



Working to Preserve a Reasonable Balance

# Preserve Unique Magnolia

A S S O C I A T I O N

**P. U. M. A. Newsletter • Box 536 • Nederland, Colorado 80466**

## **HALLOWEEN IS FUN**



Join The Fun!!!!  
A balloon at your driveway entrance means you have treats for them.



Visit The Haunted House. Greg Ching will unchain his Spooks and Ghosts at Aspen Meadows and Meadowland Court.



PUMA 'S First Garage Sale was a huge success! Funds of approximately \$2,000 were divided with High Country Fire Department. The garage sale committee consisted of: Rosalie Bargmann, Bonnie Sundance, Parmita Pushman, Lynda Chapman and Jennifer Stewart with a host of PUMA volunteers, whose contributions went beyond the call of duty. Thanks again for all who helped and contributed so generously! Also a big thanks to Bette Ritinger who allowed PUMA to use her garages for the sale.

## **LOCAL ISSUES IGNORED IN GROSS RESERVOIR RELICENSING**

by Clark and Lynda Chapman



Gross Reservoir is in the midst of a re-licensing process, the first in its half-century existence. PUMA was one of numerous

government entities and NGOs that participated in a multi-year public process in the mid-90s, which reached a comprehensive and sensitive consensus about associated recreational and other developments that might impact the environment. That consensus has been thrown into the wastebasket by the Federal Energy Regulatory Commission (FERC, the same agency that has been in the news in the last few months regarding California's energy crisis). FERC has replaced it with a specious alternative, which is disliked by most stakeholders and represents an egregious example of Unfunded Mandates generated from inside the Beltway.

Does FERC really have the legal power to run roughshod over a local community in this fashion? During the mid-1990s, four or five years of numerous public meetings and work by citizens and by public employees crafted a vision for the recreational uses and other land use issues surrounding the re-licensing. The outcome was endorsed by Boulder County officials, the U.S. Forest Service, the Denver Water Board (which owns and operates the reservoir), and by a wide variety of reservoir users, nearby residents, and others.

At a public meeting held in Boulder on July 18th, it became clear that virtually none of the

affected citizens or public entities (including the Denver Water Board) favors the new mandate being foisted on us after a cursory review by FERC. Only one or two people from among the 60 or so who attended the meeting spoke in favor of such elements of the plan as allowing car-top boating, constructing recreation sites on the west side of the reservoir, and other supposed "improvements". The facilitators of the meeting (not even attended by a single representative of FERC) tried to get the audience to comment on trivial matters like the "design and color" of unwanted new facilities. While they recorded all of the protests about the nature of the project and the lack of any visible funding source to pay for extra security, emergency rescue, fire prevention and mitigation, etc., the facilitators claimed that the FERC dictate was final and could not be overturned. Surely such flouting of democracy cannot (should not?) be legitimate in America!

Among the crucial issues raised by this dictate are:

- Safety of would-be boaters in Gross Reservoir, given high winds, cold water, and inaccessibility of emergency rescue workers to many parts of the reservoir. FERC appears ignorant of the fact that Gross Reservoir lies in one of the most dangerous wind-prone regions in the country. The funnel for Chinook and bora winds from the Continental Divide, through Nederland, down through Coal Creek and South Boulder Creek Canyons to the Rocky Flats clean-up site is most frequently subject to high-wind warnings of any location in the third of Colorado covered by the Denver/Boulder Weather Bureau forecast office. Within the last few years, wind gusts in excess of 120 mph have been clocked at Wondervu, a few miles from the reservoir. These winds are especially dangerous because, unlike hurricanes or tornados, you can't see them coming – they often descend unexpectedly from above, catching boaters unawares in otherwise fine weather.
- There is no reliable, rapid vehicular access (or even access at all) to several of the most dangerous parts of the reservoir, including

the ingress of South Boulder Creek (a 19 year old woman drowned a couple of miles upstream, while kayaking, earlier this summer), the ingress of Winiger Gulch, and the ingress of Forsythe Creek. Local volunteer fire companies as well as the Boulder County Sheriff's Office are firmly opposed to boating on the reservoir.

- Augmented public use of the lands immediately surrounding the reservoir increase the danger of wildfires being created by careless campers and partying students, with the likelihood of fire rapidly spreading to subdivisions in the nearby forest due to the unpredictable winds. Just last September; a careless camper caused a blaze that consumed over 1000 acres of forest practically to the shoreline of Gross Reservoir, which also came into the yards of some adjacent houses. The terrain is rugged and difficult to access by firefighters, so the fear of nearby residents is genuine and great.
- FERC's mandated development of recreation facilities near the western shore of the reservoir flies in the face of the long-established Master Plan of the USFS for the Boulder Ranger District of the Roosevelt/Arapahoe National Forest, which mandates the highest priority use of many of these lands for wildlife habitat preservation. It is ridiculous that while the USFS is trying to close roads and trails in the area, FERC requires Denver Water Board to augment incompatible recreational uses on immediately adjacent or nearby lands and to facilitate access to some unreachable wildlife habitat by permitting boating to these lands.
- FERC's arbitrary, dictatorial mandate also contradicts the foundation and purpose of the multi-agency, federally funded Winiger Ridge Pilot Project. The whole point of this demonstration forest management project at the urban/wildland interface, which began about two years ago, is to fashion cooperative working relationships among the diverse governmental agencies and

citizens who own or use lands in this area between Boulder and Nederland (e.g. Boulder County Open Space, Colorado State Forest Service, USFS, Denver Water Board, several local volunteer fire departments, and owners of private lands intermingled with public lands).

- Augmented public use of these lands, already badly abused along the North Shore near the so-called "Jumping Rock," will further exacerbate the inadequate enforcement of existing statutes by the manpower-stressed Boulder County Sheriff's Department. Trespassing across private lands is already rampant. The Sheriff's Department (and the Boulder County Commissioners) has opposed the activities that are now mandated by FERC.
- The all-encompassing question of "Who will pay for the required augmentations of security, emergency rescue, fire fighting, and law enforcement necessitated by increased recreational uses of Gross Reservoir?" could not be answered by anyone present at the July 18<sup>th</sup> meeting. Denver Water Board employees expressed doubt that the citizens of Denver would want their water rates to go up to fund this mandate; the Sheriff's Department testified that they would not be able to provide for the necessary law enforcement; representatives of volunteer fire departments explained that they were already under funded and overworked. It is one more unfunded mandate that disrespects the local expertise that had already fashioned a fine consensus concerning the future uses of Denver Water Board lands and waters in central Colorado.

The real loser here is Democracy. When a multi-year local public process has worked well, and then Washington bureaucrats veto it high-handedly, many people become cynical of the political process. A number of those who gave hundreds of hours of their lives to the original process were "burned out" and "sick" about what had happened and did not even come to the latest public meeting. Apparently, the changes to the

Gross Reservoir plan were brought about by some national mandate to increase boating uses on reservoirs nationwide. Such a "cookie-cutter," one-prescription-fits-all approach to management of reservoirs, to be enforced by non-funded mandates from Washington, denies the reality of locally varying environmental conditions and is a slap at local participatory democracy. Formally, the process is in the mode of determining the colors of the paint and shapes of the signs (and so on), but this essentially political action is always susceptible to a political response. If you don't like what's happening, get in touch with Rep. Udall, Senators Campbell and Allard, and President Bush.

## AVIATION NOISE NEWS

*by Paula Hendricks & Norman Lederman*

The "news" as usual is a mixed bag of the good, the bad and the ugly.



### **The good:**

1. On May 30<sup>th</sup>, we and other citizens met with representatives from Congressman Udall's and the Boulder County Commissioners' offices. Concerns and information were shared pertaining to the largely unregulated and harmful environmental impacts of aviation in general, and DIA, Jeffco and Boulder Airports in particular. Our Congressman and County Commissioners continue to share our concerns and lend support as they feel they can. For example, subsequent to our meeting, Congressman Udall sent a strongly worded letter to Federal Aviation Administrator, Jane Garvey. In it, Udall requests follow ups on two important issues: the revised Federal Aviation Noise Abatement Policy that supposedly was completed with public input last year, and the special study of aviation noise impacts on Western Boulder County that Udall's predecessor David Skaggs required the FAA to carry out over two years ago. We await the *good* news!
2. Stage 2 jets, equipped with "hush-kits", are the ones that shake your bones several

times or more a day. United Airlines and Frontier Airlines are at almost 100% compliance with the voluntary rerouting of hush-kitted stage 2 jets experiment initiated earlier this year. This procedure resulted from violations of noise abatement contract agreements with Adams County. Frontier has not committed to adhering to the procedures. United, which accounts for the bulk of the noisier westbound jets, plans to stick with the procedures and ultimately retire all of its older noisier 727s by next year. This is *good news!*

3. The National Center for Atmospheric Research plans to investigate the impact of aircraft emissions on the upper atmosphere and climate change. This is an area of environmental study that has long been ignored for political reasons and because it was earlier believed that aviation contributed a small amount of air pollution compared with other industries. One only has to observe how a jet contrail can linger for hours to realize that pollution injected miles above the earth is very different from pollution created at ground level.

**The *bad*:**

United and Frontier are the only airlines that are participating in the rerouting procedures. Delta Airlines has a daily flight to Salt Lake City at around 6:30 PM that often rudely reminds us just how loud a “hush-kitted” jet can be. Increasing numbers of cargo flights powered by the oldest and noisiest jets are flying over Boulder County. Also, American Airlines has added 4-5 westbound flights a day using MD80 jets that are notorious for squeaking (roaring!) by more restrictive and quieter stage 3 requirements.

**The *ugly*:**

Airlines and other special interest groups are actively lobbying our elected representatives in Washington, DC in the hope of stripping away whatever remains of citizens’ rights to question aviation and the local control of airport expansions and operations. This agenda is

embodied in the *ugly* pending bill: H.R. 2107-End Gridlock at Our Nations Critical Airports Act of 2001.

As citizens, we can continue to let our elected delegation know how we feel by calling our Congressional representatives (Wayne Allard 303-220-7414, Ben Nighthorse Campbell 303-843-4100, Mark Udall 303-457-4500) and County Commissioners (liaisons Marianne Reichert 303-441-1688, Dickey Lee Hullinghorst 303-441-3561). Also, continuing to call/fax in specific aviation noise complaints documents the problem and is the only official way of telling DIA’s Noise Abatement Office (303-342-2380, 2366 fax) how effectively they are meeting the public’s needs.

Please mark your calendars! October is Aviation Noise Complaints Month. This is an annual Countywide, month-long effort to maximize the phoning in of noise complaints to offending airports. The results are delivered to the media and all of our elected officials with the goal of clearly depicting the *true* impact of aviation noise pollution on people.

## Fostering Community Through Connectivity

by Greg Ching



Several residents have formed a non-profit cooperative to promote affordable always-on high-speed internet access for Magnolia area households. See <http://www.magnoliaroad.net> if you'd like to sign up.

It turns out that Sugarloaf has had a wireless network since 1997. See <http://www.sugarloaf.net> for more details.

In March 2001, Nederland began discussing how to build a wireless network. See <http://pnhcp.org> for more background.

Why the interest? Broadband products such as DSL and cable modems have not reached the Magnolia area. ISDN and satellite modems are

available with speed and cost tradeoffs. Commodity hybrid fixed wireless solutions are available now.

The Magnolia Road Internet Co-op (MRIC) has done initial network design. MRIC believes safe very low-wattage 802.11b (up to 11 Mbps within the network) 2.4 GHz frequency access to households along Magnolia (including surround roads) is possible at attractive pricing. Safety and visual impact are major concerns for MRIC. The power rating is less than a cellular or cordless phone. A few repeater towers will be hidden among trees, lightning arrested, and cause minimal environmental impact.

About 10% of Magnolia households have expressed interest in this basic service. Future services could include e-mail, limited web hosting, and access to digital home services. Some possibilities range from airplane noise reporting, live stock monitoring, classifieds, auctions, dependent care monitoring, PUMA radio shows, live music, fire watch web cams, local weather info, home fire monitoring and commercial video-on-demand services. Because reception is not limited to a building, it's possible that vehicles and hikers could access information with mobile receivers. Maybe even a solar-powered vandal-resistant PUMA kiosk is possible someday.

Initially, the monthly fee will be \$50 to share a T1 (1.536 Mbit/sec) landline. This is over 50 times faster than a typical Magnolia phone line, 10 times faster than ISDN (if you can get it), and roughly 3 times faster than satellite download speeds. A few dozen additional households could drop the monthly fee below \$30, which is comparable to much slower dial-up costs.

A second T1 line, or a move to a T3 (44.736 Mbits/sec) if MRIC can link up with the Sugarloaf and Nederland projects, would be added to support this larger network. In addition, a refundable loan of \$300 (or potentially a tax deduction) will be required to fund the construction of these repeater towers. The individual household would also need to purchase some receiver equipment (anywhere from \$150 to \$700) depending on signal strength. Obviously, MRIC needs to visit your home to assess conditions.

MRIC is also working with our State Representative (and neighbor) Tom Plant for a state grant to build this infrastructure. Otherwise, network growth will greatly depend on new clusters of subscribers.

MRIC believe the widespread availability of always-on high-speed (fractional T1 and higher) connection at conventional dial-up pricing will support telecommuters, create home-based businesses, improve educational opportunities, and enhance the connected home experience. With this lofty goal in mind, MRIC hopes to begin service this fall.

## PUMA Chipping Update



Over a few weekends in June, about 40 Magnolia households participated in the PUMA slash-chipping project. The program, partially subsidized by Boulder County, aimed to reduce solid waste and reduce fire danger. Slash,

limbs from downed trees, was mechanically ground into mulch. Most homeowners had less than one hour of slash at their homes given the hardworking duo chipping team operating an industrial grade chipper.

Even owners of home chipping equipment should take note. Magnolia resident Jim Swenson said, "Man, those guys were fast! They were here for 20 minutes and took care of all three piles in that time. Would have taken me most of an afternoon to chip those piles."

He advised others interested in working with these chippers. "The key is definitely to have your piles stacked neatly with everything ready to feed directly into the chipper."

PUMA will be sponsoring another chipping project this October. If you have slash you'd like chipped, please e-mail [greg.ching@sun.com](mailto:greg.ching@sun.com) or call 303.442.8855.

Volunteers to help coordinate activities were critical to this last project's success; more are needed this fall.

## WHERE HAVE ALL THE WILDLIFE GONE?



“Long time passing”, to paraphrase the folk song. If it seems like there is a paucity of wildlife these days, blame development, the traffic, increased recreation, or heck, even global warming, but please don't blame the

neighborhood dogs. Until one takes a closer look and listens to what many residents are saying.

*“I saw two dogs gang up on a coyote and chase after him. Fortunately, they didn't catch him.”*

*“We used to see bobcat, deer and coyote in our yard. Now we see dogs patrolling the neighborhood, scaring the wildlife away.”*

*“My wife and I were hiking on the Boy Scout trails when a pair of dogs came tearing into us. Their owners acted like it was no big deal.”*

*“We're dog owners, but respect the fact that there are people who don't have dogs and deserve a quiet, peaceful environment in which to live.”*

### WILDLIFE IS BEING DOGGED.

Unsupervised pets are a serious and growing problem, according to the Colorado Division of Wildlife and a slew of articles in newspapers throughout the state. Particularly in the wild land urban interface, where dogs come into frequent conflict with wildlife, free-roaming pets have a tendency to harass them. As a result, Colorado's wildlife is being stretched to their limits.

Many owners will insist their dogs are incapable of doing this – too old, docile, well trained or sociable. Yet officers at the Colorado Division of Wildlife (CDOW) disagree. They have witnessed that “friendly, arthritic 12-year old retriever” take off after

a deer until it collapsed in exhaustion. When dogs are let loose to roam throughout the day, they tap into their natural instincts and chase wildlife as if playing a game. Typically dog owners don't see this – because it occurs when they are away.

To the deer or elk, the chase is no game. It is the difference between life and death. They run because they cannot tell the difference between a friendly dog and a hungry natural predator, such as a coyote. But running expends critical energy reserves. This is particularly deadly for pregnant does or cows in the spring as well as all wildlife in the fall and winter who must conserve calories to survive. Unlike domesticated pets, which are well-fed and well-rested, wildlife, are quickly weakened from the pursuit and can die.

According to CDOW Officer Tina Jungwirth, owners will tell you “my dog is on the front porch when I leave in the morning and there when I return at night.” Little do they realize that their pet is roaming the neighborhood, often “palling” around with canine comrades, where chasing after wildlife, people and cars is mere “play”. She adds, “People think if they buy property in the mountains they can let their dogs run loose. I'm a dog owner, too, but I make sure my dog is in the house or in a covered kennel when I'm away.”

### BARKING UP THE WRONG TREE.

Noise is another issue that has registered complaints from residents throughout Magnolia. “Barking is normal, of course,” says one resident, “but not at ten at night or five in the morning.” Dogs often bark at itinerant wildlife as it traverses their territory. The problem arises when the dog is unsupervised by the owner. Unfortunately, one alarmed dog will often trigger a cascade of barking throughout the neighborhood, which can disrupt neighbors, especially during sleeping hours. The CDOW asks neighbors to respect the rights of wildlife and fellow residents, and keep tabs on their pets at all times.

### DOGS ARE VULNERABLE, TOO.

Controlling pets is critical to the health and livelihood of a pet, too. No one wants a tragedy to occur, such as the death of a dog attacked by a

mountain lion, hit by a car or trapped in a fatal situation. Like accidents that befall children, this typically happens when a pet is on its own -- playing or chasing something -- and not under the owner's watchful eye.

The CDOW reminds owners that their pets are vulnerable. A dog tied to a line can be a sitting duck for lion. So are house cats left to fend on their own? And during rutting season, bull elk and deer can often become aggressive as a result of provocation by domesticated animals.

### **WHAT IS THE DOGGONE SOLUTION?**

According to the CDOW, there is a penalty for a dog harassing wildlife. The fine is \$274. Officers have the right to shoot the pet if it doesn't stop its chase. In addition, Colorado considers deer, elk and bighorn sheep as state property valued at \$500, \$700 and \$1000 respectively. That means pet owners could be charged with a civil offense and billed for any wildlife injured or killed by their dog.

### ***A better alternative is to take responsibility and follow these simple recommendations:***

**1. Keep your pets under control.** When you are not around, do not let them run loose. When you walk with them, make sure they are under voice command or leash. If you leave for the day, keep them inside or on your own property. "But, I don't want to keep them in the house all day" is the common protest of dog owners. CDOW Officer Tina Jungwirth suggests an invisible fence, which can be purchased at any hardware or pet store, such as McGuckins, Home Dept, Lowes, PetSmart, etc. These come in a variety of sizes and are not overly expensive.

**2. Consider a covered dog area or kennel.** This can be as simple as a fenced area that has chicken wire or fencing over the top to protect the pet from a bear or mountain lion. Jungwirth also reminds owners that doggie doors should open into an enclosed area; otherwise you could attract wildlife, such as a bear cub or raccoon, into your home.

**3. Explore training** if your dog has discipline or barking problems. There are a number of trainers in the local area, as well as classes and referrals through the Boulder Humane Society and Denver Dumb Friends League.

**4. Respect your neighbors right to quiet.** Most of them love dogs as much as you. They also love their quiet, which is why they moved to the mountains.

**5. Respect the rights of wildlife** who are increasingly stressed by growth, too. Let's do what we can to lessen the impacts on their habitat.

## **Winiger Ridge Monitoring Field Trip**



On **Saturday, September 8**, the Winiger Ridge Project Monitoring team will host a field tour of the Winiger Ridge Project. The tour will begin at 9:30am and conclude at approximately 2:30pm. People interested in attending the tour should meet at the High Country Fire Station located at the intersection of Forsythe Road and Magnolia Road. Depending on interest, stops may include a prescribed burn area, recent thinning of lodge pole pine and areas where treatment has not been implemented. The tour will offer attendants the opportunity to comment on the effectiveness of evaluation and monitoring efforts. The Winiger Ridge Project is a U.S. Forest Service stewardship project that includes partners with the Colorado State Forest Service, the Wilderness Society, Colorado WILD, PUMA and local landowners. This field trip will focus on monitoring and evaluation of the projects generated through stewardship activities. Under the guidelines of the Winiger Ridge Project a local team is assembled to determine which aspects are to be monitored and evaluated in the biophysical, social, economic, and administrative areas of the projects. The local team then reports to regional and national teams involved in monitoring and evaluation efforts. Participants are expected to provide their own transportation (carpooling is recommended), and depending on tour stops high clearance or four-

wheel drive vehicles may be required. Participants are also asked to be prepared for outdoor activities and to provide their own food and water. For information please contact Amy Krommes with U.S. Forest Service at (303) 541-2525. You may also contact Craig Jones with Colorado State Forest Service at (303) 823-5774, Rocky Smith with Colorado WILD at [rocky@coloradowild.org](mailto:rocky@coloradowild.org), Scott Reuman with PUMA at [scottreuman@compuserve.com](mailto:scottreuman@compuserve.com) and Pete Morton with the Wilderness Society at [pete\\_morton@tw.s.org](mailto:pete_morton@tw.s.org).



**PUMA needs you!**  
If you haven't already done so, please renew your membership or join now.

Dues are \$24 annually (calendar year) per household, or any amount you can afford.

Please send your check or money order along with your name, address, phone number, and email address to PUMA, P. O. Box 536, Nederland, CO 80466

## Monthly Meetings

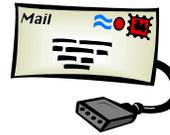
PUMA meetings are usually held on the first Thursday of every month. They are held in member's homes and begin at 7:00 PM.

Upcoming meetings:

Thursday, September 6th at **Deborah and Gawain O'Connor's house, 32 Forsythe Trail. Forsythe Road has a fork and Forsythe Trail is the right fork. Look for first house on right; it has a white geodesic dome roof.**

Thursday, October 4<sup>th</sup>: To be arranged.

**Thursday, November 1<sup>st</sup>** at Greg and Debbie Ching's house, 18 Meadowland Court (303.442.8855) at the corner of Meadowland Court and Aspen Meadows. Greg will leave up his haunted house display for viewing.



### **PUMA Email**

To have your email address included in the PUMA list-serve group send an email to [puma@indra.com](mailto:puma@indra.com).

Editor: Jerry Griess, email: [jgriess@qwest.net](mailto:jgriess@qwest.net)