

**DAVIS, GRAHAM & STUBBS LLP**

A LIMITED LIABILITY PARTNERSHIP  
ATTORNEYS AT LAW

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TO: Allen Owen

DATE: February 5, 2001

COMPANY NAME: Colorado State Forest Service

FAX NO.: (303) 448-1283

FROM (RETURN TO): Kurt M. Petersen

PHONE NO.: (303) 442-0428

*Direct Line: (303) 892-7365*  
*E-Mail: kurt.petersen@dgsllaw.com*  
*Location: 302*

NUMBER OF PAGES (INCLUDING THIS COVER PAGE): 5

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CLIENT NAME/MATTER NO.: 777777-7777

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MESSAGE:



## Davis Graham &amp; Stubbs LLP

February 5, 2001

Via Fax

Mr. Allen Owen  
District Forester  
Colorado State Forest Service  
936 Lefthand Canyon Drive  
Boulder, CO 80302

Re: LU-00-17 Vivace Reef LLC

Dear Allen:

Thank you for your January 29th Letter. It was helpful. I wanted to see if you could help us address another issue. The Commissioners have raised the issue of visual screening of the road to be constructed. The road that we prefer is depicted on the attached plat as Road Alternative A. From my visit up there this weekend, the Douglas Fir forest on the north slope has more than enough trees to effectively screen the new road. Already there are tall trees on the slope that would screen the road from view. With a little forest management, and with the new light coming in from the south because of the new road, the trees should grow quickly. I guess we are lucky to have such a healthy forest.

Could you please write us another letter based on your last letter to address the visual screening issue. I have attached a revised version of your January 29th letter to give you a feel for what we need. We are in front of the commissioners on next Wednesday, so if you could get us the letter in the next few days, we will be in good shape. Please review and give me a call.

Thanks for all of your help.

Very truly yours,

Kurt M. Petersen

for

DAVIS GRAHAM &amp; STUBBS LLP

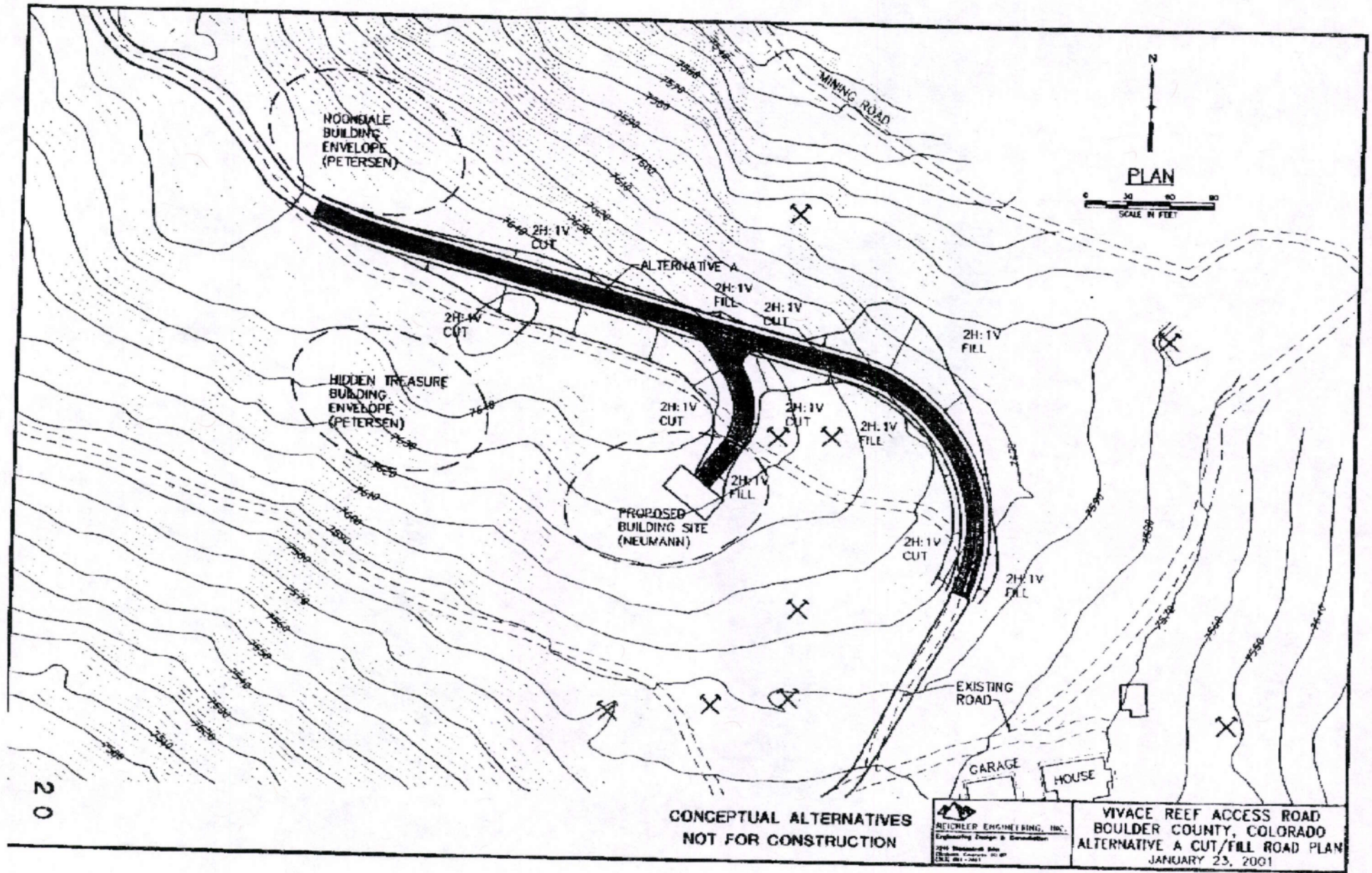
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February 5, 2001 03:01 pm

Kurt M. Petersen


303 892 7365

kurt.petersen@dgsllaw.com



20

CONCEPTUAL ALTERNATIVES  
NOT FOR CONSTRUCTION


**REICHLER ENGINEERING, INC.**  
 Engineering Design & Construction  
 2245 Woodward Blvd.  
 Boulder, Colorado 80501  
 (303) 440-1100

**VIVACE REEF ACCESS ROAD**  
**BOULDER COUNTY, COLORADO**  
**ALTERNATIVE A CUT/FILL ROAD PLAN**  
 JANUARY 23, 2001



January 29, 2001

Bruce Neumann, PhD.  
University of Colorado at Denver  
Campus Box 165  
Denver, CO 80217-3364

Boulder District  
936 Lefthand Canyon Drive  
Boulder, Colorado 80302  
(303) 442-0428

Kurt Petersen  
Davis Graham & Stubbs LLP  
1550 17<sup>th</sup> Street  
Denver, CO 80202

**RE: LU-00-17 VIVACE REEF LLC**

Dear Mr. Neumann and Petersen,

Thank you for the opportunity to meet on site today to review your proposed site development accessing the *Nil Desperandum*, and related parcels near Sunshine Saddle in Boulder County.

Parcels owned by Mr. Neumann and Mr. Petersen are currently accessed via an historic two-track road adjacent to the Byerlein property at 1453 County Rd 83. The primary access road follows a prominent east-west ridge line; the aspects (direction a slope faces) along this ridge are generally north and south. The dominant tree species along the southern aspect is ponderosa pine with a minor component of Douglas-fir and Rocky Mountain Juniper. The dominant tree species along the north slope is Douglas-fir, with a minor component of ponderosa pine. The ridge-line area has experienced varying levels of cutting activities; this is due to historic mining activity, past mountain pine beetle (MPB) epidemic(s) and endemic dwarf mistletoe (DMT) activity in the ponderosa pine. Access along the ridge is good and has helped facilitate tree removal. Currently a contractor is working in this area removing dead and heavily infested DMT ponderosa pine.

The overall stand condition/health may be categorized by tree species. The ponderosa pine is in serious decline due to many years of DMT infection and associated MPB activity. Regeneration is poor due to an inadequate seed source and a lack of soil/site disturbance. Stocking levels (trees per acre) along the ridge is between 400-500 tpa. and consists of young Douglas-fir regeneration. What few ponderosa pine that are left exhibit DMT ratings of 4-6. (0 meaning no infection, 6 meaning imminent death).

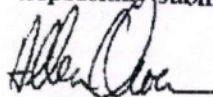
The Douglas-fir, being a prolific "seeder" and shade-tolerant species, has established itself well along the ridge and the north slope. In many places stocking levels exceed 1000 tpa. This stocking level is composed (mostly) of young seedlings and saplings with an average stand height of 20 feet or less. The existing fir overstory will continue to produce a viable seed crop and resulting regeneration. No insect or disease problems were apparent in the fir. ~~Many of the taller trees along the ridge exhibit lightning strikes.~~

Forest management prescription implementation for these two stands will enhance overall forest health while ~~greatly reducing the existing extreme wildfire hazard~~. All ponderosa pine with a DMT rating of 4 or more should be cut and removed. Any residual pine should be favored and maintained as a seed source and pruned to a 10 foot height. ~~Slash generated from any cutting activity should be either chipped, piled and burned or removed from the site.~~ The Douglas-fir should be thinned throughout the area. Crown spacing between the fir overstory should be maintained at 12 to 20 feet; spacing between younger regeneration will vary depending on tree height but should fall within a 5 to 12 foot spacing. Ladder fuel pruning should be conducted on most remaining fir. ~~Tree thinning should occur along the upper one-third of the entire length of the ridge contouring the north and south facing slopes.~~ Visual impacts from thinning activities will be minimal to surrounding residents.

The existing ridge road would serve as an excellent foundation for a shaded fuel break thinning. Thinning distances should extend (contour) downhill along the north and south aspects approximately 125-175 feet, depending upon slope. Site specific fuelbreak design and layout can be arranged by contacting this office. This fuelbreak thinning is critical in order to reduce the effects of catastrophic wildfire occurring in this watershed, benefitting not only the community of Sunshine but, more specifically, any future residential development along the ridge.

Thank you for this opportunity to review your forest management concerns. Should you have any further questions or if we may provide any management assistance to you, please feel free to contact us.

Respectfully submitted,



Allen Owen  
District Forester

and the visual screening of the roads.

The proposed road on the north facing slope (Road Alternative A) would also serve as an excellent foundation for a shaded fuel break thinning. To address the visual impact of the new road, sufficient fir trees exist on the downhill side of the road, that with the existing forest and careful forest management, the new road would be effectively screened from view.



February 7, 2001

Boulder District  
936 Lefthand Canyon Drive  
Boulder, Colorado 80302  
(303) 442-0428

Bruce Neumann, PhD.  
University of Colorado at Denver  
Campus Box 165  
Denver, CO 80217-3364

Kurt Petersen  
Davis Graham & Stubbs LLP  
1550 17<sup>th</sup> Street  
Denver, CO 80202

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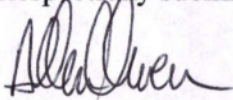
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Forest management prescription implementation for these two stands will enhance overall forest health.. The Douglas-fir should be thinned throughout the area. Crown spacing between the fir overstory should be maintained at 12 to 20 feet; spacing between younger regeneration will vary depending on tree height but should fall within a 5 to 12 foot spacing. Ladder fuel pruning should be conducted on most remaining fir.. Visual impacts from *thinning* activities will be minimal to surrounding residents.

The existing ridge road would serve as an excellent foundation for a shaded fuel break thinning. The proposed road along the north slope (Road Alternative A) would also serve as a good foundation for a shaded fuelbreak thinning. To address the visual impact of the new road, sufficient Douglas-fir exist on the downhill side of the road that with the existing forest cover and implementing *careful* forest thinning prescriptions, the visual impact from the new road construction should be minimal. Site specific thinning and fuelbreak design can be arranged by contacting this office.

Thank you for this opportunity to review your forest management concerns and the visual screening of the road. Should you have any further questions or if we may provide any management assistance to you, please feel free to contact us.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allen Owen". The signature is fluid and cursive, written over a light blue horizontal line.

Allen Owen  
District Forester

January 29, 2001

Bruce Neumann, PhD.  
University of Colorado at Denver  
Campus Box 165  
Denver, CO 80217-3364

Kurt Petersen  
Davis Graham & Stubbs LLP  
1550 17<sup>th</sup> Street  
Denver, CO 80202

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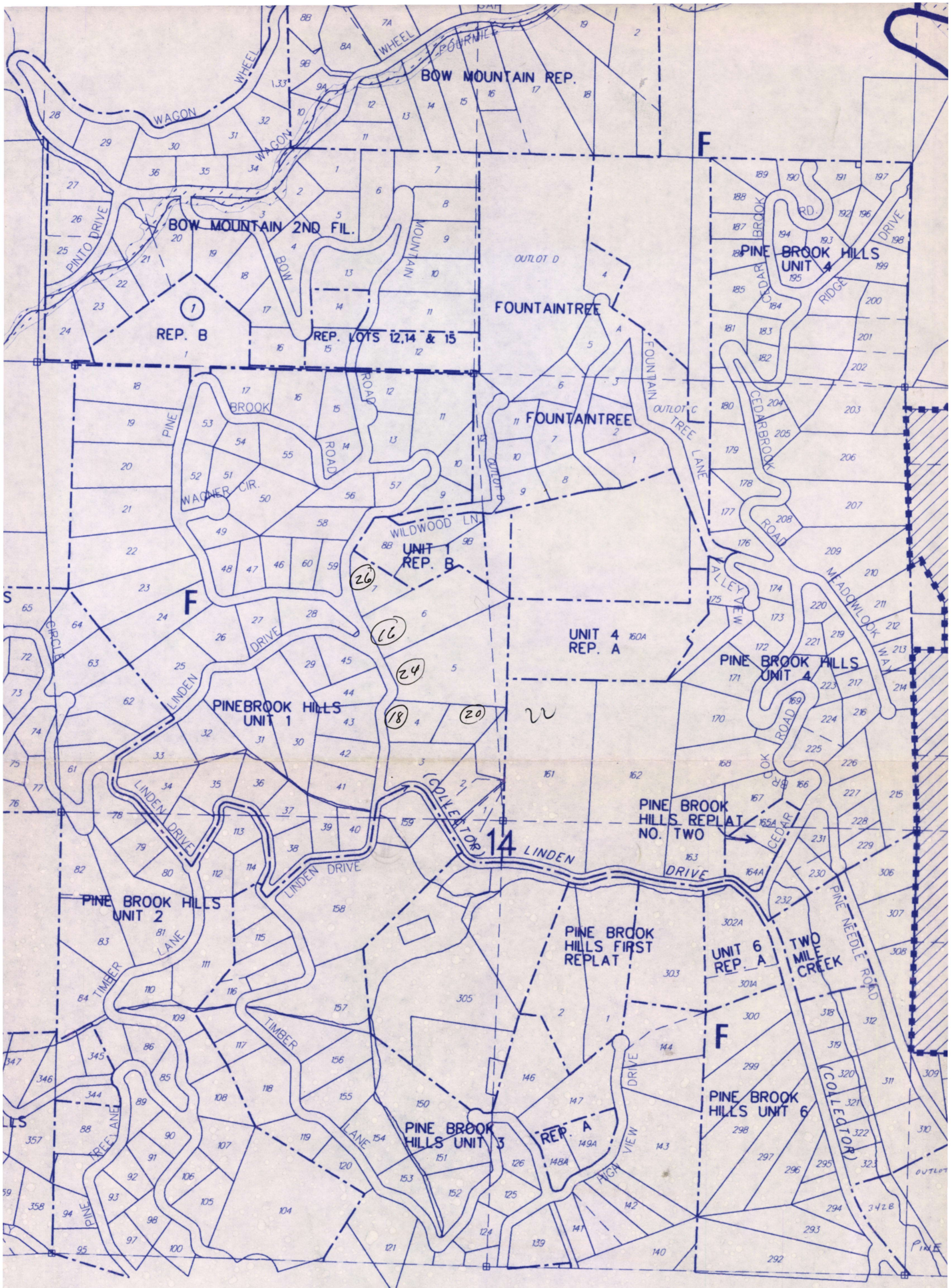
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Thank you for this opportunity to review your forest management concerns. Should you have any further questions or if we may provide any management assistance to you, please feel free to contact us.

Respectfully submitted,

Allen Owen  
District Forester



Zoning Districts



Natural Resource  
Protection Overlay

Date of Ad

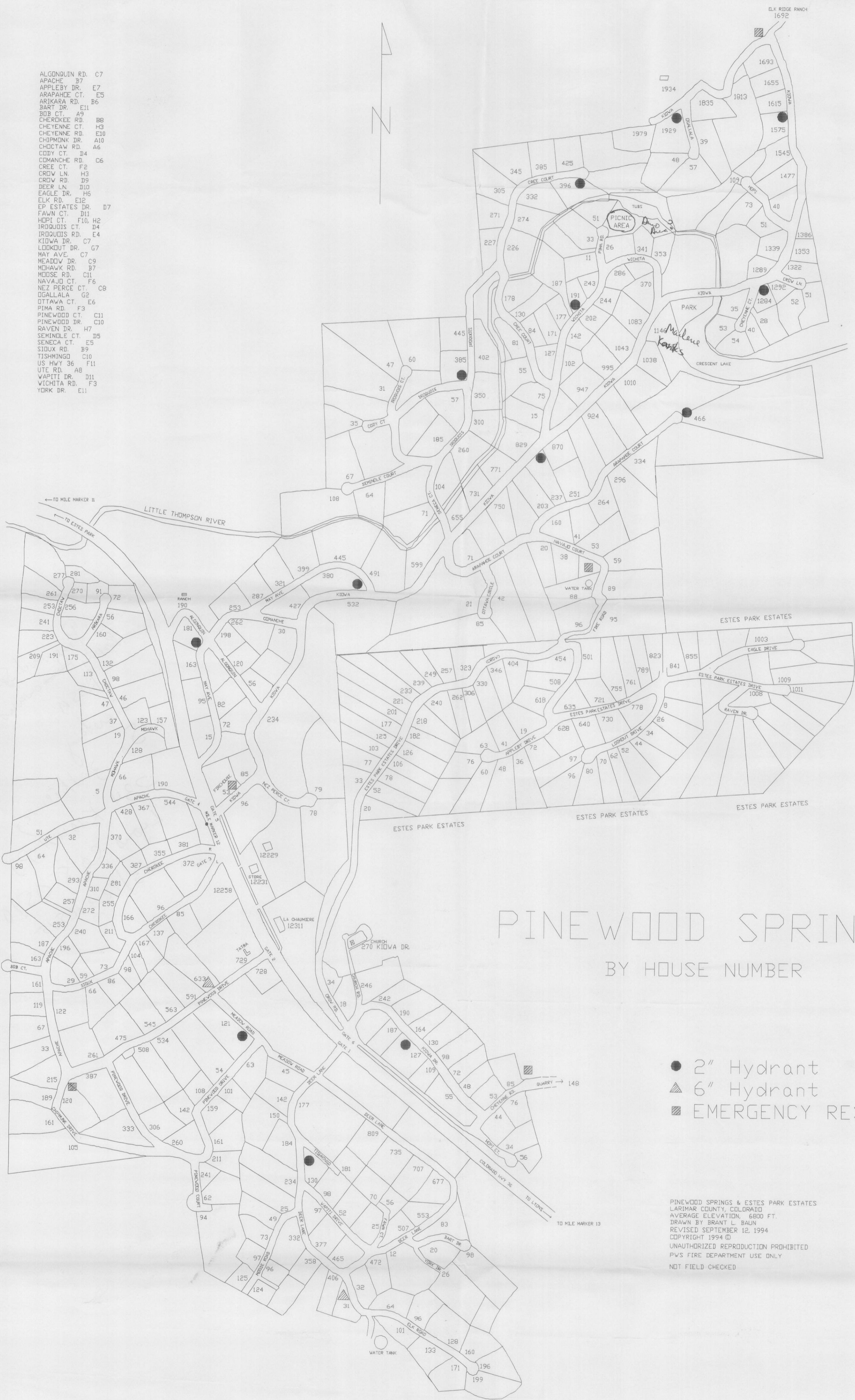
OCTOBER 19

City Limits as of: S

A B C D E F G H I

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- ALGONQUIN RD. C7
- APACHE B7
- APPLEBY DR. E7
- ARAPAHO CT. E5
- ARIKARA RD. B6
- BART DR. E11
- BOB CT. A9
- CHEROKEE RD. B8
- CHEYENNE CT. H3
- CHEYENNE RD. E10
- CHIPWONK DR. A10
- CHOCTAW RD. A6
- CODY CT. J4
- COMANCHE RD. C6
- CREE CT. F2
- CROW LN. H3
- CROW RD. D9
- DEER LN. D10
- EAGLE DR. H5
- ELK RD. E12
- EP ESTATES DR. D7
- FAVN CT. D11
- HOP CT. F10
- IRROQUOIS CT. D4
- IRROQUOIS RD. E4
- KIDWA DR. C7
- LOOKOUT DR. G7
- MAY AVE. C7
- MEADOW DR. C9
- MOHAWK RD. B7
- MOOSE RD. C11
- NAVAJO CT. F6
- NEZ PERCE CT. C8
- OGALLALA G2
- OTTAWA CT. E6
- PIMA RD. F3
- PINEWOOD CT. C11
- PINEWOOD DR. C10
- RAVEN DR. H7
- SEMINOLE CT. D5
- SENECA CT. E5
- SIOUX RD. B9
- TISHMINGO C10
- US HWY 36 F11
- UTE RD. A8
- VAPITI DR. D11
- WICHITA RD. F3
- YORK DR. E11



# PINWOOD SPRINGS

## BY HOUSE NUMBER

- 2" Hydrant
- ▲ 6" Hydrant
- ▨ EMERGENCY RESERVOIR

PINWOOD SPRINGS & ESTES PARK ESTATES  
 LARIMAR COUNTY, COLORADO  
 AVERAGE ELEVATION, 6800 FT.  
 DRAWN BY BRANT L. BAUN  
 REVISED SEPTEMBER 12, 1994  
 COPYRIGHT 1994 ©  
 UNAUTHORIZED REPRODUCTION PROHIBITED  
 PWS FIRE DEPARTMENT USE ONLY  
 NOT FIELD CHECKED

Pinewood Spring  
Property Owners  
Assn  
Secretary  
Susan Zietkiewicz  
234 KIOWA RD  
LYONS CO 80540  
303/823-0515