

**Woeber, Jeff**

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**From:** AMosser@csu.org  
**Sent:** Friday, July 15, 2011 5:08 PM  
**To:** Woeber, Jeff; Benbow, Dave  
**Cc:** KRiley@csu.org; kbinkley@csu.org; ESpain@CSU.ORG  
**Subject:** Concurrence on test pit activity

Gentlemen,

This email is a follow up to the phone conversations we had yesterday regarding the request for concurrence that pre-bid test pits for the S1 alignment do not constitute construction on the pipeline.

It is our belief that the test pit we intend to dig on the private parcel does not initiate pipeline construction activity, as the purpose of the test pit is to provide an opportunity for contractors who have an intention to bid on the project to witness excavation conditions and to view the soil type(s) at this location. The pit will be dug with a trackhoe and will be backfilled immediately with the excavated soil removed during the dig.

The lowboy that will transport the track hoe to the site will be parked on Spaulding Ave. and the trackhoe will be tracked to the parcel along the Fountain Valley Authority maintenance road. All participant parking will also be on Spaulding Ave. and observers will hike along the same maintenance road to the property approx. 1500 ft. south of the road.

We anticipate conducting this activity the second week of August, potentially on the 10th.

We intend to have fire suppression equipment on site during the excavation.

Test pits are a typical pre-bid activity that provides potential contractors an opportunity to see the physical conditions of a site, as our contract conditions do not allow them to conduct this exercise on their own as part of the pre-bid activity, nor are they provided the opportunity to contact property owners for this effort. This is the only test pit we plan to dig for the S1 work package.

Please let me know if you have further questions. We are trying to coordinate this date and activity with many folks and would appreciate your response soon.

Thank you,  
Allison

*Allison Mosser  
Southern Delivery System  
Colorado Springs Utilities*

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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