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First name: Tim

Last name: McGuire

Organization:

Title:

Comments: Mr. Scott Fitzwilliams, Forest Supervisor,

c/o Matt Klein, Realty Specialist

White River National Forest

PO Box 190

Minturn, CO 81645

3/30/2020 via email

Dear Mr. Fitzwilliams:

We are providing the following comments for the Holy Cross Energy (HCE) Avon-to-Gilman Electric (115-kV) Transmission Line #57224 ("Project") on behalf of Battle North LLC, Battle South LLC, and Battle One Developer LLLP ("Battle Entities"). The Battle Entities own over 5,000 acres of property on the south end of Minturn directly adjacent to USFS lands. The proposed location of the high voltage transmission lines will be located on or directly adjacent to the Battle Entities property for approximately 3.2 miles (over one third of the total proposed transmission line length). While we appreciate the importance and need for the project, we ask that HCE and the USFS equally consider impacts of the Project to the overall community, residents and business owners of Minturn, USFS lands, and those of private landowners directly adjacent to USFS lands. Being one of (if not the most) effected landowner, the Battle Entities seeks to work with both the USFS and HCE to reduce and mitigate impacts from the Project.

Based on a review of the information provided it appears there will be considerable impact from the Project to the Battle Entities property on the south end of Minturn, from where the line transitions from underground to above ground as it goes through USFS lands. Starting at pole 40 through pole 90, the Project will be either directly adjacent to, have direct impacts on, or located on, the Battle Entities property. The Battle Entities have been working closely with the Town of Minturn to approve a residential project on the Battle North parcel for several years. The residential project will provide much needed locals housing, additional commercial income, and potential potable water infrastructure to the community.

With the increased awareness of the potential hazards of high voltage transmission lines, from both a potential fire hazard and EMF exposure, we are concerned with the hazards this project may pose to the community and specifically the residential project that is proposed on the Battle North LLC parcel. In addition to the physical hazards above we are also concerned with the visual impacts the project will create. We understand HCE is proposing to bury a portion of the lines to mitigate these impacts through the Town of Minturn. We ask that additional mitigation (through burial) is used wherever the poles may be within 1000 feet of an existing or proposed residence and businesses. In reviewing the maps along the southern portion of Minturn, this would result in additional line burial between poles 40-42 and 46-58. Additionally, to reduce visual impacts, we request that any proposed aerial lines located between poles 40-70 be installed as low as possible with minimal right of way clear-cutting, to mitigate visual impacts from this high visibility area. Additional burial along the north end of the Project may also be warranted.

To date, we have had several conversations with HCE about the project and have voiced our concerns about the exact location and design of the line as it will affect our property. The drawings that have been presented to the USFS are the most detailed we have had the opportunity to review. We look to continue to work with both the USFS and HCE on the design and location of the lines as well as the best way to mitigate the potential effects of the project. It should be noted, none of the required easements for either direct or indirect impacts have been

presented to or negotiated with the Battle Entities. Finally, any work on the Battle South LLC parcel will require review and approval of both CDPHE and EPA as portions of the land are designated as Superfund, which will require special design and construction procedures. The Battle Entities will not assume any liability for work conducted within any portions of the superfund site through which the lines may cross, or access is required.

We hope the above comments are helpful in determining the level of environmental review that will be required by the USFS. We continue to make ourselves available to work with HCE and the USFS to mitigate potential impacts from the Project.

Sincerely,

Tim McGuire
Director of Development
Battle Entities