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RESOLUTION NO. 2026-11

RESOLUTION ISSUING A SPECIAL REVIEW USE PERMIT IN THE COUNTY OF BENT, STATE OF COLORADO TO THREE CORNERS CONNECTOR, LLC, A GRID UNITED COMPANY

WHEREAS, pursuant to the Bent County Planning and Zoning Manual (Regulations), adopted by the Board of County Commissioners (Commissioners), Bent County has received an Application (Application) from Three Corners Connector, LLC, a Grid United Company, (Applicant) for a special review use permit; and

WHEREAS, the Application is for the development of an approximately 290-mile, up to 525 kilovolt (kV), high voltage direct current (HVDC) transmission line between Pueblo, Colorado and Guymon, Oklahoma, which includes 47.4 miles of HVDC transmission line and one fiber repeater station. The transmission line route generally will run southeast to northwest through Bent County; and

WHEREAS, Three Corners Connector LLC is being developed by Grid United LLC, which is in turn wholly owned by Centaurus Capital LP. Centaurus Capital LP is the Houston-based family office of John and Laura Arnold; and

WHEREAS, the application was submitted by the Applicant and fee paid on or about April 27, 2026. The final application, with all requested attachments per the Bent County Planning and Zoning Regulations Section 5.02.03, was deemed complete on May 14, 2026. Notice to Applicant that the Final Application was deemed complete was provided on May 14, 2026; and

WHEREAS, publication of the public hearing notice for the Special Review Use Permit regarding the application was published in the Bent County Democrat on July 2, 2026. Publication of the notice met the minimum fifteen (15) days publication requirement outlined in the Bent County Planning and Zoning Regulations Section 5.02.02; and

WHEREAS, written notice regarding the public hearing were sent out by certified mail to property owners adjoining the proposed project on or about June 29, 2026. Mailing of the notices met the minimum fifteen (15) days notification requirement outlined in the Bent County Planning and Zoning Regulations Section 5.02.02; and

WHEREAS, no mineral notifications were required, per the attached letter from Three Corners Connector; and

WHEREAS, barring any discovery at the public hearing, it is the opinion of the staff that the Applicant has shown compliance with the Regulations, specifically:

(a) The use is compatible with all existing uses on land adjacent thereto, or appropriate measures have been taken to alleviate such incompatibilities.

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(b) The use will not unnecessarily scar the land or soil upon which such use is to be placed, leaving deleterious effects such as denuded slopes, uncovered oil piles to be blown away, scars upon areas of natural historic value.

(c) Uses with unsightly aspects, odors, or noise are set back a sufficient distance from adjacent property boundaries and proper fencing or screening is provided to that adjacent property is not adversely affected.

(d) The use shall comply with all applicable air and water pollution control legislation.

(e) The use is consistent with an orderly pattern of development within the County as consistent with the adopted Master Plan; and

WHEREAS, construction is anticipated to start in 2027, and Phase I of the Project would become operational in 2031; and

WHEREAS, the lands impacted in Bent County by this project may sometimes be referred to herein as the "project lands" or "subject property" or other similar language; and

WHEREAS, the Application further states that upon construction completion, the Applicant will reclaim all disturbed ground, as best as possible, to pre-construction condition; and

WHEREAS, the Application further states Three Corners Connector LLC has acquired voluntary land options for easements along 93 percent of the proposed transmission line route in Bent County. The Application provides for extensive revegetation and a reclamation plan that includes proper topsoil handling and stockpiling; site stabilization and erosion control; revegetation soil preparation and seeding; post-construction monitoring of the revegetation and reclamation efforts by appropriate third parties; and

WHEREAS, the Application further commits the Applicant to adhere to rules and regulations set forth by Federal, State and local agencies.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF BENT COUNTY, COLORADO HAS APPROVED THE APPLICATION AND ISSUES A SPECIAL REVIEW USE PERMIT AS FOLLOWS:

This Permit authorizes Three Corners Connector, LLC to construct 47.4 miles of HVDC transmission line and one fiber repeater station across Bent County, Colorado, on the real property described in **Exhibit A** attached hereto, subject to the additional conditions set forth below.

A. **Conditions Applicable to the Permit.** This Permit is issued with the following mandatory conditions:

1. No grading, site preparation, or construction activity may occur on the site until the Special Review Use permit has been granted to Applicant.

2. Before the commencement of construction, Three Corners Connector LLC is to provide a $3,600,000 revegetation financial guarantee or bond held in favor of Bent County. Ten percent (10%) or $360,000.00 shall be a cash deposit held with Bent County Treasurer. Ninety percent (90%) of this amount, or $3,240,000.00 shall be represented by a bond issued in favor of Bent County. Bond must be renewed every 5 years. Revegetation and reclamation of the above-described property must be properly completed and done, such revegetation and reclamation to be approved by the Commissioners in accordance with the "Revegetation Classification Standards and Special Conditions for 1041 Permits" attached hereto as **Exhibit B** and hereby incorporated by reference.

2. Applicant shall address any reasonable concerns or objections of any state or local agency or government that may arise during or after construction or maintenance of the Project.

3. Before the commencement of construction of the Project, Applicant shall verify to the Bent Commissioners and the Bent County Land Use Administrator that it has acquired all necessary easements or property rights to complete the Project.

4. Before the commencement of construction of the Project, Applicant shall submit verification to the Commissioners and the Bent County Land Use Administrator that it has complied with and received all necessary permits and approvals, as applicable, from local and state governmental entities.

5. Applicant shall enter into a Road Use Agreement with the County setting forth the Roads to be used during construction and Applicant's financial responsibility for repair or additional maintenance of Roads affected by construction.

6. Applicant shall comply with all applicable laws and regulations to avoid or mitigate interference with any significant wildlife habitat or adversely affecting any endangered wildlife species, unique natural resource or historic landmark within the Project.

7. Applicant shall comply with all of the following requirements:

a. The Permit shall be limited to the plans show in the Application, as mapped at the final hearing of the Commissioners, with the exception that any change of placement within the property of participating landowners or county right of way would not be considered a substantial change to the Permit.

b. Substantial changes from the plans or development standards as shown or stated shall require Applicant to apply for and obtain the approval of an amendment of the Permit by the Commissioners before such changes from the plans or development standards are permitted.

c. Copies of all appropriate permits and approvals of federal, state and local agencies obtained by Applicant shall be forwarded to the Bent County Land Use Administrator. Any

construction done within Bent County right-of-way will require a right-of-way permit obtained from the Bent County Land Use Administrator.

d. All disturbed areas shall be reclaimed in coordination with the affected landowners as set forth in Applicant's reclamation plan, or in accordance with landowner easements or licenses, as applicable.

e. Once construction and revegetation of the Project is completed the Range Management Specialist shall be allowed access to the sites to perform one (1) inspection each year. The Bent County Land Use Administrator shall promptly forward to Applicant copies of all reports or recommendations of the Range Management Specialist. When revegetation is established and has been deemed complete by the Range Management Specialist, Bent County will release the revegetation bond and reimburse Applicant's 10% cash deposit (described in Section A.1. hereof).

f. Applicant shall not permanently dispose of waste within the Project areas.

g. Applicant shall store and remove for final disposal in a manner that protects against surface and groundwater contamination all liquid and solid wastes (as defined in the Solid Wastes Disposal Sites and Facilities Act, 30-20-100 C.R.S., as amended).

h. Applicant shall manage, store and dispose of waste materials in a manner that reasonably controls debris, blowing debris, and other potential nuisance conditions in conformance with applicable laws and regulations.

i. To the extent reasonably feasible, Applicant shall control throughout the Project areas all fugitive dust, either from construction or transportation of equipment, in conformance with applicable laws and regulations.

j. Applicant shall comply with all of the foregoing development standards set forth in this Section and noncompliance with any of the foregoing development standards shall be subject to the enforcement provisions of the Regulations.

k. The construction and operation of the Project must meet or exceed all applicable Federal, State, and local requirements, and the site is to conform to all applicable zoning and building permit requirements and be maintained to acceptable standards as of the date of this agreement.

l. Applicant shall comply with any and all Bent County Health Department requirements in their entirety.

B. **Compliance with Regulatory Requirements.** Applicant shall comply with all state, county, local and federal regulatory requirements, permits, decrees and other approvals applicable to the development and activity.

C. **Scope of Permit and Permit Amendments.** This Permit is limited to the Project as described in the Application, as amended during the public hearing process orally or in writing, and as approved. The Permit conditions includes all agreements and representations of Applicant made during the public hearing process. Applicant shall notify the Commissioners of any proposed change to the Project features or operation, and the Commissioners shall determine whether an amendment to this Permit would be required to ensure that the changes will not violate any standards in Bent County's Regulations and will not violate the terms and conditions of this Permit.

D. If the Commissioners determine that any material representation made by Applicant in the Application or during the public hearing process is false or deliberately misleading, the Commissioners may pursue an enforcement action for violation of this Permit.

E. Any material change in the construction, use or operation of the Project, together with Applicant's commitments of record, shall require a Permit amendment. For these purposes, a material change shall be any change in the Project which significantly changes the nature of impacts considered in approval of the permit, including changes resulting from permits issued by other governmental organizations or the appropriate courts of law.

F. **Commencement of Project.** If Applicant fails to take substantial steps to commence the activities for which the Permit is issued within sixty (60) months from the date of issuance of this Permit, then the Permit may be revoked or suspended by the Commissioners following notice and public hearing. The Applicant must provide a project status report within twenty-four (24) months. The Commissioners may, in its discretion, extend the time period to begin the project upon written request by Applicant, following a public hearing.

G. **Term of Permit.** The Permit shall be valid indefinitely for the life of the Project, provided that Applicant is in compliance with the Permit. If shown to be necessary, the Commissioners may, in its discretion, extend the term of the Permit upon written request of Applicant, following a public hearing.

H. **Transfer of Permit.** The Permit may only be transferred or assigned in whole or in part upon written approval of the Commissioners. Any proposed transferee or assignee to the Permit shall demonstrate that it can and will comply with all terms and conditions of the Permit.

I. **Permit Violation.** Failure to comply with any portion of this Permit is a violation of the Permit and the Regulations and is subject to the enforcement provisions therein.

J. **Default Provisions.** Default of the Permit shall be governed by the Regulations. In the event that the Commissioners determine that enforcement action is necessary, the Commissioners shall enforce the Permit in accordance with the existing enforcement procedures, and Applicant shall reimburse all of Bent County's costs and expenses incurred in enforcing the Permit.

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K. **Non-Default Disputes.** If a dispute arises pertaining to matters covered by this Permit, other than an alleged violation of this Permit, Applicant and the Bent County Land Use Administrator shall first meet to attempt to resolve the dispute. If the dispute cannot be satisfactorily resolved, Applicant and the Commissioners shall meet to attempt to resolve the dispute.

L. **Non-Waiver.** Failure of the Commissioners to insist upon strict performance of Applicant's obligations set forth in this Permit shall not be construed as a waiver of strict performance of Applicant required by this Permit.

M. **Entire Permit.** This Permit constitutes the entire Permit and supersedes all representations, written or oral, made by Bent County, the Commissioners or Applicant.

N. The following exhibits are attached and fully incorporated herein:

Exhibit A: Legal description of the Subject Property

Exhibit B: Revegetation Classification Standards and Special Conditions

DATED this 29th day of July, 2026.

ATTEST:

Lynda G Moss
Clerk to the Board

Bent County Board of County Commissioners

By: Alan Stump
Alan Stump, Chair