

EL PASO  **COUNTY**
COLORADO

Kevin Mastin, Interim Executive Director
El Paso County Planning & Community Development
O: 719-520-6300
KevinMastin@elpasoco.com
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Board of County Commissioners
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August 16, 2022

ATTN: Jennifer Bell
Burns & McDonnell
9785 Maroon Circle, Suite 400
Centennial, CO, 80112

RE: (ADM-22-027) 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 Ellicott Utilities Company Proposed Wastewater Treatment System Project

Dear Ms. Carlsen:

This letter is in response to your “1041 Applicability Determination for the Ellicott Utilities Company Proposed Wastewater Treatment System Project” which includes a request for an interpretation of whether the proposed improvements would meet the applicability criteria of the El Paso County Land Development Code Appendix B, Guidelines and Regulations for Areas and Activities of State Interest. According to your request letter, the proposed action includes construction of a new wastewater treatment system, including the following improvements:

1. The Ellicott North Wastewater Treatment Plant (WWTP) located near the intersection of Falcon Highway and Peyton Highway (parcel # 3300000457);
2. An approximately 10-mile wastewater pipeline connecting the WWTP to the planned Mayberry Development; and
3. A lift station (or multiple smaller lift stations) located within the development.

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

After reviewing your letter requesting applicability of the sections of the El Paso County Guidelines and Regulations for Areas and Activities of State Interest (1041 Regulations) to the project, it is the determination of the El Paso County Planning and Community Development Department Director that the proposed project is subject to the County's 1041 Regulations and, therefore, will require a 1041 permit. Please address the following 1041 Sections in Appendix B - Guidelines and Regulations For Areas and Activities of State of the Land Development Code (2022):

2.303 (Items 1-23)

3.201 (Items 1 - 4)

4.201 (Items 1-6)

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 disturbance. A Work in the Right-of-Way permit is required for any activities occurring within a County right-of-way.

If you have any questions or concerns regarding this determination, please contact myself or Ryan Howser, Planner III, at (719) 520-6049 or ryanhowser@elpasoco.com.

Sincerely,



Kevin Mastin
Interim Executive Director
El Paso County Planning and Community Development Department

