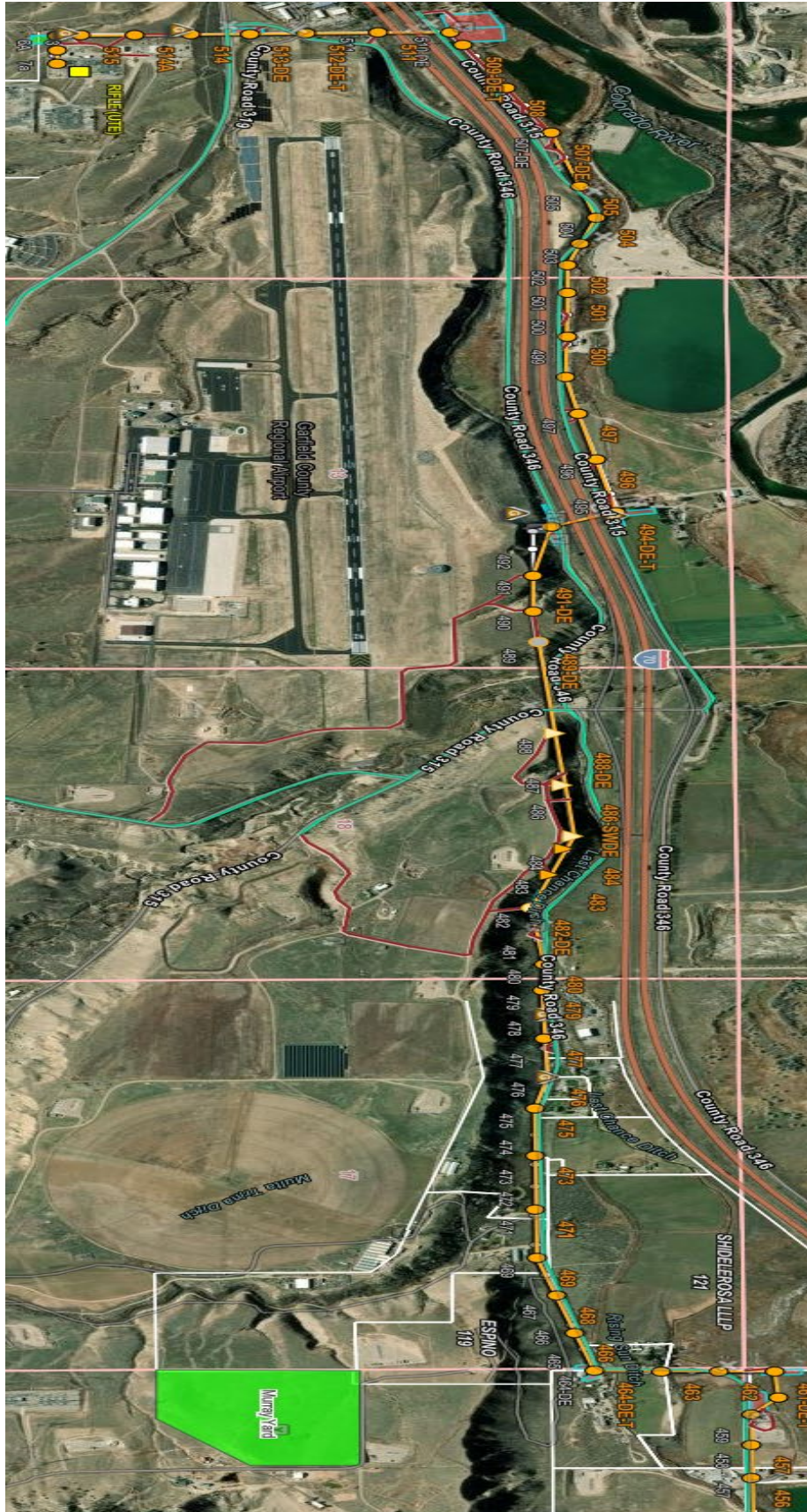
- Emergency Contacts
- Location and Name of Local Emergency Services
- On-site communication methods (cell phone, radio, satellite phone, etc.)
- Location and directions (including maps) to the nearest medical facility
- Procedure to follow in the event of an emergency

A minimum of two currently trained persons in First Aid and CPR will be present for each crew

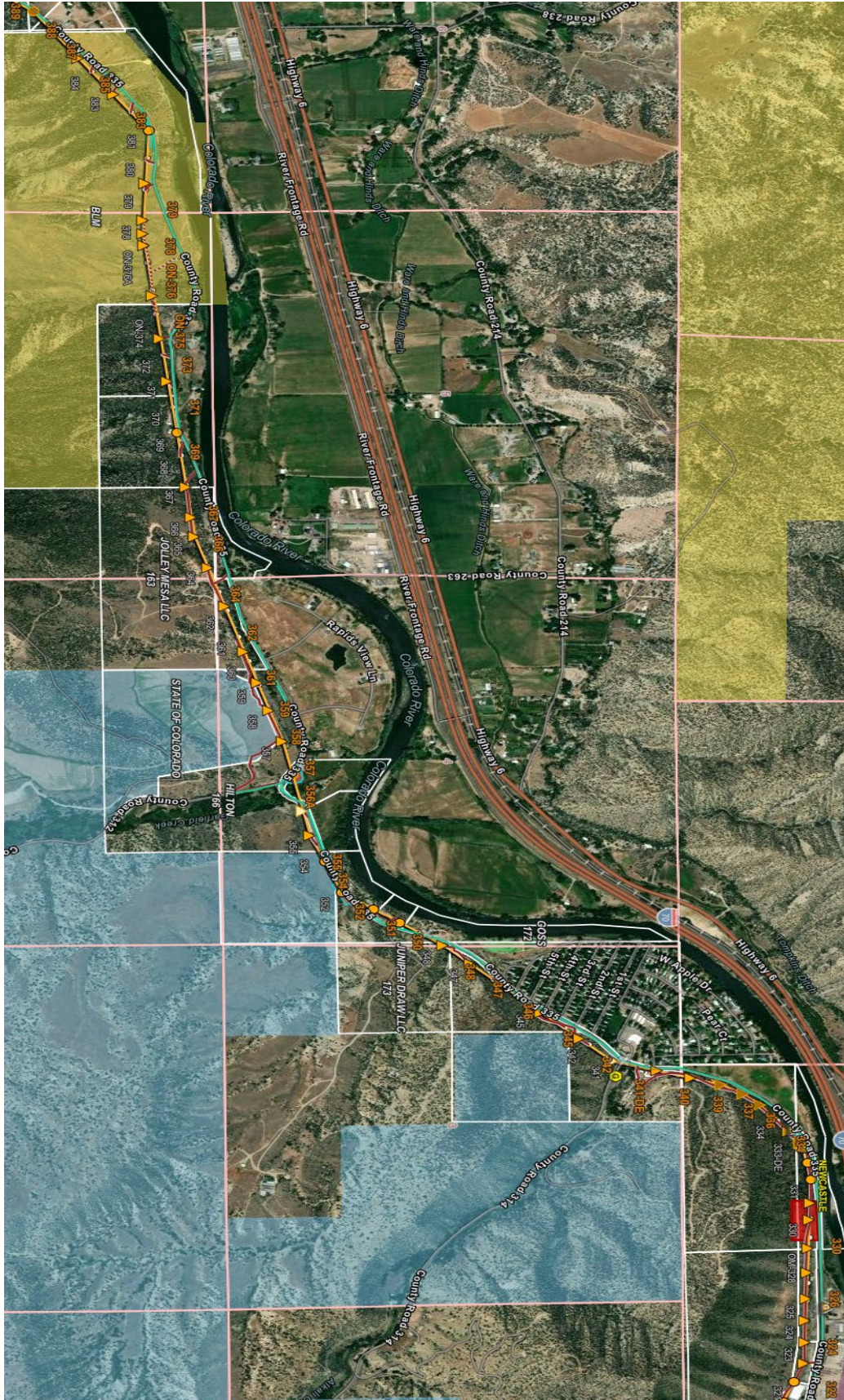
Emergency Contacts		
<p>NOTE For Persons Using GPS Units: In some cases, the address that is entered may not take you to the desired final destination. Always verify that your unit is taking you to the desired location. You may need to drop a pin and save the location into your GPS unit.</p>		
NAME	ADDRESS	PHONE
Hospital / Medical Facility		
Valley View Hospital	1906 Blake Ave, Glenwood Springs CO 81601	970-945-6535
Grand River Health Rifle Hospital	501 Airport Rd, Rifle, CO 81650	970-625-1510
Occupational Health Clinic – Drug and Alcohol Testing		
Front Range Occupational Medicine	770 Simms St STE 100, Golden CO 80401	303-635-3667
Local Police / Sheriff		
Glenwood Springs Police Department	101 W 8 th St, Glenwood Springs CO 81601	970-384-6500
New Castle Police Department	39053 US-6, New Castle, CO 81647	970-984-2302
Silt Police Department	231 N 7th St, Silt, CO 81652	970-876-2735
Rifle Police Department	201 18th St, Rifle, CO 81650	970-665-6500
Fire & Rescue Squad		
Glenwood Springs Fire and Rescue	806 Cooper Ave, Station 2, Downtown Glenwood Springs, CO 81601	970-384-6480
Colorado River Fire Rescue	1850 Railroad Ave, Rifle, CO 81650	970-625-1243

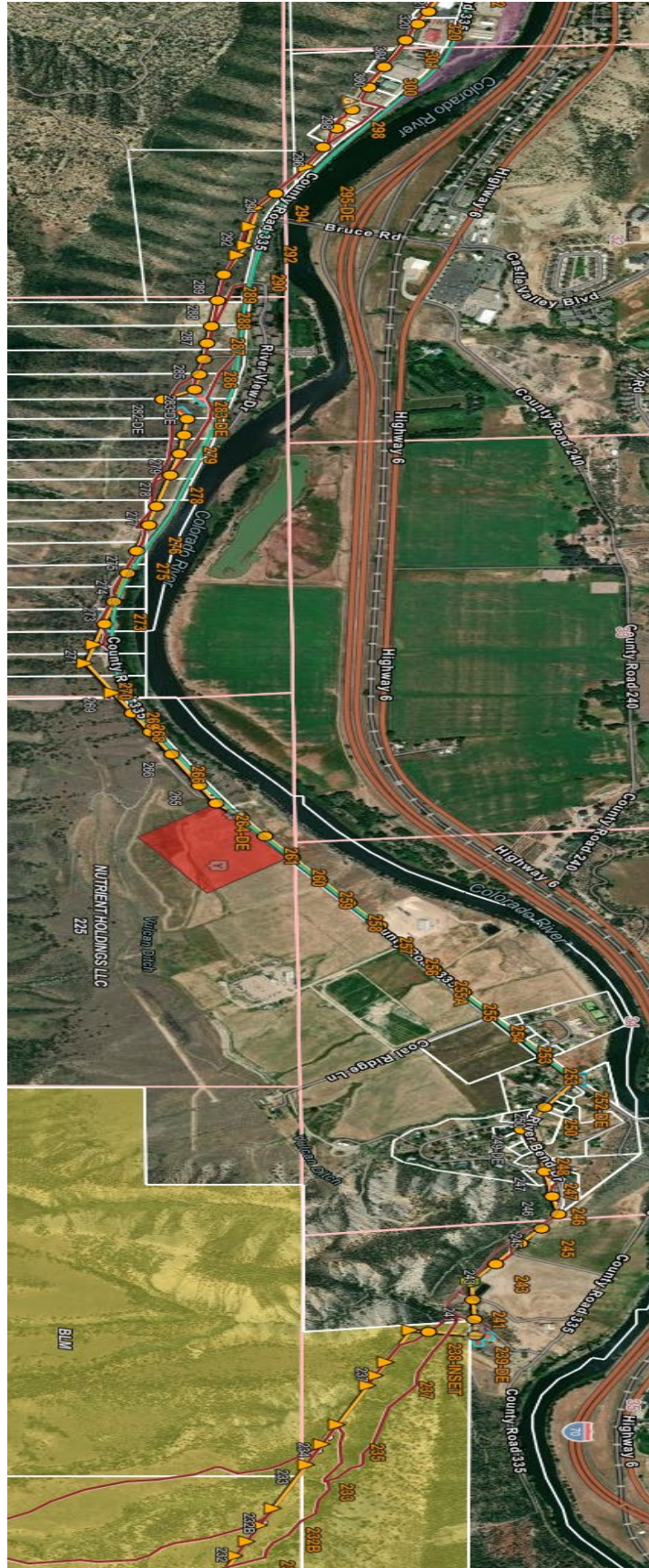
In the event there is need for a rescue in an area that there is no or limited access we will utilize the helicopter to retrieve the injured employee and get him or her to the nearest landing zone. This will be communicated with all crew members and pilots daily with the Emergency Action Plan being documented during the morning tailboard. PAR will meet with Emergency Responders weekly to inform them of the area they are working in and more if the job moves to a different area within the week.

Communications will be handled through Star Link and there will be access to CB Radio for daily communication on the site.





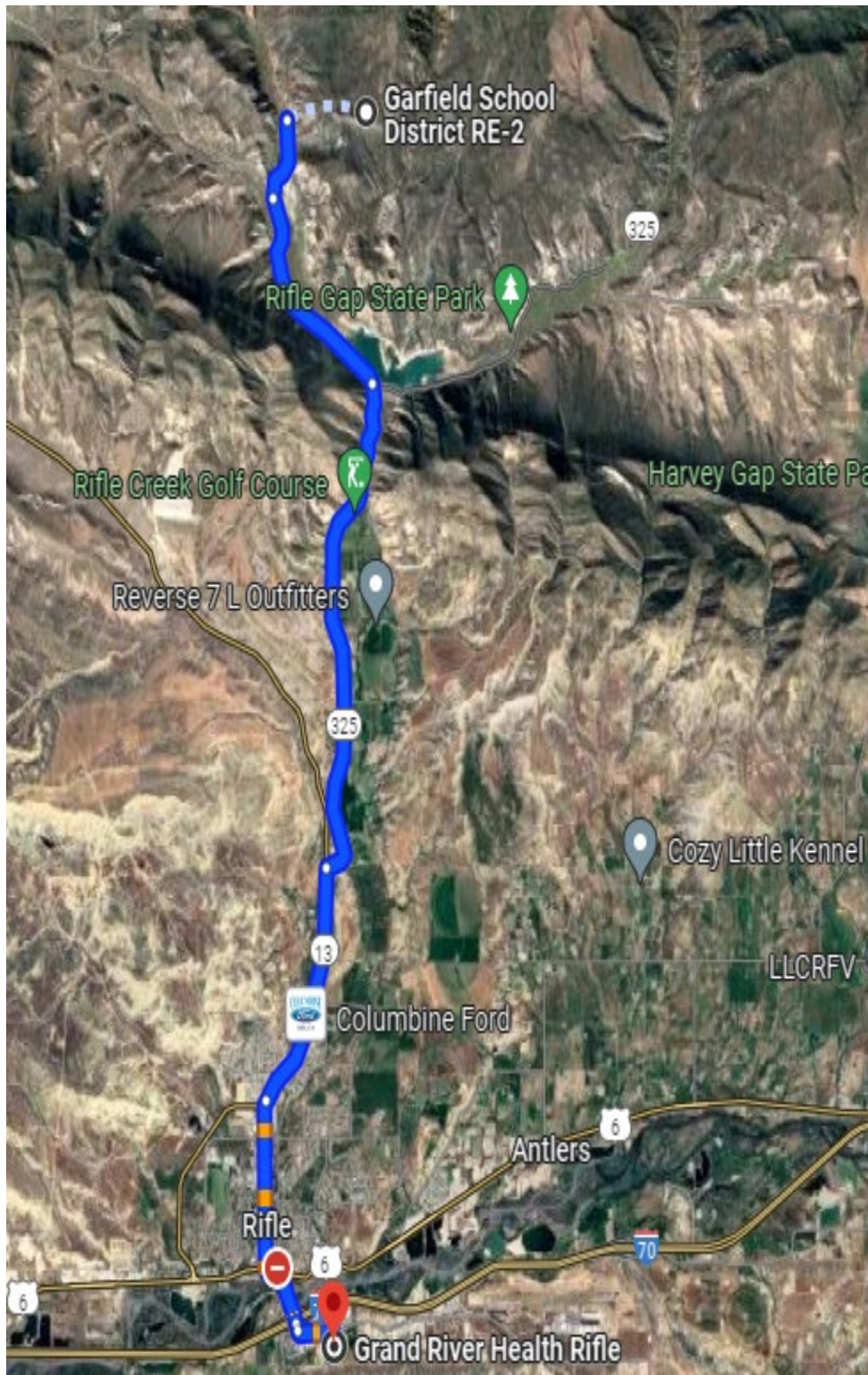








Western most Laydown Yard to Hospital – Emergency room open 24hrs a day Grand River Health Rifle Hospital closest to the laydown





Garfield School District RE-2

Colorado

Take Co Rd 252 to CO-325 S

- _____ 5 min (2.6 mi)
↑ 1. Head south on Co Rd 219 toward Co Rd 252
- _____ 0.7 mi
↙ 2. Slight left onto Co Rd 252
- _____ 1.9 mi

Continue on CO-325 S. Drive from CO-13 S to Rifle

- _____ 16 min (8.4 mi)
↑ 3. Continue onto CO-325 S
- _____ 4.1 mi
↙ 4. Turn left onto CO-13 S
- _____ 2.0 mi
↙ 5. Use any lane to turn left onto Railroad Ave
- _____ 1.3 mi
↑ 6. Continue onto CO-13 S
- _____ 0.6 mi
⊙ 7. At the traffic circle, take the 1st exit onto Taugenbaugh Blvd
- _____ 361 ft
⊙ 8. At the traffic circle, take the 3rd exit onto Airport Rd
- _____ 0.4 mi

Drive to your destination

- _____ 44 sec (476 ft)
↘ 9. Turn right
- _____ 246 ft
↘ 10. Turn right
- _____ 115 ft
↙ 11. Turn left
- _____ 115 ft
ⓘ Destination will be on the right

Eastern most Laydown Yard to Hospital – Emergency room open 24hrs a day Valley View Hospital closest to the laydown





Get on I-70 E in Glenwood Springs from Midland Ave

-
- 5 min (1.8 mi)
- ↑ 1. Head south

 - ↪ 2. Turn right

167 ft
 - ↪ 3. Turn left toward Wulfsohn Rd

0.9 mi
 - ↪ 4. Turn left onto Wulfsohn Rd

0.1 mi
 - ↪ 5. Turn left onto Midland Ave

0.2 mi
 - ↪ 6. At the traffic circle, take the 1st exit onto the I-70 E ramp

0.3 mi
 - ↪ 7. Turn left onto I-70 E

0.2 mi

Follow I-70 E and CO-82 E to 19th St

-
- 6 min (3.2 mi)
- ↗ 7. Merge onto I-70 E

1.7 mi
 - ↪ 8. Use the 2nd from the right lane to take exit 116 for CO-82 E toward Glenwood Springs/Aspen

0.2 mi
 - ↪ 9. Turn left onto CO-82 E

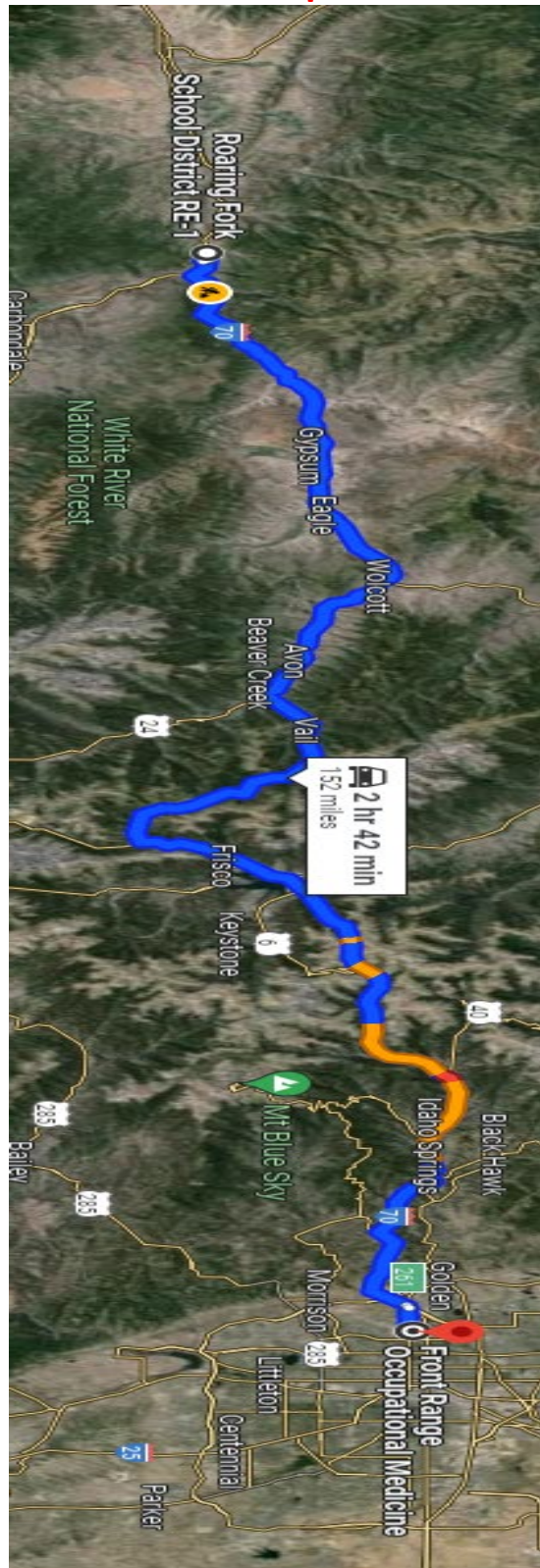
1.3 mi
i Pass by Jimmy John's (on the right in 0.9 mi)
 - ↪ 10. Turn left onto 19th St

2 min (0.2 mi)
i Destination will be on the right

Valley View Hospital

1906 Blake Ave, Glenwood Springs, CO 81601

Eastern most Laydown yard to non-emergency Occupational Medical Center - Hours Mon-Fri: 8:00am-5:00pm





Roaring Fork School District RE-1
Colorado

Get on I-70 E in Glenwood Springs from Midland Ave

- _____ 5 min (1.8 mi)
- ↑ 1. Head south
- _____ 167 ft
- ↪ 2. Turn right
- _____ 0.9 mi
- ↶ 3. Turn left toward Wulfsohn Rd
- _____ 0.1 mi
- ↶ 4. Turn left onto Wulfsohn Rd
- _____ 0.2 mi
- ↶ 5. Turn left onto Midland Ave
- _____ 0.3 mi
- ⤷ 6. At the traffic circle, take the 1st exit onto the I-70 E ramp
- _____ 0.2 mi

Follow I-70 E to Simms St/Union Blvd in Lakewood. Take the Simms St exit from US-6 E

- _____ 2 hr 24 min (150 mi)
- ↗ 7. Merge onto I-70 E
- _____ 147 mi
- ↪ 8. Take exit 261 for US-6 E/6th Avenue
- _____ 0.3 mi
- ↗ 9. Continue onto US-6 E
- _____ 2.2 mi
- ↪ 10. Take the Simms St exit
- _____ 0.2 mi

Continue on Simms St to your destination

- _____ 2 min (0.4 mi)
- ↶ 11. Turn left onto Simms St/Union Blvd
- 📍 Continue to follow Simms St*
- _____ 0.4 mi
- ↪ 12. Turn right onto W 8th Ave
- _____ 197 ft
- ↪ 13. Turn right
- _____ 59 ft
- ↪ 14. Turn right
- _____ 52 ft
- ↶ 15. Turn left
- 📍 Destination will be on the left*
- _____ 108 ft

Front Range Occupational Medicine
770 Simms St STE 100, Golden, CO 80401



Contractor Event Reporting (CER) Guidelines

Refer/reference Contractor Reporting Procedures

Incident/Event Response and Reporting Guidelines

If you are involved in, witness or discover an incident/event:

- Assess the scene and verify that it is safe to provide help.
- Check the scene for any injured person(s) and assess their status.

The actions in the bullet points may happen simultaneously depending on available help (personnel), event assessment, and status of individuals.

- If the scene cannot be safely entered or secured so that it can be entered, contact the designated emergency contacts; your next inline management/local safety personnel and **911** for life threatening Conditions.
- If it is safe to enter and the event results in an injury(s), First Aid/CPR should be given. Contact the designated emergency contacts, your next inline management/local safety personnel, and **911** (for life-threatening Conditions).

Complete appropriate post-incident forms and a person trained in Reasonable Suspicion needs to complete the Reasonable Cause/Red packet. If you have any question consult your local Field Safety Coordinator or Safety Manager/Division Management.

Vehicle Incident (in a company vehicle)

- When involved in a vehicle incident, remain at the scene. Check yourself for injuries and the vehicle for damage, and if possible, pull to a safe area and **call 911**.
 - Follow other applicable post-incident procedures as needed. If you have any question consult your local Field Safety Coordinator or Safety Manager/Division Management.
- If it is safe to do so, check the status of others that may be involved at the scene to give emergency response a better overall picture of the incident.
- Take photographs of the vehicles, scene, and information given to you by others like their insurance, registration, and license, if you are able to exchange information. If you are unable to exchange information because emergency services are collecting it or because of injuries sustained at the scene, request a case number from the officer(s) on the scene or from the local police station.
- If the owner is not present, attempt to locate them or leave contact info.
- Notify your supervisor and safety as soon as possible to initiate an incident response.
- Fill out the "Driver Report of Vehicle Accident" form.

Note: Persons involved in, or suspected to have been involved in, an incident resulting in injuries to the head, spine, or other injuries that if the individual were moved could cause life-threatening damage, should not be moved. This may include, but not be limited to, persons involved in a fall to a lower level.



First Aid and CPR should be given as needed and examined and transported by Emergency Response Personnel to a medical facility.

Media Relations

If the news media arrives on the scene of an incident, contact your supervisor immediately.

Do not answer questions or give statements, on or off the record. Refer all questions/ inquiries to the senior member of the PAR management team on site.

Only the authorized PAR representatives shall answer any questions or make any statements.

Fax all inquiries to:

Fax: (816) 691-4242

Vice President of Safety and Environmental

PAR Electrical Contractors

4770 N. Belleview Ave Suite 300

Kansas City, MO 64116-2188

Other Incident Scenarios

Several unplanned emergency events have been identified and guidance has been listed to help provide safe direction on identifying, communicating, executing, and following up on unplanned events.

Depending on the situation PAR Management will determine if this Incident Response Guidance needs to be initiated.

Discovery of Unknown Utilities: In the event that unknown utilities are discovered, immediately cease all operations, and notify Project Management. This includes, but is not limited to, foundations, underground pipelines or storage tanks, conduits, or other unidentified structures.

Discovery of Suspect Materials: In the event that a suspect material is discovered, immediately cease all operations, and notify Management. Suspicious materials include but are not limited to, free petroleum products in soil, unmarked drums or waste containers, underground storage tanks, unexploded ordinance, or other suspicious materials. Do not disturb the suspect materials. Keep clear of the area. Management will give directions and contact the proper authorities.

Incidents involving or effecting multiple Persons

As soon as possible after an emergency, the foreman (or designee) should gather the crew at the rally point and take a roll call. The individual taking roll needs to visually confirm the person(s) being accounted for. The day's Tailboard (or other employee tracking mechanism) should be used. If multiple contractors are on site each crew should conduct a separate roll call and report their findings to Project Management. If an employee is unaccounted for, Project Management must inform emergency services. Never re-enter an emergency area to find a missing employee. No one, including non-essential employees may be released until project management gives an "all clear" signal.



Remote Locations

Some job sites may be in remote locations lacking a formal address, not visible from the road, or difficult to reach by vehicle. If these characteristics apply, during the daily tailboard the Foreman will assign emergency duties to competent employees and communication methods will be established. In an emergency, an employee shall be present at the access point near a known address to place an obvious marker, such as a cone or flag, and know how to reach the work site promptly to assist emergency services.

Bloodborne Pathogens are microorganisms carried by human blood and other bodily fluids that can cause disease. These pathogens include, but are not limited to, HIV/AIDS, Hepatitis B & C, malaria, and syphilis. Any materials such as bandages, clothing, gloves, gowns, or tools that have come into contact with blood or other bodily fluids are considered infectious.

- All blood or other potentially infectious materials shall be considered infectious regardless of the perceived status of an individual.
- In areas where blood or bodily fluids are present, such as the site of an injury or where the injured report, there is to be no eating, drinking, application of cosmetics or lip balm, smoking, or handling of contact lenses.
- Employees coming into contact with infectious fluids shall wear appropriate PPE and dispose of infectious waste/materials in a regulated and leak-proof container for handling, storage, transport, and disposal.
- All procedures for handling the injured or infectious materials are to be conducted to minimize splashing, spraying, splattering, or generation of droplets of infectious body fluids.
- Contaminated hard surfaces or equipment shall be disinfected with an appropriate germicide.
- Employees having come in contact with infectious materials must wash hands or other body parts following exposure to reduce the risk of infection and transmission. Any infected clothing should also be removed and properly cared for. It is always recommended to keep a spare set of clothing for emergencies.

Medical Supplies

PAR vehicles shall be equipped with well-stocked first aid kits and a means to summon additional support. PAR foremen vehicles typically are equipped with AEDs. During the Job Briefing/ Tailboard, the foreman shall provide the following:

- Physical Job Location
- Location of medical supplies
- Emergency Contact Numbers (i.e., 911)
- Location of nearest hospital/ medical facility



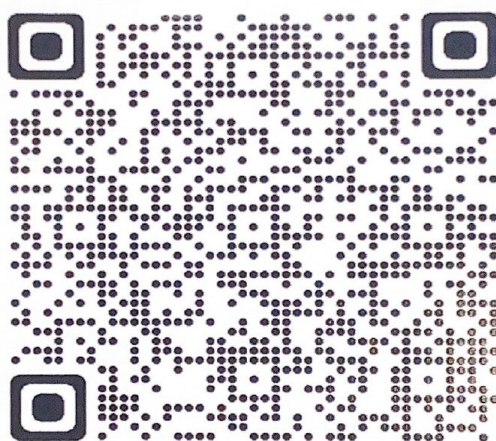
Hazard Communication

Precautionary measures can be taken to mitigate the exposure to hazards involving hazardous substances. Employees should perform these measures and report any unsafe situations to their supervisor or safety professional.

PAR is committed to maintaining a clean and healthy environment. PAR integrates environmental values into the decision-making process, by considering the environmental impacts of activities and finding reasonable alternatives to those actions. All employees shall be given awareness training on environmental policies, and in containment/site cleanup. Employees have the right to understand the chemicals and the measure it takes to safely work with them. Always know and understand what you are working with before you work with it.

SDS

Safety Data Sheet Compliance



SDS Fax Back
1-888-362-7416

Or contact your local Safety Professional.

Attached are a few OSHA Reference cards to help understand chemical labeling and SDS sheets.

OSHA QUICK CARD

Hazard Communication Standard Pictogram

The Hazard Communication Standard (HCS) requires pictograms on labels to alert users of the chemical hazards to which they may be exposed. Each pictogram consists of a symbol on a white background framed within a red border and represents a distinct hazard(s). The pictogram on the label is determined by the chemical hazard classification.

HCS Pictograms and Hazards

Health Hazard	Flame	Exclamation Mark
<ul style="list-style-type: none"> • Carcinogen • Mutagenicity • Reproductive Toxicity • Respiratory Sensitizer • Target Organ Toxicity • Aspiration Toxicity 	<ul style="list-style-type: none"> • Flammable • Pyrophoric • Self-Heating • Emits Flammable Gas • Self-Reactives • Organic Peroxides 	<ul style="list-style-type: none"> • Irritant (skin and eye) • Skin Sensitizer • Acute Toxicity (harmful) • Narcotic Effects • Respiratory Tract Irritant • Hazardous to Ozone Layer (Non-Mandatory)
<ul style="list-style-type: none"> • Gases Under Pressure 	<ul style="list-style-type: none"> • Skin Corrosion/ Burns • Eye Damage • Corrosive to Metals 	<ul style="list-style-type: none"> • Explosives • Self-Reactives • Organic Peroxides
<ul style="list-style-type: none"> • Oxidizers 	<ul style="list-style-type: none"> • Aquatic Toxicity 	<ul style="list-style-type: none"> • Acute Toxicity (fatal or toxic)

For more information:

Occupational Safety and Health Administration
www.osha-slc.gov (800) 321-OSHA (6742)

OSHA 3492-01R-11/10

OSHA QUICK CARD

Hazard Communication Standard Labels

OSHA has updated the requirements for labeling of hazardous chemicals under its Hazard Communication Standard (HCS). All labels are required to have pictograms, a signal word, hazard and precautionary statements, the product identifier, and supplier identification. A sample revised HCS label, identifying the required label elements, is shown on the right. Supplemental information can also be provided on the label as needed.

SAMPLE LABEL

Supplier Identification

Product Name: _____
 Supplier Name: _____
 Supplier Address: _____
 Supplier Phone Number: _____

Product Identifier

Chemical Name: _____
 CAS No.: _____
 Emergency Phone Number: _____

Signal Word

Danger

Hazard Pictograms

Supplemental Information

Precautionary Statement: _____

Hazard Statement: _____

Supplier Name: _____
 Supplier Address: _____
 Supplier Phone Number: _____

OSHA 3492-01R 2016

OSHA QUICK CARD™

Hazard Communication Safety Data Sheets

The Hazard Communication Standard (HCS) requires chemical manufacturers, distributors, or importers to provide Safety Data Sheets (SDSs) (formerly known as Material Safety Data Sheets or MSDSs) to communicate the hazards of hazardous chemical products. The HCS requires new SDSs to be in a uniform format, and include the section numbers, the headings, and associated information under the headings below:

Section 1, Identification includes product identifier; manufacturer or distributor name, address, phone number; emergency phone number; recommended use; restrictions on use.

Section 2, Hazard(s) identification includes all hazards regarding the chemical; required label elements.

Section 3, Composition/information on ingredients includes information on chemical ingredients; trade secret claims.

Section 4, First-aid measures includes important symptoms/effects, acute, delayed; required treatment.

Section 5, Fire-fighting measures lists suitable extinguishing techniques, equipment; chemical hazards from fire.

Section 6, Accidental release measures lists emergency procedures; protective equipment; proper methods of containment and cleanup.

Section 7, Handling and storage lists precautions for safe handling and storage, including incompatibilities.

(Continued on other side)

For more information:



OSHA Occupational Safety and Health Administration
www.osha.gov (800) 321-OSHA (6742)

OSHA 3403-01R 2016

OSHA QUICK CARD™

Hazard Communication Safety Data Sheets

Section 8, Exposure controls/personal protection lists OSHA's Permissible Exposure Limits (PELs); ACGIH Threshold Limit Values (TLVs); and any other exposure limit used or recommended by the chemical manufacturer, importer, or employer preparing the SDS where available as well as appropriate engineering controls; personal protective equipment (PPE).

Section 9, Physical and chemical properties lists the chemical's characteristics.

Section 10, Stability and reactivity lists chemical stability and possibility of hazardous reactions.

Section 11, Toxicological information includes routes of exposure; related symptoms, acute and chronic effects; numerical measures of toxicity.

Section 12, Ecological information*

Section 13, Disposal considerations*

Section 14, Transport information*

Section 15, Regulatory information*

Section 16, Other information, includes the date of preparation or last revision.

*Note: Since other Agencies regulate this information, OSHA will not be enforcing Sections 12 through 15 (29 CFR 1910.1200(g)(2)).

Employers must ensure that SDSs are readily accessible to employees.

See Appendix D of 29 CFR 1910.1200 for a detailed description of SDS contents.

For more information:



OSHA Occupational Safety and Health Administration
www.osha.gov (800) 321-OSHA (6742)



Hazardous Substance Release

Definition of Hazardous Materials:

The Occupational Safety and Health Administration (OSHA) defines a hazardous material as “any substance or chemical which has been determined to be either a health hazard or a physical hazard.”

Hazardous materials include, but are not limited to, chemicals which are:

- Carcinogens
- Irritants
- Corrosives
- Combustible
- Flammable
- Oxidizers

The accidental spill of hazardous material must be handled by qualified personnel only. Employees must contact emergency services immediately to report a spill and follow the below steps:

- Do not put yourself in harms-way. Understand the hazardous substance before attempting to clean up.
- Instruct others in the immediate area to vacate the contaminated area immediately. Upon leaving the contaminated area, close doors and, if possible, prevent entry.
- Inform emergency services of the location of the spill and, if possible, the chemical and amount spilled.
- If possible, remove ignition sources and unplug electrical equipment in the immediate area. Do so only if you are not in danger.
- If employee(s) have been exposed to a hazardous material, they should be instructed to remove contaminated clothing immediately and directed to the nearest safety shower/eye wash station. The affected area should be rinsed for a minimum of 15 minutes.
- If employee(s) are injured, move the victim from the immediate area if this can be done without further injury to you or the victim.
- Await direction from emergency services.
- Do not enter the contaminated area until emergency services have given the all-clear sign.

Release of Liquid Waste: In the event of a liquid waste release, cease all operations, notify Project Management as soon as possible, and make every attempt to safety control, isolate, and limit exposure to released material(s) before evacuating the affected area. If attempts to control, isolate, and/or limit the release cannot be achieved safely, keep clear of the area. Management will give further direction as needed.

Spill or Release of Fuel: Spill kits shall be available as needed before starting work. A piece of equipment must always be supervised during fueling. In addition, fuel nozzles shall be equipped with automatic shut-off valves. Drip pans or other devices shall be used during maintenance operations. If a spill or release occurs, isolate the source as soon as possible. Once the source of the release has been isolated, an attempt should be made to contain the spill.



When a Chemical Spill has occurred:

- Notify Supervision. They will give further direction as needed.
- Secure the area and alert other site personnel. Evacuate the area as necessary.
- Deal with the spill in accordance with the instructions described in the SDS.
- Contain the spill with available equipment (e.g., pads, booms, absorbent powder, etc.)
- Do not put yourself in harms-way. Do not attempt to clean the spill unless trained to do so. Spills must be handled in a safe manner, while wearing the proper PPE.
- Attend to injured personnel and call the medical emergency number, if required.

Spill Response Quick Guide

<u>CONTROL</u>	<u>NOTIFY</u>	<u>CLEAN-UP</u>
Initiate immediate actions: <ul style="list-style-type: none"> • Follow proper safety procedures. • Stop leak, shut off equipment, close valves. • Remove all non-essential personnel. • Use a container or absorbent pad to catch leak or prevent contact with soil. Use speedy dry, sorbent socks, sand, or dirt berm to prevent the spread.	CALL your supervisor or local safety professional and Provide the following: <ul style="list-style-type: none"> • Location or structure# • Material(s) involved. • Quantity spilled and maximum likely release. • Time of release/discovery. 	<ul style="list-style-type: none"> • Place contaminated soil & absorbents into labeled containers or cover stockpiled soil with plastic sheeting. • Restore the affected area. • Decontaminate tools & equipment used to clean up. • Arrange for proper disposal of any waste materials. If necessary, PAR will employ a contractor for spill clean-up.

Environmental Impact Control Matrix

Significant Aspect	Potential Impact	Controls in Place
Equipment Leaks and Spills	Water Pollution Soil Contamination	Equipment is equipped with spill kits. Contaminated soil shall be removed and sent out for disposal. Management and utility will be informed of all large spills.
Disposal of Lead Containing Materials, and Wire	Water Pollution Soil Contamination	These materials will be separated and turned in to the nearest utility work center for disposal.
Human Waste	Water Pollution Soil Contamination Nuisance	Portable bathroom facilities shall be provided in the show-up for employee use.
General (non-hazardous) waste	Landfill/ Waste Disposal Nuisance	All show-up sites are equipped with a dumpster for non-hazardous waste disposal.

<p>Work in designated wetlands</p>	<p>Water Pollution Soil Contamination Habitat Degradation</p>	<p>Equipment will be utilized at a minimum. Worksite shall be cleaned upon the completion of work. All tire ruts will be raked, and the area returned to pre-work state. Applicable permits will be obtained.</p>
<p>Impact on Protected Wildlife</p>	<p>Habitat Degradation</p>	<p>Crews will participate in training on local protected wildlife. The environmental team will identify areas containing protected wildlife and demarcate them to alert crews working in these areas. If a protected animal is found on the worksite, work will cease until it is safe to continue.</p>

Discovery of Weapons/Illicit Drugs or Violence: If weapons or illicit drugs are discovered on the work site, the Management must be notified immediately. Do not disturb the weapon or drugs, and do not alarm other employees by indicating their presence. It is the responsibility of the Management to notify the proper authorities, be it the local or state police. If an employee becomes violent or makes threats of violence, notify Project Management immediately, who must then contact local authorities. Management will determine if a location change needs to happen and account for the crew.

Bomb Threat/Violent Incidents: If there is a bomb threat or a violent situation, Management needs to be notified as soon as possible so that 911 or other proper authorities can be contacted to handle the situation. Management will determine if a location change needs to happen and account for the crew.

How to Respond When an Active Shooter is in Your Vicinity

Quickly determine the most reasonable way to protect your own life. Remember that customers and clients are likely to follow the lead of employees and managers during an active shooter situation.



<https://www.youtube.com/watch?v=5VcSwejU2D0&t=2s>

Video on Run, Hide, Fight

1. RUN

If there is an accessible escape path, attempt to evacuate the premises. Be sure to:

- Have an escape route and plan in mind.
- Evacuate regardless of whether others agree to follow.
- Leave your belongings behind.
- Help others escape, if possible.
- Prevent individuals from entering an area where the active shooter may be.



- Keep your hands visible.
- Follow the instructions of any police officers.
- Do not attempt to move wounded people.
- Call 911 when you are safe.

2. HIDE

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.

Your hiding place should:

- Be out of the active shooter's view.
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door).
- Not trap you or restrict your options for movement.

To prevent an active shooter from entering your hiding place:

- Lock the door.
- Blockade the door with heavy furniture.

If the active shooter is nearby:

- Lock the door.
- Silence your cell phone.
- Turn off any source of noise (i.e., radios, televisions).
- Hide behind large items (i.e., cabinets, desks).
- Remain quiet.

If evacuation and hiding out are not possible:

- Remain calm.
- Dial 911, if possible, to alert police to the active shooter's location.
- If you cannot speak, leave the line open and allow the dispatcher to listen.

3. FIGHT

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

- Acting as aggressively as possible against them.
- Throwing items and improvising weapons.
- Yelling.
- Committing to your actions.



https://www.dhs.gov/xlibrary/assets/active_shooter_booklet.pdf

Fire/Explosion: A designated person will call 911 and request Fire and Rescue support. Once the scene is secure, immediately notify Project Management and the TCR. In the event of an emergency, an employee shall be present at the access point near a known address to place an obvious marker, such as



a cone or flag, and know how to reach the work site in a timely manner to assist emergency services and needs. Management will determine if a location change needs to happen and account for the crew.

Fight the fire ONLY if:

- The Fire Department has been notified.
- The fire is small and is not spreading to other areas.
- Escaping the area is possible by backing up to the nearest exit.
- The fire extinguisher is in working condition, and personnel are trained to use it.

Upon being notified about the fire emergency, occupants must:

- Leave the building/area using the designated escape routes.
- Assemble in the designated area (specify location).
- Remain outside/in the clear until the competent authority (Designated Official or designee) announces it is safe to reenter.

Supervisors must:

- Disconnect utilities and equipment unless doing so jeopardizes his/her safety.
- Coordinate an orderly evacuation of personnel.
- Perform an accurate head count of personnel reported to the designated area.
- Determine a rescue method to locate missing personnel.
- Provide the Fire Department personnel with the necessary information about the facility.
- Perform assessment and coordinate emergency procedures.

Supervision and/or Area/Floor Monitors must:

- Ensure that all employees have evacuated the area/floor.
- Report any problems to the Emergency Coordinator at the Muster/Rally Point.

Assistants to Physically Challenged should:

- Assist all physically challenged employees in emergency evacuation.

Fire Prevention

- Extinguish all cigarettes in the proper containers before entering the building. Smoking is not permitted in the building.
- Use extension cords with the proper electrical rating and do not overload outlets. Report unsafe wiring if observed.

Fire Alarm – Fire in a Building

Should you discover a fire in process, do not attempt to fight the fire. Head for the nearest exit, alerting anyone you see that there is a fire in the building.

Be sure to contact your supervisor as soon as you are assembled in a safe area.



If you hear the fire alarm or are notified of a fire, evacuate the building immediately. If you are on the second floor, proceed to the closest stairwell.

BEFORE YOU EXIT, feel the exit door to make sure it is not hot. Visually check to make sure you are not entering a more hazardous situation. Fire may have already entered the stairwell. If the door is hot, proceed to the alternate stairs.

If the stairwell is filled with smoke, close the door, and proceed to the alternate exit. If all stairwells are filled with smoke, get as low to the floor as possible and slowly proceed to the nearest building exit. Once you have exited the building, move to the front of the building to the parking lot. Remain there until given permission to return to the building or are given other instructions. Be sure to stay out of the way of emergency crews when they arrive.

Once you are in the Muster/Rally Point, a head count should be taken by supervision. Do not make any attempt to re-enter the building to look for a missing employee, instead, notify the proper authorities as soon as they arrive.

Fuel Containers and Storage

Warning signs prohibiting smoking and open flames shall be posted, maintained, and enforced around storage areas for fuel and other flammable and combustible materials. In addition:

- Only approved containers and portable tanks shall be used for the storage and handling of flammable and combustible liquids.
- Containers shall be labeled as to contents.
- All materials shall be stored, handled, and piled with due regard to fire characteristics
- Fuel and oil spills shall be promptly cleaned up.

Fire Extinguishers

- All gas or petroleum powered equipment shall have a 5 pound “ABC” rated fire extinguisher in the near vicinity, unless determined otherwise during hazard analysis.
- At least a 10-pound “ABC” rated fire extinguisher shall be readily accessible to all welding or similar operations.
- All jobsite offices shall be equipped with at least one 5-pound “ABC” rated fire extinguisher.

All hot work/burn activities will require a hot work authorization form to perform activities such as burning, cutting, grinding, welding, etc.

[Refer to Addendum C](#)

General Workplace Hazard Controls

Actions designed to prevent accidents:

- All flammable materials will be stored in a designated area or flammable storage cabinet.
- Waste materials are to be discarded in the proper locations.
- Turn off any equipment that does not need to be on.



- Walkways are to be kept clear at all times.
- Fire extinguishers should be kept clear at all times for easy access.
- All employees should be familiar with the evacuation routes and should proceed to the exits when instructed in an emergency.
- Each supervisor shall be responsible for informing his or her shift employees on the safe handling of hazardous materials.
- Good housekeeping is the responsibility of all employees.

Environmental/Biological Hazards

Biological Hazards

Poisonous Plants

Poison ivy, poison oak, poison sumac, stinging nettle and poison hemlock are among the plants that can cause skin irritation lasting a week or more. Irritation can be caused by brushing against a plant or from secondary contact with contaminated clothing.

Several plants may look different throughout the seasons, so precaution should be taken to avoid potential exposure and protective equipment and clothing may be needed.

- Eye and face protection.
- Long-sleeved shirts, pants, hats, and gloves.

Use caution when disposing of woody material left over from clearing trees or brush by burning the debris. Toxic plant might be on the tree trunks or mixed into the brushy material, burning poisonous plants may cause serious respiratory problems in some individuals. Poison ivy can remain on a surface for weeks and possibly months.

If exposed to a poisonous plant

- Immediately rinse his or her skin with rubbing alcohol, specific plant washes or degreasing soap (such as dishwashing soap) – and use lots of water.
- Use calamine lotion to reduce the itching.
- Use antihistamines to reduce inflammation and swelling but is NOT to be used while operating machinery.

Dog

Ideally, all dogs should be properly restrained by a leash or a fence, but this is not always the case. Being aware and alert to what dogs are around can help prevent an attack.

If attacked:

- Never run away from a dog.
- Be more aggressive than the dog.
- Stay forward, stay tall and stay big while shouting “NO”.
- Use an aggressive frontal posture.
- If dog keeps coming, turn to the side to protect your vital organ area and to get a better stance for the impact.



- Use an object to steer yourself to a safe place.
- Keep your back against something. If you back up against a house or a fence, you should then be able to move sideways toward an exit.
- Find anything to put between you and the dog. Any barrier is a good barrier.
- Never reach for the attacking dog's eyes, head, or nose.
- Grab a paw to get a dog to back off.
- If in a pack attack, pick one dog and hurt it.
- Try to stay on your feet and keep your face and neck covered.

Things to Remember

- Dogs are more likely to attack if the owner is present.
- Before entering any area, make noise – such as jingling your keys or yelling to let the dog know you are there and to give you a chance to see the types and number of dogs present.
- Issue letters or warning cards to homes where a dog could pose a threat.
- Do not approach a strange dog, even if it is chained or restrained behind a fence.
- Always carry pepper spray.
- Do not run past a dog – the animal's natural instinct is to chase its prey.
- When threatened by a dog, do not make eye contact.
- Remain motionless until the dog is gone.
- Slowly back away until you are out of danger.

Venomous Spiders

Encountering a spider is not an ideal situation for most people. And for employees' spiders can present an occupational hazard. With the United States being home to venomous arachnids such as the black widow, brown recluse and hobo spiders, and the danger is real.

Symptoms of a spider bite

- Pain.
- Itching.
- Muscle cramps.
- Sweating.
- Difficulty breathing.
- Vomiting.
- Fever.
- High blood pressure.

If you are bitten by a spider, take the following steps:

- Do not panic.
- If the spider is still nearby, do your best to identify it.
- Wash the bite area with soap and water.
- Use an ice pack or cool or damp cloth to help reduce swelling.
- Keep the bite area elevated.
- Never try to remove venom.
- Contact your supervisor.
- Seek professional medical help.

To help prevent spider bites:

- Give your work clothes, shoes, and equipment a thorough shake before use.



- Wear long-sleeved shirts and long pants.
- Wear gloves and boots if spiders are in the area.
- Remove piles of debris from outdoor jobsites, and trim tall grasses.
- Stay up to date with your tetanus boost0065rs, because spider bites can become infected with tetanus spores.

Venomous Snakes

- Call for emergency services (911).
- Keep the victim still and calm to slow down the spread of venom.
- Lay or sit the person down with the bite at or below the level of the heart.
- Administer first aid if the victim cannot be taken to the emergency department immediately.
- If the bite is on a limb, wrap the bite with a loose-fitting clean, dry dressing and immobilize the limb, if possible.
- Mark the advancing edge of the swelling with a marker at 15- to 20-minute intervals to help the treating physician with determining the bite severity.

NOTE: If possible, take pictures of snake so that medical professionals can better identify the species of the snake and the type of anti-venom to administer the injured employee.

Insects and Scorpions

Bees, wasps, and other stinging insects are found throughout the United States. These insects will sting if they are disturbed as they go about their activities, especially while foraging for food.

- When in an area where there are bees or wasps or hornets, employees should watch for a pattern of movement to identify the location of a colony.
- When eating outside, use caps for bottles and cover all food items with a lid to prevent attracting insects.

If stung, employees may experience:

- Dangerous drop in blood pressure.
- Fluid buildup in the lungs.
- Shock.
- Suffocation, if stung on the neck or mouth.

First Aid

- Clean area with soap and water.
- Removed stinger with gauze or by using a fingernail.
- Apply ice to reduce swelling.

NOTE: Employees who are allergic should always carry an epinephrine injection. Employees who think they may be allergic should be tested.

Vector-Borne Diseases

Mosquito-Borne Diseases

Tick-Borne Diseases

Ticks present a concern for employees because they can cause Lyme disease when they attach themselves to a host and feed for six to 13 days. They may be found in tall grass areas, shrubs, brushy areas, river bottoms, and woodlands. They are most active in the spring, summer, and fall but can be active for the entire year in warmer parts of the United States.

Prevention



- Tie or tape pant legs tight around the ankle.
- Wear light-colored clothing and tuck in shirts.
- Wash clothing regularly.
- Use repellants containing permethrin.
 - DO NOT apply directly to the skin.
- Use repellents containing DEET to protect exposed skin.
- Read and follow all instructions on the repellant packaging.
- Check clothing regularly.

If bitten:

- Use tweezers to remove attached ticks.
- Use a slow and steady motion & pull away from your body.
- Do Not use a twist and jerk motion.
- Remove any remains from skin.
- Keep tick for a few weeks in a container labeled with the date and location of the bite.
- This may be helpful to medical professionals, if needed.

NOTE: Personnel who develop a rash or fever within several weeks of removing a tick need to visit a doctor.

Lyme Disease



<https://www.cdc.gov/niosh/topics/outdoor/>

Contact PAR Management or PAR Safety for more info
Reference PAR Safety Manual – First Aid and Emergency

Hot and Cold

Work Description	Potential Accidents or Hazards	Preventative Measures
Hot Weather Safety	Dehydration	Drink Some Water Before Beginning Work in Hot Weather. Do Not Wait to Feel Thirsty While Working in Hot Weather. Consume 8 oz Of Water Every 20 Min's. Limit Intake of Sodium, Sugar, and Caffeine. Low Sugar Commercial Sport Drinks Are Ok. Do Not Consume More Than One Quart Per Hour
	Heat Cramps	Sit Or Lie in Cool Shaded Area Drink Cool Water, Stretch Effected Muscles.
	Heat Stroke	Symptoms: Skin Feels Hot to The Touch Behavioral Confusion - Disorientation, Irrational, Agitated or Aggressive Behavior. Seizure. Seek Emergency Help Immediately
	Heat Syncope	Symptoms: Dizziness or Fainting. Lie in a Cool Place. If Unaccompanied by Nausea, Drink Water.

	Heat Edema	Symptoms: Swollen Ankles or Feet. Elevate Legs - Support Stockings Helpful.
	Prickly Heat (Heat Rash)	Symptoms: Itchy Rash on Sweaty Skin Dry and Cool Skin.
	General	Dress In Light Colors Consume One Cup of Water Every 20 mins. Wear Porous Clothing That Will Breathe Easily. Avoid Tight Fitting Clothing. Spend Lunch & Breaks in The Shade. Wipe Cool Water on Exposed Skin. Victims Can Be Sprayed with Cool Water and Fanned. Apply Cooling Methods While Waiting for Emergency Treatment - Apply Ice Packs to Neck and Arm Pits. Do Not Use Rubbing Alcohol to Cool Skin, Do Not Use Aspirin on Victims
Cold Weather Safety	Heating Equipment Hazards	Keep Combustible Materials Away from Furnaces and Heaters. Keep Portable Heaters 3' From Combustible Surfaces. Keep Flammable Liquids in Tightly Capped Containers and Away from Heating Devices. Styrofoam Packaging Emits Noxious or Deadly Gases When Exposed to Heat. Equipment That Burns Gases or Liquids Produce Carbon Monoxide - Use Only in Well Ventilated Areas. Use Only Equipment That Turns Off Automatically If Tipped or When Desired Temperatures Are Reached. Check Heaters for Frayed Cords or Broken Elements. Keep Properly Maintained Fire Extinguishers Near All Heating Devices That Operate with Open Flame.
	Slippery Surfaces, Falls	Keep Walkways, Steps, Porches and Landings Free from Ice and Snow. Keep Supply of Salt and Sand on Hand. Watch For Places in The Yard Where Low Spots Have Allowed Rain or Melt to Accumulate - These Can Be Hidden by New Snow and Should Be Salted, Sanded or Removed. Watch Areas Where Overhead Ice Can Accumulate and Fall During Wind or Melting. Such Areas Should Be Taped Off and Avoided Until Ice Melts or Has Been Removed.
	Exposure To Cold	Hazards Increase Proportionately with Wind Chill Below Zero Degrees Fahrenheit. Wear Layers of Light Clothing Rather Than a Single Heavy Garment. Use Helmet Liners Inside of Hard Hats to Reduce Heat Loss. Wear Warm Leg Coverings and Heavy Socks or Multiple Lighter Socks. Wear Waterproof Boots with Good Traction Tread Patterns - Avoid Smooth Leather Soles. Cover Face in Extreme Cold to Avoid Frost Bite. Cover Mouth to Protect Lungs from Inhaling Extremely Cold Air. Wear Safety Glasses with Tinted Lenses to Protect Eyes from Winter Glare.



	Colds & Influenza	To Avoid a Cold or Flu: Keep Resistance High Through Good Nutrition. Keep Resistance High by Getting Plenty of Sleep. Keep Resistance High by Getting Good Exercise. Keep Heat Low and Humidity High at Home. Avoid Contact with Those Who Are Ill with Colds. Get Flu Shots Early in The Season. Average Cold Flu Season Lasts from Mid-November Until Mid-April. To Treat a Cold or Flu: Use Mild Pain Reliever for Aches, Pains, and To Reduce Fever. Avoid Unnecessary Activity. Get As Much Bed Rest as Possible Consume Extra Fluids - Fruit Juices Are Best.
	Hypothermia (Drop in body temperature)	Symptoms: Forgetfulness Drowsiness Slurred Speech Change in appearance - (puffy face) Weak pulse Slowed heartbeat Very slow shallow breathing Coma or deathlike appearance in extreme cases. Call for emergency help if body temperature is below 95 degrees Fahrenheit. Wrap patient in warm blanket. Apply hot water bottle or heat pad to victim's abdomen. Give small quantities of warm food or drink if alert. Do not give alcoholic beverages. Do not give hot shower or bath - shock could result. Condition should be treated in a hospital.

Reference: PAR Safety Manual
PAR - Heat Illness Prevention Plan

Severe Weather

A Designated person(s) will be identified by project management, to monitor weather via the radio, internet, or television. If work needs to be suspended, all equipment should be secured if it is safe to do so. Prior to anyone leaving the jobsite roll call should be taken to ensure everyone is accounted for. Management will determine if it is necessary to go to the designated rally point, storm shelter or other perceived safe location.

Lightning

Monitor Lightning strikes within 50 miles of the job site. Lightning within 10 miles of the job site or that which can be seen from the job site will result in cessation of all work. If it is safe to do so, the equipment should be secured, and the crewmen should cab up. Work can resume once lightning is not seen for at least 30 minutes. If the condition worsens, Management will determine if a location change needs to happen and account for the crew.

- Proper Shelter: Best Shelter Is Large, Fully Enclosed, Substantially Constructed Building. Do Not Use "Corded" Telephone. Stay Away from Electrical Appliances, Lighting & Electrical Outlets. Stay Away from Plumbing. Do Not Watch Lightning from Windows or Doorways. Vehicle With Solid Metal Roof and Sides Is a Good Second Choice. Close Vehicle Windows. Lean Away from Vehicle Doors. Keep Hands in Your Lap. Do Not Touch: Steering Wheel, Ignition, Gear Shift Radio
- Places To Avoid: Avoid Higher Elevations Avoid Wide - Open Areas Trees, Lighting Poles, Vertical Steel Structures. Avoid Activities, I.e., Swimming, Boating Fishing, Golfing, etc. Avoid Open Type Vehicles Avoid Pavilions, Rain Shelters, and Bus Stops. Avoid Metal Fences and Bleachers.



- Lightning Strike Is Imminent When Your Hair Stands Up You Feel Your Skin Tingling You Hear a Crackling Sound If You Experience Any of The Above: Spread Out by Several Body Lengths If You're in A Group. Put Your Feet Together, Squat Down, Tuck Your Head, And Cover Your Ears. Leave the Area Immediately After the Threat Has Passed.
- Lightning First Aid: CPR And Mouth to Mouth Resuscitation 911 For Immediate Medical Attention Move Yourself and Victim from The Area If Storm Is Still Active. LIGHTNING STRIKE VICTIMS ARE NOT ELECTRIFIED.

Tornado

- When a warning is issued by sirens or other means, seek inside shelter. Consider the following:
 - Small interior rooms on the lowest floor and without windows,
 - Hallways on the lowest floor away from doors and windows, and
 - Rooms constructed with reinforced concrete, brick, or block with no windows.
- Stay away from outside walls and windows.
- Use arms to protect head and neck.
- Remain sheltered until the tornado threat is announced to be over.
- A headcount should be taken at the emergency shelter.

Tornado Safety Tips: Vehicles are extremely risky in a tornado event. There is no safe option when caught in a tornado in a car, just slightly less-dangerous ones. If the tornado is visible, far away, and the traffic is light, you may be able to drive out of its path by moving at right angles to the tornado. Seek shelter in a sturdy building, or underground if possible. If you are caught by extreme winds or flying debris, park the car as quickly and safely as possible -- out of the traffic lanes. Stay in the car with the seat belt on. Put your head down below the windows; cover your head with your hands and a blanket, coat, or other cushion if possible. If you can safely get noticeably lower than the level of the roadway, leave your car and lie in that area, covering your head with your hands. Avoid seeking shelter under bridges, which can create deadly traffic hazards while offering little protection against flying debris.

Earthquake

- Stay calm and await instructions from the Emergency Coordinator or the designated official.
- Keep away from overhead fixtures, windows, filing cabinets, and electrical power.
- Assist people with disabilities in finding a safe place.
- Evacuate as instructed by the Emergency Coordinator and/or the designated official.
- Attempt to get under a table or desk. **NO ONE SHOULD GO OUTSIDE THE BUILDING** unless a gas leak is detected. After the conclusion of the earthquake, the following procedures should be initiated:
 - 1) All employees should remain calm, and help injured employees.
 - 2) Check for injuries and provide first aid as needed.
 - 3) The building should be inspected for structural damage. If major structural damage is determined, order an evacuation.

Notify the proper utility companies or other services as needed

Flood

If indoors:



- Be ready to evacuate as directed by the Emergency Coordinator and/or the designated official.
- Follow the recommended primary or secondary evacuation routes.
- If outdoors:
 - Climb to high ground and stay there.
 - Avoid walking or driving through flood water.
 - If car stalls, abandon it immediately and climb to a higher ground.

Hurricane

The nature of a hurricane provides for more warning than other natural and weather disasters. A hurricane watch is issued when a hurricane becomes a threat to a coastal area. A hurricane warning is issued when hurricane winds of 74 mph or higher, or a combination of dangerously high water and rough seas, are expected in the area within 24 hours.

Once a hurricane watch has been issued:

- Stay calm and await instructions from the Emergency Coordinator or the designated official.
- Moor any boats securely or move to a safe place if time allows.
- Continue to monitor local TV and radio stations for instructions.
- Move early out of low-lying areas or from the coast, at the request of officials.
- If you are on high ground, away from the coast and plan to stay, secure the building, moving all loose items indoors and boarding up windows and openings.
- Collect drinking water in appropriate containers.

Once a hurricane warning has been issued:

- Be ready to evacuate as directed by the Emergency Coordinator and/or the designated official.
- Leave areas that might be affected by storm tide or stream flooding.

During a hurricane:

- Remain indoors and consider the following:
 - Small interior rooms on the lowest floor and without windows,
 - Hallways on the lowest floor away from doors and windows, and
 - Rooms constructed with reinforced concrete, brick, or block with no windows.

Blizzard

If indoors:

- Stay calm and await instructions from the Emergency Coordinator or the designated official.
- Stay indoors!
- If there is no heat:
 - Close off unneeded rooms or areas.
 - Stuff towels or rags in cracks under doors.
 - Cover windows at night.
- Eat and drink. Food provides the body with energy and heat. Fluids prevent dehydration.
- Wear layers of loose-fitting, lightweight, warm clothing, if available.

If outdoors:

- Find a dry shelter. Cover all exposed parts of the body.
- If shelter is not available:



- Prepare a lean-to, wind break, or snow cave for protection from the wind.
- Build a fire for heat and to attract attention. Place rocks around the fire to absorb and reflect heat.
- Do not eat snow. It will lower your body temperature. Melt it first.

If stranded in a car or truck:

- Stay in the vehicle!
- Run the motor about ten minutes each hour. Open the windows a little for fresh air to avoid carbon monoxide poisoning. Make sure the exhaust pipe is not blocked.
- Make yourself visible to rescuers.
 - Turn on the dome light at night when running the engine.
 - Tie a colored cloth to your antenna or door.
 - Raise the hood after the snow stops falling.

Exercise to keep blood circulating and to keep warm.

Muster/Rally Points

- a **Severe weather rally point:** Rally at the work location account for the team, contact project management, if safe travel back to the laydown yard unless directed to do otherwise.
- b **Evacuation rally point:** Rally at the work location account for the team, contact project management, if safe travel back to the laydown yard unless directed to do otherwise.
- c **Tornado Shelter:** Rally at the work location account for the team, contact project management, if safe travel back to the laydown yard unless directed to do otherwise.

Onsite management will assess the hazard and dispatch the crew members accordingly

Reference: PAR – Environmental Compliance Program
 CDC – Center for Disease Control
 Homeland security

Report Unsafe Conditions

If you become aware of any unsafe or hazardous situation in the offices or property in general, it is YOUR responsibility to inform a member of management.

Job Briefing(s)

The daily job briefing is the *key* to completing a job safely.

The employee in charge shall discuss the tasks to be performed. The briefing shall be documented and include an explanation of how the tasks shall be achieved, hazards expected to be encountered, and steps to be taken to eliminate or control the hazards.

Tasks to be performed

- A. Any Critical Steps for the task.



- B. How the crew shall complete the tasks with “Positive Control”: the key steps that must be done correctly to ensure the planned outcome of the task.
- C. Existing worksite conditions or characteristics, including any information provided by the host employer.
- D. Specific roles and responsibilities for each employee for completing the tasks.
- E. Existing and predictable hazards.
- F. Which situations require heightened awareness, e.g., Qualified Observer, Spotter, Confined Space Attendant, etc.
- G. Hazard/Risk mitigation.
- H. The required protective methods (where applicable) to be used, which include but are not limited to the following:
 - Insulation
 - Isolation
 - Grounding
 - Equal Potential Zone
- I. Personal Protective Equipment (PPE) required.
- J. Emergency response information.

Task specific job briefings shall be held:

- at the start of the work shift,
- at the location of the tasks,
- whenever tasks, key steps, or scope of work changes,
- hazards differ from the original briefing,
- as additional personnel arrive at the job site, and
- after extended work pauses (work breaks, weather delay, etc.).

The briefing form shall have a provision for each employee to sign to verify they have participated in the briefing. Each ET&D Partnership company’s management shall establish a review process to ensure that the documented task briefing process is effective.

Debrief

At the end of the workday or prior to work beginning the following day, employees shall convene to debrief. Debriefing discussions may include successful or unsuccessful work methods, special site conditions to be considered, accomplishments and/or accolades, or goals moving forward. All debriefing discussions shall be noted on the task briefing form and lessons learned considered for all future work.

BENEFITS:

- Provides for essential job safety planning guidelines and lists key elements.
- Incorporates use of a specific hazards identification process in the job planning process that will provide for enhanced controls for risks.
- The process and required documentation encourage inclusion and participation of job team members in the specific task hazard identification and mitigation associated with the overall job.

Reference:



PAR Safety Manual
Electrical Transmission and Distribution Partnership (Job Briefing)
National Electric Safety Code (NESC, ANSI C2 – Part 4)

Entrance into Job Sites

Visitors to job sites will be required to stop at the “**Stop Please Wait Here for your Safety Tailboard Signs**”, outside of work area,

- The Signs will be located at the entrance of each site.
- All Visitors to the jobsite are required to stop at sign until they have received tail board by crew foreman or designee.
- Visitors must sign tailboard form provided by work crew.
- Visitors must fully understand the job at hand and hazards associated with that jobsite before entering.
- Visitors also must be wearing appropriate PPE before entering site.

OSHA Investigation

In the event an OSHA Compliance Officer (CHSO) visits the job site or responds to an incident:

- Ask to see official credentials (Identification).
- Be courteous and business-like. Give no information unless it is asked for specifically.
- Inform them that the employer representative is on their way.
- Call the General Foreman and Safety Coordinator Immediately.
- Insist that inspectors not wander off alone.
- Remember that as an employee you are entitled to certain rights.
- Not required to perform work in front of the (You can cab up).
- Not required to answer questions without employer representative.
- If the CHSO takes a photo, take one as well.
- Accompany the CHSO as they walk around the job site.
- learn what you can about the inspector’s background.
- note all the inspector’s observations.
- Produce no documents during the walk-through. Insist that the document control procedures be adhered to during the inspection.
- If possible, correct any deficiencies the inspector notes *before* he leaves.
- Do not argue with the inspector about whether something is a violation.

PPE (Personal Protective Equipment)

PAR’s standard issued Personal Protective Equipment (PPE) will be **required on this project as follows:**

- Head Protection – Hardhat Class E, Class E Fly Helmets, Chin straps to be worn around helicopter operations.



- Safety Glasses – Any ANSI Z-87 rated Safety Eyewear with Side Shields (PAR standard issue preferred).
- Hand Protection – Work Gloves meeting the performance needs of the task.
- Foot Protection – Protective footwear (meeting ASTM F2413) is required when working in areas where there is a danger of foot injuries due to falling or rolling objects, sole piercing objects and exposure to electrical hazards. EH rated or dielectric boots are required where special hazards exist.
- FR (Arc-rated) Clothing, Outer Layer as Minimum – 8 Calorie, Arc-rated category 2 is required.
- 100% Fall Protection Required – Primary use of “Pole Choker Devices” with Secondary Safety Devices for all climbing of poles and structures from 4 ft. and higher. All climbing gear and harnesses need to be rated at a minimum for ASTM F887 (Arc Rated).
- High Visibility Clothing – Required on all projects per customer requirement.
- Insulating Rubber Gloves and Sleeves with protectors – Lock to Lock / Cradle to Cradle for any exposures to distribution circuits and distribution grounded conductors/neutrals.

As Necessary or Preferred:

- Respiratory protection.
- Disposable hand warmers, toe warmers.
- Arc Flash Rated balaclavas, Arc Flash rated face shields.
- Ice cleats.
- Hearing protection.
- FR rated insect / tick repellants for FR clothing and skin use.

Arc Rated/FR Clothing Requirements



ARC/FLAME RESISTANT (AR/FR) CLOTHING

All PAR employees in the field shall wear Arc/Flame Resistant (AR/FR) outer clothing consisting of an AR/FR long sleeved shirt with AR/FR pants *or* an AR/FR jacket (AR/FR rain gear) with AR/FR pants *or* AR/FR coveralls. The AR/FR clothing shall be issued by PAR, or a plan that PAR contributes to, or is a participant of. The AR/FR clothing shall be worn in accordance with the manufacturer’s recommendations while on all PAR jobsites. This is required of *all* PAR employees (including support personnel), on *all* PAR jobsites.

All outer AR/FR clothing shall have, at a minimum, either an ARC Rating of 8 cal/cm² or an HRC (Hazard Risk Category) of 2. Additional arc rated clothing (additional clothing layer) or other protective equipment (e.g. arc rated face shield, arc rated balaclava, or arc rated hood) may be required when either of the following apply:

- a) Customer mandated protective clothing/equipment; *or*
- b) Assessment of workplace determines an incident energy exposure greater than 8 cal/cm²

Non-AR/FR clothing is permitted **only when all of the following requirements are met:**

- 1) The job site/work location is utilized in connection with a PAR project that is covered by a Site-Specific Health and Safety Plan (SSHSP) that meets the host employer’s safety and AR/FR clothing or arc hazard assessment requirements; *and*
- 2) The area in which the job site/work location is located is specifically identified in the SSHSP as having been assessed for potential exposure to hazards from flames or electric arcs, and as having been designated as exempt from AR/FR clothing requirements following such assessment.
- 3) Completed documents associated with a Non-AR/FR clothing exemption (items #1 and #2 of this section) shall be referred to PAR Corporate Safety for review and approval prior to implementation.

Undergarment clothing made of 100% natural fibers is permitted; example: cotton. Non-AR/FR synthetic fabrics shall not be worn because they melt, drip, or continue to burn after an exposure, example: rayon, polyester, acetate, nylon, etc. AR/FR clothing shall be laundered and cared for as instructed by the manufacturer’s directions.

Subcontractors and vendors shall be made aware of the PAR AR/FR Policy and will be required to develop and submit a job or project specific AR/FR Clothing Policy prior to work on any PAR project. All plans submitted shall at a minimum meet the more stringent standards of State or Federal OSHA, PAR, or customer AR/FR clothing requirements.

All visitors shall be escorted at all times by a qualified PAR employee. If visitors will not be in an energized area, they are not required to wear AR/FR clothing.

May 2023

The Following Subcontractors(s) or Specified PAR Crew members shall be exempt from the FR policy due to meeting the exemption requirements defined in the FR policy:

[Empty rectangular box for listing subcontractors or crew members]



Fall Protection

Personal fall arrest system, work-positioning equipment, or fall restraint system shall be inspected before use each day to determine that the equipment is in safe working condition. Work-positioning equipment that is not in safe working condition may not be used.

Each employee in an elevated locations more than 4 feet above the ground on poles, towers, or similar structures shall use a personal fall arrest system, work-positioning equipment, or fall restraint system, or other suitable fall protection when climbing or changing location unless the employer can demonstrate that climbing or changing location with fall protection is infeasible or creates a greater hazard than climbing or changing location without it.

Prior to operating any aerial lift fall protection harnesses shall be donned and fall restraint or personal fall arrest system shall be secured to an approved attachment point.

Reference: PAR Safety Manual
PAR - Fall Protection Program
PAR - Climbing and Fall Protection Requirements

Prescription Safety Glasses Program

PAR engages the services of ORR Safety to administer its prescription safety glass program. Authorized eye care professionals (Providers) have been established by ORR Safety, to service the safety eyewear needs of PAR employees.

How To:

1. Contact Anne Barry - PAR Corporate at 816-691-4295 (Contact for all questions)
2. Employee Responsibility - Obtain a corrective lens prescription from your personal eye care professional. Workers may choose to have their personal eye doctor or the eye care professionals at the authorized Provider office, perform the eye exam. However, written prescriptions for safety glasses must be fulfilled by a participating Provider. Prescriptions over two (2) years old or expired will not be accepted under the program.
3. At a local authorized Provider, present your eyeglass prescription, your employee identification number, and the division# for the plant you are working at when ordering your safety eyewear. Use ORR Safety's Provider Locator to quickly locate a Provider in your area. Be sure you inform the Provider that you wish to get SAFETY GLASSES under PAR's Safety Eyewear Program, particularly if you will also be purchasing personal eyewear. Please make sure to inform the Provider of what division you are working at when ordering your safety glasses. It's always wise to call ahead and make an appointment.
4. Select a frame from ORR Safety's occupational display case. You may preview frames provided by PAR and ORR Safety on-line or from printed catalogs located at your safety office.
5. Have the provider measure your face for proper fit and complete the order. There are no forms for employees to complete. The provider will verify eligibility and complete the order form for your safety glasses.



6. Upon notification by the Provider, return to their office and pick up your safety glasses. Generally, it will take 7-10 business days for ORR Safety's lab to construct the glasses and ship them back to the provider.

General Requirements – Civil Work / Excavations

Daily inspections of excavations, the adjacent areas, and protective systems shall be made by a competent person for evidence of a situation that could result in possible cave-ins, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions. An inspection shall be conducted by the competent person prior to the start of work and as needed throughout the shift. Inspections shall also be made after every rainstorm or other hazard-increasing occurrence. These inspections are only required when employee exposure can be reasonably anticipated. (CFR 1926.651(k)(1))

Drilled excavations 6 feet or more in depth shall be protected from falling by guardrail systems, fences, hard barricades or covers. (CFR 1926.501(b)(7)(ii))

Special Notes:

Before soil is broken a dig permit need to be obtained and verified to be within the permit date. Dig Laws shall be followed. If dig alerts cannot be obtained (in situations like private property) project management will visually survey the area for signs of buried utilities and develop a plan to safely complete the task. Involve the customer with the process as need.

Reference:

<http://www.pa811.org/>

Reference: PAR Safety Manual

Best Practice: Drilled Hole – Pier of Direct Embed Foundations

PAR Equal Potential Grounding and Bonding Work Zone Safety

Equipment

Wind

The qualified person and Foreman on site are responsible for verifying that it is safe to operate based upon the manufactures recommended specifications

Crane Operations with Personnel Platform

1926.1431(k)(8)

Environmental conditions.

1926.1431(k)(8)(i)



Wind. When wind speed (sustained or gusts) exceeds 20 mph at the personnel platform, a qualified person must determine if, in light of the wind conditions, it is not safe to lift personnel. If it is not, the lifting operation must not begin (or, if already in progress, must be terminated).

1926.1431(k)(8)(ii)

Other weather and environmental conditions. A qualified person must determine if, in light of indications of dangerous weather conditions, or other impending or existing danger, it is not safe to lift personnel. If it is not, the lifting operation must not begin (or, if already in progress, must be terminated).

Electrical Safety

PAR will follow Customer Minimum Approach Distances –While taking into consideration PAR Electrical Contractor, LLC. expected work practices.

Non-reclosure order: Verify non-reclosure order paperwork

Outage:

Division 10 Clearance, Testing, Grounding Procedure

- Verify your clearance (procedures, paperwork/orders, open points, etc.)
- Understand how your voltage detectors work.
- Verify that the detector and accessories appropriate for the voltage and task.
- Verify that equipment is in proper working condition.
- Use TWO (2) voltage detectors when test verifying clearances. One (1) of the detectors must provide a numeric reading (digital or analog) and the second tester may be a tone and light detector like the Salisbury 4667.
- Test a known energized source with both instruments to verify they are working properly, test the de-energized equipment and/or conductors with both instruments, and then retest both instruments on a known energized source.
- Complete clearance and grounding paperwork/logs throughout the process.
- Ground verified and tested de-energized equipment and/or conductors.

No worker shall approach or take any conductive object closer to exposed energized parts than the minimum approach distances unless:

- The worker is insulated from the energized part with rubber gloves or rubber gloves and sleeves AND the worker has positive control of the energized part.
- The energized part is insulated from the worker and from any other conductive object at a different potential OR
- The worker is insulated from any other exposed conductive object in accordance with requirements for live line bare hand work.

MAD

	SAFETY, HEALTH, ENVIRONMENTAL, & QUALITY	<i>Effective Date: 4/1/2020</i>
		<i>Revision: A</i>
	Subject: Safety Manual	<i>Policy #: PDP-SAF-017</i>
		<i>Page: 41 of 88</i>

Voltage Phase-to-Phase	Distance Phase-to-Ground Exposure	Distance Phase-to-Phase Exposure
0.301 to 0.750 kV	1ft - 1in	1ft - 1in
0.751 to 5.0 kV	2ft - 1in	2ft - 1in
5.1 to 15.0 kV	2ft - 2in	2ft - 3in
15.1 to 36.0 kV	2ft - 7in	3ft - 0in
36.1 to 46.0 kV	2ft - 10in	3ft - 3in
46.1 to 72.5 kV	3ft - 4in	4ft - 0in

These minimum approach distances can be used provided the jobsite is at an elevation of 3000 feet (900 meters) or less. If working above 3000 feet (900 meters) above mean sea level, the distances must be calculated using the altitude correction factor from Table 43-3 for the elevation of the work.

For voltages over 72.5 kilovolts, the minimum approach distance can be calculated by determining the maximum anticipated per-unit transient overvoltage, phase to ground, through an engineering analysis or assume a maximum anticipated per-unit transient overvoltage, phase to ground or use the minimum approach distance found in Table 42.2.

Table 42-2 AC Minimum Approach Distances – above 72.5 kV

Voltage Phase-to-Phase	Distance Phase-to-Ground Exposure	Distance Phase-to-Phase Exposure
72.6 to 121.0 kV	3ft - 9in	4ft - 8in
121.1 to 145.0 kV	4ft - 4in	5ft - 5in
145.1 to 169.0 kV	4ft - 10in	6ft - 5in
169.1 to 242.0 kV	6ft - 8in	10ft - 2in
242.1 to 362.0 kV	11ft - 3in	18ft - 2in
362.1 to 420.0 kV	14ft - 0in	22ft - 5in
420.1 to 550.0 kV	16ft - 8in	27ft - 1in
550.1 to 800.0 kV	22ft - 7in	37ft - 5in

1. These minimum approach distances can be used provided the jobsite is at an elevation of 3000 feet (900 meters) or less. If working above 3000 feet (900 meters) above mean sea level, the distances must be calculated using the altitude correction factor from Table 42-3 for the elevation of the work.
2. The phase to phase minimum approach distances may be used provided that no insulated tool spans the gap and no large conductive object is in the gap.
3. The clear live-line tool distance shall equal or exceed the values for the indicated voltage ranges.

The minimum approach distances in Table 42-2 are taken directly from federal OSHA regulations. These distances are based on specific transient overvoltage values required by the regulations. It is permissible to use different transient overvoltage values that may significantly reduce the calculated minimum approach distance for a given voltage range. To use a minimum approach distance lower than the distances shown in Table 42-2, engineering data indicating conditions providing evidence of a lower transient overvoltage value must be received from the customer owning the system. The reduced calculated minimum approach distance must be approved by the customer and also approved by PAR management.

Refer to the PAR Minimum Approach Distance (MAD) Best Practice on for additional information on reducing minimum approach distances.

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Clearances for Equipment under Subpart O



This table is applicable for operators that are not qualified employees per Subpart V

Equipment Operator is NOT a Qualified Electrical Worker Subpart O – 1926.600	
Voltage Range (phase to phase)	Minimum working and clear hot stick distance
<50 kV	10 ft.
69 kV	11 ft.
138 kV	13 ft.
230 kV	16 ft.
345 kV	20 ft.
500 kV	25 ft.
765 kV	35 ft.

NOTE: 1926.600(a)(6) - For lines rated over 50 kV, minimum clearance between the lines shall be 10 feet plus 0.4 inch for each 1 kV over 50 kV, or twice the length of the line insulator, but never less than 10 feet;

Crane Clearances

This table is applicable for operators that are not qualified employees per Subpart V

TABLE A—MINIMUM CLEARANCE DISTANCES

Voltage (nominal, kV, alternating current)	Minimum clearance distance (feet)
up to 50	10
over 50 to 200	15
over 200 to 350	20
over 350 to 500	25
over 500 to 750	35
over 750 to 1,000	45
over 1,000	(as established by the utility owner/operator or registered professional engineer who is a qualified person with respect to electrical power transmission and distribution).

Note: The value that follows "to" is up to and includes that value. For example, over 50 to 200 means up to and including 200kV.

1926.1411 – Traveling under or near power lines with no load

Table T-Minimum Clearance Distances While Traveling With No Load

Voltage (nominal, kV, alternating current)	While traveling-minimum clearance distance (feet)
up to 0.75	4
over .75 to 50	6
over 50 to 345	10
over 345 to 750	16
Over 750 to 1,000	20
Over 1,000	(as established by the utility owner/operator or registered professional engineer who is a qualified person with respect to electrical power transmission and distribution).

1926.1411(b)(4)

Dedicated spotter. If any part of the equipment while traveling will get closer than 20 feet to the power line, the employer must ensure that a dedicated spotter who is in continuous contact with the driver/operator is used. The dedicated spotter must:

1926.1411(b)(4)(i)

Be positioned to effectively gauge the clearance distance.

1926.1411(b)(4)(ii)

Where necessary, use equipment that enables the dedicated spotter to communicate directly with the operator.

1926.1411(b)(4)(iii)

Give timely information to the operator so that the required clearance distance can be maintained.



Reference: PAR Safety Manual

PAR – MAD Best Practices

PAR – Requirements for Establishing EPZ

PAR - Equal Potential Grounding and Bonding Work Zone Safety

Grounding

Equipotential grounding will be used when grounding is needed for the protection of the employees. All PAR employees will be trained in grounding. Our grounding program addresses the exact electrical hazards of fault current and matches grounding jumpers in accordance with ASTM F855.

The training program discusses the advantages of single point grounding and additional electrical hazards that are created while grounding such as step and touch potential. The program demonstrates how to establish equipotential for all workers on the ground.

Another important aspect of the program is the use of testers and the importance of knowing single phase voltage in transmission work. Equipotential is the most important personal protection that can be established. Knowledge of and the importance of equipotential is the most important part of our program.

A daily grounding plan will be completed by on site supervision. Any change to the grounding plan must be approved by the General Foreman and or the Safety Department.



Equipment and Vehicle Grounding

Vehicles or equipment that are operating in the proximity of energized lines and have a reach capability of coming in contact with energized lines shall be barricaded. The barricade should be placed far enough away from the truck so that no body part can reach into the MAD distance of the truck. This is the best method of preventing an accidental contact injury or fatality. We need to apply the same logic of not allowing contact with our aerial trucks, diggers and cranes as we already do with our wire stringing operations; no one is allowed to make contact with that equipment.

It is strongly recommended to use vehicle grounds; however, they will not be mandatory due to barricading. This will not be the case if a client requires us to ground the vehicle; in that case vehicle grounds and barricading will be required. Nevertheless, the only sure way to protect our employees is to barricade the vehicles when working in proximity to energized lines. Barricading will still be required regardless if the vehicle is grounded or not.

When an un-insulated part of any equipment is being used in a manner which could result in contact with an energized overhead or underground conductor, the equipment shall be considered energized. The following work practices shall apply:

Barricading shall be used to keep all persons clear of equipment that could become energized.

Reference: PAR Safety Manual
PAR – MAD Best Practices
PAR – Requirements for Establishing EPZ
PAR - Equal Potential Grounding and Bonding Work Zone Safety

Ground Testing

Grounds: Grounds are tested annually. Prior to use crewman are to inspect are to inspect the grounds to verify they are in proper working condition and within the test dates.

Hot/Energized Work Equipment Dielectric Testing

Gloves: Rubber insulating gloves are tested before first issue and every 6 months thereafter, upon indication that insulating value is suspect and after use without protectors. Rubber insulating gloves will be inspected prior to use to verify they are in proper working



condition and within the test dates. Rubber insulating gloves are also changed out every **30 days** from their issue date per IBEW contract.

Sleeves: Rubber insulating sleeves are tested before first issue and every 12 months thereafter, upon indication that insulating value is suspect and after use without protectors. Rubber insulating sleeves will be inspected prior to use to verify they are in proper working condition and within the test dates. Rubber insulating gloves are also changed out every **60 days** from their issue date per IBEW contract.

Hot Sticks: Hot sticks shall be removed from service every year for examination, cleaning, and testing. Hot sticks will be inspected prior to use to verify they are in proper working condition and within the test dates.

Blankets: Rubber blankets are tested before first issue and every **6 months** thereafter and upon indication insulating value is suspect. Rubber insulating blankets will be inspected prior to use to verify that they are in proper working condition and within the test dates.

Cover-up: Rubber insulating cover is to be tested upon indication that the insulating value is suspect. Rubber insulated cover will be inspected prior to use to verify it is in proper working condition.

Other: Plastic guard equipment shall meet ASTM F12-06 testing standards. Plastic guard equipment is to be inspected prior to use to verify that it is in proper working condition.



Industry Guidelines and Standards

The following tables list the documents that contain standards covering the work performed. Those areas that do not have their own standards should follow the guidelines referenced below. Use the latest version of the standards.

- ANSI is the American National Standards Institute
- ASTM is the American Society for Testing and Materials
- NFPA is the National Fire Protection Association

IEC is the International Electro-technical Commission

Table 1: Codes and Regulations

Code	Title
National Fire Protection Association NFPA 70	<i>National Electrical Code (NEC)</i>
National Fire Protection Association NFPA 70B	<i>Electrical Equipment Maintenance</i>
National Fire Protection Association NFPA 70E	<i>Electrical Safety Requirements for Employee Workplaces</i>
American National Standards Institute ANSI C2	<i>National Electrical Safety Code (NESC)</i>
American Petroleum Institute Recommended Practice API RP14F	<i>Recommended Practice for Design and Installation of Electrical Systems for Offshore Production Platforms</i>
American Petroleum Institute Recommended Practice API RP 54	<i>Recommended Practices for Oil and Gas Well Drilling and Servicing Operations</i>
American Petroleum Institute Recommended Practice API RP540	<i>Electrical Installations in Petroleum Processing Plants</i>
American Petroleum Institute Recommended Practice API RP500	<i>Recommended Practice for Classification of Locations for Electrical Installations at Petroleum Facilities</i>
29 CFR 1910.301-399 Subpart S	<i>Code of Federal Regulations: Electrical General Industry Standards</i>
29 CFR 1926.400-449 Subpart K	<i>Code of Federal Regulations: Electrical Construction Industry Standards</i>
29 CFR 1926.950-999 Subpart V	<i>Code of Federal Regulations: Electrical Power Transmission and Distribution</i>
29 CFR 1910.268 Subpart R	<i>Code of Federal Regulations: Electrical Telecommunications</i>



29 CFR 1910.269 Subpart R	<i>Code of Federal Regulations: Electric power generation, transmission, and distribution</i>
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The table below lists the documents that contain the standards for PPE. Use the most current version of the various standards.

Table 2: PPE Standards

Subject	Document
Head protection	<i>ANSI Z89.1, Requirements for Protective Headwear for Industrial Workers</i>
Eye and face protection	<i>ANSI Z87.1, Practice for Occupation and Educational Eye and Face Protection</i>
Gloves	<i>ASTM D120, Standard Specification for Rubber Insulating Gloves</i>
Sleeves	<i>ASTM D1051, Standard Specification for Rubber Insulating Sleeves</i>
Gloves and sleeves	<i>ASTM F 496, Standard Specification for In-Service Care of Insulating Gloves and Sleeves</i>
Leather protectors	<i>ASTM F 696, Standard Specification for Leather Protectors for Rubber Insulating Gloves and Mittens</i>
Footwear	<i>ASTM F 1117, Standard Specification for Dielectric Overshoe Footwear ANSI Z41, Personal Protective Footwear ANSI Z41, Personal Protective Footwear</i>
Flash suits	<i>ASTM F 1506, Standard Specification for Protective Wearing Apparel for Use by Electrical Workers When Exposed to Momentary Electric Arc and Related Thermal Hazards ASTM F1891-A, Standard Specification for Arc and Flame-Resistant Rainwear</i>
Visual inspection	<i>ASTM F 1236, Standard Guide for Visual Inspection of Electrical Protective Rubber Products</i>
Safety belts, harnesses, and lanyards	<i>ANSI Z359.1, Fall Protection and Arresting Equipment</i>
Climbing equipment	<i>ASTM F887, Standard Specification for Personal Climbing Equipment</i>

The following table lists the documents applicable in the United States that contain the standards for other protective equipment. Those areas that do not have their own standards should follow the guidelines referenced below. Use the latest version of the standards.

Table 3: Standards for Other Protective Equipment

Subject	Document
----------------	-----------------



Ladders	ANSI A14.1, <i>Safety Requirements for Portable Wood Ladders</i>
Safety signs and tags	ANSI Z535, <i>Series of Standards for Safety Signs and Tags</i>
Mats	ASTM D178, <i>Standard Specification for Rubber Insulating Matting</i>
Blankets	ASTM D1048, <i>Standard Specification for Rubber Insulation Blankets</i> ASTM F479, <i>Standard Specification for In-Service Care of Insulating Blanket</i>
Insulating Sheeting	ASTM F1742, <i>Standard Specification for PUC Insulating Sheeting</i>
Rope	ASTM F1701, <i>Standard Specification for Unused Polypropylene Rope with Special Electrical Properties</i>
Covers	ASTM D1049, <i>Standard Specification for Rubber Covers</i>
Line hoses	ASTM D1050, <i>Standard Specification for Rubber Insulating Line Hoses</i>
Line hoses and covers	ASTM F478, <i>Standard Specifications for In-Service Care of Insulating Line Hose and Covers</i>
Fiberglass tools and ladders	ASTM F711, <i>Standard Specification for Fiberglass-Reinforced Plastic (FRP) Rod and Tube Used in Line Tools</i>
Plastic guards	ASTM F712, <i>Test Methods for Electrically Insulated Plastic Guard Equipment for Protection of Workers</i> ASTM F968, <i>Standard Specification for Electrically Insulating Plastic Guard Equipment for Protection of Workers</i>
Temporary grounding	ASTM F855, <i>Standard Specification for Temporary Grounding Systems to be Used on De-energized Electric Power Lines and Equipment</i>
Insulated hand tools	IEC 900, <i>Specification for Insulated Hand Tools</i> ASTM F1505, <i>Standard Specification for Insulated and Insulating Hand Tools</i>
Telescoping live line tools	ASTM F1826, <i>Specification for Live Line and Measuring Telescoping Tools</i> ASTM F1825, <i>Standard Specification for Fixed Length Clamp Stick Type Live Line Tools</i>
Bucket truck	ASTM F914, <i>Standard Test Method for Acoustic Emission for Insulated Aerial Personnel Devices</i>

Addition Information/ Consent for Use

Additional information, interpretations, and consent to use the information herein can be obtained by contacting:

Vice President of Safety & Environmental Compliance
 4770 N. Belleview Ave, Suite 300
 Kansas City MO 64116
 Phone: 816-691-4236
 Fax: 816-691-4242



Addendum A – Record of HASP Review



Addendum B – License and Permits



Addendum C – PAR Documents

PAR Electrical Contractors, Inc.

Clearance/Verification/Ground Log

This document is to be used in conjunction a Pre-Job Briefing form

Clearance	
Reference / Supporting Document(s):	PAR Job #:
Approval Date:	Date Executed:
Circuit Number / Equipment Designation:	Work Location / Structure Number:
Grounding Location(s):	Equal Potential Zone (EPZ) Location(s):
Clearance Holder:	Contact Info:
Name of PAR Employee that verified the clearance: Same as Clearance Holder <input type="checkbox"/> Yes	
Additional Notes:	
Name of PAR Employee that walked the Line/Circuit down prior to returning the clearance:	
Return Clearance Date:	Return Clearance Time:

Open Points, Voltage, Phasing, and Rotation Verification					
Nominal Operating Voltage of the Circuit(s)/Apparatus/1.73 = Digital Tester Reading (115,000v/1.73=66,474v)					
Open point location(s) / Structure #(s)	Test Location(s) / Structure #(s)	Test Instrument # 1 Results	Test Instrument # 2 Results <i>as required</i>	Date	Time

The Diagram section can be used to note the existing configurations.

- **Phasing**
 - Diagram the work location prior to starting work when performing work on junctions and main line feeders.
- **Rotation**
 - At the panel diagram the direction of rotation & order of colored leads.
 - Diagram Transformer Bank include the primary and secondary transformer connections (WHY or Delta).
 - Labels for each transformer.
 - Labels or color markings for each phase of the service that match labels or color markings at the weather head.
 - Labels for the primary phases.

Diagram — Illustrate the structure/apparatus, ground & bond connection points, and number the order of operation.



Grounds

Structure #/Location	Equipment (Tag #/Ground Set Test Date & Ground Size) / Quantity	Date Inspected & Applied	Worker Initial	Date Removed	Worker Initial

- Verify that testers are in working condition in accordance with manufacture's specifications. (Verify voltage detector is in working condition by testing a known energized source, the de-energized line/apparatus to be worked, then reverify detector is in working condition by testing a known energized source).
- Install and/or verify locks & tags.
- Install a flag/enhanced visibility device with each ground set.
- If the phases are bundle be sure to note the number and placement of the bundle jumpers/shunts.



**Helicopter
JHA / Work Procedure**

**Op Unit
Logo Here**

EMERGENCY #:	_____
TOWN LOCATION:	_____ CROSS STREET _____ / _____
AED LOCATION:	_____
HOSPITAL ADDRESS:	_____
HOSPITAL COORDINATES	_____ ° _____ ' _____ " _____ ° _____ ' _____ " _____
DEGREES DECIMAL	_____ ° _____ ' _____ " _____ ° _____ ' _____ " _____
EMS RALLY POINT & ESCORT	_____
LZ CLOSEST LOCATION	_____ CROSS STREET _____ / _____
WORK SITE LZ GPS	_____ ° _____ ' _____ " _____ ° _____ ' _____ " _____
DEGREES DECIMAL	_____ ° _____ ' _____ " _____ ° _____ ' _____ " _____

DATE: _____ OP-U JOB #: _____ AVIATION JOB #: _____

JOB DESCRIPTION: _____

LINE NAME & VOLTAGE: _____ ENERGIZED NOT ENERGIZED

STRUCTURE #'S / LOCATION: _____

<u>Hazardous Energy Controls</u>	<u>Energy Control Validation</u>
LINE NAME AND VOLTAGE	_____ / _____ / _____ at _____ am/pm. BY: _____
<input type="checkbox"/> RECLOSING BLOCKED	ORDER ID # _____ Contact # _____
<input type="checkbox"/> CLEARANCE ORDER	RELEASED: _____ / _____ / _____ at _____ am/pm. TO: _____
<input type="checkbox"/> RELEASED	
LINE NAME AND VOLTAGE	_____ / _____ / _____ at _____ am/pm. BY: _____
<input type="checkbox"/> RECLOSING BLOCKED	ORDER ID # _____ Contact # _____
<input type="checkbox"/> CLEARANCE ORDER	RELEASED: _____ / _____ / _____ at _____ am/pm. TO: _____
<input type="checkbox"/> RELEASED	

PHASE TO GROUND CLEARANCE: _____ PHASE TO PHASE CLEARANCE: _____

Installed Grounds

Structure Location/ Tag Number (if applicable)	Date & Time		Date & Time	
	Installed	Removed	Master	Personal

EQUIPMENT REQUIRED

TOOLS REQUIRED

PPE REQUIRED

- Safety Glasses
- Hard Hats
- Foot Protection
- Ear Protection
- FR Clothes
- High Vis
- Gloves
- _____



**Helicopter
JHA / Work Procedure**

**Op Unit
Logo Here**

Helicopter Record Sheet

Helicopter Registration		Power Check:	Degrees Cool (if reading is Hot work shall stop)		
Helicopter Type			[]		
Pilot Preflight/ Aircraft Release:			Inspected		Inspected
Load Security/ Evaluation:	<input type="checkbox"/> COMPLETE	Handles / Straps	<input type="checkbox"/>	Platform Connections	<input type="checkbox"/>
Task/ Risk reviewed:	<input type="checkbox"/> COMPLETE	Bonding Wand	<input type="checkbox"/>	Platform Bonds	<input type="checkbox"/>
Long Lines Inspected	Length / Serial #	Side pull / pin	<input type="checkbox"/>	Cargo Hook	<input type="checkbox"/>
Inspected By:		Fly Ropes	<input type="checkbox"/>	Com Cord	<input type="checkbox"/>
<input type="checkbox"/>	/	PSD / Bridle	<input type="checkbox"/>	Blue Tooth	<input type="checkbox"/>
<input type="checkbox"/>	/	Shackles / Rings	<input type="checkbox"/>	Grapple Hook	<input type="checkbox"/>
<input type="checkbox"/>	/	Needle	<input type="checkbox"/>	Reverse Grapple	<input type="checkbox"/>

Additional Helicopter Check off

Mechanic has briefed PIC on previous day maintenance completed or maintenance due
 PIC has briefed mechanic on operational plans
 Flight dispatch notification complete (phone/e-mail) Work area reconnaissance completed

Fuel Check Off and Limitations

Fuel Truck Sumps Complete and Inspected Helicopter Fuel Sample Complete and Inspected
 Fuel Checks Completed by: _____
Helicopter Fuel Minimum (Flight Following):
 MD500: 100 lbs. Landing Minimum UH-1 HUEY: 300 lbs. Landing Minimum
 K-MAX: 300 lbs. Landing Minimum BK 117: 265 lbs. Landing Minimum
 MD500: Wire / Rope Pull and Wreck Out Operations: UH-60 Black Hawk: 425 lbs. Landing Minimum
Maximum 1hr (45 min F / FF) flight time with max fuel load

External Helicopter Awareness / Emergency Brief

Helicopter rotor awareness Head Protection with 3-point chinstrap
 LZ Housekeeping standards (Secure all loose items) Ear / Eye Protection
 Helicopter Emergency / Accident Response No Smoking within 100' of helicopter or fuel truck

Quanta Aviation Prior Authorizations and Exemptions

Quanta Aviation Safety 1-979-338-9217 _____
 Quanta Aviation Ops. 1-979-338-0533 _____



Helicopter JHA / Work Procedure

**Op Unit
Logo Here**

Wire / Rope Pull Section

Communication Method (2-Way radio) (Mechanical communication):

- Handheld Radios Truck Radio Other: _____
 Radio Channel Utilized: _____ Hand / Arm / Head signals: _____
 Keep channels clear: _____

Communication Check Complete:

- Job LZ / Work Truck to Helicopter Helicopter to Puller Job LZ / Work Truck to Puller
 Helicopter Wire / Rope Pull Terminology Brief Complete:

- **Hold (Stop) The Pull:** Cease Pulling/moving the rope.
- **Slowing to a Stop:** Helicopter slowing down in preparation to thread a stringing block with the pulling sockline
- **Stopped:** Helicopter has stopped pulling the sockline in a lateral direction.
- **Less / More Brakes:** Pilot requesting less / more brake from the rope reel/brake operator.
- **Take it Slow or Slow it Down:** Brake operator request pilot not to pull the rope as hard or as fast.
- **Sock line Caught Off:** Sock line is attached to its catch off point and the grip is holding properly. (Identify pre-form size, ensure pre-form is new, are grips being used, and identify location of catch off point)
- **Helicopter Clear:** Helicopter has been disconnected from the sock line/lead line and is clear of the Right of Way (ROW) and headed to LZ for Fuel.

Document Hazards and Mitigations Remember think "STKY" (Stuff That Kills You)

Use the Power Wheel to Trigger your Mind to the On-site Hazards



ENERGY WHEEL



**Helicopter
JHA / Work Procedure**

**Op Unit
Logo Here**

Site and Work-specific Hazards

STKY HAZARDS:

1. Hot crossings during wire pull
2. Failed grip when catching off wire pull
3. Failed hoist while clipping
4. Limits of approach (physical/rotor)
5. Limits of approach (electrical)
6. Longline contact with structures/wires
7. Induction
8. Rigging failure/dropped loads
9. Rotor blades/exhaust exposure
10. Weather changes
11. _____
12. _____
13. _____
14. _____

HAZARDS MITIGATION:

Guarded. One shot. Covered.

OTHER HAZARDS:

15. Support equipment movement
16. Pinch points
17. Slips, trips, Falls
18. Tool / PPE unknown condition
19. Drop Zone / Falling objects
20. _____
21. _____
22. _____

HAZARD MITIGATION:

Member Responsibilities, and Understanding of Work Plan

Name	Responsibility	Signature
	Pilot	
	Mechanic	
	Foreman	

I verify employees have been instructed on specific hazards associated with the performance of this task. All employees have indicated an understanding of their roles/responsibilities and work procedures that will be utilized and have appropriate PPE for the tasks. I agree to STOP this operation should any event or situation arise that places any employee in harm's way.

Senior Lineworker on Site – Print Name

Senior Lineworker on Site - Signature



HOT WORK AUTHORIZATION

BEFORE INITIATING HOT WORK, ENSURE PRECAUTIONS ARE IN PLACE!
 MAKE SURE AN APPROPRIATE FIRE EXTINGUISHER IS READILY AVAILABLE!

This Hot Work Authorization is required for any operation involving open flames. This includes, but is not limited to: Tasks where open flame is present, welding/cadwelding, burning, cutting, grinding, powder-activated tools, soldering, brazing, thawing pipes, and torch-applied roofing.

INSTRUCTIONS	Precautions Checklist (Check all precautions that apply to the work being performed and the location)			
Verify applicable precautions (or do not proceed with the work).	<input type="checkbox"/> Available sprinkler, hose streams, and extinguishers are in service/operable. <input type="checkbox"/> Hot work equipment in good repair. <input type="checkbox"/> Floors swept clean. <input type="checkbox"/> Fire-resistant tarpaulins suspended beneath work. <input type="checkbox"/> Construction is noncombustible and without combustible covering or insulation. <input type="checkbox"/> Combustibles on other side of walls moved away. <input type="checkbox"/> Enclosed equipment cleaned of all combustibles. <input type="checkbox"/> Containers purged of flammable liquids/vapors. <input type="checkbox"/> Fire watch is trained in use of this equipment and in sounding alarm. <input type="checkbox"/> Fire watch may be required for adjoining areas, above, and below. <input type="checkbox"/> Area protected with smoke or heat detection.			
DATE:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Fire watch required: <input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td style="padding: 5px;">Name of Fire Watch: _____</td> </tr> <tr> <td style="padding: 5px;">Time of Fire Watch: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM</td> </tr> </table>	Fire watch required: <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Fire Watch: _____	Time of Fire Watch: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
Fire watch required: <input type="checkbox"/> Yes <input type="checkbox"/> No				
Name of Fire Watch: _____				
Time of Fire Watch: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM				
LOCATION:				
WORK TO BE DONE:				
The employee performing hot work in non-designated hot work areas must obtain the approval from the Employee in Charge prior to performing hot work.				
NAME OF PERSON DOING HOT WORK:				
I verify the above location has been examined, the precautions checked on the Precautions Checklist have been taken to prevent fire, and permission is authorized for work.				
SIGNED:				
Authorization Expires: Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM				



Addendum D – Resources

Document Name
PAR Electrical Contractors, LLC.
HASP
Site Specific Plans
PAR Forms
Event Report forms in Origami
Event Checklist
Case Management At-a-Glance
Clinic Doctor Introductory Billing Information Letter Locked Distribution Copy
Initial WC Prescription Authorization Procedure - English
PAR Programs
PAR Safety Manual
PAR Fall Protection Program
PAR - Climbing Fall Protection Requirements
PAR - MAD Best Practices
PAR - Requirements for Establishing EPZ
PAR - Equal Potential Grounding and Bonding Work Zone Safety
PAR Corporate Operations Safety Management System
ET&D Partnership Best Practices
Quant Best Practices for Drilled Holes
Flame Resistant (FR) Clothing Policy
Silica Exposure Program
PAR Fleet Safety Program
PAR Alcohol and Drug Abuse Policy
North American Standards for Cargo Securement: Driver’s Handbook on Cargo Securement
OSHA Inspection Information & Forms
OSHA Inspection Procedure Instructions
PAR OSHA Compliance Officer Handout
PAR OSHA Inspection Report
OSHA Inspection Advice Checklist
PAR OSHA Inspection Information Label
Customer Specific Documents



Addendum E – Task Plan Index

Document Name	Date	Revision Number and Date
DLC E-M Wire Pull Plan #1	02/12/2020	
DLC E-M Wire Pull Plan #2	02/12/2020	
Structure access		
18042-T-182B	02/12/2020	
18042-T-183B	02/12/2020	
18042-T-184B	02/12/2020	
18042-T-185B	02/12/2020	
CSX Guard Crane Plan	02/27/2020	



Addendum D – Maps



Addendum 1 – Customer

**TOWN OF NEW CASTLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ 2024-3**

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING
COMMISSION RECOMMENDING APPROVAL OF A CONDITIONAL USE
PERMIT FOR UTILITY TRANSMISSION LINE AND TOWERS ON
PROPERTY LOCATED IN THE INDUSTRIAL ZONE DISTRICT.

WHEREAS, on December 21, 2023, Public Service Company of Colorado, a Colorado corporation, dba Xcel Energy (“Applicant”) submitted a Conditional Use Permit Application (“Application”) concerning the property described on Exhibit A hereto (the “Property”), and owned by the owners listed on Exhibit A; and

WHEREAS, the Property is zoned Industrial; and

WHEREAS, an electric transmission line built in the 1940s through the 1960s prior to the adoption of the Town Municipal Code (the “Code”) exists on the Property; and

WHEREAS, Applicant intends to replace the existing wood transmission poles with taller, metal poles and expand the easement wherein the transmission facilities are located; and

WHEREAS, Chapter 17.52 of the New Castle Municipal Code (the “Code”) establishes the permitted, prohibited, and conditional uses for the Industrial District; and

WHEREAS, Applicant’s proposed utility transmission line and tower use (the “Proposed Use”) is eligible for conditional use review because it is not listed as a permitted or prohibited use, making it a conditional use under Code § 17.52.050 and, therefore, requires the issuance of a conditional use permit pursuant to Chapter 17.84 of the Code; and

WHEREAS, under Code § 17.84.080, “any use that legally existed prior to the effective date of Title 17 shall continue as an approved conditional use upon written request,” which Applicant has requested in the Application; and

WHEREAS, because Applicant intends to structurally enlarge and expand the ground area of the Proposed Use, Code § 17.84.070 requires that a site plan be approved for the Proposed Use in accordance with the procedures of Chapter 17.84; and

WHEREAS, as required under Code § 17.84.040(B), the New Castle Planning and Zoning Commission (“Commission”) held a duly noticed public hearing on May 8, 2024, to consider the Application; and

WHEREAS, pursuant to Code § 17.84.050, the Commission hereby finds that:

1. the Application is eligible for conditional review under Code § 17.84.040;
2. the Application is generally compatible with adjacent land uses;

3. the Application meets all requirements of § 17.84.020 of the Code, is in compliance with Title 17 of the Code, and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;
4. the Application is consistent with the comprehensive plan; and
5. the Town has the capacity to serve the proposed use with water, sewer, fire and police protection.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Planning and Zoning Commission.

2. Listing of Approved Uses. The following constitute the uses of the Property that the Commission recommends be approved under the Application as a conditional use, which may be in addition to other permitted uses of the Property.

A. Use of the Property for the ~~location and construction~~, operation and maintenance of an electric transmission line and related poles, towers, facilities, and equipment

3. Recommendation. The Planning and Zoning Commission hereby recommends that the Town Council approve the Application and the Proposed Use pursuant to § 17.84.050 of the Code, subject to the following conditions:

A. No construction shall begin until a conditional use certificate has been issued by the Town Planner subject to Section 17.84.040;

B. No construction shall begin on a parcel until Applicant has obtained new or revised easements from all Property owners of that parcel. Applicant shall provide recorded copies of all such easement agreements to the Town either (1) at the pre-construction meeting called for in Condition E, below; or (2) later when obtained but prior to construction on an individual parcel for which the easement was granted.

C. Prior to issuance of the conditional use certificate, the Applicant shall demonstrate conformance with recommendations provided by the Town Engineer and Colorado River Fire Rescue (Exhibits B & C to the staff report);

D. Prior to the issuance of a conditional use certificate, a construction management plan shall be provided for review and approval by Town staff. A construction management plan shall include, but not be limited to, the identification of off-site storage & delivery locations, any contractor off-site parking, refuse management, and bathroom locations;

E. The Applicant shall conduct a pre-construction meeting with Town staff and relevant agencies at least 14 days prior to the beginning of construction;

F. The Applicant shall apply for any right-of-way permits through the Town's Public Works Department;

G. ~~Easement adjustments shall be consistent with the site plan (staff report Exhibit A, page 15), as approved by Town Council. A revised boundary plat showing all altered easements shall be provided prior to the issuance of a conditional use certificate;~~

H. Applicant shall comply with all applicable building and municipal code requirements, including the sign code and all county licensing requirements;

I. No approved conditional use may be altered, structurally enlarged, expanded in parking area or expanded in ground area unless the site plan is amended and approved in accordance with the procedures applicable to approval of a conditional use as set out in § 17.84.070 of the Code;

J. In the event the Town receives any complaints about the use of the site in violation of the conditional use approval or other Code requirements or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the applicant or owner may present testimony or offer other evidence on its behalf;

K. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Commission or Town Council shall be considered part of the application and binding on the Applicant;

L. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding the Application, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs; and

M. Applicant shall be exempt from the Town's performance standards concerning noise for all construction and maintenance activity that requires use of a machine or other equipment that, as designed, may emit noise in excess of Town standards, provided that all such activities comply with any local, state, or federal requirements for use of the machine or equipment in question. Specifically, use of helicopters in connection with the use recommended for approval shall comply with all applicable FAA standards and requirements.

THIS RESOLUTION PZ 2024-03 was adopted by the New Castle Planning and Zoning Commission by a vote of ___ to ___ on the 8th day of May, 2024.

NEW CASTLE PLANNING AND
ZONING COMMISSION

By: _____
Chuck Apostolik, Chair

ATTEST:

Remi Bordelon, Deputy Town Clerk

EXHIBIT A

The property that is the subject of the Application described in Resolution PZ 2024-3 is legally described as follows:

Parcel ID	Owner Name	Owner Address	Legal Description
212332305005	CCH PROPERTY LLC	565 GINSENG ROAD NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 5 2.025 ACRES
212332305003	MENDOZA, IGNACIO & MARIA LUISA	PO BOX 72 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 3 1.083 ACRES
212331412002	NEW CASTLE DUBOIS LLC	PO BOX 783 NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: PCL B AS AMD BY THE DUBOIS LOT LINE ADJ DESC AS LOT 2 OF AMD PLAT PARCEL B, TALBOTT SUB-DIV ADJUSTMENT AFFIDAVIT REC.#791735 AND QCD REC#791736.
212331400013	ROYAL MINI STORAGE, LLC	PO BOX 2526 GLENWOOD SPRINGS, CO 81602-2526	Section: 31 Township: 5 Range: 90 A TR IN NWSE.
212332305004	MUELLER CONSTRUCTION SERVICES INC	6520 COUNTY ROAD 335 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 4 1 ACRE
212332305002	FOUR SPRYS INVESTMENTS, LLC	3792 COUNTY ROAD 117 GLENWOOD SPRINGS, CO 81601	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 2
212332305001	BRAMCO, LLC A COLORADO LIMITED LIABILITY COMPANY	PO BOX 737 NEW CASTLE, CO 81647-9646	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 1
212331400015	MATA, MARIA A & JUAN	PO BOX 407 GYPSUM, CO 81637	Section: 31 Township: 5 Range: 90 A TR. OF LAND IN NE4SE4. EXCEPT A TR. OF LAND CONT. .104 AC.+/- AS DESC. IN DUBOIS LOT LINE ADJ AMD, DESC. AS LOT 1. REC #761250 & AMD SWD REC. # 762229

212331300007	TALBOTT ENTERPRISES, INC	9109 COUNTY ROAD 311, SILT, CO 81652	Section: 31 Township: 5 Range: 90 SWSW
212331412001	BLUE BARREL LLC	523 EMMA ROAD BASALT, CO 81621	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: A PARCEL A, AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 (2.8 AC)
212332300036	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 THAT PT OF THE NWSW, S2SW LYING SO OF COLORADO RIVER. EXCEPT A TR CONT 3.349 AC AS DESC IN 823/279. EXCEPT A TR CONT 9.99 AC AS DESC IN 1153/183. 23.161 ACRES
212331412003	GABOSI, ROC & MARY	44523 HIGHWAY 6 GLENWOOD SPRINGS, CO 81601	Section: 31 Township: 5 Range: 90 AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 Subdivision: TALBOTT SUBDIVISION Lot: A-1

**TOWN OF NEW CASTLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ 2024-3**

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING
COMMISSION RECOMMENDING APPROVAL OF A CONDITIONAL USE
PERMIT FOR UTILITY TRANSMISSION LINE AND TOWERS ON
PROPERTY LOCATED IN THE INDUSTRIAL ZONE DISTRICT.

WHEREAS, on December 21, 2023, Public Service Company of Colorado, a Colorado corporation, dba Xcel Energy (“Applicant”) submitted a Conditional Use Permit Application (“Application”) concerning the property described on Exhibit A hereto (the “Property”), and owned by the owners listed on Exhibit A; and

WHEREAS, the Property is zoned Industrial; and

WHEREAS, an electric transmission line built in the 1940s through the 1960s prior to the adoption of the Town Municipal Code (the “Code”) exists on the Property; and

WHEREAS, Applicant intends to replace the existing wood transmission poles with taller, metal poles and expand the easement wherein the transmission facilities are located; and

WHEREAS, Chapter 17.52 of the New Castle Municipal Code (the “Code”) establishes the permitted, prohibited, and conditional uses for the Industrial District; and

WHEREAS, Applicant’s proposed utility transmission line and tower use (the “Proposed Use”) is eligible for conditional use review because it is not listed as a permitted or prohibited use, making it a conditional use under Code § 17.52.050 and, therefore, requires the issuance of a conditional use permit pursuant to Chapter 17.84 of the Code; and

WHEREAS, under Code § 17.84.080, “any use that legally existed prior to the effective date of Title 17 shall continue as an approved conditional use upon written request,” which Applicant has requested in the Application; and

WHEREAS, because Applicant intends to structurally enlarge and expand the ground area of the Proposed Use, Code § 17.84.070 requires that a site plan be approved for the Proposed Use in accordance with the procedures of Chapter 17.84; and

WHEREAS, as required under Code § 17.84.040(B), the New Castle Planning and Zoning Commission (“Commission”) held a duly noticed public hearing on May 8, 2024, to consider the Application; and

WHEREAS, pursuant to Code § 17.84.050, the Commission hereby finds that:

1. the Application is eligible for conditional review under Code § 17.84.040;
2. the Application is generally compatible with adjacent land uses;

3. the Application meets all requirements of § 17.84.020 of the Code, is in compliance with Title 17 of the Code, and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;
4. the Application is consistent with the comprehensive plan; and
5. the Town has the capacity to serve the proposed use with water, sewer, fire and police protection.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Planning and Zoning Commission.

2. Listing of Approved Uses. The following constitute the uses of the Property that the Commission recommends be approved under the Application as a conditional use, which may be in addition to other permitted uses of the Property.

A. Use of the Property for the ~~location and construction~~, operation and maintenance of an electric transmission line and related poles, towers, facilities, and equipment

3. Recommendation. The Planning and Zoning Commission hereby recommends that the Town Council approve the Application and the Proposed Use pursuant to § 17.84.050 of the Code, subject to the following conditions:

A. No construction shall begin until a conditional use certificate has been issued by the Town Planner subject to Section 17.84.040;

B. No construction shall begin on a parcel until Applicant has obtained new or revised easements from all Property owners of that parcel. Applicant shall provide recorded copies of all such easement agreements to the Town either (1) at the pre-construction meeting called for in Condition E, below; or (2) later when obtained but prior to construction on an individual parcel for which the easement was granted.

C. Prior to issuance of the conditional use certificate, the Applicant shall demonstrate conformance with recommendations provided by the Town Engineer and Colorado River Fire Rescue (Exhibits B & C to the staff report);

D. Prior to the issuance of a conditional use certificate, a construction management plan shall be provided for review and approval by Town staff. A construction management plan shall include, but not be limited to, the identification of off-site storage & delivery locations, any contractor off-site parking, refuse management, and bathroom locations;

E. The Applicant shall conduct a pre-construction meeting with Town staff and relevant agencies at least 14 days prior to the beginning of construction;

F. The Applicant shall apply for any right-of-way permits through the Town's Public Works Department;

G. Easement adjustments shall be consistent with the site plan (staff report Exhibit A, page 15), as approved by Town Council. A revised boundary plat showing all altered easements shall be provided ~~prior to the issuance of a conditional use certificate~~;

H. Applicant shall comply with all applicable building and municipal code requirements, including the sign code and all county licensing requirements;

I. No approved conditional use may be altered, structurally enlarged, expanded in parking area or expanded in ground area unless the site plan is amended and approved in accordance with the procedures applicable to approval of a conditional use as set out in § 17.84.070 of the Code;

J. In the event the Town receives any complaints about the use of the site in violation of the conditional use approval or other Code requirements or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the applicant or owner may present testimony or offer other evidence on its behalf;

K. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Commission or Town Council shall be considered part of the application and binding on the Applicant;

L. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding the Application, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs; and

M. Applicant shall be exempt from the Town's performance standards concerning noise for all construction and maintenance activity that requires use of a machine or other equipment that, as designed, may emit noise in excess of Town standards, provided that all such activities comply with any local, state, or federal requirements for use of the machine or equipment in question. Specifically, use of helicopters in connection with the use recommended for approval shall comply with all applicable FAA standards and requirements.

THIS RESOLUTION PZ 2024-03 was adopted by the New Castle Planning and Zoning Commission by a vote of ___ to ___ on the 8th day of May, 2024.

NEW CASTLE PLANNING AND
ZONING COMMISSION

By: _____
Chuck Apostolik, Chair

ATTEST:

Remi Bordelon, Deputy Town Clerk

EXHIBIT A

The property that is the subject of the Application described in Resolution PZ 2024-3 is legally described as follows:

Parcel ID	Owner Name	Owner Address	Legal Description
212332305005	CCH PROPERTY LLC	565 GINSENG ROAD NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 5 2.025 ACRES
212332305003	MENDOZA, IGNACIO & MARIA LUISA	PO BOX 72 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 3 1.083 ACRES
212331412002	NEW CASTLE DUBOIS LLC	PO BOX 783 NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: PCL B AS AMD BY THE DUBOIS LOT LINE ADJ DESC AS LOT 2 OF AMD PLAT PARCEL B, TALBOTT SUB-DIV ADJUSTMENT AFFIDAVIT REC.#791735 AND QCD REC#791736.
212331400013	ROYAL MINI STORAGE, LLC	PO BOX 2526 GLENWOOD SPRINGS, CO 81602-2526	Section: 31 Township: 5 Range: 90 A TR IN NWSE.
212332305004	MUELLER CONSTRUCTION SERVICES INC	6520 COUNTY ROAD 335 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 4 1 ACRE
212332305002	FOUR SPRYS INVESTMENTS, LLC	3792 COUNTY ROAD 117 GLENWOOD SPRINGS, CO 81601	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 2
212332305001	BRAMCO, LLC A COLORADO LIMITED LIABILITY COMPANY	PO BOX 737 NEW CASTLE, CO 81647-9646	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 1
212331400015	MATA, MARIA A & JUAN	PO BOX 407 GYPSUM, CO 81637	Section: 31 Township: 5 Range: 90 A TR. OF LAND IN NE4SE4. EXCEPT A TR. OF LAND CONT. .104 AC.+/- AS DESC. IN DUBOIS LOT LINE ADJ AMD, DESC. AS LOT 1. REC #761250 & AMD SWD REC. # 762229

212331300007	TALBOTT ENTERPRISES, INC	9109 COUNTY ROAD 311, SILT, CO 81652	Section: 31 Township: 5 Range: 90 SWSW
212331412001	BLUE BARREL LLC	523 EMMA ROAD BASALT, CO 81621	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: A PARCEL A, AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 (2.8 AC)
212332300036	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 THAT PT OF THE NWSW, S2SW LYING SO OF COLORADO RIVER. EXCEPT A TR CONT 3.349 AC AS DESC IN 823/279. EXCEPT A TR CONT 9.99 AC AS DESC IN 1153/183. 23.161 ACRES
212331412003	GABOSI, ROC & MARY	44523 HIGHWAY 6 GLENWOOD SPRINGS, CO 81601	Section: 31 Township: 5 Range: 90 AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 Subdivision: TALBOTT SUBDIVISION Lot: A-1

TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. TC 2024-14

A RESOLUTION OF THE NEW CASTLE TOWN COUNCIL APPROVING A
CONDITIONAL USE PERMIT FOR UTILITY TRANSMISSION LINE AND
TOWERS ON PROPERTY LOCATED IN THE INDUSTRIAL ZONE
DISTRICT.

WHEREAS, on December 21, 2023, Public Service Company of Colorado, a Colorado corporation, dba Xcel Energy (“Applicant”) submitted a Conditional Use Permit Application (“Application”) concerning the property described on Exhibit A hereto (the “Property”), and owned by the owners listed on Exhibit A; and

WHEREAS, the Property is zoned Industrial; and

WHEREAS, an electric transmission line built in the 1940s through the 1960s prior to the adoption of the Town Municipal Code (the “Code”) exists on the Property; and

WHEREAS, Applicant intends to replace the existing wood transmission poles with taller, metal poles and expand the easement wherein the transmission facilities are located; and

WHEREAS, Chapter 17.52 of the New Castle Municipal Code (the “Code”) establishes the permitted, prohibited, and conditional uses for the Industrial District; and

WHEREAS, Applicant’s proposed utility transmission line and tower use (the “Proposed Use”) is eligible for conditional use review because it is not listed as a permitted or prohibited use, making it a conditional use under Code § 17.52.050 and, therefore, requires the issuance of a conditional use permit pursuant to Chapter 17.84 of the Code; and

WHEREAS, under Code § 17.84.080, “any use that legally existed prior to the effective date of Title 17 shall continue as an approved conditional use upon written request,” which Applicant has requested in the Application; and

WHEREAS, because Applicant intends to structurally enlarge and expand the ground area of the Proposed Use, Code § 17.84.070 requires that a site plan be approved for the Proposed Use in accordance with the procedures of Chapter 17.84; and

WHEREAS, as required under Code § 17.84.040(B), the New Castle Planning and Zoning Commission (“Commission”) held a duly noticed public hearing on May 8, 2024, to consider the Application and recommended conditional approval of the same; and

WHEREAS, at a duly-noticed public meeting held on May 21, 2024, Town Council considered the Application; and

WHEREAS, pursuant to Code § 17.84.050, the Town Council hereby finds that:

1. the Application is eligible for conditional review under Code § 17.84.040;
2. the Application is generally compatible with adjacent land uses;
3. the Application meets all requirements of § 17.84.020 of the Code, is in compliance with Title 17 of the Code, and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;
4. the Application is consistent with the comprehensive plan; and
5. the Town has the capacity to serve the proposed use with water, sewer, fire and police protection.

WHEREAS, Town Council now desires to approve the Application subject to the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Town Council.

2. Listing of Approved Uses. The following constitute the uses of the Property that are approved under the Application as a conditional use, which may be in addition to other permitted uses of the Property.

A. Use of the Property for the construction, operation, and maintenance of an electric transmission line and related poles, towers, facilities, and equipment

3. Conditional Approval. The Town Council hereby approves the Application and the Proposed Use pursuant to § 17.84.050 of the Code, subject to the following conditions:

A. No construction shall begin until a conditional use certificate has been issued by the Town Planner subject to Section 17.84.040;

B. No construction shall begin on a parcel until Applicant has obtained new or revised easements from all Property owners of that parcel. Applicant shall provide recorded copies of all such easement agreements to the Town either (1) at the pre-construction meeting called for in Condition E, below, or (2) later when obtained but prior to construction on an individual parcel for which the easement was granted. Notwithstanding the foregoing, Applicant shall provide easement agreements for all parcels that require helicopter operations for installation of power poles prior to the commencement of helicopter activity on any of said parcels.

C. Prior to issuance of the conditional use certificate, the Applicant shall demonstrate conformance with recommendations provided by the Town Engineer and Colorado River Fire Rescue (Exhibits B & C to the staff report);

D. Prior to the issuance of a conditional use certificate, a construction management plan shall be provided for review and approval by Town staff. A construction management plan shall include, but not be limited to, the identification of off-site storage & delivery locations, any contractor off-site parking, refuse management, and bathroom locations;

E. The Applicant shall conduct a pre-construction meeting with Town staff and relevant agencies at least 14 days prior to the beginning of construction;

F. The Applicant shall apply for any right-of-way permits through the Town's Public Works Department;

G. Easement adjustments shall be consistent with the site plan (staff report Exhibit A, page 15), as approved by Town Council. Each easement agreement shall include an exhibit showing the location of the easement across the subject property.

H. Applicant shall comply with all applicable building and municipal code requirements, including the sign code and any grading or watershed permit requirements, and all county licensing requirements;

I. No approved conditional use may be altered, structurally enlarged, expanded in parking area or expanded in ground area unless the site plan is amended and approved in accordance with the procedures applicable to approval of a conditional use as set out in § 17.84.070 of the Code;

J. In the event the Town receives any complaints about the use of the site in violation of the conditional use approval or other Code requirements or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the applicant or owner may present testimony or offer other evidence on its behalf;

K. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Commission or Town Council shall be considered part of the application and binding on the Applicant;

L. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding the Application, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs; and

M. Applicant shall be exempt from the Town's performance standards concerning noise for all construction and maintenance activity that requires use of a machine or other equipment that, as designed, may emit noise in excess of Town standards, provided that all such activities comply with any local, state, or federal requirements for

use of the machine or equipment in question. Specifically, use of helicopters in connection with the Proposed Use shall comply with all applicable FAA standards and requirements.

THIS RESOLUTION TC 2024-14 was adopted by the New Castle Town Council by a vote of ___ to ___ on the 21st day of May, 2024.

NEW CASTLE TOWN COUNCIL

By: _____
Art Riddile, Mayor

ATTEST:

Mindy Andis, Town Clerk

EXHIBIT A

The property that is the subject of the Application described in Resolution TC 2024-14 is legally described as follows:

Parcel ID	Owner Name	Owner Address	Legal Description
212332305005	CCH PROPERTY LLC	565 GINSENG ROAD NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 5 2.025 ACRES
212332305003	MENDOZA, IGNACIO & MARIA LUISA	PO BOX 72 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 Subdivision: COAL RIDGE INDUSTRIAL SUB-DIV. Lot: 3 1.083 ACRES
212331412002	NEW CASTLE DUBOIS LLC	PO BOX 783 NEW CASTLE, CO 81647	Section: 31 Township: 5 Range: 90 Subdivision: TALBOTT SUBDIVISION Lot: PCL B AS AMD BY THE DUBOIS LOT LINE ADJ DESC AS LOT 2 OF AMD PLAT PARCEL B, TALBOTT SUB-DIV ADJUSTMENT AFFIDAVIT REC.#791735 AND QCD REC#791736.
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212331400015	MATA, MARIA A & JUAN	PO BOX 407 GYPSUM, CO 81637	Section: 31 Township: 5 Range: 90 A TR. OF LAND IN NE4SE4. EXCEPT A TR. OF LAND CONT. .104 AC.+/- AS DESC. IN DUBOIS LOT LINE ADJ AMD, DESC. AS LOT 1. REC #761250 & AMD SWD REC. # 762229

21233130007	TALBOTT ENTERPRISES, INC	9109 COUNTY ROAD 311, SILT, CO 81652	Section: 31 Township: 5 Range: 90 SWSW
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212332300036	NEW CASTLE, TOWN OF	PO BOX 90 NEW CASTLE, CO 81647	Section: 32 Township: 5 Range: 90 THAT PT OF THE NWSW, S2SW LYING SO OF COLORADO RIVER. EXCEPT A TR CONT 3.349 AC AS DESC IN 823/279. EXCEPT A TR CONT 9.99 AC AS DESC IN 1153/183. 23.161 ACRES
212331412003	GABOSI, ROC & MARY	44523 HIGHWAY 6 GLENWOOD SPRINGS, CO 81601	Section: 31 Township: 5 Range: 90 AS AMENDED PER FINAL PLAT RECEPTION NO. 913251 Subdivision: TALBOTT SUBDIVISION Lot: A-1

TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC2024-2

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL AUTHORIZING
THE SALE OF REAL PROPERTY OWNED BY THE TOWN.

WHEREAS, the Town of New Castle (“Town”) is the owner of that certain real property described as known as 600 W. Main St., New Castle, Colorado (the “Property”); and

WHEREAS, the Town has entered into a contract dated April 15, 2024, to sell the Property to Aaron and Megan Shockley (collectively, “Buyer”) (the “Contract”); and

WHEREAS, Article IV, Section 4.1 of the Town Charter requires an ordinance for the disposition of municipally-owned real estate; and

WHEREAS, the Property is not currently being used or held for any municipal or governmental purpose; and

WHEREAS, the Town Council desires to authorize the sale of the Property pursuant to the Contract with Buyer.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the Town Council.

2. Sale Authorization. The Town Council hereby ratifies the Contract and the Town Administrator’s signature thereon and authorizes the sale of the Property pursuant to the terms set forth in the Contract, as may be amended from time to time. The Mayor or the Town Administrator or both are authorized to execute the deed for the Property, the restrictive covenant to be imposed on the Property pursuant to the Contract, and such other and further documents as may be necessary to effectuate the sale of the Property pursuant to the Contract and any amendments thereto separately approved by the Town Council.

INTRODUCED on May 7, 2024, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on May 21, 2024, read by title and number, passed with amendment as set forth herein, approved, and ordered published as required by the Charter.

NEW CASTLE TOWN COUNCIL

By: _____
Art Riddile, Mayor

ATTEST:

Mindy Andis, Town Clerk

MEMO

To: Local Liquor Licensing Authority
From: Mindy Andis, Town Clerk
Date: May 21, 2024
Re: Colorado Drifters, LLC Tavern Liquor License Application

The purpose of this agenda item is to consider an application from Colorado Drifters, LLC for a Brew Pub Liquor License

Colorado Drifters, LLC has applied for a brew pub liquor license for their business located at 589 W. Main Street, New Castle.

Pursuant to state liquor law, the application has been sent to the state and it under concurrent review with Liquor Enforcement. If the Authority chooses to approve the application, Colorado Drifters, LLC will be able to serve spirituous liquor as well as beer and wine. Brew Pub license requires that sandwiches and light snacks be available for consumption on the premises during business hours.

The applicant applied for the license on April 17, 2024. All necessary documentation and fees have been submitted, and the hearing was properly noticed.

Staff recommends that Council approve Resolution TC-2024-13, approving an application from Colorado Drifters, LLC for a Brew Pub Liquor License.

Adopting this recommendation would be consistent with the requirements of the State Liquor Code.

Adopting this recommendation would allow Colorado Drifters, LLC to serve malt, vinous and spirituous liquors for on-premises consumption and Town sales tax would be collected on sales of these beverages.

Mindy Andis, CMC
Town Clerk

**TOWN OF NEW CASTLE
RESOLUTION NO. TC-2024-13**

A Resolution of the New Castle Town Council Approving an Application from Colorado Drifters, LLC DBA: Colorado Drifters/Down Valley Brewing Company for a Brew Pub Liquor License.

WHEREAS, Colorado Drifters, LLC DBA: Colorado Drifters/Down Valley Brewing Company (Applicant) has applied for a tavern liquor license at 589 W. Main Street, New Castle, Colorado; and

WHEREAS, the Town Council of the Town of New Castle held a duly noticed public hearing on May 21, 2024 to consider the application; and

WHEREAS, the Town Council listened to testimony from staff, the Applicant, and members of the public concerning the application; and

WHEREAS, the Town Council finds:

1. Within the previous 2 years, the Town Council has not denied an application for the same class of license at this location or within 500 feet of this location for the reason that the reasonable requirements of the neighborhood and the desires of the adult inhabitants were satisfied by the existing outlets;
2. The Applicant is entitled to possession of the premises to be licensed by ownership, lease, rental, or other arrangement;
3. The sale of alcohol beverages at the premises is permitted under the zoning regulations applicable to the premises;
4. The Applicant's officers, and members holding 10 percent or more interest in the Applicant, are of good moral character;
5. The reasonable requirements of the neighborhood for the type of license for which application has been made; the desires of the adult inhabitants; and the number, type, and availability of alcohol beverage outlets located in or near the neighborhood under consideration justify the granting of the license; and

WHEREAS, based on the application and the testimony, the Town Council desires to approve the application.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of New Castle, Colorado:

1. Recitals. The Town Council adopts the foregoing recitals as findings of fact and determinations of the Council.
2. Definition of the Application. The Application consists of the documents and information identified by the Town Clerk, plus all representations of the Applicant reflected in the minutes of the Town Council public hearing on May 21, 2024.

3. Approval. The Town Council approves the Application.

Introduced, Read and Adopted at a regular meeting of the Town Council of the Town of New Castle, Colorado, on May 21, 2024.

TOWN OF NEW CASTLE

Mayor Art Riddile

ATTEST:

Town Clerk Mindy Anids, CMC

Colorado Liquor Retail License Application

* Note that the Division will not accept cash Paid by check Paid online

Uploaded to Date
 Movelt on 4/8-2024

New License New-Concurrent Transfer of Ownership State Property Only Master file

• All answers must be printed in black ink or typewritten
 • Applicant must check the appropriate box(es)
 • Applicant should obtain a copy of the Colorado Liquor, Beer and Wine Code: SBG.Colorado.gov/Liquor

1. Applicant is applying as a/an Individual Limited Liability Company Association or Other
 Corporation Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation
 Colorado Drifters LLC FEIN Number
20221342348

2a. Trade Name of Establishment (DBA)
 Colorado Drifters/Down Valley Brewing Company State Sales Tax Number
9518432 Business Telephone
970 984-7013

3. Address of Premises (specify exact location of premises, include suite/unit numbers)
 589 W Main Street

City New Castle	County Garfield	State Co	ZIP Code 81647
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4. Mailing Address (Number and Street) PO Box 592	City or Town New Castle	State Co	ZIP Code 81647
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5. Email Address
 info@coloradodrfters.com

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA)	Present State License Number	Present Class of License	Present Expiration Date
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Section A Nonrefundable Application Fees*	Section B (Cont.) Liquor License Fees*
<input type="checkbox"/> Application Fee for New License\$1,100.00	<input type="checkbox"/> Liquor-Licensed Drugstore (County)\$312.50
<input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review\$1,200.00	<input type="checkbox"/> Lodging & Entertainment - L&E (City)\$500.00
<input type="checkbox"/> Application Fee for Transfer\$1,100.00	<input type="checkbox"/> Lodging & Entertainment - L&E (County)\$500.00
Section B Liquor License Fees*	<input type="checkbox"/> Manager Registration - H & R\$30.00
<input type="checkbox"/> Add Optional Premises to H & R.....\$100.00 X _____ Total _____	<input type="checkbox"/> Manager Registration - Tavern\$30.00
<input type="checkbox"/> Add Related Facility to Resort Complex\$75.00 X _____ Total _____	<input type="checkbox"/> Manager Registration - Lodging & Entertainment.....\$30.00
<input type="checkbox"/> Add Sidewalk Service Area.....\$75.00	<input type="checkbox"/> Manager Registration - Campus Liquor Complex\$30.00
<input type="checkbox"/> Arts License (City)\$308.75	<input type="checkbox"/> Optional Premises License (City).....\$500.00
<input type="checkbox"/> Arts License (County)\$308.75	<input type="checkbox"/> Optional Premises License (County)\$500.00
<input type="checkbox"/> Beer and Wine License (City).....\$351.25	<input type="checkbox"/> Racetrack License (City).....\$500.00
<input type="checkbox"/> Beer and Wine License (County).....\$436.25	<input type="checkbox"/> Racetrack License (County).....\$500.00
<input checked="" type="checkbox"/> Brew Pub License (City)\$750.00	<input type="checkbox"/> Resort Complex License (City).....\$500.00
<input type="checkbox"/> Brew Pub License (County).....\$750.00	<input type="checkbox"/> Resort Complex License (County).....\$500.00
<input type="checkbox"/> Campus Liquor Complex (City).....\$500.00	<input type="checkbox"/> Related Facility - Campus Liquor Complex (City).....\$160.00
<input type="checkbox"/> Campus Liquor Complex (County).....\$500.00	<input type="checkbox"/> Related Facility - Campus Liquor Complex (County).....\$160.00
<input type="checkbox"/> Campus Liquor Complex (State).....\$500.00	<input type="checkbox"/> Related Facility - Campus Liquor Complex (State).....\$160.00
<input type="checkbox"/> Club License (City).....\$308.75	<input type="checkbox"/> Retail Gaming Tavern License (City)\$500.00
<input type="checkbox"/> Club License (County)\$308.75	<input type="checkbox"/> Retail Gaming Tavern License (County).....\$500.00
<input type="checkbox"/> Distillery Pub License (City).....\$750.00	<input type="checkbox"/> Retail Liquor Store License-Additional (City).....\$227.50
<input type="checkbox"/> Distillery Pub License (County)\$750.00	<input type="checkbox"/> Retail Liquor Store License-Additional (County).....\$312.50
<input type="checkbox"/> Hotel and Restaurant License (City).....\$500.00	<input type="checkbox"/> Retail Liquor Store (City).....\$227.50
<input type="checkbox"/> Hotel and Restaurant License (County)\$500.00	<input type="checkbox"/> Retail Liquor Store (County).....\$312.50
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City).....\$600.00	<input type="checkbox"/> Tavern License (City).....\$500.00
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County).....\$600.00	<input type="checkbox"/> Tavern License (County).....\$500.00
<input type="checkbox"/> Liquor-Licensed Drugstore (City)\$227.50	<input type="checkbox"/> Vintners Restaurant License (City)\$750.00
	<input type="checkbox"/> Vintners Restaurant License (County).....\$750.00

Questions? Visit: SBG.Colorado.gov/Liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$
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Name Joseph Hemelt		Type of License Brew Pub	Account Number			
7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):						
a. Been denied an alcohol beverage license?				<input type="checkbox"/> <input checked="" type="checkbox"/>		
b. Had an alcohol beverage license suspended or revoked?				<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Had interest in another entity that had an alcohol beverage license suspended or revoked?				<input type="checkbox"/> <input checked="" type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.						
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.				<input type="checkbox"/> <input checked="" type="checkbox"/>		
10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?				<input type="checkbox"/> <input checked="" type="checkbox"/>		
or Waiver by local ordinance? <input type="checkbox"/> <input type="checkbox"/>						
Other: _____						
11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.				<input type="checkbox"/> <input checked="" type="checkbox"/>		
12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.				<input type="checkbox"/> <input checked="" type="checkbox"/>		
13. a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016? <i>N/A</i>				<input type="checkbox"/> <input type="checkbox"/>		
b. Are you a Colorado resident?				<input checked="" type="checkbox"/> <input type="checkbox"/>		
14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.				<input checked="" type="checkbox"/> <input type="checkbox"/>		
15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership , lease or other arrangement?				<input checked="" type="checkbox"/> <input type="checkbox"/>		
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____ a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:						
Landlord Family Matter LLC		Tenant Colorado Drifters LLC		Expires 03/31/2029		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16.				<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11".						
16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.						
Last Name		First Name		Date of Birth	FEIN or SSN	Interest/Percentage
Last Name		First Name		Date of Birth	FEIN or SSN	Interest/Percentage
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.						
17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: Has a local ordinance or resolution authorizing optional premises been adopted? <i>N/A</i>				<input type="checkbox"/> <input type="checkbox"/>		
Number of additional Optional Premise areas requested. (See license fee chart)				<input type="text"/>		
18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.						

Name Joseph Hemelt	Type of License Brew Pub	Account Number		
19. Liquor Licensed Drugstore (LLDS) applicants, answer the following: <ul style="list-style-type: none"> a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? <input type="checkbox"/> <input type="checkbox"/> N/A If "yes" a copy of license must be attached. 				
20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation <div style="float: right;">Yes No</div> <ul style="list-style-type: none"> a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? <input type="checkbox"/> <input checked="" type="checkbox"/> b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? <input type="checkbox"/> <input checked="" type="checkbox"/> c. How long has the club been incorporated? d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? <input type="checkbox"/> <input checked="" type="checkbox"/> 				
21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following: <ul style="list-style-type: none"> a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) <input type="checkbox"/> <input checked="" type="checkbox"/> 				
22. Campus Liquor Complex applicants answer the following: <ul style="list-style-type: none"> a. Is the applicant an institution of higher education? <input type="checkbox"/> <input checked="" type="checkbox"/> b. Is the applicant a person who contracts with the institution of higher education to provide food services? <input type="checkbox"/> <input checked="" type="checkbox"/> If "yes" please provide a copy of the contract with the institution of higher education to provide food services. 				
23. For all on-premises applicants. <ul style="list-style-type: none"> a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints. 				
Last Name of Manager	First Name of Manager			
24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. <div style="float: right;">Yes No</div> <input type="checkbox"/> <input checked="" type="checkbox"/>				
25. Related Facility - Campus Liquor Complex applicants answer the following: <ul style="list-style-type: none"> a. Is the related facility located within the boundaries of the Campus Liquor Complex? If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex. b. Designated Manager for Related Facility- Campus Liquor Complex 				
Last Name of Manager	First Name of Manager			
26. Tax Information. <ul style="list-style-type: none"> a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> <input checked="" type="checkbox"/> b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> <input checked="" type="checkbox"/> 				
27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members . In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant . All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.				
Name Joseph Hemelt	Home Address, City & State 4343 CR 335 New Castle CO 81647	DOB ██████████	Position Owner/Manager	%Owned 50
Name Kyla Hemelt	Home Address, City & State 4343 CR 335 New Castle CO 81647	DOB ██████████	Position Owner/Manager	%Owned 50
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned

Name Joseph Hemelt		Type of License Brew Pub	Account Number	
<p>** If applicant is owned 100% by a parent company, please list the designated principal officer on above. ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: <input type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.</p>				
Oath Of Applicant				
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.				
Authorized Signature <i>Joseph Hemelt</i>		Printed Name and Title Joseph Hemelt		Date 4/17/2024
Report and Approval of Local Licensing Authority (City/County)				
Date application filed with local authority <i>April 17, 2024</i>		Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application) <i>May 21, 2024</i>		
For Transfer Applications Only - Is the license being transferred valid?				Yes No <input type="checkbox"/> <input type="checkbox"/>
<p>The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:</p> <input checked="" type="checkbox"/> Fingerprinted <input checked="" type="checkbox"/> Subject to background investigation, including NCIC/CCIC check for outstanding warrants That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license (Check One) <input type="checkbox"/> Date of inspection or anticipated date _____ <input checked="" type="checkbox"/> Will conduct inspection upon approval of state licensing authority				
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000? <input type="checkbox"/> Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. <input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?				Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. Therefore, this application is approved.				
Local Licensing Authority for		Telephone Number		<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title	Date	
Signature	Print	Title	Date	

Tax Check Authorization, Waiver, and Request to Release Information

I, JOSEPH HENELT

am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of

(the "Applicant/Licensee")

COLORADO DREFTERS LLC

to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

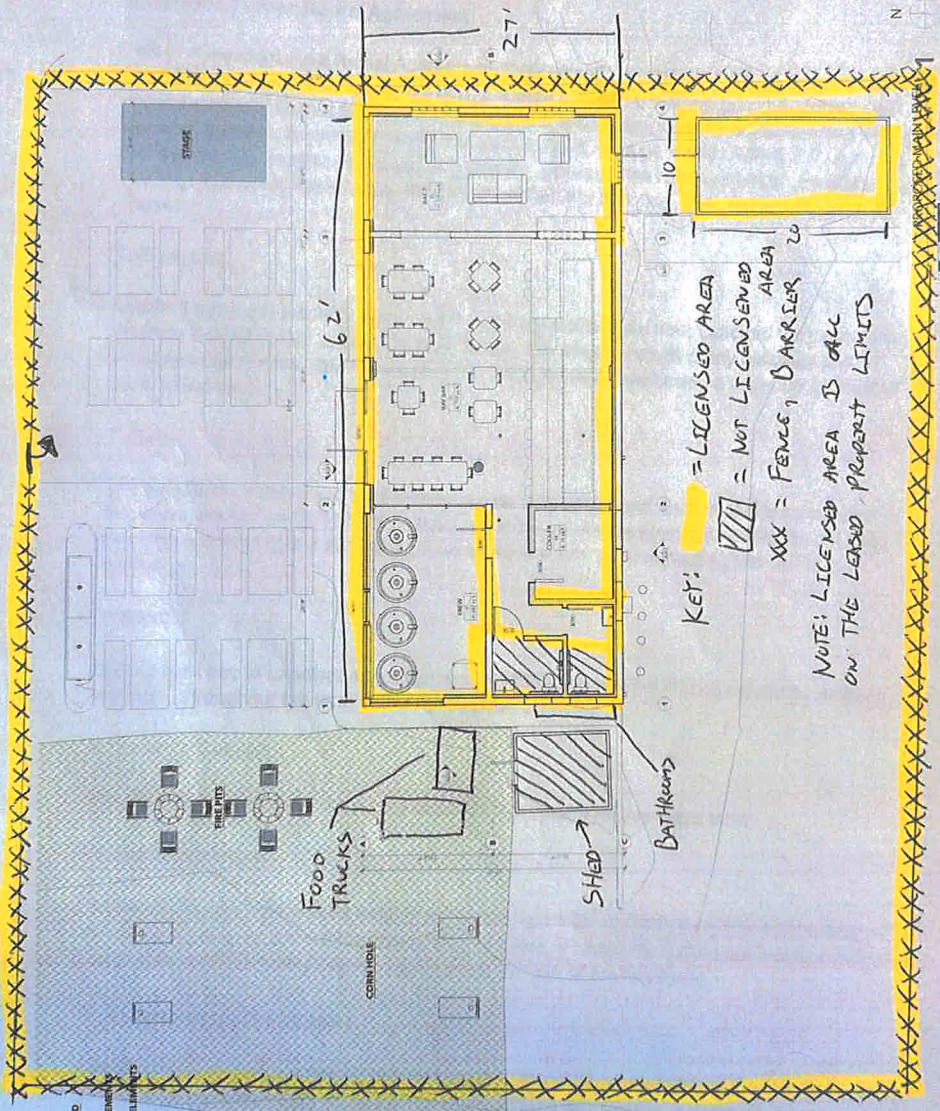


NEW CASTLE BREWERY

1514 CH. 10TH ST. PHOENIX, AZ 85006

NOT FOR CONSTRUCTION

PROPOSED FLOOR PLAN
A102



RENOVATION LEGEND

EXISTING ELEMENTS

PROPOSED ELEMENTS

Commercial Lease Rental Agreement

This Commercial Lease Rental Agreement ("Agreement") is made and entered into on this 02/28/2024 between Family Matters LLC, a limited liability company organized and existing under the laws of Colorado, with its principal place of business located at 600 Ginseng Rd, New Castle, CO 81647, hereinafter referred to as "Landlord," and Colorado Drifters LLC, a limited liability company organized and existing under the laws of Colorado, with its principal place of business located at 4343 County Rd 335, New Castle, CO 81647, hereinafter referred to as "Tenant."

1. Premises:

Landlord agrees to lease to Tenant and Tenant agrees to lease from Landlord the commercial property located at 589 W Main St, New Castle, CO 81647, including any buildings and improvements thereon (the "Premises"), for the purpose of conducting a brewpub and coffee shop operation.

2. Term:

The initial term of this lease shall commence on 04/01/2024 and shall continue for a period of five years, ending on 03/31/2029, unless terminated earlier as provided herein. Tenant shall have the option to renew this lease for an additional term upon mutual agreement of both parties.

3. Rent:

Tenant shall pay to Landlord a monthly rent of \$2,800, due on the first day of each month, in advance, throughout the term of this Agreement.

4. Security Deposit:

Landlord does not require a Security Deposit from Tenant for this lease term.

5. Use of Premises:

Tenant shall use the Premises exclusively for the operation of a brewpub and coffee shop and for no other purpose without the prior written consent of Landlord. Tenant shall comply with all laws, ordinances, and regulations applicable to the use of the Premises.

6. Maintenance and Repairs:

Landlord shall be responsible for maintaining the structural components of the Premises, while Tenant shall be responsible for all interior maintenance and repairs, including but not limited to, plumbing, electrical, and HVAC systems.

7. Insurance:

Tenant shall obtain and maintain throughout the term of this lease a commercial general liability insurance policy.

8. Indemnification:

Tenant agrees to indemnify and hold harmless Landlord from and against any and all claims, damages, losses, liabilities, and expenses arising out of or related to Tenant's use or occupancy of the Premises.

9. Default:

In the event of default by Tenant, Landlord shall have the right to terminate this lease upon written notice to Tenant.

10. Governing Law:

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.



[Signature of Landlord]



[Printed Name of Landlord]



[Signature of Tenant]



[Printed Name of Tenant]

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Colorado Drifters LLC

is a

Limited Liability Company

formed or registered on 03/31/2022 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20221342348 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 04/05/2024 that have been posted, and by documents delivered to this office electronically through 04/08/2024 @ 15:07:11 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 04/08/2024 @ 15:07:11 in accordance with applicable law. This certificate is assigned Confirmation Number 15924010 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF DOCUMENT FILED

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, the attached document is a true and complete copy of the

Articles of Organization

with Document # 20221342348 of
Colorado Drifters LLC

Colorado Limited Liability Company

(Entity ID # 20221342348)

consisting of 2 pages.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 12/15/2023 that have been posted, and by documents delivered to this office electronically through 12/18/2023@ 19:55:02.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 12/18/2023 @ 19:55:02 in accordance with applicable law. This certificate is assigned Confirmation Number 15581242.



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



Colorado Secretary of State

Colorado Secretary of State

ID#: 20221342348

Document #: 20221342348

Filed on: 03/31/2022 08:03:34 PM

Paid: \$50.00

Articles of Organization for a Limited Liability Company

filed pursuant to § 7-90-301 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

The domestic entity name of the limited liability company is Colorado Drifters LLC

The principal office street address is 4343 County Road 335
New Castle CO 81647-9642
US

The principal office mailing address is 4343 County Road 335
New Castle CO 81647-9642
US

The name of the registered agent is Kyla Hemelt

The registered agent's street address is 4343 County Road 335
New Castle CO 81647-9642
US

The registered agent's mailing address is 4343 County Road 335
New Castle CO 81647-9642
US

The person above has agreed to be appointed as the registered agent for this limited liability company.

The management of the limited liability company is vested in Members

There is at least one member of the limited liability company.

Person(s) forming the limited liability company

Kyla Hemelt
4343 County Road 335
New Castle CO 81647-9642
US

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., and, if

applicable, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

Name(s) and address(es) of the individual(s) causing the document to be delivered for filing

Kyla Hemelt
4343 County Road 335
New Castle CO 81647-9642
US



**DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)
BREWERY'S NOTICE**

Brewery's Section

1. This is notice serial number _____ 2. The notice date is
01/19/2024

3. Our brewery's name is
COLORADO DRIFTERS, LLC

4. Our trade name is
DBA: DOWN VALLEY BREWING COMPANY See Attached

5. Our business address is
589 W MAIN ST, NEW CASTLE, CO 81647
(Number and Street) (City) (County) (State) (Zip Code)

6. Our brewery location is
589 W MAIN ST NEW CASTLE, CO 81647
(Number and Street) (City) (County) (State) (Zip Code)

7. Our main contact person is _____ TTB can reach me at
Brad Williams (Name) 770-833-6489 (Phone Number)

Brewery Description

8. Our phone number at the brewery is _____ 9. Our E-mail Address is
bradsw24@gmail.com

10. Our brewery operates as a: Brewery Brewpub (You must complete items 19 and 20.) Pilot Brewing Plant
(check one only)

11. We are a: *(check one only)*
 Sole Proprietorship Partnership Corporation Limited Liability Company Limited Partnership

12a. Our employer identification number is: *(for example: 12-3456789)* 88-1537732

12b. Title to premises and equipment (list names and addresses of owner of land or buildings, or if any other mortgage or encumbrance on the land or buildings of the brewery).

(See Attached)

13. Brewer's Business Day 12:00 AM (List only if different than 12:00 am through 11:59pm.)

14. We are filing this notice to:
 give TTB our original notice that we intend to engage in the business of producing beer.
 amend our previously approved original notice (Registry No. _____) for the following reason(s):
 add or delete (circle one) a trade or operating name (attach registration, if your state requires, of new trade or operating name) . List new trade names(s) in Item 4 or on a separate sheet of paper. List deleted trade name(s) on a separate sheet of paper.
 show a change in brewery premises *(attach description of change)* .
 make changes in officers, directors, members, stock, or interest distribution *(attach description of change; you must file personnel questionnaires for new personnel and any new person owning 10% or more of total stock)* .
 discontinuance of business as of: *(date)* _____
 other _____

15. A. We are or are not members of a controlled group of breweries. (List all breweries with shared ownership on a separate sheet of paper.)
B. If you are a member, will the controlled group of breweries produce more than 60,000 but less than 2,000,000 barrels of beer per year? (if so, describe how the reduced rate of tax will be apportioned among brewery members in the controlled group.)

16. The Internal Revenue Code (IRC) provides that if you produce not more than 2,000,000 barrels per year, you are entitled to a reduced rate of tax on your first 60,000 barrels. What is your estimated production in barrels per year? *(check one)*
 More than 2,000,000 barrels per year. We are not entitled to the reduced rate.
 More than 60,000 barrels per year, but not more than 2,000,000 barrels per year. We are entitled to the reduced tax rate on our first 60,000 barrels removed for consumption or sale.
 Not more than 60,000 barrels per year. We are entitled to the reduced tax rate on all beer removed for consumption or sale.

Signing Authority For Corporate Officials

17. I am or am not required to furnish a bond under 27 CFR 25.91. I am not required to furnish a bond only if all of the following are true: I will withdraw beer for deferred payment of tax under 27 CFR 25.164, I was liable for not more than \$50,000 in beer taxes in the preceding calendar year, and I reasonably expect to be liable for not more than \$50,000 in such taxes during the current calendar year.

18. We held our board meeting with (check one)

Directors Trustees Managers Governors Date of Meeting _____

We authorize the following corporate officials, employees, or incumbents of the listed offices to execute all documents and to do all acts for us in dealing with the Alcohol and Tobacco Tax and Trade Bureau. (You must impress your corporate seal. If you do not have one, two witnesses must sign.)

By the authority of our board, I certify that this authorization is true and complete.

Title: _____	Title: _____	Corporate Seal:
Title: _____	Title: _____	
Title: _____	Title: _____	
Witness: _____	Witness: _____	

Brewpub Applicant Information (If you are a brewpub, you must complete this section.)

19. We are a brewpub. Our entire business location is the brewery premises. We understand that by initialing these boxes, we acknowledge that:

- a. We must separate the brewery operations (non-public area) from the public area of the brewery premises by an adequate partition. Access to the brewery operations must be restricted to authorized visitors and employees only.
 - b. The serving tanks as noted on our attached diagram are our tax-determined beer tanks. These tanks have a working capacity of approximately 5 barrels/kegs and are accurately calibrated with appropriate measuring devices.
 - c. We must transfer beer ready for consumption or sale from our fermenters into an empty tax-determination tank for measurement by the approved measuring device. We will make prompt and accurate records of these transactions to determine tax due.
20. We plan to sell retail liquors other than beer. We must file a special occupational tax registration as a retailer before we start these sales.

Attachment Section

21. You must make attachments to complete an original notice. You may also need additional information for an amended notice.

Check all the blocks here for your attachments for this notice. For original Brewer's Notices, you must attach all documents for your type of business organization. For amended Brewer's Notices, some forms are mandatory, while others may be optional.

- | | |
|---|---|
| <input type="checkbox"/> Articles of Incorporation/Organization (Corporations/LLCs) | <input type="checkbox"/> Personnel Questionnaires (for all owners/officers/directors/partners/members/stockholders of over 10%) |
| <input type="checkbox"/> Trade Name Registrations (if required by state) | <input type="checkbox"/> By-Laws (Corporations/LLCs) |
| <input type="checkbox"/> Certificate to Transact Business in a Foreign State (if applicable) | <input type="checkbox"/> Partnership Agreement |
| <input type="checkbox"/> Power of Attorney (TTB F 5000.8, or Corporate Resolution) | <input type="checkbox"/> Environmental Information (TTB F 5000.29) |
| <input type="checkbox"/> Diagram (or Plat/Plan) with dimensions of the brewery | <input checked="" type="checkbox"/> Diagram for Brewpub as required |
| <input type="checkbox"/> Legal description of the Brewery | <input type="checkbox"/> Statement Describing the Security at the Brewery |
| <input type="checkbox"/> Supplemental Information on Water Quality Considerations (TTB F 5000.30) | |
| <input type="checkbox"/> Other _____ | |

All statements and documents are part of this notice. Under penalties of perjury, I declare that I have examined this notice and all attachments and to the best of my knowledge and belief they are true, correct, and complete.

22. Signature of Authorized Person _____ Date _____

23. Printed or Typed Name and Title
Brad Williams

Mail this completed package with all attachments to:

Director, National Revenue Center, 550 Main St, Ste 8002, Cincinnati, OH 45202-5215

TTB Section - For TTB Use Only

This Notice is: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Effective Date: 02/16/2024	Approval Date: 02/16/2024
---	-------------------------------	------------------------------

Director, National Revenue Center

Teresa Jordan

Registry Number:
BR-CO-21589

General Instructions

1. Where do I send my application?

File this form with TTB at this address: Director
National Revenue Center
550 Main St, Ste 8002
Cincinnati, OH 45202-5215

2. **When may I start Brewing?** You may not operate your brewery until we approve your Brewer's Notice (including all attachments) and your Brewer's Bond (if a bond is required under 27 CFR 25.91).
3. **When must I file a Brewer's Notice?** You must file this form:
- To start business at your brewery premises;
 - To amend or supplement information you previously submitted or;
 - In connection with a new bond.
4. **Do I need to file any other documents with the Brewer's Notice?** You must file the attachments this form requires. Also, we may require you to furnish any additional information we find necessary to protect revenue and insure collection of taxes.
5. **What happens if I do not complete this notice?** We will return your notice to you for correction if it is not completed in accordance with these instructions or does not include all of the required information and documents. If you do not complete the notice you may not produce or package beer.
6. **What items do I need to complete on this notice?** You must complete all items on this notice that apply to your business, regardless of the purpose for which you are filing.
7. **How long must I keep my copy of this notice?** At your brewery you must keep available for TTB inspection during your normal business hours:
- Your most recently approved Brewer's Notice and
 - All attachments and documents that provide current and complete information of this form.

Specific Instructions

Item 1. What serial number do I use? Serially number each notice. Begin with No. 1 for the first notice and continue in sequence for each amendment or supplemental notice you file after you start business.

Item 2. What is the notice date? The date that you submit this notice for approval.

Item 3. What is my brewery's name?

If you are....	Then your name is....
An individual	Your name, followed by "sole owner" and the name you use to operate
A partnership	The name of each partner followed by the name you use to operate
A limited partnership (LP)	The name of your LP
A corporation or limited liability corporation (LLC)	The corporation or LLC name and, if different, the name you use to operate

Item 4. What if I use a trade name? You must list all trade names you use to do business or to package beer. Approval of a trade name does not necessarily constitute approval as a brand name for labeling purposes. Submit your requests for brand names to the Alcohol Labeling and Formulation Division on an Application for and Certificate/Exemption of Label/Bottle Approval, TTB F 5100.31. If your State requires you to register your trade name, you must submit a copy of the State trade name registration.

Item 5. What is our business address? Your business address may be different than the actual location of the brewery. Your business address is where you receive mail deliveries and you conduct office activity. You must include the county of this address.

Item 6. What is our brewery location? Your brewery location is where you actually brew your beer.

Item 7. Who may be a contact person? Your contact person must be someone who has authority to speak or write to any of our officers regarding any aspect of your brewing operations. You must file with us a signing authority or power of attorney for this person.

Item 15. What information must I provide if I am a member of a controlled brewery group?

1. A controlled brewery group is a group of breweries that share common ownership or controlled interest. Controlled groups of breweries include groups where:
 - (a) one brewery owns controlling interest in the other brewery or
 - (b) there is a common ownership in the controlling interest in each brewery
2. If you are a member of a controlled group of breweries and you intend to transfer beer between breweries without payment of tax, you must:
 - (a) give the name and principal business address of each of the other breweries; and
 - (b) state whether condition 1.(a) or condition 1.(b) applies. If condition 1.(a) applies, state which brewery owns controlling interest in the other and the percentage of that interest. If condition 1.(b) applies, give the name and principal business address of the person owning controlling interest in both breweries and state the percentage of interest in each brewery.
3. If you are a member of a controlled group of breweries and the total production of all breweries in the controlled group is less than 2,000,000 barrels of beer per year, you may be eligible to pay tax at the reduced rate. You must:
 - (a) give the name and principal business address of each of the other breweries;
 - (b) provide a list to allocate the reduced tax for 60,000 barrels between the members of the controlled group; and
 - (c) state whether condition 1.(a) or condition 1.(b) applies, if condition 1.(a) applies, state which brewery owns controlling interest in the other and the percentage of that interest. If condition 1.(b) applies, give the name and principal business address of the person owning controlling interest in both breweries and state the percentage of interest in each brewery.

Item 18. Who may sign for my corporation? You may indicate signature authority in two ways.

- **By corporate office:** In item 18 you may list the corporate offices or employees whose incumbents may sign for your corporation. Check the box that indicates how your board authorized these officers to sign. Include the date of the meeting. List the offices by title. Attach your corporate seal. These authorities remain with the office when you change personnel in that office.
- **By name:** you may authorize specific individuals to sign by executing a power of attorney (*use TTB F 5000.8*) or a signing authority for corporate officials (*use TTB F 5100.1*). You may limit these authorities to specific actions. For instance, you may grant a signing authority limited to monthly reports.

Item 19. When must I initial the brewpub information? Operating as a brewpub means that you will not be bottling beer but rather that you will be dispensing beer only from serving tanks. If this is the case, then you must initial each box and provide tank capacity to demonstrate that you understand special considerations for operating taverns on brewery premises.

Item 21. What are the attachments for my type of business? Follow these instructions. You must attach the organizational information and documents we require for your type of business.

If you are a....	Then you must file....
Sole proprietor	- A list with the name and address of each person who holds an interest in the brewery, whether the interest appears in the name of the interested party or in the name of another for that party.
Partnership	- A copy of (1) articles of partnership or association, if any; or (2) the certificate of partnership or association if required to be filed by any State, county, or municipality. - A list with the name and address of each person who holds an interest in the brewery, whether the interest appears in the name of the interested party or in the name of another for that party.
Corporation	- A copy of the corporation charter or of the certificate of corporate existence or incorporation. - A list with the name, address, and title of each officer and director. - Copies of extracts or digests of minutes of meetings of the board of directors authorizing certain individuals to sign for the corporation. - A statement showing the number of shares of stock (or other evidence of ownership) authorized and outstanding and the voting rights of the respective owners. - A list with the names and addresses of all persons having a voting interest of 10 percent or more in the corporation whether the interest appears in the name of the interested party or in the name of another person. For each person listed, show the amount of the stockholding or other interest.

- a. **May I refer to information that I filed for another operation?** If you have already filed information with us, you may incorporate that information by reference if that information is complete and accurate. You may, instead of resubmitting that information, provide a statement that:
- identifies the other premises by operating name, type (*brewery, winery, etc.*), and location (*city and State*); and
 - specifies which organizational information and documents are being incorporated. You must attach all organizational information and documents you do not incorporate by reference.
- b. **What must I keep available for TTB inspection?** You must keep available for our inspection the originals of the corporate documents we require under item 21 of this notice and certain other corporate documents (*articles of incorporation, bylaws, State certificates authorizing the brewer to operate in the State where located*). Each brewer's notice filed by multi-plant brewers must state, as part of the response to item 21, the location where we may inspect these original corporate documents.

Item 22. Who is the "authorized person" who must sign this notice? These are the persons authorized to sign this notice:

If you are a....	Then you must file....
Sole proprietor	- signed by the sole owner or - an empowered attorney-in-fact.
Partnership	- signed by all partners, or - a partner authorized to sign on behalf of all of the partners, or - an empowered attorney-in-fact
Corporation	- executed in the corporate name, followed by the signature and title of a person authorized to act for the corporation

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. We use this information collection to determine your identity as a brewer, the location and extent of your brewery premises, and whether your brewery operations conform with Federal laws and regulations. The information we request is required for you to obtain or retain a benefit and is mandatory by law (26 U.S.C. 5401(a)).

We estimate the average burden associated with this collection of information is 3 hours per respondent or recordkeeper, depending on your individual circumstances. Address your comments concerning the accuracy of this burden estimate and suggestions to reduce this burden to: Reports Management Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Box 12, Washington, DC 20005.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a current, valid OMB control number.

Privacy Act Information

We provide this information to comply with Section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(3)):

1. **What is TTB's authority to ask for this information?** We require this information under the authority of 26 U.S.C. 5401(a). You must disclose this information to obtain authority to conduct brewing operations.
2. **What is the purpose for this information collection?** You provide this information to give TTB notice of your intention to establish a brewery, so that we may identify you as a brewer, and to identify your brewery location and processes.
3. **How does TTB routinely use this information?** We use this information to make determinations for the purposes described in paragraph 2. Also, we may disclose the information to other Federal, State, foreign, and local law enforcement and regulatory agency personnel to verify information on the form where such disclosure is not prohibited by law. We may disclose the information to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, we may disclose the information to members of the public in order to verify information on the form where such disclosure is not prohibited by law.
4. **What is the effect of my not supplying the information TTB requests?** If you fail to supply complete information then we will delay processing and may disapprove or deny your application.

ATTACHMENT TO BREWER'S NOTICE

Item 4: Our Trade Name is:

Labeling Trade Name Down Valley Brewing Company

OTHER PURPOSE FOR WHICH FILED:

Item 12: Title to premises and equipment (list names and addresses of owner of land or buildings, or if any other mortgage or encumbrance on the land or buildings of the brewery).

Does the applicant own the land or building comprising the brewery?

Yes

No

If yes, please provide us with the name and address of any mortgagee, or other person who has a claim on the land or buildings comprising the brewery. If there is no mortgagee, or other claim on the land or buildings, please enter "Not Applicable"

Jim Shrull
644 W Main St
New Castle, CO 81647

If no, please provide us with the name/address of the owner of the land or buildings comprising the brewery, and of any mortgagee, or other claim on the land or buildings comprising the brewery

Item 15B: If you produce more than 60,000 but less than 2,000,000 barrels you would qualify for the reduced rate on the first 60,000 barrels. Give the allotted barrels for each location at the reduced rate.

MEMBERS OF CONTROLLED GROUP

Item 17: We authorize the following corporate officials, employees, or incumbents of the listed offices to execute all documents and to do all acts for us in dealing with the Alcohol and Tobacco Tax and Trade Bureau. (You must impress your corporate seal. If you do not have one, two witnesses must sign.)

Applies to All Permits Authority Granted by	Yes
First Name	Name
Last Name	Brad
Title	Williams
Title if Other	

Applies to All Permits Authority Granted by	Yes
First Name	Name
Last Name	Joseph
Title	Hemelt
Title if Other	

Applies to All Permits Authority Granted by	Yes
First Name	Name
Last Name	Kyla
Title	Hemelt
Title if Other	

Applies to All Permits Authority Granted by	Yes
First Name	Name
Last Name	Haley
Title	Williams
Title if Other	

Applies to All Permits Authority Granted by	Yes
	Name

First Name
Last Name
Title
Title if Other

Alex
Polly

Describe the entire tract of land by using directions and distances:

LOTS 7, 8, 9 & 10 - BLOCK 9
ORIGINAL TOWNSITE OF NEW CASTLE
SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH PM
COUNTY OF GARFIELD, STATE OF COLORADO
PARCEL NO. 2123-313-01-003

Describe the brewery premises.

The premise consists of one building that is 62'x27', located approximately 75' off of Main St in New Castle, CO. The building is a converted garage and is constructed of concrete block with poured concrete floors. There are windows on all four sides of the building, with three large glass garage doors on the north side (main entrance). There is a door in the north side and the south side of the building.

If a brewpub, you must identify the portion of the brewery which will be operated as a tavern by providing the boundaries of the tavern.

The three car bays will serve as the main public area for the brewpub, along with a large outdoor space on the north side of the building. The existing office space will be converted into the brew room, where we will utilize a SmartBrew system.

You must identify areas of the brewery which are accessible to the public and areas which are not.

The areas not accessible to the public are the room dedicated to brewing operations, the walk-in cooler for keg storage, and behind the bar. The public space includes the restrooms, the main bar seating areas, as well as the front outdoor patio.

Describe security measures to be used to segregate public areas from non-public areas.

Both doors to access the brew room will have locks on them, to limit access to relevant personnel only. Walk-in cooler will also have a lock.

Describe in detail the method to be used for measuring beer for the purpose of tax determination. Identify the tanks which will periodically contain tax-determined beer, and any other areas where tax-determined beer will be.

Finished product will be transferred from the fermentation vessels into 1/2 BBL kegs, which will then be moved to cold storage.

Provide description of the brewery security. Brewery building must be arranged and constructed to give adequate protection to the revenue. Describe locks, access to the brewery and how un-taxpaid goods will be protected during and after business hours

All egress doors to the building will have locks, and the property will have security cameras both inside and outside. The "brewroom" will be closed off to the public and will have a lock on the door as well. All brewing related equipment and supplies/inventory will be stored in the secured brewroom and/or the walk-in cooler.

Beer will be kegged in the brewing area, stored in a walk-in cooler and tapped from the cooler / at the bar.

Description of Non-Contiguous Locations

1 **New Castle Town Council Regular Meeting**
2 **Tuesday May 7, 2024, 7:00 PM**
3

4 **Call to Order**

5 Mayor Art Riddile called the meeting to order at 7:00 p.m.
6

7 **Pledge of Allegiance**
8

9 **Roll Call**

10 Present Councilor Carey
11 Mayor Pro Tem Hazelton (took over 10:05pm)
12 Mayor A. Riddile (left at 10:05pm)
13 Councilor Copeland (appeared by ZOOM)
14 Councilor Leland
15 Councilor G Riddile

16
17 Absent Councilor Mariscal
18

19 Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Mindy
20 Andis, Town Treasurer Viktoriya Ehlers, Assistant Town Attorney Haley Carmer, Town
21 Planner Paul Smith, and members of the public.
22

23 **MOTION: Mayor Art Riddile made a motion to excuse Councilor Mariscal's**
24 **absence. Councilor Hazelton seconded the motion and it passed unanimously.**
25

26 **Meeting Notice**

27 Clerk Andis verified that her office gave notice of the meeting in accordance with
28 resolution TC 2024-1.
29

30 **Conflicts of Interest**

31 Councilor G. Riddile he would be recusing himself from item I. The discussion regarding
32 the sale of the 6th Street lot.
33

34 **Agenda Changes**

35 There were no agenda changes.
36

37 **Citizen Comments on Items not on the Agenda**

38 New Castle resident Patrick Boas said he had concerns of water line break on his street
39 and nothing was going to be done until tomorrow.
40

41 **Consultant Reports**

42 Consultant Attorney –present for agenda items only.
43 Consultant Engineer – not present
44

45 **Items for Consideration**

Town Council Meeting
Tuesday, May 7, 2024

1
2 **Proclamation Honoring the Coal Ridge High School Coed Cheer Team**

3 Mayor A. Riddile read the proclamation into the record.
4

5 **Proclamation Historic Preservation Month**

6 Mayor A. Riddile read the proclamation into the record.
7

8 **Proclamation Municipal Clerks' Week**

9 Mayor A. Riddile read the proclamation into the record.
10

11 **Consider Appointment of Kendall Bakich to the Climate and Environment**
12 **Commission (CEC)**

13 Councilor Carey introduces Kendall Bakich. Councilor Carey said she works for
14 Colorado Parks and Wildlife, and she is a fish biologist. Councilor Carey said she
15 would be a great fit for the commission.
16

17 **MOTION: Councilor Carey made a motion to appoint Kendall Bakich to the**
18 **Climate and Environment Commission. Councilor G. Riddile seconded the**
19 **motion and it passed unanimously.**
20

21 Recess the Town Council Meeting, Convene the Local Liquor Licensing Authority

22 **MOTION: Councilor G. Riddile made a motion to recess the Town Council**
23 **Meeting and Convene the Local Liquor Licensing Authority. Councilor**
24 **Carey seconded the motion and it passed unanimously.**
25

26 **Consider a Special Events Liquor License from the Town of New Castle for**
27 **the Rides & Reggae Event on August 2, 2024 and August 3, 2024**

28 Town Clerk Mindy Andis said The Town of New Castle through its representative
29 Adam Cornely requests that the Town of New Castle obtain a special events liquor
30 license for the New Castle Trails Rides & Reggae Event, located in VIX Ranch Park, on
31 Friday, August 2, and Saturday, August 3, 2024. She said if council's consensus is to
32 approve the attached application for a special event liquor permit for the Town of New
33 Castle/New Castle Trails, the clerk's office staff recommends that council consider the
34 following conditions: **1)** That although the application requests a permit time until
35 11:00 p.m. on August 2 and 4, 2024, staff recommends alcohol be served only until
36 10:30 p.m., and alcohol be allowed on premises until 11:00 p.m. Staff also suggests
37 that a 100% ID check be conducted, and that wristbands or handstamps be provided
38 to guests over the legal drinking age of 21. **2)** Currently, all of the representatives or
39 members of RFMBA/New Castle Trails SafeServ (TIPS) certificates have expired and
40 should be recertified. **3)** Staff notes that Garfield County Public Health requires an

1 event plan review application/approval be completed. Staff suggest that New Castle
2 Trails complete the application and submit it since they are the event coordinators.

3 **4)** Staff further suggests that approval from Garfield County Public Health must be
4 submitted to the clerk’s office before a liquor license may be issued.

5 Clerk Andis said Town Administrator Dave Reynolds filed the application on behalf of
6 the Town of New Castle and New Castle Trails through its representative Adam
7 Cornely on March 8, 2024, which is acceptable by the State Liquor Code. The public
8 hearing has been properly noticed. The application is properly completed.

9
10 Mayor A. Riddile opened the public hear at 7:30pm. There were no public comments and
11 the public hear hearing was closed at 7:31pm.

12
13 Mr. Graham Riddile representative for RFMBA/New Castle Trails said Adam Cornley and
14 himself would be taking the TIPS training on Thursday, May 9, 2024, and would
15 provide the certificates to Clerk Andis. He also said that he would provide food truck
16 information and food menu to Clerk Andis once they have made the decision.

17
18 **MOTION: Councilor Hazelton made a motion to approve the special events liquor**
19 **license from the Town of New Castle for the New Castle Rides & Reggae event on**
20 **August 2, 2024, and August 3, 2024, and that service hours will be as stated in**
21 **the application. Councilor Copeland seconded the motion and it passed**
22 **unanimously.**

23
24 Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

25 **MOTION: Councilor Hazelton made a motion to recess the Local Liquor**
26 **Licensing Authority and Convene the Town Council Meeting. Councilor G.**
27 **Riddile seconded the motion and it passed unanimously.**

28
29 **Consider Resolution TC 2024-12, A Resolution of the New Castle Town Council**
30 **Recommending Approval of a Conditional Use Permit for Mobile Vending Carts or**
31 **Stands (I.E., Food Trucks) on Property Located in the C-1 Zone District**

32
33 Planner Paul Smith reviewed his staff report with the council.

34 **I. Background:**

35 *The Applicant proposes the use of mobile food vendors for the property located at 589 W Main St. in*
36 *downtown New Castle. “Mobile vending carts or stands,” are listed as conditional uses in the*
37 *Commercial C-1 district (MC Section 17.36.050). There are currently no conditional use permits for*
38 *mobile food vendors in New Castle, except temporary permits issued during organized events in public*
39 *open space such as Burning Mountain Park or VIX Park.*

40 *The application submittal, provides context for the request: The applicant is currently*
41 *repurposing the existing “Texaco” structure for a brewery and tavern. Presently no bona fide*
42 *restaurant is anticipated on the premises but, per state statue, food will be available for purchase*

Town Council Meeting
Tuesday, May 7, 2024

1 *within the brewery itself or from the proposed mobile vendors. A small music venue is also being*
2 *considered for the front exterior sitting area. **Exhibit A**, shows the proposed food truck locations*
3 *positioned directly west of the existing building.*

4 On April 10th, 2024 the Planning Commission approved PZ 2024-2 recommending conditional
5 approval of up two (2) mobile food vendors on the premises to improve dining options and provide
6 a rotating selection of food options for patrons of the brewery. Colorado Drifters anticipates
7 having at least one food truck regularly available for breakfast and dinner during the week and
8 implementing a lunch option on a later date. The food truck/trailer location will be prepped and
9 ready by July 2024. No more than two (2) food trucks would be in operation on the premises at
10 any one time.

11 As a conditional use application, Town Council is required within sixty (60) days from the date
12 of the Planning Commission's written decision, or within such time as is mutually agreed by Council
13 and the Applicant, to approve the application, with or without conditions, or deny the application.
14

15 ***Approval Criteria:*** An approved application shall:

- 16 1.) be eligible for conditional review under § 17.84.040;
- 17 2.) be generally compatible with adjacent land uses;
- 18 3.) meet all requirements of § 17.84.020 of the Code, is in compliance with Title 17 of the
19 Code, and minimizes potential adverse impact of the conditional use on adjacent properties and
20 traffic flow;
- 21 4.) be consistent with the comprehensive plan; and
- 22 5.) evidence that the Town has the capacity to serve the proposed use with water, sewer,
23 fire, and police protection.

24 ***II. Application Requirements:***

25 The purpose of a conditional use permit is to determine if the nature of the proposed use is
26 appropriate for the location and character of surrounding land uses and poses little negative
27 impact to the health and wellbeing of New Castle residents.

28 1. Site Plan:

- 29 a. *Adjacent land uses and location of adjacent structures;*

30
31 Land uses surrounding the property vary. Single-family homes exist to the north across US 6 and
32 immediately to the east. The Town's public parking lot ("Kamm Lot") is found west off of Kamm Ave.
33 To the south, the property is separated from the railroad tracks by an alleyway. Elsewhere in the
34 vicinity are a restaurant, a hotel, and the Town's sewer treatment facility.
35

1 **Staff Comment** – The C-1 zone allows for a diverse mix of businesses and services, including
2 restaurants. Though food trucks operate similarly to restaurants, they are unique by virtue of their
3 outdoor service component. Food trucks at the proposed location are generally consistent with the C-
4 1 zoning but, like any establishment, may be prone to adverse effects on the immediate surroundings if
5 not properly managed. Therefore, compliance with the attached performance standards will be
6 enforced throughout the life of the CUP.

7 *b. Boundary and size of lot;*
8

9 589 W Main Street is 100ftx100ft (about twice the area of a basketball court). The
10 Applicant plans for the mobile food vendors to be situated on the southwest corner of
11 the property at a right angle. The vendors have been purposely located off the main
12 corner of Kamm Ave. & US 6 in order to preserve the line of sight for vehicle and
13 pedestrian safety (See Municipal Code Section 17.72.110). Note also that the submitted
14 site plan shows the food truck footprint only, and omits generators, signage, tables or
15 other accessory items common with these establishments.
16

17 **Staff Comment** – Positioning the vendors on the southwest corner of the lot will
18 help limit the impacts of light, sound, and smells on neighboring residential properties.
19 The food trucks will also be set back from the existing building a minimum of 10ft for life
20 safety. Staff further recommends, instead of a fixed location to the west side of the
21 building, that a 20-25 ft wide parking envelope be considered on the south and west
22 property boundaries. This alternative will provide flexibility of service for both larger
23 events and/or patio dining in the rear of the property. The Applicant is still finalizing
24 plans for the brewery remodel, including outdoor dining. It may be helpful for the
25 Applicant to specify the remaining use of the outdoor space so that Council may
26 ascertain whether the lot size is adequate for the concurrent operation of the brewery
27 and two mobile food trucks.

28 *c. Building location, height and setbacks;*

29 The setbacks for C-1 zone are zero feet in the front/sides and five (5) feet in the rear.
30 Food trucks/trailers will be parked along the side or rear property lines. Also, the
31 Texaco building is approximately 18 ft tall whereas a typical food truck/trailer is about
32 10 ft tall.
33

34 **Staff Comment** – Mobile food vendors range in size. Staff recommends retaining
35 the aesthetic of downtown by restricting the truck/trailer heights to no more than that
36 of the existing building. If operations are kept to the perimeter of the property, Staff
37 believes the trucks/trailers will act as an enclosure that enhances the dining appeal and safety

1 of the rear (south) space.
2

3 *d. Off-street parking and loading areas;*
4

5 Off-street parking is not a requirement of the C-1 zone district and is therefore not
6 depicted on the site plan. Off-street parking is provided in the nearby Kamm lot (10
7 total spaces of which two are EV & one is veteran parking). On-street parking is limited
8 to only those spaces on US 6. Public Works is agreeable to two, 60-minute loading
9 spaces on the east side of Kamm Ave. south of the 30' vision triangle. No additional
10 loading areas were considered relevant.

11 **Staff Comment** – Kamm Avenue is roughly 34ft wide from face of curb-to-face of
12 curb. Assuming two 12 ft drive lanes, 10 ft may be available for vehicle parking along
13 the street's east side. These few spaces may be advantageous for temporary loading
14 and stocking of the trucks/trailers. Loading areas may also be available in the rear of the
15 lot. Staff recommends that the Applicant specify the use of the south side of the lot
16 (patio seating, food vendors, parking, temp loading, etc.) to aid Council's assessment.

17 The trucks/trailers themselves may access the premises from either Kamm Ave. or
18 the alleyway. However, other than temporary loading from Kamm Ave., in no instance
19 shall vendors use the public rights-of-way for general business operations unless
20 approved as part of the CUP.
21

22 *e. Points of ingress and egress;*
23

24 The property will have an open site plan for dining. Patrons will generally access food vendors
25 from the front (north) side of the premises with some emerging from the rear building exit. An
26 unobstructed means of egress path from the brewery building is expected during all hours.
27

28 **Staff Comment** – In terms of safety and aesthetics, Staff preferences the general
29 southwest lot area for vendor operations. It is possible to stage on the north side of the
30 property, however, this area was rendered less desirable to the Applicant. The mobile
31 food vendors will be prohibited from parking in a manner which interferes with the exit
32 pathway from the south exit of the existing building.
33

34 *f. Service and refuse areas;*
35

36 The Applicant has verbally committed to locating trash receptacle on the southeast
37 corner of the lot as depicted on the site plan. All food preparation is expected to occur within
38 the trucks/trailers or off-site in a commissary kitchen.
39

1 **Staff Comment** – Trash pick-up should take into consideration refuse volumes from
2 both brewery and food trucks. Ideally the refuse containers will be located on the
3 southeast corner of the lot to facilitate ease of access for trash collectors and help with
4 curb appeal. Grease or extraneous food waste produced by the mobile food vendors
5 shall be disposed off-site as regulated by Garfield County Public Health and Human
6 Services.

7 *g. Signs and exterior lighting;*
8

9 Section 17.40.130 requires that exterior lighting in the C-1 district encourage pedestrian
10 activity and, at the same time, limit lighting trespass. The application does not provide
11 lighting or signage specifics, indicating only that signage and lighting will be mounted to
12 the food trucks.
13

14 Staff Comment – Exterior lighting shall be downcast and fully shrouded per dark-sky design
15 specifications. “New Castle will require lighting design that minimizes lighting trespass while meeting
16 appropriate safety standards,” as well as “minimize after-hours business lighting,” (Goal EN-4,
17 Comprehensive Plan pg. 66). Flood lights would typically not be permissible. For signage the
18 proprietor of the truck/trailer will be responsible for a sign permit.

19 *h. Fencing, landscaping and screening;*
20

21 Town code prohibits (Section 17.40.120) exposed mechanical and electrical equipment
22 from undermining the historic character of the district. The submittal does not indicate
23 locations of auxiliary equipment (e.g. generators, power cords, propane tanks), items
24 often indispensable to the operation of a mobile food vendor. Also, food trucks
25 commonly cordon off space around the vehicle with a combination of cones, ropes,
26 flags, or fencing framing the dining location and buffering patrons from ambient street
27 noise.
28

29 **Staff Comment** – Staff recommends that the Applicant provide means and methods
30 for managing any auxiliary equipment or any other apparatus which may detract from
31 the downtown character.

32 *i. Compliance with performance standards;*
33

34 Compliance with performance standards is required in the Municipal Code, Section
35 17.72.090. Performance standards protect the public against nuisances such as smoke,
36 particulate matter, odors, glare, vibration, radiation, electrical disturbances, noise and
37 water pollution. Per Town code (and state statute), the noise produced in a commercial
38 zone shall not exceed the limit of 60 db(A) (i.e. normal conversation volume) during
7am-7pm and 55 db(A) during 7pm to 7am, in commercial zones.

1
2 **Staff Comment** – The application does not speak to potential noise from generators,
3 fumes from cooking, and exhaust from various equipment. Noise and odors are
4 potential nuisances relevant to this CUP. Staff recommends that the Applicant provide
5 strategies for managing potential generator noise and cooking odors as necessary. The
6 applicant has signed the Performance Standards.
7

8 *j. Anticipated utility requirements;*
9

10 Utility requirements of food trucks are normally self-reliant with a generator or battery.
11 In some cases electricity may need to be supplemented from the existing building.
12 Propane is the traditional fuel for cooking.
13

14 **Staff Comment** – Other than what is discussed in sections (h.) and (i.), staff does not
15 have further comment on this item.

16 ***I. Staff Recommendations:***

17 Staff recommends approval of Resolution 2024-02 with the following conditions:
18

- 19 1. No more than two mobile food vendors will be permitted on the premises within the allowable
20 parking location as depicted in green on **Exhibit B**. Other types of mobile vendors are not
21 authorized to operate under this conditional use permit.
22
- 23 2. Daily hours of operation will be no earlier than 7:00 am and no later than 10:00 pm.
24
- 25 3. The bathroom facilities of the Texaco building shall be made available to food truck/trailer
26 employees during all hours of operation. Alternatively, 3rd-party bathrooms and hand washing
27 stations shall be supplied per the requirements of Garfield County Public Health and Human
28 Services.
29
- 30 4. Any auxiliary equipment, materials, or supplies necessary for the function of any food
31 trucks/trailers shall be stored out of site or otherwise screened from public view by means of
32 fencing, landscape ornamentation or other approved means of concealment.
33
- 34 5. Adequate trash receptacles shall be maintained on the southeast corner of the premises.
35
- 36 6. Illustrate locations of on-site parking or designated loading areas as necessary. Any on-site
37 parking shall comply with the accessibility requirements of the International Building Code,
38 Section 1106. Two, 60-minute loading spaces (10' wide x 20' long) are permitted on the east

1 side of Kamm Ave. south of the 30' vision triangle illustrated in Appendix B.

- 2
- 3 7. The use approved in the application shall not be conducted until the Town Planner has issued a
- 4 conditional use certificate. That certificate shall be issued only after the Applicant has entered
- 5 into an agreement with the Town specifying that all conditions imposed by Town Council will be
- 6 completed and that the use and improvements will be in accordance with the approved
- 7 application site plan and development schedule. The conditional use certificate must be issued
- 8 within one year of the date of final approval by Town Council, or the application is deemed
- 9 withdrawn by the Applicant and is of no further force and effect.
- 10
- 11 8. No approved conditional use may be altered or expanded in ground area unless the site plan is
- 12 amended and approved in accordance with the procedures applicable to approval of a
- 13 conditional use as set out in § 17.84.070 of the Code.
- 14
- 15 9. In the event the Town receives any complaints about the use of the site or observes or
- 16 becomes aware of any violations of the conditional use approval, the Applicant and/or owner
- 17 may be summoned before the Town Council in a public meeting to show cause why the permit
- 18 should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing
- 19 shall be open to the public and the applicant or owner may present testimony or offer other
- 20 evidence on its behalf.
- 21
- 22 10. Applicant shall comply with all applicable building and municipal code requirements, including
- 23 the sign code and all accessibility requirements, as well as all performance standards, county
- 24 licensing, and public health requirements.
- 25
- 26 11. Any added exterior lighting will be dark sky compliant pursuant to the Comprehensive Plan Goal
- 27 EN-4.
- 28
- 29 12. All representations of the Applicant in written and verbal presentations submitted to the Town
- 30 or made at public hearings before the Planning Commission or Town Council shall be
- 31 considered part of the application and binding on the Applicant.
- 32
- 33 13. The Applicant shall reimburse the Town for any and all expenses incurred by the Town
- 34 regarding this approval, including without limitation all costs incurred by the Town's outside
- 35 consultants such as legal and engineering costs.
- 36

1 Councilor Carey asked if the restroom and handwash station are a requirement
2 from the county and does there need to be additional restrooms available if there
3 are two food trucks at the same time. Planner Smith said his understanding was
4 from the county is there needs to be restroom and a handwashing station. If
5 Drifters is not open then the food truck would need to have a port-a-potty and
6 handwashing station. Joe Hemelt owner of Drifters said if by some chance Drifters
7 is not open then the food truck would have access to the building, which would be
8 part of their agreement with the food truck.

9
10 Mayor A. Riddile asked if there would always be two food trucks on the property.
11 Alex Polly partner of Drifters said there would be one main food truck, possible two
12 if there is an event going on in town. Ellery's Eatery Food Truck would be the main
13 truck on the property.

14
15 Bryan Flemming owner of Ellery's Eatery Food Truck, said the idea is to have
16 breakfast and diner style food. The options would be hamburgers, wings, hot
17 sandwiches and such. The menu will rotate as there will be weekly if not daily
18 specials.

19
20 Councilor Hazelton expressed concern with the second food truck. His concern is
21 making sure the food trucks that appear for a night, or a weekend has the
22 appropriate licensing and have been the health department process.

23
24 Councilor G. Riddile said he didn't believe there was a concern because the county
25 process is in the CUP and if there becomes a problem then the CUP could come
26 back to council for review.

27
28 Councilor Carey said she would like to see the second food truck at bigger town
29 events such as Burning Mountain Festival. Mr. Polly said that was the idea to
30 promote the business. They would be thoughtful of other businesses in town and
31 have a variety of food available.

32 Councilor Hazelton said he is in support of the one food truck and would like to
33 have the second truck to be reconsidered at some point.

34
35 Councilor Carey asked when the second food truck would come in. Mr. Polly said
36 they would like to bring the second truck in once there is enough demand for it.
37 He would like to offer a second food truck three times between now and the fall.
38

1 Councilor G. Riddile suggested to have the applicant come back to council in a
2 year to report how the second food truck has worked out. Mr. Polly said that
3 would be fine.
4

5 Councilor Hazelton asked about the electricity or the generators for one or two
6 food trucks. Mr. Hemelt said he is putting in a large amp electricity and there will
7 be plenty of electricity for the food truck without running a generator. Mr.
8 Flemming said the health department would prefer there not be generators
9 running. The food truck would be hooked to electricity and water on the property
10 like setting up in an RV Park. He said his gray water would be serviced through a
11 local company. He would not be running a generator at all unless the power goes
12 out.
13

14 Assistant Town Attorney Haley Carmer said there needs to be a change in the
15 conditions in the resolution. The first change is condition B match condition 2 in
16 the staff report. The condition should read: *Daily hours of operation will be no
17 earlier than 7:00am and no later than 10:00pm.* The second change is condition
18 F in the resolution. The condition should match condition 6 in the staff report.
19 The condition should read: *Illustrate locations of on-site parking or designated
20 loading areas as necessary. Any on-site parking shall comply with the
21 accessibility requirements of the International Building Code, Section 1106.
22 Two, 60-minute loading spaces (10' wide x 20' long) are permitted on the east
23 side of Kamm Ave. south of the 30' vision triangle illustrated in Appendix B.* She
24 said the addition condition regarding the food truck would be: *After one year of
25 operation of the use approved by the resolution, applicant shall meet with town
26 council to review the operations and impacts of the second food truck approved
27 by the resolution.*
28

29 **MOTION: Mayor A. Riddile made a motion to approve Resolution**
30 **TC2024-12 - A Resolution of the New Castle Town Council Recommending**
31 **Approval of a Conditional Use Permit for Mobile Vending Carts or Stands (I.E.,**
32 **Food Trucks) on Property Located in the C-1 Zone District with the conditions**
33 **outlined by Town Attorney Carmer. Councilor G. Riddile seconded the**
34 **motion and it passed unanimously.**
35

36 Recess the Town Council Meeting, Convene as the Water and Sewer Enterprise

37 **MOTION: Councilor G. Riddile made a motion to recess the Town Council**
38 **Meeting and Convene the Water and Sewer Enterprise. Councilor**
39 **Hazelton seconded the motion and it passed unanimously.**

1 **Consider Reduction of Water & Sewer Tap Fees for Drifters/Down Vally**
2 **Brewing Company**

3 Administrator Dave Reynolds said Drifters Coffee and the new brewery business at the
4 old Texaco building. Business owner Joe Hemelt and his business partners are in the
5 process of renovating the old Texaco building on Main Street and moving Drifters Coffee
6 to the new location. The new shop will feature a Brewery/ Brew Pub type business and
7 is expected to change the look and feel of this historic downtown building. The Town of
8 New Castle has taken significant steps on behalf of this endeavor by helping to facilitate
9 the sale of the property, making arrangements to relocate the existing U-Haul Business,
10 changing the Municipal Code to allow Breweries as a permitted use in Downtown,
11 consider a Conditional Use Permit to allow the operations of a Food Truck on the Texaco
12 property, and consulting with the owners to help walk them through various processes.
13 Like any new business, the owners of this endeavor are investing significant funds into
14 the renovation of the building, the move of their existing business, and the startup of a
15 new business venture. As funding becomes tight for the project the owners are looking
16 for avenues to cut expenses to keep the project moving forward. One significant
17 expense that the owners would like to explore their options for is the Town's Tap Fee
18 costs. New Castle Municipal Code Sec 13.20.160 allows qualified downtown business
19 owners to work with the town to explore and negotiate Tap Fee Agreements. Town staff
20 has prepared calculations for the tap fee costs related to this business endeavor and will
21 provide the council with the *Approval Criteria* and options available related to Tap Fee
22 Agreements.

23 Administrator Reynolds reviewed calculations for the tap fees (**Exhibit B, C & D**).

24 Administrator Reynolds reviewed the 7 requirements to be met to enter into a
25 tap fee agreement (**Exhibit E**).

26
27 Mr. Hemelt "Thanked" town staff for all of their help with the process of
28 expanding their business. He is asking the town for help with the fees to help
29 them to be able to open the business. Mr. Hemelt was asking for the fees to be
30 either waived or to be paid by the town. He said in two years' time the taxes
31 paid to the town from the sales would be more than paid back in kindness.

32
33 Planner Smith asked if Mr. Hemelt considered being historic designated. Mr.
34 Hemelt said yes. He is currently going through the state process.

35
36 Councilor Leland said with the monitoring of the brewery for a period of two
37 years the town would know how much of a tap fee to charge. Mr. Hemelt said he
38 would like all of the fees to be waived. Councilor Leland asked if the tap fees to
39 be charged would be at 2024 rate or the rate in two years. Administrator
40 Reynolds said the fees would be the 2024 rate.

1 New Castle business owner, Troy Tritschler, said Drifters have been a great
2 asset to the town and owners are community minded.

3 Glenwood Springs resident and business owner, Mitchell Wigner, said he agreed
4 with Mr. Tritschler.

5
6 New Castle resident Sharon Dryden, said she also agrees with what has been
7 said.

8 New Castle resident Timothy Lavin urged the council to help Drifters with the
9 fees. New Castle is a small town and the owners have done good things for the
10 community.

11 The council discussed many options regarding the tap fees and what would be
12 appropriate. The council agreed to an approximately \$6,000 tap fee agreement
13 and approximately \$6,000 grant. The agreement would be five years with one
14 year payment deferment with zero percent interest. Staff will speak with Mr.
15 Hemelt and partners to create a tap fee agreement. The agreement will come
16 back to the council to review the agreement.

17 Adjourn the Water and Sewer Enterprise, Reconvene the Town Council Meeting

18 **MOTION: Councilor G. Riddile made a motion to recess the Water and**
19 **Sewer Enterprise and Convene the Town Council Meeting. Councilor**
20 **Carey seconded the motion and it passed unanimously.**
21

22 **Consider Reduction of Town Fees for Drifters/Down Vally Brewing Company**

23 Administrator Reynolds said business owner Joe Hemelt and his business partners
24 are in the process of renovating the old Texaco building on Main Street and
25 moving Drifters Coffee to the new location. The new shop will feature a Brewery /
26 Brew Pub type business and is expected to change the look and feel of this historic
27 downtown building.

28 In connection with the new business operations, Joe and his team are asking for
29 reductions in Town Fees which include Tap Fees, Permit Fees, Conditional Use
30 Permit Fees, and Demolition Permit Fees.

31 To date the endeavor has paid \$25 for a Demolition Permit, \$500 for the Food
32 Truck Conditional Use Permit, and a \$500 deposit that is used by the Town for
33 professional consulting fees during the Food Truck CUP process (this deposit is
34 refundable if not used).

1 Based on information provided by Joe and his team, staff calculates that the
2 Building Permit Fees will be as follows:

3	Building Permit	\$1,027.00
4	Plan Review Fee	\$ 667.55
5	Use Tax	\$ 900.00
6	Mechanical Permit	\$ 225.00
7	Plumbing Permit	\$ 225.00
8	Water Meter	\$ 292.00

9 **Total Permit Fees: \$3,336.55**

10 Per Council direction, the staff has issued the Building Permits but has not yet
11 charged the above fees pending Town Council direction on this matter.

12
13 **MOTION: Councilor Carey made a motion to waive the fees for building**
14 **permit, plan review fee, mechanical permit, plumbing permit and water**
15 **meter for Drifters/Down Valley Brewing. Councilor Leland seconded the**
16 **motion and it passed unanimously.**

17
18
19 Executive session concluded.

20 At the end of the executive session, Mayor Pro Tem Hazelton made the following
21 statement:

22 "The time is now 8:11p.m. and the executive session has been concluded. The
23 participants in the executive sessions were: Councilor Mariscal, Councilor Carey,
24 Councilors Copeland, Councilor G Riddile, Councilor Leland, Town Administrator Reynolds,
25 Town Clerk Andis, Assistant Town Attorney Haley Town Attorney David McConaughy,
26 Town Planner Paul Smith and Town Public Works Director John Wenzel. For the record, if
27 any person who participated in the executive session believes that any substantial
28 discussion of any matters not included in the motion to go into the executive session
29 occurred during the executive session, or that any improper action occurred during the
30 executive session in violation of the Open Meetings Law, I would ask that you state your
31 concerns for the record."

32
33 No concerns were stated.

34
35 **Consider Tap Fee Refund**

36 **MOTION: Councilor Hazelton made a motion to refund tap fee payment of**
37 **\$9600.00 plus 8 percent interest for a total of \$12,093.24 to fer funded back to**
38 **the property owners. Councilor G. Riddle seconded the motion and passed on a**
39 **roll call vote: Councilor Mariscal: yes; Councilor Carey: yes; Councilor Hazelton:**
40 **yes; Mayor Art Riddile: no; Councilor Copeland: yes; Councilor Leland: yes;**
41 **Councilor Graham Riddile: yes.**

Town Council Meeting
Tuesday, May 7, 2024

1
2 Recess the Water and Sewer Enterprise, Convene the Council Meeting

3 **MOTION: Councilor G. Riddile made a motion to recess the Water and Sewer**
4 **Enterprise and Convene the Town Council Meeting. Councilor Carey seconded the**
5 **motion and it passed unanimously.**

6 **Consider Ordinance TC2024-2, Authorizing the Sale of Real Property Owned by**
7 **the Town (First Reading).**

8 Councilor G. Riddile left at 9:42pm

9
10 Attorney Carmer said the town charter requires the town to approve the real sale by
11 passing an ordinance. The ordinance also authorizes the town administrator to the mayor
12 to sign the closing documents. The ordinance to for 600 West Main Street.

13
14 **MOTION: Councilor Leland made a motion to approve ordinance TC2024-2,**
15 **Authorizing the Sale of Real Property Owned by the Town (First Reading).**
16 **Councilor Carey seconded the motion and it passed on a roll call vote: Councilor**
17 **Leland: yes; Councilor Copeland: yes; Mayor A. Riddile: yes; Councilor Hazelton:**
18 **yes; Councilor Carey: yes.**

19
20 Councilor G. Riddile returned at 9:44pm.

21
22 **Executive Session for a conference with the Town Attorney for the purpose of**
23 **receiving legal advice on specific legal questions under CRS Section 24-6**
24 **402(4)(b) regarding pending litigation against CVR Investors, Inc.**

25
26 **Motion: Councilor Leland made a Motion at 9:45p.m. to go into Executive Session**
27 **for a conference with the Town Attorney for the purpose of receiving legal advice**
28 **on specific legal questions under C.R.S. 24-6-402(4)(b) regarding pending**
29 **litigation against CVR Investors, Inc. Councilor Hazelton seconded the motion**
30 **and it passed unanimously.**

31
32 Executive session concluded.

33 At the end of the executive session, Mayor A. Riddile made the following statement:

34 "The time is now 10:00p.m. and the executive session has been concluded. The
35 participants in the executive sessions were: Councilor Carey, Councilors Copeland,
36 Councilor Leland, Town Administrator Reynolds, Town Clerk Andis, Assistant Town
37 Attorney Haley, Town Planner Paul Smith and Town Treasurer Viktoria Ehlers. For the
38 record, if any person who participated in the executive session believes that any
39 substantial discussion of any matters not included in the motion to go into the executive
40 session occurred during the executive session, or that any improper action occurred
41 during the executive session in violation of the Open Meetings Law, I would ask that you
42 state your concerns for the record."

1 No concerns were stated.

2

3 **MOTION: Councilor Leland made a motion to extend the meeting past 10:00pm.**
4 **Councilor Carey seconded the motion and it passed unanimously.**

5

6 **Executive Session for a conference with the Town Attorney for the purpose of**
7 **receiving legal advice on specific legal questions under CRS Section 24-6**
8 **402(4)(b) regarding pending litigation against CVR Investors, Inc.**

9

10 **Motion: Councilor Leland made a Motion at 10:01p.m. to go into Executive**
11 **Session for a conference with the Town Attorney for the purpose of receiving**
12 **legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) regarding**
13 **pending litigation against CVR Investors, Inc. Councilor Hazelton seconded the**
14 **motion and it passed unanimously.**

15

16 Executive session concluded.

17 At the end of the executive session, Mayor A. Riddile made the following statement:

18 "The time is now 10:02p.m. and the executive session has been concluded. The
19 participants in the executive sessions were: Councilor Carey, Councilors Copeland,
20 Councilor Leland, Town Administrator Reynolds, Town Clerk Andis, Assistant Town
21 Attorney Haley, Town Planner Paul Smith and Town Treasurer Viktoria Ehlers. For the
22 record, if any person who participated in the executive session believes that any
23 substantial discussion of any matters not included in the motion to go into the executive
24 session occurred during the executive session, or that any improper action occurred
25 during the executive session in violation of the Open Meetings Law, I would ask that you
26 state your concerns for the record."

27

28 No concerns were stated.

29

30 **Consider Approval of Settlement Agreement with CVR Investors, Inc.**

31 **MOTION: Councilor G. Riddile made a motion to postpone the approval of the**
32 **settlement agreement until the next meeting, May 21, 2024, due to one councilor**
33 **and the mayor being absent. Councilor Carey seconded the motion and it passed**
34 **unanimously.**

35

36 **Consent Agenda**

37 April 16, 2024 Minutes

38 April Bills \$678,448.98

39 Report of Changes for Kum & Go Liquor License

40

41 **MOTION: Councilor Leland made a motion to approve the consent agenda.**
42 **Councilor G. Riddile seconded the motion and it passed unanimously.**

43

1 **Staff Reports**

2 **Town Administrator** – Administrator Reynolds said he had spoke with Mr. Hemelt after
3 they spoke to council verifying a decision was not made tonight in regard to the tap fees.
4 Administrator Reynolds asked them to come back with a proposal and to meet with him to
5 create a tap fee agreement which would be suitable for both Drifters and the town council.
6 The agreement would come back to the council on June 4, 2024, for a review. Councilor
7 G. Riddle suggested the next time something like this happens there needs to be a
8 subcommittee created with two councilors to create an agreement and then bring the
9 agreement to the council in a regular meeting. Administrator Reynolds said he did meet
10 with the owners of Drifters and walked them through the process and what Administrator
11 Reynolds would be reporting to the council. He also gave them time to prepare for the
12 council meeting and figure out exactly what they were going to be asking for. Mayor Pro
13 Tem Hazelton said he Is willing to work with the owners of Drifters but also need to be
14 realistic about the ask.

15 Administrator Reynolds said he called Public Works Director John Wenzel in regard to Mr.
16 Boas concern regarding the water line break. Director Wenzel told Administrator Reynolds
17 is the service line into Mr. Boas’s house broke and the break was under the road. The
18 Public Works Department went and met with Mr. Boas. Public Works assess the citation
19 and realized Public Works didn’t have the right materials to tare up the road, shutoff the
20 neighborhood and do the project today. The water is coming up through the road and the
21 water would not ruin Mr. Boas foundation. The water is running down the road and into
22 the gutter. Public Works made the decision to gather the materials needed today and
23 shutoff the water tomorrow and make the repair. Public works noticed the neighborhood
24 about the shutoff. Administrator Reynolds called Mr. Boas back and spoke with him and
25 explained that the Public Works Department had gone out and assessed the water break
26 and had informed Mr. Boas of what the plan was going to be.

27 Administrator Reynolds said Representative Lauren Bobert had put out an announcement
28 through AGNC. There is funding called “Community Funding” and Rep. Bobert has been
29 allocated \$20million to local communities for projects. Staff was able to put together a
30 grant asking for \$3.5million for the southside intercept project. The grant was due on
31 Thursday and the town was notified Friday morning that Rep. Bobert had chosen the
32 towns application to move forward in the review ad approval process. Rep. Bobert’s office
33 reached out to the town needing letters of support. Staff went around town to have local
34 businesses sign the letter and also had Steve Rippy sign the letter as well.

35 Administrator Reynolds reminded council about the Ice Cream Social schedule for July 12,
36 2024, from 3pm – 5pm at Burning Mountain Park. Staff has received a lot of interest from
37 town partners such as the library, fire department etc.. Administrator Reynolds also
38 reminded council about the “Redneck” BINGO the town is the host for the chamber.
39 BINGO is June 13, 2024, at the Community Center at 6:30pm. Staff will be running the
40 concessions and will have the option to decided how to use the money from the
41 concessions.

42 Administrator Reynolds said he will be leaving on vacation tomorrow afternoon and will
43 not be back until late Tuesday, May 21, 2024. So, he will miss Tuesday, May 21, 2024
44 council meeting.

45 Administrator Reynolds said Kathryn Senior Elementary (KSE) PTA approached staff to
46 have a meeting with two of the PTA members. The PTA want to do new playground

1 equipment that would be handicap assessable. The PTA would be looking at Great
2 Outdoors Colorado (GOCO) grants. However, the school doesn't qualify for the grants, but
3 the town does. GOCO will not give money to a school unless the grant is sponsored by the
4 town. Staff also suggested FMLD grant and doing a partnership grant. The playground
5 equipment wanting to be replaced would be open to all of the town. The PTA will be
6 coming to council in June.

7 Administrator Reynolds said the town was awarded the grant for the round-about. Would
8 be a good idea to have the Capital Committee meet again to reevaluate the funds in the
9 capital project fund.

10 Administrator Reynolds asked the council about the July 2, 2024, council meeting, if the
11 council would want to cancel or reschedule that council meeting. Since the 4th falls on a
12 Thursday this year.

13 Administrator Reynolds said the towns' cemetery caregiver Mike Miller has resigned from
14 the maintenance of the cemetery. Mr. Miller would like to continue marking graves and
15 placement of headstones. Administrator Reynolds said he met with Director John Wenzel
16 and decided to have the parks department take over the maintenance of the cemetery.
17 Administrator Reynolds said Mr. Miller would like to create rules for the cemetery in regard
18 to decorating plots and also placing signage on where people could and couldn't walk.

19 Administrator Reynolds said HPC is researching and considering designating the cemetery
20 as a historical landmark.

21 Administrator Reynolds said Chief Burrows will be gone on vacation from May 15, 2024 –
22 May 24, 2024. He said Lieutenant Stu Curry has been given distinct direction on how to
23 handle situations that may come up. Administrator Reynolds said there have been two
24 new officers sworn in and another will be sworn in. Chief Burrows has received an
25 application from another applicant who would be a good candidate for the police
26 department. The applicant has a mission trip planned and a vacation planned, and the
27 town is willing to work around that. Chief Burrows has made a job offer pending final oral
28 board review and physical review. Once the applicant is hired the police department will
29 be fully staffed. Councilor G. Riddile said the police department can't or shouldn't stop
30 recruiting. Administrator Reynolds said the town should start looking for a school resource
31 officer and a code enforcement officer to help the planning department.

32 Administrator Reynolds said Glenwood Springs has had an issue with one of their officers
33 who was a roommate of one of our officers. There have been conversations with our
34 officer to ensure there would be no surprises.

35 Administrator Reynolds said there will be an Open House for the Round-About on June 11,
36 2024, at the Community Center. The plans for the round-about will be laid out and would
37 like to get public feedback.

38 **Town Clerk** – Clerk Andis said since it's late she would report at the next meeting.

39 **Town Treasurer** – Treasurer Ehlers said the public works department received their new
40 truck. She said she is almost at the end of the audit. The auditor is asking for additional
41 items now. She will have the quarterly report done and sent to council. Administrator
42 Reynolds "Thanked" Treasurer Ehlers for all of her hard work she has done for the audit.

43 **Town Planner** – Planner Smith said there is another CUP tomorrow night with P&Z for
44 Xcel Energy. He said R2 Development does have their preliminary plan application
45 submitted and will be going to P&Z on June 26, 2024.

1 **Public Works Director** – not present

2

3 **Commission Reports**

4 **Planning & Zoning Commission** – nothing to report

5 **Historic Preservation Commission** – nothing to report

6 **Climate and Environment Commission** – nothing to report.

7 **Senior Program** – nothing to report

8 **AGNC** – nothing to report

9 **GCE** – nothing to report

10 **EAB** - nothing to report

11 **Detox** – nothing to report

12 **Council Comments**

13 Councilor Graham Riddile said at this point the elk creek bridge is scheduled to
14 be destroyed by CDOT. Mayor Pro Tem Hazelton said the bridge should be
15 salvaged if possible.

16

17 **Items for Future Council Agenda**

18 Councilor Carey asked if there would be a presentation from the Colorado River
19 Conservation District to discuss the Shoshone water rights purchase. She also
20 asked if Jake Straton from CPW will be doing a presentation on bear
21 awareness. Clerk Andis said yes. Both topics will be on the next council agenda.
22

23 **MOTION: Mayor Pro Tem Hazelton made a motion to adjourn. Councilor
24 Carey seconded the motion and it passed unanimously.**

25

26 The meeting adjourned at 11:02p.m.

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28 Respectfully submitted,

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38 _____
Town Clerk Mindy Andis, CMC

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Mayor Pro Tem Grady Hazelton