

6

## NOTICE OF ADMINISTRATOR'S DETERMINATION ON A FONSI

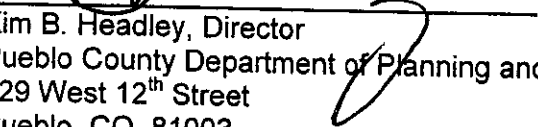
The undersigned, in his capacity as the Director of the Pueblo County Department of Planning and Development and pursuant to the provisions of the Pueblo County Code as the person responsible for the administration of designated matters of State and Local Interest within the County of Pueblo, as set forth in Chapter 17.148.080 of the Pueblo County Code, has made a determination to deny a request for a Finding of No Significant Impact (FONSI) made by Colorado Springs Utilities on behalf of the proposed Southern Delivery System (SDS) project participants, to wit:

Colorado Springs Utilities, on behalf of the City of Colorado Springs, City of Fountain, Security Water District and the Pueblo West Metropolitan District, submitted materials in support of a request for a determination of FONSI for the proposed Southern Delivery System. The proposed SDS project in Pueblo County would include: the proposed storage of large quantities of SDS water (up to 42,000 AF annually) in Pueblo Reservoir under new proposed long-term contracts with the Bureau of Reclamation; the trade of water stored in Pueblo Reservoir, under new contracts with the Bureau, for water stored in other upstream reservoirs; the modification of one or two outlets of Pueblo Reservoir for connection to the SDS pipeline; the construction of a 14,000 square foot, 42-foot high pump station building, office and parking lot below the dam in Lake Pueblo State Park with a pumping capacity of 78 million gallons per day; the construction of a 66-inch diameter pipeline through about 20 miles of Pueblo County, much of it through the urbanized area of Pueblo West in unincorporated Pueblo County; and the carriage of return flows from the SDS pipeline and other sources in Fountain Creek or the Arkansas River across lands in Pueblo County, for recapture through the SDS pipeline, directly or by exchange. After appropriate review and consideration, the undersigned has determined that the project does not qualify for a FONSI and the same is denied.

The finding made as indicated above may, pursuant to the provisions of Chapter 17.172.090(D), be reconsidered in accordance with the following procedure:

1) Call up by the Board. Within fourteen ~~(14)~~ days after publication of this Determination, the Board of County Commissioners may decide to reconsider the Determination. Such reconsideration, if requested, shall be made at the next regularly scheduled meeting of the Board of County Commissioners for which proper notice can be accomplished.

2) Any affected parties seeking reconsideration of the administrator's Determination set forth herein shall file a written request with the Board of County Commissioners within fourteen (14) days of the date of this publication of this Notice of the Administrator's Determination on the FONSI. In the event that such written request is appropriately and properly filed, the Board of County Commissioners shall reconsider the Administrator's Determination on the FONSI at the next regularly scheduled meeting for which proper notice can be accomplished. The affected party may request a reasonable extension if necessary.

  
Kim B. Headley, Director  
Pueblo County Department of Planning and Development  
229 West 12<sup>th</sup> Street  
Pueblo, CO 81003

