

# Eisenberg Company

*Full service commercial real estate*

To Whom It May Concern,

A zoning application made by EVT Parker Colorado LLC for the Parker and Pine Filing 1 was recently approved at the July 6<sup>th</sup>, 2020 Public Hearing. Pursuant to MUNICIPAL CODE SECTION 13.10.250 PRAIRIE DOG MANAGEMENT ordinance, EVT Parker Colorado LLC immediately began to pursue relocation efforts of the approximately 5-10 remaining prairie dogs on the southwestern most portion of the site. EVT Parker Colorado LLC was given a few different advocacy groups to attempt to reach out to in order to facilitate a relocation effort. After much discussion with different groups, on July 10<sup>th</sup> EVT Parker Colorado LLC reached out to Mark Snyder, who has successfully relocated Prairie Dogs in Parker in the past. Mark worked with all of the known advocacy groups in this area.

Mark attempted efforts on a passive relocation to adjacent City owned land as well as other relocation efforts. He was unsuccessful at both. On July 23<sup>rd</sup> EVT Parker Colorado LLC received an email from Mark stating *"we received a response from the director of the Parker Parks and Rec department stating that they will not allow the passive relocation of the remaining prairie dogs from your site to the open space that is adjacent"*

On August 1, an email from Mark that copied the following individuals: Mary Colton, Siobahn Cox, Jeff Toborg, Cheryl Poage, John Fussa, L.C. Wilson and Mandy Steinhauser was received. The content of the email was lengthy but to summarize, Mark had hit a dead end and had reached the conclusion that a relocation effort would not be viable on this development.

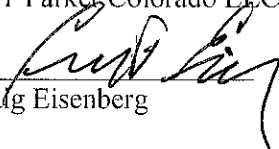
On August 4<sup>th</sup>, Mark sent a final email stating that he had become the target of local wildlife activists who were threatening and bullying him and that he needed to remove himself from any further conversations.

As of the date of this letter, EVT Parker Colorado LLC has made every effort to relocate the last few remaining Prairie Dogs and have met the criteria established by the new ordinance. EVT Parker Colorado LLC is hereby noticing the Town of Parker that they plan to proceed with a final humane treatment of the existing Prairie Dogs using a licensed professional exterminator to eradicate the remaining prairie dogs within five days of construction mobilization.

All products will be approved for use by the Colorado Department of Agriculture, U.S. Fish and Wildlife Service, and U.S. Environmental Protection Agency. Humane extermination shall not occur when endangered or threatened species such as the Western Burrowing Owl or Black-Footed Ferret are present on a site until such species are protected or relocated in accordance with the requirements of the U.S. Fish and Wildlife Service. Humane extermination shall include the use of products that (1) are nontoxic (such as carbon dioxide and carbon monoxide); (2) eliminate secondary poisoning; and (3) eliminate impacts to nontarget species.

Sincerely,

EVT Parker Colorado LLC c/o Eisenberg Company

  
Craig Eisenberg



**PARKER**  
C O L O R A D O

**CERTIFICATION OF COMPLIANCE**

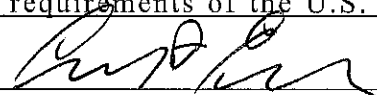
**MUNICIPAL CODE SECTION 13.10.250 PRAIRIE DOG MANAGEMENT**

Applicant: EVT Parker Colorado LLC  
eTRAKiT Project No.: GRD20-0020  
Property Legal Description: Parker and Pine Filing 1

I hereby certify that the management of prairie dogs on the above referenced property, in association with the above referenced case, has been done in compliance with *Section 13.10.250 Prairie Dog Management* of the *Parker Municipal Code* in the following manner (check one):

- Prairie Dogs are not or were not present on this site at the time of application for a demolition permit, grading permit/plan, sketch/preliminary plan, minor development plat, replat, preliminary site plan or site plan.;
- If Prairie Dogs are or were present on this site at the time of application for a demolition permit, grading permit/plan, sketch/preliminary plan, minor development plat, replat, preliminary site plan or site plan. The applicant shall indicate whether they formed a partnership or attempted to form a partnership with a nonprofit conservation group or public interest group to relocate the prairie dogs as described below:
- A partnership was formed with a nonprofit conservation group or public interest group to relocate the prairie dogs, the relocation occurred on \_\_\_\_\_ to a receiving site located at \_\_\_\_\_ and such relocation occurred prior to April 1 or after June 1 (attach letter from organization confirming relocation); or
- A good faith effort to relocate the prairie dogs was made and relocation was infeasible or prohibited and therefore prairie dogs were exterminated in a humane manner by use of nontoxic materials such as carbon monoxide or carbon dioxide by a professional exterminator as required in *Section 13.10.250 Prairie Dog Management* of the *Parker Municipal Code*. For purposes of this Section, humane extermination shall include the use of products that (1) are nontoxic (such as carbon dioxide and carbon monoxide); (2) eliminate secondary poisoning; and (3) eliminate impacts to non-target species.  
(Attach letter/invoice from exterminator with date(s) and application type).

Presence of Endangered or Threatened Species: Humane extermination shall not occur when endangered or threatened species such as the Western Burrowing Owl or Black-Footed Ferret are present on a site until an assessment is completed and such species are protected or relocated in accordance with the requirements of the U.S. Fish and Wildlife Service.

  
 \_\_\_\_\_  
 Signature  
 Craig F Eisenberg  
 \_\_\_\_\_  
 Print Name/Title  
 EVT Parker Colorado LLC, Craig F Eisenberg, Member  
 \_\_\_\_\_  
 Company  
 \_\_\_\_\_  
 2710 E Camelback Road Suite 210  
 \_\_\_\_\_  
 Phoenix, AZ 85016  
 \_\_\_\_\_  
 Address  
 602-468-6100  
 \_\_\_\_\_  
 Phone Number

Arizona

STATE OF COLORADO )

) ss.

COUNTY OF Maricopa)

Subscribed and sworn to before me this 20 day of July, 20  
\_\_\_\_\_.

My commission expires: 7-21-2020

(SEAL)

Pauletta Ann Miller  
Notary Public