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## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 12, 2021

ATTN: Santiago Tijerina

Black Hills Energy 7060 Alegre St. Fountain, CO 80817

RE: (ADM-21-048) Determination of Applicability of the El Paso County Guidelines and

Regulations for Areas and Activities of State Interest (herein referred to as 1041

Regulations) as to the Hwy 94 Enoch Road - Mayberry Project

Dear Mr. Tijerina:

This letter is in response to your "1041 Applicability Determination for the Hwy 94 Enoch Rd – Mayberry Project" which includes a request for an exemption of the proposed natural gas pipeline from the El Paso County Land Development Code Appendix B, Guidelines and Regulations for Areas and Activities of State Interest. The proposed action includes installation of approximately six (6) miles of six (6) inch diameter natural gas pipeline.

After reviewing your letter requesting comments regarding the proposal against the applicable sections of the El Paso County Guidelines and Regulations for Areas and Activities of State Interest (1041 Regulations), it is the determination of the El Paso County Planning and Community Development Department Director that the proposed project is not subject to the County's 1041 Regulations and, therefore, will not require a 1041 permit.

Please be advised that this determination is limited to the project as proposed. Additional review(s) for applicability of the 1041 Regulations will be required by the County for any future change(s) to the facility. A construction drawing review and ESQCP permit are required prior to the initiation of any ground disturbing activities on private property. A work-in-the-right-of-way permit is required for any activities occurring within County right-of-way.

If you have any questions or concerns regarding this determination, please contact myself or Ryan Howser, Planner II, at (719) 520-6049 or <a href="mailto:ryanhowser@elpasoco.com">ryanhowser@elpasoco.com</a>.



Sincerely,

Craig Dossey Executive Director

El Paso County Planning and Community Development Department