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JOAN ARMSTRONG
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DEPARTMENT OF PLANNING AND DEVELOPMENT

August 4, 2011

Dear Ms. Mosser,

This is in response to your recent email, requesting Pueblo County's concurrence that a pre-bid test pit for the Southern Delivery System Project does not, with respect to the 1041 Permit approved by Pueblo County, constitute construction activity.

It is our understanding that the test pit is a pre-bid activity, to determine excavation conditions for contractors who intend to bid on the pipeline project. The test pit is to be dug on a private parcel, and will be backfilled immediately after determining excavation conditions. This is to be the only test pit associated with the S 1 portion of the pipeline project.

I have determined, with the concurrence of the Board of County Commissioners, that this does not constitute "construction" but is a pre-construction activity.

Please be advised that this determination does not constitute an exemption from any other applicable regulations. The project is subject to approval by any regulatory agency where required by regulation or statute.

Sincerely,

Joan Armstrong
Interim Director