

*Submission to El Paso Co Planning and Community Development is prefaced with the understanding that entities associated with Eagle Rising Filing No.1 (project name) have proven extremely litigious individuals. No less than **three** adjacent property owners have had extensive lawsuits filed against them and **additional** land owners served with cease and desist letters from Eagle Rising land owners. Individual home owners are not in the position to enter into what is certain litigation with the Eagle Rising developers. Therefore comments will remain anonymous.*

Concern:

W.E. (E.W.) believe Kurie Road should extend through Eagle Rising, connecting to Eagle Wing Drive and future Briargate Parkway.

W.E. understand that Eagle Rising developers filed a Preliminary Plat however this will soon be six years past. The extensive lessons learned from the 2013 Black Forest fire had not been realized. The Eagle Rising entities fully embrace the importance of embracing the lessons learned of the Black Forest fire. See attached letter from Eagle Rising land owners addressing specific details and concerns regarding fire protection.

A two-mile swath between Black Forest Road and Vollmer Road, south of Burgess Road is "land locked". Hundreds and hundreds of residents south of Burgess are sandwiched and forced east or west to escape.

W.E. know that Kurie Road can be extended (as originally platted), connected to Eagle Wing Drive and extended to the future Briargate Parkway (south end of proposed Eagle Rising) thereby providing an additional egress out of the wooded area. Hopefully County planners will be able to also facilitate Huntsman Rd/Wildflower Rd/Thomas Rd to be eventually modified to exit out of this treed area of Black Forest. If not, extending Kurie Road is the final opportunity to fix this two-mile swath of land locked homes.

Just one more road to the south in this two-mile stretch of heavily wooded area could prove crucial during what Eagle Rising land owners have called "the next big forest fire" (see attached letter from Eagle Rising land owners).

Please take this last chance to add at least one additional exit, via Kurie Road, out of Black Forest for the two-mile stretch between Black Forest Road and Vollmer Road. W.E. believe Hundreds of homes south of Burgess Road depend on this planning decision.



Happy Thanksgiving Black Forest Neighbor and Park Forest Water District Member,

We are lucky and blessed to live here and to have access to sufficient water for household, irrigation and fire protection. I feel strongly enough about these matters to write to each of you. Please, join me in taking steps to mitigate fire fuels around your home along with the following actions.

1. Prepare for fire: According to the Black Forest Together organization, Fire Chief Jack and other experts, the open question about the next big forest fire is "when, not if." Fire is not taken seriously in the Park Forest Water District (PFWD). The Board of Directors refuses to add fire prevention and control objectives to the District's Mission. They seem to be misguided by the District's two attorneys, Paul Anderson and Julianne Woldridge of MacDougall, Woldridge & Worley. Henry Worley, formerly of the same firm, appears to have misled PFWD and several other parties in years past about water storage. Mission Statement aside, please take action to direct the District Board to take reasonable actions to provide better water resources to fight the next Black Forest fire.

The PFWD Board, led by Pam Sekac, recently allowed 20 acre feet (6,500,000 gals) of water controlled by the District as "return flow credits" to drain downstream for no good reason, nor gain, rather than allow it to remain in storage as a supplemental supply for fire protection. These "return flow credits" are generated when the District's water pumped from the Denver Basin aquifer well is used within the community for household and irrigation purposes, and can be recaptured as they flow into Cottonwood Creek for reuse by the District at its discretion, and without additional cost. The now wasted water was stored previously in the two large ponds on our property. As you may recall, the water stored in these ponds was used by military helicopters to fight the 2013 Black Forest Fire. Water delivered by these Blackhawk and Chinook helicopters saved many homes and structures in the Burgess and Vollmer Roads region. Perhaps water from these very ponds prevented the fire from crossing Burgess Rd. to burn your home in Park Forest Subdivision itself. But the PFWD Board was unwilling to provide excess return flow credits to allow for the refill of those ponds, thanks in part to an ongoing dispute with me, my family, and our business interests. The Board's failure to allow the refill of the ponds could permanently deprive the Black Forest community of this significant amount of water, ready and available for easy access by helicopter fire buckets and Fire Department pumpers, to fight the next fire. Moreover, District members have not been widely informed that this Board action so far has cost each and every household nearly \$200: \$60,000 in total. Please, take action and instruct the

PFWD Board to dedicate its excess return flow credits towards the refill of these ponds before the next Black Forest fire. This is the best use for the "return flow credits" water PFWD generates.

2. Network water resources: Members of the PFWD, prospective homebuyers and the insurance industry are misled by the number of fire hydrants evident in the Park Forest Water

District. All PFWD hydrants connect to two tanks supplied by wells and pumps which can only supply enough water to operate two or three of these fire-hydrants at any one time, according to Lynn Willow, PFWD's Operator. Need it be said that two or three fire-hydrants are insufficient to effectively fight multiple fires or a big fire? Supplemental water supplies for fire-fighting, including pond storage, were necessary for the 2013 fire, and will be necessary for the next fire, as well. During the Black Forest Fire, PFWD could not supply water through its hydrants at all after Mountain View Electric turned off power because the District had not installed back-up electricity generators. Just like it was prudent subsequently to install onsite electricity generation, it is now prudent for the District to use its excess return flow credits to refill the large ponds on our property and to take steps to encourage other pond owners in the District to maintain full ponds. Park Forest Subdivision homeowners and PFWD are fortunate to be located near Cottonwood Creek where ponds are possible, and to have sufficient return flow credits available to allow those ponds to be refilled out-of-priority for future fire-fighting needs. Now all that remains is for the Board to take action to allow the ponds to be filled.

Many Black Forest residents disparage the deep wells and pipeline installed by the Cherokee Water District without recognizing the positive upside. Cherokee's tanks located uphill from PFWD and the 24" pipeline routed on a diagonal through the Forest supply more than 20 new fire-hydrants with several million gallons of gravity-pressured water at the ready. PFWD members would benefit from connecting PFWD pipes to the Cherokee pipeline to increase the supply of water under pressure available to power more fire hydrants. The same pipeline could also be used by PFWD to sell excess water. Please, take action and instruct the PFWD Board to connect PFWD pipes with the Cherokee pipeline now and with Colorado Springs Utilities pipes in the future as that opportunity may develop.

3. Install residential sprinklers: Ample misinformation and public confusion abounds regarding residential fire sprinkler systems, which function differently than commercial fire sprinkler systems. When a residential sprinkler head is exposed to 165 degrees F, the plug melts and water is sprayed over the nearby area. Other sprinklers in the system do not spray until they are exposed to 165 degrees. The goal is to allow time for people to escape from the fire and the building. If the person in the vicinity of the fire is old, very young or infirm, the additional time made possible by the water discharge can be life-saving. The sprinkler may also slow the fire for the Fire Department. Residential fire sprinkler systems are relatively simple devices so their cost is modest. PFWD could join Colorado Springs Utilities and other responsible government entities to endorse, and take steps to encourage, installation of residential fire sprinkler systems. Instead, as has been consistent with the attitude and actions regarding fire prevention and protection listed above, PFWD Board of Directors neglects their role in educating PFWD members about residential fire sprinklers and instead has adopted Rules and Regulations that discourage installation of residential sprinklers, including a proposed fire sprinkler tap fee increase to \$40,000 per tap beginning in 2019, a four-fold increase over that set in January 2018.

PFWD Board of Directors' current actions neglect public service, assume unnecessary liabilities and make all of us less safe. I respectfully request that you take notice of the harm their actions may cause, and actively participate in causing the Board to reverse course on these issues.

In a related matter, companies in which I am a member are parties to a lawsuit against the District for Breach of Contract stemming in part from their denial of service. A letter from the PFWD Board to members on this matter dated March 2018 contains many false statements. See pfwd.co for more of the PFWD story. You may contact me via the web site or my P O Box.

Please, do what you can to prevent and fight fires:

1. Direct the PFWD Board to make excess return flow credits available to refill ponds within the District for fire-fighting supplies
2. Direct the PFWD Board to connect PFWD pipes to Cherokee Metro District pipes
3. Install residential fire sprinklers in your home, and direct the Board to reduce the fire protection tap fee to zero.
4. Mitigate fire fuels on your property to the "drip torch standard".

Thank you,

Steve Jacobs
P O Box 2076
Colorado Springs, CO 80901

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Concern:

W.E. (E.W.) believe Eagle Rising developers are attempting to gain free, permanent and exclusive, access to property owners' land outside of and adjacent to the proposed Eagle Rising Filing No.1 plat (see west boundary of attached). W.E. believe Eagle Rising developers intend for this to result in limited and gated access to the extended portion of Eagle Wing Drive (labeled Eagle Wing View) defined as "private" on Eagle Rising Filing No.1.

Using the Final Plat Drawing included with this submission, the dotted lines W.E. have highlighted have NO definition. W.E. believe this is intentionally vague and intended to deceive County reviewers. These dotted lines are not property owner boundaries. Nor are these dotted lines County Right of Way. In fact, the dotted lines represented by the Eagle Rising developers cross **private property** and have NO factual basis.

W.E. believe these markings, outside of the Eagle Rising Filing No.1 plat, will be used to force property owners to acquiesce their property to a dedicated turnaround, locked outside of a gated Eagle Rising private roadway if the plat is approved as is. This action by the developers forces all Eagle Rising View traffic, delivery vehicles, service vehicles, etc. to remain outside of Eagle Rising (note community mailbox platted) yet fully servicing the gated/private housing development.

Please require Eagle Rising developers to fully declare intentions regarding the Eagle Wing Road turnaround outside of the Eagle Rising Filing No.1 plat and answer these questions:

Is this gated? Is the gated approach approved?

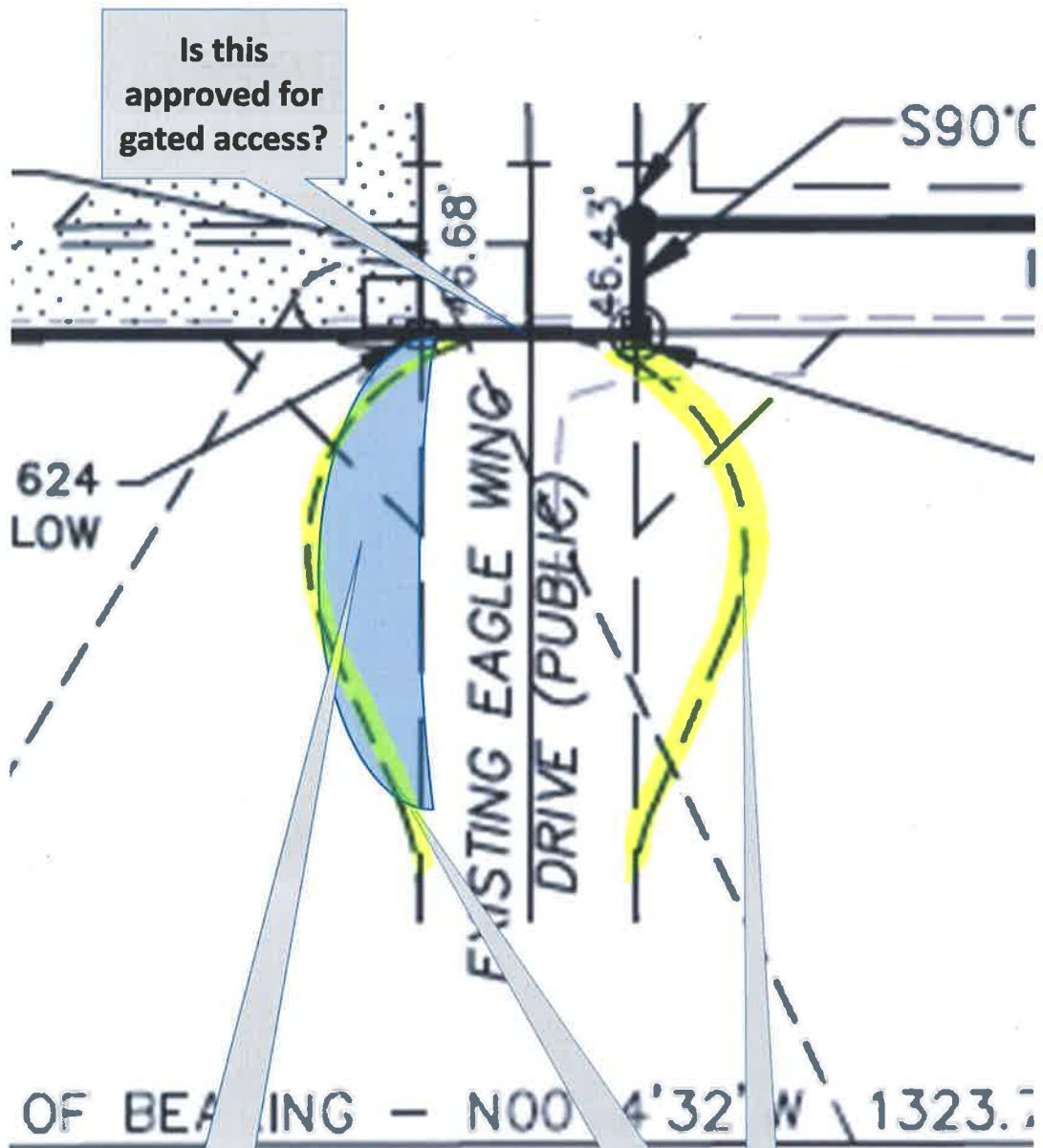
Is this a Right of Way change?

Will the County take over maintenance, drainage, etc?

Will the property owners be forced to bring to County Right of Way standards?

Will property owners be compensated?

W.E. Comment #2



Is this approved for gated access?

Is this shaded area (and opposing side) being donated to the County?

What is the basis for these lines? County R.O.W.? Property lines?