



STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Lake City/Hinsdale County Business Support for Continuation of OHV Pilot Program

1 message

Michelle

Wed, Feb 3, 2021 at 5:26 PM

CDOT Commissioner Letter

Lake City/Hinsdale County Business Support for Continuation of OHV Pilot Program

We, the undersigned business owners of Lake City/Hinsdale County, are offering this combined support letter so that we do not inundate you with a flurry of individual letters. Besides, we all feel much the same: we support the OHV Pilot Program. It has been a boon to our businesses and to us, personally.

Those of us who have been around for any length of time can attest to the quick starts and failures of many businesses in our community through the years. That's because Lake City does not have a long nor large tourism market, yet that is pretty much our main income generator. Without tourism, our small and isolated community would probably not exist. And without market diversity, more businesses will come and go, as they often have before OHVs were welcomed into our community.

We support the democratic process whereby a majority of Town of Lake City Trustees and Hinsdale County Commissioners voted to support the continuation of the OHV Pilot Program. These public servants hear from their constituency via email, but also via phone and in-person. They are reflecting the support that they hear from their community - residents, second-home owners, and visitors. Remember that these public servants communicate with a far larger group than those inclined to pen an email. One can conclude that because of the trustee/commissioner support

and the fact that our town has approved OHV initiatives several times in the recent past, our community supports the OHV Pilot Program continuation.

Our entire community benefits from the increased tourism that OHV enthusiasts have produced. Certainly, all businesses, regardless, of type, have seen increased revenues, which in turn increases the town and county coffers and thus, money that benefits the entire community

We are aware of the small but vocal group lobbying you in opposition to this program. They are diverse yet they all want to ban OHVs from "their" roads. The fact is, very few need to make a living in our community and fewer still are year-round residents. They can come and go as they please and have unlimited time to campaign for their desires. We, however, must spend our time focused on running our businesses and trying to accommodate every visitor so that they might return in the future.

At this writing, we have been preparing for our 2021 season for months. We have placed our inventory orders, are hiring staff, and preparing our schedules to accommodate our influx of visitors. All of these tasks have been completed under the assumption that the OHV Pilot Program would continue. To cancel this Program now would mean loss of income for all of us and would require reductions in staff and desperate pleas to cancel inventory. Given the difficulties that we, as business owners, have had in the past few years from drought, floods, and pandemics, one can assume that there would be grave emotional duress, as well as business closures, should this Program be discontinued.

It is not a lot of roadway identified for OHV use by this Program, yet it is critical for our tourism and the connection of the Alpine Loop -- our greatest tourism draw. You would think that we could share these few miles for the benefit of our entire community.

If you have questions, you are welcome to contact any and all of the following business owners-48

Sincerely,

Lake City Auto and Sports Center-1

Jeff

[Redacted]

Sportsman Outdoors and Fly Shop-2

Kay

[Redacted]

Toy Wash-3

Tom

[Redacted]

Mountain Memories, LTD-4

Gregg

[Redacted]

Gowdy Properties-5

James

[Redacted]

High Altitude Adventures LLC-6

Robin

[Redacted]

Coal Creek Construction-7

Mike

[Redacted]

[Redacted]

[Redacted]

Rocky Top Vacation Home Rentals-8

Amie

[Redacted]

[Redacted]

Alpine Outfitters-9

Seth

[Redacted]

[Redacted]

Alpine Outdoors Associatio-10

Hecto

[Redacted]

[Redacted]

Tis The Season-11

Barb

[Redacted]

[Redacted]

Withrow Inc-12

Seth

[Redacted]

[Redacted]

River Fork Camp Ground-13

Joe

[Redacted]

[Redacted]

Henson Creek RV Park-14

Joe

[Redacted]

[Redacted]

Silver Coin Cabin-15

Stev

[Redacted]

[Redacted]

Wagon Wheel Cabins-16

Michael

[Redacted]

[Redacted]

Back Country Base Camp-17

Ber

[Redacted]

[Redacted]

San Juan Adventures Inc-18

Michelle
[Redacted]

[Redacted]

Castle Lakes Campground-19
Monica

[Redacted]

[Redacted]

Lakeview Property Management-20
Tannah and Brian

[Redacted]

[Redacted]

Sweetie's Wildlife Art Zoo-21
Karen

[Redacted]

[Redacted]

Elkhorn Adventures LLC-22
Alan

[Redacted]

[Redacted]

Elkhorn RV Resort-23
Alan

[Redacted]

[Redacted]

Pleasant View Resort-24
Jim

[Redacted]

[Redacted]

Cabin Fever Mercantile-25
Tracy

[Redacted]

[Redacted]

Chillin Coffee Shop-26
Jeff

[Redacted]

[Redacted]

Sothern Vittles Restaurant-27
Kelly

[Redacted]

[Redacted]

Alpine Moose Lodge-28
Tracey

[Redacted]

[Redacted]

North Face Lodge-29

[Redacted]

Hugh

Blue Spruce Buildings Materials-30
Tammy

Hall Realty, Inc-31
A Danielle

Hinsdale Title-32
Alena

Blue Bird Boutique-33
Alena

Hard Tack Mine-34
George

Wetterhorn Construction LLC-35
Jimmie

Town Square Cabins & Mini-Mart-36
(14 yr. business owner in Lake City)

Team Murphy Realty-37
Michelle

Hutchins House Rental-38
Boxa and Hutch

The Country Store-39
Nancy

Lake City Business Service-40

[Redacted]

Silver Slice Pizza Co-41

Tracey

[Redacted]

The Climb Elevated Eatery-42

Linda

[Redacted]

Squire's Cabins-43

James and Judy

[Redacted]

Highlander RV Campground-44

[Redacted]

Woodlake Park-45

[Redacted]

Herba Kava Kafe-46

[Redacted]

Hall Realty Vacation Rentals-47

[Redacted]

The Silver Spur Motel, Liquor Store, and Gift Shop-48

[Redacted]

[Redacted]



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Lake City OHV Pilot Program

1 message

admin@alpinemooselodge.com admin@alpinemooselodge.com

Mon, Feb 8, 2021 at 3:43

<admin@alpinemooselodge.com>

PM

To: "jennifer.uebelher@state.co.us" <jennifer.uebelher@state.co.us>

Dear State Commissioners,

My name is Tracey [REDACTED] and I am a business owner in Hinsdale County, just north of the city line. I currently own and operate **The Alpine Moose Lodge, Silver Slice Pizza Co.**, and our new herb shop and cafe, **HerbaKava Kafe**. We are a small family owned and operated business and we are in support of OHVs being allowed on Highway 149.

I purchased my lodge in 2017. At that time, OHVs were allowed to drive on Highway 149 and could come directly to my business thru the driveway entrance, like any other vehicle does. One of the reasons we purchased this business in Hinsdale County was because of the OHV Ordinance that allowed them to be on our city and county roads, and the Pilot Program that allowed them to be on Hwy 149. We understood that it was safer for everyone if the trucks with trailers could park on our property and simply drive into town and onto the Alpine Loop, as opposed to having all those trucks and trailers congesting the sides of the Alpine Loop, and impeding the visibility of the hikers, bikers, bicyclists, ohvs, jeeps, trucks and yes the occasional RV when they are maneuvering the curvy mountain roads of the Alpine Loop.

This has become what seems to be a hot topic for our small town. We had to have a special election in order to show **once again** that the town as a whole supports the revenue the OHV tourists bring. (That special election cost our small town over \$25,000) But the support for the OHVs in that election actually had increased by 3% from the previous public vote on it. That is great news for the businesses in Lake City and Hinsdale County.


My guests, who bring OHVs to Lake City, stay, on average, 5 nights. They spend a lot of money in our town and they enjoy our town and surrounding areas, such as the Alpine Loop. AND the best part of it is they come back year after year. Have you ever looked at the return rate of people who come to Lake City??? ITS OVER 80%, which is amazing. It speaks volumes to the experience had by many when coming to our little piece of heaven.

This area is one that is seasonal for tourists. As a full time resident, I am blessed to be able to live here year round. That is never lost on me. It would be easy to try to be selfish and keep this little town closed down, but we can't do that. We have so much to offer the rest of the world, especially in today's time. We have so many areas outdoors for people to get out into nature, and we have so many different ways to be able to enjoy them. The majority of people who come to Lake City, take care of it as if it is their own. Our tourist season isn't all that long. Tourists start coming to town in June and things start to slow down drastically by the end of September. In a world that encourages tolerance for all, it doesn't seem very tolerant for our PART TIME RETIRED residents to try to dictate who can and cannot come to our town.

I want each of you to know that our business benefits greatly from OHVs. The issue before you is whether or not the OHVs can use State Highway 149 while they are in our town. They can use city roads, which are dirt; they can use all the county roads, which are also dirt. So its whether or not they can continue to use Hwy 149. If you revoke this program, the OHVs will still be in our town and on our roads, because our town has spoken and shown with 2 elections that we want OHVs in our town. But if you revoke this program, the OHVs will be forced to ride on shoulders of roads to try to access The Alpine Loop. We have tried that, and it is not the safe answer here. The 149 has a speed limit of 25mph in town. It bumps up to 35mph just outside the city limits. The entire area of the 149 we are talking about never reaches anything above 40mph, so OHVs are never at high rates of speed. Please DO NOT confuse the people who do not want traffic on The Alpine Loop, where they live, and the Pilot Program. The Pilot Program is only about OHVs on a small section of Highway 149.

The last of my letter is on a personal business note. My business is located just north of the city limit and the Pilot Program does not even include the whole town in it, anymore. There are businesses both south and north of the boundary line that were suddenly disincluded from the OHVs permissions for some reason. In 2017, OHVs could drive up the hill to my lodge and restaurant and even further north to the Toy Wash. Suddenly, we get a new sheriff, and the whole thing gets revisited and now not all businesses are included in 2018. We have all had our business taxes increased to pay for the new school, yet I feel the state is tying our hands when it comes to being able to have access to the revenue we work so hard to bring into our town. I WOULD LIKE TO KNOW WHY SOME BUSINESSES GET ACCESS BUT SOME DON'T. HOW CAN WE CHANGE THIS TO INCLUDE ALL BUSINESSES? If a business cannot have people access their business because of state or local limitation, then how can that business be expected to pay the same

amount of taxes as everyone else? Are some businesses more important to others? I was told that this Pilot Program is so fragile and unsure that my County Commissioners were too afraid to ask for the route to be extended so that all the businesses in this area can be accessed by the OHVs. I even talked with Sheriff Kambish and he told me he would support the extension, as did Robert Hurd, Christi Borchers, and Greg Levine, our current County Commissioners. Then a different state official gives an opinion not to ask because he says you may cancel it altogether. That seems absolutely ridiculous to me. Our town commissioners should be able to ask for and tell you what is needed and necessary, and RIGHT. Because of this sudden change in 2018 the lack of access we now experienced, I have had to put in a back entrance on my property in order to allow my guests a pathway into town on their OHVs. I have to direct them to go thru a residential area in order to get to the 149 because the cutoff line on the 149 is at the bottom of the hill and my entrance is at the top of the hill. It makes no sense to me why they cannot just go out onto the 149 and why they have to go out a back way which was never intended to be a driving area. This whole situation has become a real thorn in the side of the businesses in this town. The area of the extension is less than a half a mile both north and south of the town. 4 to 5 businesses may not seem like a lot to you in Denver, but one restaurant being closed in our town affects everyone, especially during the busy season.

Most of this might not make a whole lot of sense to someone who has never been to our town.  understand it, most people in Denver do not readily know how the roads work in our town. If you have never been to our town and driven on Highway 149, or The Alpine Loop, then I have to ask you, as State Commissioners, how you can make an informed decision, that will not in any way directly affect your life, let alone your income? I would ask you to, as State Commissioners, to **listen to our County Commissioners**. Ask them what the majority of people in our town want and support. Ask them about the revenue impact that can be had without this program for our our VERY small community. Ask them what the business owners, (the employers of our town) think and want and support. Its easy to listen to the loud mouths who just think if they yell they will win. At the end of the day, if you don't approve this Pilot Program and turn it into something more permanent, you will close down a very vital revenue stream and tell certain people they are not welcome, while others are. That's not what Lake City represents.

OHV Revenue increased over 400% for my lodge since 2017.
Hikers Revenue increased over 256% for my lodge since 2017.

We are a community and we can coexist and enjoy this great area together.

Thank you for your time,

Tracey 

Owner/Operator/Manager/Housekeeper/Bookkeeper/Server/Chef/Busser/Bartender/
Groundskeeper/Maintenance/Reservations/Marketing&Advertising/and any other hat needed

Request for Middle Ground OHV Solution in Lake City

7/27/2020

Dear Hinsdale County Commissioners and Lake City Town Trustees:

This letter is a formal request from Hinsdale County residents to develop a common-sense, middle-ground solution to OHVs in our community.

We are not trying to reopen the polarizing debate about whether or not OHVs have a place in Hinsdale County and Lake City. We fully recognize the results of last summer's vote, but we wholeheartedly submit that the current situation—devoid of rules, restrictions, routes, and noise ordinances—is not working.

Reckless drivers have put our children in jeopardy.

The constant barrage of noise in the early mornings, late evenings, and weekends ruins the tranquility and peacefulness of the community that we all love.

High speeds on county roads not only pose a dangerous threat to pedestrians, but also create excess dust, negatively impacting runners, hikers, bikers, wildlife, and waterways.

Unconcerned tourists that drive off-road and park in restricted areas damage our most precious wilderness areas.

And the proliferation of safety violations, including underage drivers and lack of seat belts and mirrors, is deeply concerning and dangerous.

We sincerely ask that you resurrect the group of Trustees, Commissioners, and other community leaders to develop a reasonable middle-ground solution with appropriate guidelines so that we can all feel safe and good about having OHVs in our community.

We also request enhanced enforcement to address our ongoing safety concerns and to protect our community members, wildlife, and natural areas.

Thanks for your consideration of this urgent and vital matter. We are certain that by taking a collaborative, constructive approach, we can craft a middle ground solution that will work for everyone in our community and can be adequately enforced.

Sincerely,

KENT S.

JAMES G

John

Craig

John-Thomas

Shawna

INQ40

JP

Kristen

Amanda

Tara

Nicole

Kate

Matt

Timothy

Karen
MATT

Ann D

HARRY
Camille

↗ ↙

Camille

Christopher

ISALU SWINEMAR

Allison

DREW

Russ

Jenna

MIKE

Jackie

Scott

Martha

Anne
John

Kerry
Caitlin
Amanda

Joseph
Sarah
Lydia
Lily
Katherine

April

Tara

Dan

Mike

Logan

Christian M

Amy

William

Rebecca D

Susan

Dan L

Svetlana

Tanya

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Subject: Riding our OHV in Lake City



Velma [REDACTED]
to zane.znamenacek

Sat, Nov 7, 2020, 4:08 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

We are summer guests of Woodlake Park in Lake City. We own an ohv and we have enjoyed the flexibility to drive on highway 149.

We are asking your consideration of the pilot program for another 3 - 5 years with possible expansion to include Hwy 149 to Woodlake Park on the south and the toy wash on Elk Road on the north end of town. This would allow visitors and residents to access both entry points to the Alpine Loop as well as tour, shop and enjoy the restaurants in Lake City without having to trailer their OHV.

We appreciate and thank you for your thoughtful consideration on this request.

Sincerely,

Rusty and Velma [REDACTED]

Sent from my iPhone

Subject: Pilot Program



[REDACTED]
to Zane.znamenacek

Fri, Nov 6, 2020, 12:13 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

We want to thank you for the privilege of having the Pilot Program for OHVs in Lake City the past few years. We serve as camp hosts for four months in the summer at Woodlake Park which is located one-quarter of a mile (.25) from CR 30 and the start of the Alpine Loop. We are asking for your consideration of the program for an extension to the driveway at Woodlake Park. This would allow our guests and visitors access to Lake City for shopping, purchasing fuel, and eating at the local restaurants without having to trailer their OHV.

In summary, please consider extending the boundaries from Woodlake RV Park to the south to the Toy Wash located on the north end of town. If you have any questions or concerns regarding this matter, please feel free to contact us.

Respectfully submitted,

Jerry and Sher [REDACTED]
[REDACTED]

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Re: Fwd: CO149 Pilot Project in Lake City and Hinsdale County

1 message

Kerry [REDACTED] Tue, Jan 12, 2021 at 4:33 PM
To: Shoshana Lew <shoshana.lew@state.co.us>, "Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbaraforcolorado@gmail.com>, Office of Governor Jared Polis <governorpolis@state.co.us>, Sidny Zink <commissioner.zink@state.co.us>

Subject: CO149 Pilot Project in Lake City and Hinsdale County**Date:** January 12, 2021 at 3:31:34 PM MST**To:** Shoshana Lew <Shoshana.Lew@state.co.us>**Cc:** Michael Goolsby <michael.goolsby@state.co.us>, Zane Znamenacek <zane.znamenacek@state.co.us>, Governor Jared Polis <Governorpolis@state.co.us>, "Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>

Director Lew,

I write to you today with great concern for the safety of my community and the protection of Colorado backcountry wilderness areas in Hinsdale, San Juan and Ouray Counties. These counties are connected via the *Alpine Loop*, which resides within the *Alpine Triangle*.

The CDOT CO149 Pilot Project ignores Colorado State law and allows OHVs to operate on the only State Highway that bisects Lake City and Hinsdale County. This CDOT project "connects the loop" and provides OHVs with greater access to our backcountry wilderness areas. This CDOT project also threatens public safety by allowing *off-highway vehicles* to co-mingle with other vehicles on a paved highway surfaces.

As the CDOT director with years of experience with transportation issues, you are certainly aware that OHVs are not legal, nor safe, for highway use. These vehicles are not crash-test certified; they have a propensity for rollover accidents due to their high-center of gravity; they have a known tendency for loss-of-control events due to their off-highway tires that are not legal for use on State Highways; and their locking differentials create unsafe handling characteristics when allowed to operate on paved or hard-packed surfaces.

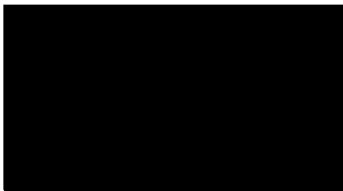
CDOT and all of the elected officials in Hinsdale County and the Town of Lake City were provided with numerous documents, studies and reports that shine light on the many reasons for not allowing OHVs to operate on Colorado State Highways. Why are you, CDOT managers and other elected officials, ignoring known safety issues by allowing this project to move forward?

While CDOT and our elected officials may have had the best of intentions with the CO149 Pilot Project, the unintended consequences of increased OHV traffic in our community and backcountry wilderness areas has been devastating. County roads are in disrepair; the Alpine Loop saw increased damage; and fragile alpine tundra was damaged was damaged last year.

The Hinsdale County Sheriff is on-record with the fact that his office is unable to manage the increased levels of tourism in Lake City and Hinsdale County. Residents, 2nd-homeowners and non-mechanized tourists documented the adverse impact of dust, noise, traffic, parking and violations of State law throughout our community. The BLM and NFS are on record with their observations of damage to the Alpine Loop and adjacent wilderness areas.

I urge you to pull the plug on the CO149 Pilot Project in Lake City and Hinsdale County. The State of Colorado, CDOT and the Transportation Commission need to devise a sustainable economic plan for remote mountain communities that does not involve a destructive and unsafe form of tourism.

Sincerely,



PS. Ms. Lew, I could not say this better myself so I will simply add my name to Mr. Nesbitt's letter. I introduced myself to you and Ms. Zink when you were in Lake City shortly after you took your current position. I believe you were introducing a long range transportation plan. Not sure where you are on that project but I can tell you the quality of my life in Lake City since that meeting continues to get worse because of the Never Ending Pilot Program. Too bad for me, our's is the only retirement home I'll ever own. We built it before the scourge arrived. We are Colorado residents and my husband a third generation native. Guess I'm a newcomer arriving in Boulder at age three in 1956. Every place we loved grew too fast, prices went up too fast and we still had to work before we could come home. We know the State like the back of our hands but ended up here. All I can do at this point is ask for your help before the area and quality of life is completely destroyed.

Kerry



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy. 149 Pilot Program

1 message

David

Fri, Oct 30, 2020 at 2:16 PM

Dear Commissioners, Mayor and Trustees:

Historical Perspective: My family has vacationed in Lake City since the mid-1980's. We've owned a second home and other property here since 2002. We have financially, and through hands-on work, supported many local efforts, including but not limited to the Medical Center, Museum, Arts Council, Pioneer Jubilee Women's Club, renovation and addition to the Armory and town hall, Trails Commission, and our local church.

Funding the Sheriff: Please fund our Sheriff so we have an adequately staffed department and the best financed, trained and equipped Sheriff's office in our corner of the state. To do otherwise continues to put all of us at risk, not only from increased traffic conflicts, but from other conflicts and crimes. Visibility is a strong deterrent to all forms of improper conduct. We need and are entitled to more "boots on the ground" in town, on Hwy. 149 and Co. Roads 20 & 30.

Ask CDOT for funding help for our Sheriff and for road maintenance. It appears that CDOT approved the program without asking enough of the

right questions, particularly regarding budget issues, of those former public officials who initiated and pushed the program.

State Patrol: Please ask CSP to increase patrols & presence on Hwy. 149. Our Sheriff needs the support and the community would appreciate the additional presence which will result in decreased speeding and other violations on Hwy. 149.

OHV/Increased Traffic Issues: The experience of the last two (2) years with increased traffic on the loop, in town, and on Hwy. 149 has been disappointing at best. In our area on Pine, we contend with excessive noise from OHV's (and some motorcycles) here and on Hwy. 149 (yes, we here it up here), dust, speeding, and joyriding the hill between 5th & 6th as if it were a carnival ride. The question is what can you do to remedy the situation short of not renewing what was the Pilot Program? From my perspective, you can't and the only solution is to not allow access to Hwy. 149, crossing or otherwise, including the former Pilot Program. If you can find a way to control speed, noise, reckless driving, and damage to our roads, I would be open to OHV's. Some have said that OHV's are the "new" Jeep. I've never heard a Jeep make the noise we hear from OHV's and I've not experienced the degree of improper behavior involving Jeeps as with OHV's.

Community Solutions: Support any effort made to review our situation and seek, through community input, positive ways to control and influence the influx of tourists. It costs nothing to support those who seek to help. They will either succeed or fail. Those who decry these efforts must fear the possible results. The late night disturbance at the Elk Horn RV park this past summer is the first such that I recall reading in any Sheriff's report. This type of activity will cause Lake City to receive a bad reputation, if it continues, and that hurts all of us. The community needs to find a way to help prevent a recurrence at any location.

Sales Tax: Carefully analyze all claims (including mine below) made regarding sales tax revenue. The receipt of "non-physical" sales tax revenue beginning in October of 2019 can, and has, caused some to think that the influx of OHV's and other visitors greatly increased local sales tax revenue. Based on my review of the limited data available, July 2020 experienced an 8.727% increase in "physical" (local) receipts over July 2019 but August 2020 receipts from "physical" (local sales) **decreased** 7.500% from August 2019. Hopefully Mrs. McNitt will be able to provide you with the data and calculations going back through October of 2019 to determine the month over month and year over year comparison of "physical" (local) sales tax receipts so you and the public can accurately gauge growth.

Safety: Last year I wrote to your bodies about safety and ~~will not repeat~~ all the points made. I believe OHV's are inherently unsafe. I'll be happy to talk with any of you and provide information and insight as to the safety issues. Below is from the 2021 Polaris Owner's manual, with emphasis supplied:

• **Avoid paved surfaces....**

OPERATING ON PAVEMENT

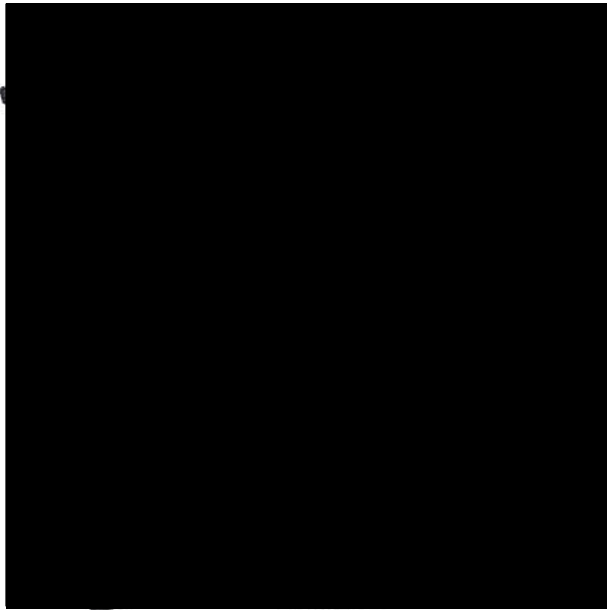
This vehicle's tires are designed for off-road use, not for use on pavement. Operating this vehicle on paved surfaces (including sidewalks, paths, parking lots and driveways) may adversely affect the handling of the vehicle and may increase the risk of loss of control and accident or rollover. **Avoid operating the vehicle on pavement. If it's unavoidable, travel slowly, travel short distances and avoid sudden turns or stops."**

Public Awareness & Input: To quote a national news organization "Democracy Dies in Darkness" please post on your web sites all data and communications you are provided to review as you work through the Pilot Program issues, and provide the public with the opportunity to comment.

Please have all meetings as official bodies and those where any state or national representative is to speak regarding any issue touching on the Pilot Program, open to the public via Zoom. Please provide at least seven (7) days prior notice so the public has adequate time to adjust schedules to attend.

Thank you for considering my comments.

David 



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy 149 Pilot Program/Officer Safety

1 message

David [REDACTED] Tue, Dec 29, 2020 at 10:27 AM
To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>, "CDOT Engineer Jason C. Smith" <jasonc.smith@state.co.us>, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>
Cc: Colorado Governor Jared Polis <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liaison Jennifer Uebelher <jennifer.uebelher@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Dear Officials: OHVs are not required to have a license plate or other permanently affixed, easily read, identification. The adverse effects include: (1) law enforcement officers are at risk approaching a stopped vehicle because they cannot ascertain the ownership and potential danger before approaching. If you doubt this, ask our local Sheriff, DOW officer (both of whom have raised this issue with local officials) and CSP; and, (2) members of the public who observe improper/illegal behavior cannot provide positive identification of such to law enforcement. The inability of the public to report wrongful conduct gives free rein to those who would engage in such conduct—they know the chance of being identified is almost non-existent.

Local governments are not equipped to require and administer the necessary identification method; and, they may not have the authority to do so. That is a job better implemented and administered by the state.

Please do not renew the Pilot Program without requiring some type of permanent, easily readable, identification affixed to OHVs operating on the highway. Our law enforcement personnel deserve no less.

Thank you for your consideration.

David [REDACTED]





STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy 149 Pilot Program/Safety/Insurance

1 message

David [REDACTED] Sat, Jan 2, 2021 at 8:31 AM
 To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>, "CDOT Engineer Jason C. Smith" <jasonc.smith@state.co.us>, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>
 Cc: Colorado Governor Jared Polis <Governorpoli@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liaison Jennifer Uebelher <jennifer.uebelher@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Dear Officials. I own a home in Lake City and am opposed to the Hwy. 149 Pilot Program for a number of reasons, not the least of which is safety. Safety, not only of those occupants of an OHV, but of other motor vehicles travelling on Hwy. 149.

You have been provided, by others, with sufficient information about the danger of operating an OHV on a paved or hard surface. You must acknowledge that, if OHVs are safe to operate on a paved or hard surface, the manufacturers would market them as such. But they don't, and for good reason.

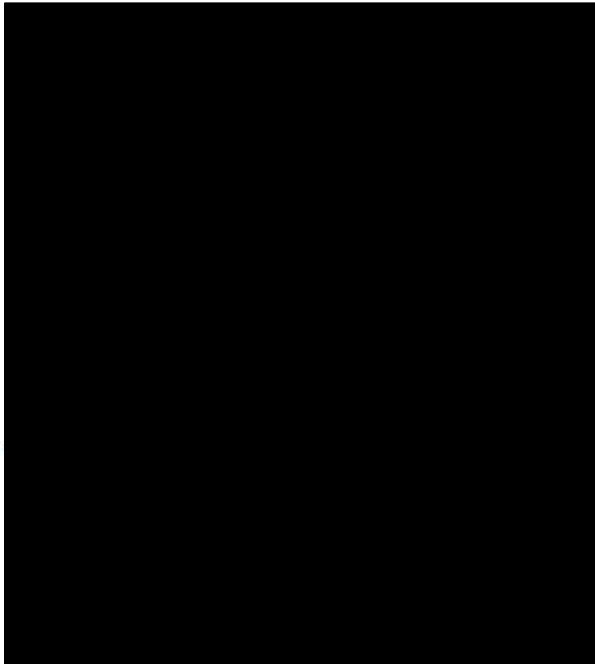
Equally as concerning is the risk to, and adverse impact on drivers, of motor vehicles if involved in a crash with an OHV. Injuries to OHV occupants will be much more severe than if they had been in a motor vehicle because OHVs do not meet the requirements of the Federal Motor Vehicle Safety Standards (FMVSS). The result is that the operator of the motor vehicle, if at fault in any way, better have more insurance coverage than is normally considered sufficient to protect against catastrophic damage claims. Further, the emotional trauma of knowing that one has injured or killed another will be with them always. It does not have to be this way. The motoring public is entitled to be protected, by you, as most will not recognize the risk of economic disaster and severe emotional consequences to which they are being subjected.

Claims that OHVs are safe to operate on Hwy. 149 cannot be supported. To allow OHVs on Hwy. 149 puts other motor vehicle operators at unjustified risk of economic ruin and sustained emotional trauma.

Please do not renew the Pilot Program. Renewal places profits (promised but non-existent) over people.

Thank you for your consideration.

David 





STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy. 149 Pilot Program/Environmental Damage

1 message

David [REDACTED] Fri, Jan 15, 2021 at 12:00 PM

To: "Colorado Gov. Jared Polis" <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Director Michael Goolsby <michael.goolsby@state.co.us>, CDOT Project Engineer Zane Znamenacek <zane.znamenacek@state.co.us>, Transportation Commissioner Kathleen Bracke <kbrackeTCdistrict5@gmail.com>, Transportation Commissioner Shannon Gifford <Commissioner.Gifford@state.co.us>, Transportation Commissioner Kathy Hall <Commissioner.Hall@state.co.us>, Transportation Commissioner Don Stanton <dot_transp_comm@state.co.us>, Transportation Commissioner Karen Stuart <Commissioner.Stuart@state.co.us>, Transportation Commissioner Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Transportation Commissioner Barbara Vasquez <vasqueztcdistrict6@gmail.com>, Transportation Commissioner Sidny Zink <Commissioner.Zink@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>

Dear Gov. Polis and Officials: I own a home in Lake City. The Town of Lake City and Hinsdale County are poised to present a request to renew and extend the Hwy. 149 Pilot Program for three (3) years beginning in 2021. The effect of the program and the influx of OHVs has been to severely damage our county roads, the back country, tundra and Lake San Cristobal alluvial plane. There has been no study of the effects of OHV access and use but one can readily see the damage by driving the Alpine Loop and observing the disregard of our public lands by the OHV community. Jeeps and other 4-wheel drive vehicles do not do near the damage caused by OHVs.

Elija Waters, of BLM, says that in 2018 there were 313,000 visitors on the Alpine Loop. In 2020, he estimates a 30% increase was realized. That's a total of 406,900 visitors in a very short time frame. Mr. Waters says that BLM cannot "...provide the level of services required for this number of visitors." The result is uncontrolled individuals damaging our public lands.

Another problem with the influx of OHVs into Lake City is the dust and noise pollution caused by driving on our unpaved streets and roads. Sightseeing and joyriding by visitors is to be expected but OHVs create more dust and noise than regular motor vehicles. This last season, with the extension of the Pilot Program area to Ocean Wave Drive on the north end of town to allow access to residential areas and businesses, one of

the most vocal supporters and early proponents of OHV access, whose house is on Ocean Wave Drive, had speed limit signs installed on his street, one in front of his house. This is a tacit admission of the problems created by OHVs. Further, this individual and one other staunch supporter of OHVs, who lives in the residential area served by Ocean Wave Drive, asked the town and county to seek extending the Pilot Program area to the north on Hwy. 149 past Ocean Wave Drive. The intended and publicly expressed desire was to lessen traffic on Ocean Wave Drive and in their neighborhood. A classic case of "not in my backyard".

Turning a blind eye to adverse environmental effects, local officials and pro-OHV businesses and individuals will claim that OHVs are necessary to support the local economy. This claim is not supported by an examination of sales tax revenue which has not materially increased. Be skeptical of any claim to the contrary and require proof and a full explanation of the calculations, particularly require segregating local and internet generated sales tax. The numbers are not encouraging.

Please do not renew the Hwy. 149 Pilot Program.

David 





STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Program

Ivan [REDACTED]

Mon, Oct 19, 2020 at 1:29 PM

To: michael.goolsby@state.co.us, zane.znamenacek@state.co.us, Commissioner.Zink@state.co.us,
Commissioner.Hall@state.co.us

Hello,

I'm writing as a year-round Lake City resident and business owner to express concern with a continuation or expansion of the CO149 Pilot Program for OHVs. I'm also hoping to bring a bit of balance to the conversation as I'm sure you have received much correspondence on the topic with exaggerated perspectives from both sides of this hotly debated issue.

As a local business owner, I'm keenly aware that our community depends on revenue brought in by tourism and I welcome ALL tourists, including OHV users. That said, our community is best served long term by diverse tourism and does not benefit from unfair bias toward one particular tourist type. We need to provide a positive experience for anglers, hikers, bikepackers, hunters, motorcyclists, photographers, peak baggers, ice climbers, snowmobilers, skiers, etc. to build a sustainable year-round economy. I've personally witnessed OHV behavior this summer on CO149 during the Pilot Program that was detrimental to other visitors and diminished overall from the perception of Lake City and Hinsdale County as a tourist destination.

Examples include OHVs...

- ...driving on the shoulder obstructing cyclists and hikers.
- ...randomly stopping in the roadway and waving other vehicles around.
- ...turning without signaling.
- ...driven by underage drivers.
- ...driven by impaired drivers under the influence of alcohol.
- ...without required safety equipment.

The list goes on. Are all OHVs exhibiting problematic behavior? Absolutely not! But unfortunately, it IS common enough that it warrants attention.

As a resident, I've seen the negative impact that the CO149 Pilot Program has had on quality of life for our community. Since the introduction of the CO149 Pilot Program, we've seen an influx of OHV tourism that has put enormous stress on our local law enforcement. It's obvious to any visitor that OHV laws are not being enforced; whether it's running through stop signs, speeding through alleys, or literally racing other OHVs down CO149. We've also seen an unprecedented strain on our backcountry resources with the increase in motorized tourism. Our public lands and natural resources are the heart of our value as a tourist destination and they are currently being damaged by overuse; increased litter, human waste, and destruction of alpine tundra have all been heavily documented.

While the CO149 Pilot Program is not solely to blame, the ease-of access it provides OHVs is certainly a contributor that needs to be considered.

Lastly, you'll often hear proponents claim that residents overwhelmingly voted for OHV use on town streets as a proxy for support of the CO149 Pilot Program. That's not entirely accurate. The vote was 186 for and 119 against which is roughly a 60/40 split, but voting was limited to Town of Lake City voters and did not include the voice of many county residents that live in areas of high impact such as Wade's Addition just south of town. If we use Region 10's population data for Hinsdale County (pop. 820) and Lake City (pop. 374) then only 23% of county residents expressly voted in favor. The majority of county residents were either against, abstained, or were never included in the conversation.

Before approving a continuation or expansion of the CO149 Pilot Program, we need to better understand...

1. What best serves our whole community and represents a true majority of county residents? Now that we've had 2 years to live with the CO149 Pilot Program, it's time to hear from all voices of those impacted and not just a few business owners, officials, and OHV advocates.

1/27/2021

State.co.us Executive Branch Mail - CO149 Pilot Program

2. How will our local law enforcement handle the increased workload? Law enforcement was woefully absent in the last 2 years and this has a direct impact on safety, as well as the ability to get valid data on the program's performance.
3. How will we handle the increased traffic and demand on our public lands and natural resources? We need a plan from our land managers (Town, County, CPW, BLM, USFS) for how best to handle the increase in motorized use in a way that protects our resources for all tourist groups and generations to come.

Thank you for your time and consideration.

Ivan [REDACTED]
[REDACTED]

STATE OF
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Transp_Comm - CDOT, DOT_ <dot_transp_comm@state.co.us>

Hwy 149 OHV Pilot Program, Hinsdale County

1 message

John [REDACTED] Thu, Oct 29, 2020 at 10:04 AM

To: "jesseekendall@townoflakecity.co" <jesseekendall@townoflakecity.co>, "judhollingsworth@townoflakecity.co" <judhollingsworth@townoflakecity.co>, "doughamel@townoflakecity.co" <doughamel@townoflakecity.co>, "daveroberts@townoflakecity.co" <daveroberts@townoflakecity.co>, "michellemartin@townoflakecity.co" <michellemartin@townoflakecity.co>, "brucevierheller@townoflakecity.co" <brucevierheller@townoflakecity.co>, "district3@hinsdalecountycolorado.us" <district3@hinsdalecountycolorado.us>, "district2@hinsdalecountycolorado.us" <district2@hinsdalecountycolorado.us>, "district1@hinsdalecountycolorado.us" <district1@hinsdalecountycolorado.us>, "ckambish@hinsdalecountysheriff.com" <ckambish@hinsdalecountysheriff.com>, "rob.marone@state.co.us" <rob.marone@state.co.us>, "jennifer.uebelher@state.co.us" <jennifer.uebelher@state.co.us>, "herman.stockinger@state.co.us" <herman.stockinger@state.co.us>, "barbara.mclachlan.house@state.co.us" <barbara.mclachlan.house@state.co.us>, Caroline Mitchell <carolinemitchell@townoflakecity.co>, Sandy Hines <administrator@hinsdalecountycolorado.us>

Cc: "zane.znamenacek@state.co.us" <zane.znamenacek@state.co.us>, "commissioner.zink@state.co.us" <commissioner.zink@state.co.us>, "commissioner.hall@state.co.us" <commissioner.hall@state.co.us>, "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>

October 29, 2020

Dear Lake City Town Trustees and Hinsdale County Commissioners;

I am writing to request the CO149 Pilot Program in Hinsdale County be terminated for following reasons:

First: Every credible safety organization has documented that OHV's are not safe for use on public highways. Their very name, *Off-Highway Vehicle*, indicates that they are not designed or certified for use on paved or hard-packed surfaces.

Safety stickers on my OHV warn that the vehicle is not to be operated on highways or pavement because of the inherent unsafe handling characteristics. Why would the Transportation Commission, whose job it is to ensure safety on Colorado's highways, ignore these warnings and endanger public safety?

Second: There is a questionable backstory as to how the Pilot Program got started. Originally the idea started when a Town of Lake City Chamber of Commerce employee and Hinsdale County Commissioner, both of whom are no longer in their positions, applied to the Colorado Department of Natural Resources for inclusion into the Colorado the Beautiful Trails Program Initiative. The following is from the DNR website;

*At the June 11 Outdoor Summit, Governor Hickenlooper directed the Department of Natural Resources (DNR) to lead this initiative by first identifying 16 priority trails, trail segments, and trail gaps in 2016. **Alpine Loop Backcountry Byway***

The Alpine Loop Backcountry Byway needs to fill a 1.5-mile gap near Lake City in order to complete the 64-mile natural surface trail between scenic Silverton and

Ouray. An environmental impact assessment will be necessary to advance this project, DNR officials say. Information: Colorado DNR. (NO environmental assessment was done)

The so called "natural surface trail" is not a trail as envisioned by the program. Instead the Alpine Loop consists of CO 149 and large sections of County Road 30 and 20. It is not a hiking trail. Cars, jeeps and OHV's typically reach speeds that endanger pedestrians and cyclists. I believe the DNR was misled into thinking the Alpine Loop is a hiking trail like the other projects in the 16 in 16 Trail Program. With little public input and transparency, this morphed into the CO 149 Pilot Program.

Third: Lake City had a petition and vote to ban OHV's within the Town in 2019 that failed. The reason it failed is simple: Lake City is a community where approximately 70% of the homes are not occupied year around, consisting mostly of seasonal residents who are do not vote in Lake City or Hinsdale County. These seasonal residents pay property taxes, utilities and support local businesses, but their input is largely ignored on many key issues such as this.

Fourth: When the Town opened up its streets and alleys to OHV's, many thought the increase in sales tax revenue would be sufficient to fund the programs needed to monitor and enforce laws needed to protect our neighborhoods and backcountry but a careful analysis of sales tax receipts for August 2020 show that of the 32% increase over prior year, 25% was from ON-LINE purchases. How much did OHV users actually contribute? Evidently the revenues are insufficient to fund the actions needed to deal with the enormous influx of OHV's. Maybe the solution is a permitting program done in conjunction with the BLM for sufficient Backcountry/Alpine Rangers, parking, road repair (think County Rd 30 around the lake) and local noise and speed monitoring.

Fifth: Most disturbing is the transformation taking place within our community. Once a growing community, Lake City is now a community where residents and summer workers cannot find affordable housing because homeowners are converting their homes into VRBO rentals instead of enjoying time there themselves. The peace and tranquility of the mountains no longer exists. Mayberry has turning into a Sturgis with chainsaw-levels of noise filling the Historic District. The noise from OHVs begins early in the morning and continue late into the evening. In terms of business, Lake City is becoming a seasonal convenience store and not a thriving year-round community.

With over 350,000 vehicles on the Alpine Loop (accordingly to the BLM) it is time to stop and allow the Town and County time to access the situation and plan for the future. Work is being undertaken by a group including a Town Trustee and County Commissioner who are reaching out to all stakeholders to work on solutions. We have a beautiful new school to attract young families and the County is working on adding much needed recreational opportunities at Lake San Cristóbal. The future could be bright. However, "quiet" activities like fishing, hiking, photography and



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Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Do NOT pass CO149 OHV Pilot Program

2 messages

Sara [REDACTED] Sat, May 11, 2019 at 3:57 PM
To: m [REDACTED]

Cc: Luella D'Angelo <Commissioner.Dangelo@state.co.us>, Kathy Connell <Commissioner.Connell@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Edward Peterson <Commissioner.Peterson@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Steven Hofmeister <Commissioner.Hofmeister@state.co.us>, Kathy Gilliland <Commissioner.Gilliland@state.co.us>, Rocky Scott <Commissioner.Scott@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>

Dear Mr. Goolsby,

As a full time resident of Lake City, CO, I am writing to implore you NOT to pass TC-18-07-XX, also known as the CO149 OHV Pilot Program. This program, which promotes the use of OHVs on a windy stretch of highway that is busy in the summer with vehicle and pedestrian traffic as well as wildlife crossings, is completely irresponsible and dangerous.

My biggest concern about the Pilot Program is safety. OHVs are designed for off road use only, and permitting these vehicles on paved roads would be in conflict with the manufacturers' intention and in direct contrast to federal safety requirements.

Even SVIA, the Specialty Vehicle Institute of America—an organization comprised mostly of OHV manufacturers, advocates against the use of OHVs on highways and paved roads. The group also calls for enhanced law enforcement efforts to eliminate the use of OHVs on highways, which they assert is a "dangerous practice."

According to the Consumer Federation of America, Consumer Product Safety Commission, and Fatality Analysis Reporting System, the vast majority of OHV accidents occur when these vehicles are driven on paved roads and highways. Even the ATV institute insists that OHV drivers should "never ride on paved roads."

Look in any OHV owners' manual and you'll find clear instructions to OHV drivers to never, in any scenario, utilize these vehicles on paved surfaces, public streets, roads, or highways.

Neither Hinsdale County nor the town of Lake City have the financial or human resources to enforce safety, speed, or traffic laws to properly regulate the use of these vehicles, and they therefore cannot responsibly support the Pilot Program.

Furthermore, while Hinsdale County and the Town Trustees have been in communication with CDOT over modifications to the CO149 OHV Pilot Program, the entire process has completely lacked any kind of reasonable or acceptable transparency. The process has been driven by backroom discussions and plagued by decisions that benefit

special interests. The general public has not been satisfactorily involved with or informed of the process and has not been afforded the opportunity to offer comment on changes that have been made to the Pilot Program.

While this is anecdotal, there is one more very personal point that I'd like to share. I am a long-distance runner and regularly run on the roads and highways around Lake City. I can tell you, without any doubt whatsoever, from firsthand experience that OHV drivers are much more reckless than regular vehicle drivers, driving at higher speeds and with an irresponsible abandon that is bewildering. In fact, I have feared for my life MANY times when OHVs have come around blind curves at speeds that are 30-40 miles over the speed limit. This is simply not acceptable, and the problem will surely be exacerbated by the implementation of the proposed Pilot Program.

Finally, as a native of Colorado, I ask you to reject TC-19-06-XX, which instructs the Colorado Department of Transportation Regions on Permitting Off-Highway Vehicles for Travel on State Highways to allow for the expansion of OHV pilot programs throughout the state of Colorado. There is no reason whatsoever to allow OHVs on public roads, highways, and streets. They are simply not intended or manufactured for this use, and it would be wholly irresponsible to make a decision that would encourage such use. I beseech you to keep the safety of Colorado residents in mind.

Sincerely,

Sara 



STATE OF
COLORADO

Transp_Comm - CDOT, DOT_ <dot_transp_comm@state.co.us>

CDOT CO149 Pilot Project.

1 message

natascia [REDACTED]

Fri, Jan 15, 2021 at 4:02 PM

To: Zane Znamenacek <zane.znamenacek@state.co.us>, Michael Goolsby <michael.goolsby@state.co.us>, "herman.stockinger@state.co.us" <herman.stockinger@state.co.us>, "vasqueztdistrict6@gmail.com"

Greetings,

My name is Natascia [REDACTED] am a resident of Lake City, Colorado

I'm writing to express deep concern for the renewal of the CDOT CO149 Pilot Project. I hope that CDOT will seriously consider mine and other residents' letters and phone calls on this matter.

This CDOT program allows illegal and unsafe off-highway vehicles (OHVs) to operate on the only State Highway that bisects Lake City and Hinsdale County.

1) OHVs are not certified for use on paved or hard-packed surfaces. They are not crash-test certified. They are prone to roll-over and loss of control events that cause serious injury and death. Many OHVs are not equipped with headlights or signaling devices.

The Consumer Product Safety Commission (CPSC), the Consumer Federation of American (CFA), the ATV Safety Institute (ATVSI), and Recreational Off-Highway Vehicle Association (ROHVA) all warn of the dangers associated with operating OHVs on paved surfaces and highway environments. Numerous reports and studies clearly indicate that OHVs should not operate on paved roads or highways.

2) OHVs have a devastating in my community and backcountry wilderness areas. OHVs create great amount of dust and noise.

Walks with our children and pets around our town and on Henson Creek are absolutely impossible given the amount of dust from the constant traffic. Noise levels, starting in the early hours of the morning are just a nightmare.

During the summer months our mountain town has been completely overrun by noise, dust and constant OHV and OHV trailers traffic.

The once-peaceful atmosphere of our small mountain town is gone. We have no sense of peace or tranquillity.

3) The Hinsdale County Sheriff is on-record as stating his office is unable to handle the influx of OHV traffic in the Town and County.

The *CO149 Pilot Project* is a test project by CDOT and the Transportation Commission. This project was created to ignore known studies and reports regarding OHV safety. If deemed "successful" by CDOT and the Transportation Commission, other rural mountain communities will see this type of project come their way. CDOT is trying to normalize OHVs on State Highways, and this presents a known and significant risk to the public.

In the interest of the health and safety of our community I urge you to not renew the CO149 Pilot Project in Lake City and Hinsdale County.

Thank you for your time,

Natas

Dear Grant,

This is a follow up to what I consider to be a most astute observation and analysis by David Cherry as reflected in his letter to the editor in the November 30 issue.

In that letter, David (utilizing County official generated sales tax revenue data) correctly showed that in order to make a case for any economic impact of a reorientation and pursuit of OHV visitation one must separate sales revenue data into "physical" vs. "non-physical" transactions or more simply removing internet and out of county sales revenue from that generated within the town/county before any meaningful comparison with previous years can reasonably be undertaken.

Utilizing the same County generated calculations for the years 2018, 2019 and 2020 (adjusted for 2020 internet sales) reveals a dramatically different actual economic impact for the years particularly when viewed as a yearly season encompassing July, August and September of the respective years.

This is most significant as proponents of the dramatic reorientation of LC/HC towards "motor sports" with great veracity, repeatedly supported their position in that the reorientation would be a boon to the economic stability of the community which would be reflected in dramatically increased business revenue (as reflected in official sales tax revenue reports generated by the county). What appears to have actually happened is precisely the opposite!

If one views the revenue reports on a seasonal (July, August and September) and combined town and county basis for the years 2018, 2019 and 2020 (adjusted for local versus internet sales) you see the following:

YEAR	AMOUNT	YEAR TO YEAR % CHANGE
2018	\$ 359,008.87	
2019	\$ 386,228.83.	+ 7.6%
2020.	\$ 349,005.05.	- 9.6%

Even more interesting are the facts that 2019 was the avalanche year and road closures impacting visitation until later in the season and 2020 was the year of the COVID 19 Virus substantial OHV tourist boost, yet sales revenue actually declined.

While it can be argued that certain categories of businesses likely flourished with the dramatic surge in OHV visitation in 2020, it appears without question that the surge did not positively or uniformly impact all business and in fact (as reflected in the overall decline) the decline for many was even more significant as borne out by the total numbers for the season.

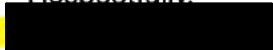
It appears from the data that the OHV "boon" forecast by 100% of the town/county leadership (at the time) was ill placed or terribly misguided from an overall economic base and business community standpoint. This solidarity of town/county leaders at the time is even more questionable in view of the then available statistics from the USDA Forest Service. These statistics clearly show OHV category users average spending were by far the least versus hiking/backpacking, nature related, hunting and fishing alternative visitors. (See the attached bar chart from the USDA Forest Service).

Thus, it would appear that the huge OHV surge may have driven out alternative seasonal recreational type users including many seasonal residents (providing in excess of 80% of county ad valorem taxes) whose desires to be in the county had been disrupted by the dramatic OHV surges. This last sector (seasonal residents) have apparently not made up for the business sales shortfall and have rather "voted with their dollars" and made their purchases elsewhere outside of the county. Higher spending alternative recreational use visitors have apparently merely moved on to more receptive communities for their hiking, fishing, hunting, climbing and biking pursuits.

While the county has not provided the data for the months of May and June 2020 so that a comparison for the May-September season can be made, it is unlikely that the pattern reflected above is unlikely to change.

Hopefully, current leadership will at least consider these issues prior to providing any more blanket support and or extension for such drastic reorientations of the economic base and some would argue the soul of the community.

Respectfully,


Hinsdale County

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Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Lake City OHV Pilot Program

1 message

Lydia [REDACTED] Tue, Oct 20, 2020 at 3:43 PM

Reply

To: "Commissioner.Zink@state.co.us" <Commissioner.Zink@state.co.us>, "Commissioner.Hall@state.co.us" <Commissioner.Hall@state.co.us>

Dear Commissioner Zink and Commissioner Hall,

I would like to submit my thoughts on the OHV Pilot Program that has recently come to an end in Lake City, Colorado. As a full time, year-round resident for the last 22 years, I have seen Lake City grow and change in many ways-both positive and negative. The Pilot Program for the OHVs falls somewhere in the middle.

As an avid hiker, mountain biker, runner and outdoor enthusiast, I have come to love Lake City for many reasons. Probably the most important reason lies in our absolutely beautiful and unique ecosystem that surrounds Lake City. One of my observations and worries regarding the OHV Pilot program being renewed without strict regulations and guidelines, is the irreparable damage to this unique ecosystem. Many OHV drivers follow the rules and "stay the trail"-but a number of them do not. If the count is correct and over 450,000 vehicles used the Alpine Loop this summer and even if only 1% of that 450,000 users did not follow the rules-then over 4,500 users potentially went off road, did not follow specific rules or made poor choices that resulted in irreparable damage to our Alpine Tundra-that is an amazing amount of people. (While there were many other types of vehicles on the Alpine loop this summer-it is important to note that OHV's are able to go places other vehicles cannot.)

I do have concerns for the high amount of traffic and its impact-not only on our roads and at the expense of the peacefulness of our small community, but on our wildlife-our Deer and Elk herds-what impact will the noise and influx of people have on their migration, feeding grounds, calving and mating routines? Will this impact our hunters in the future-yet another important economic use of our wild lands and for the community of Lake City?

In response to Ron Bruce's letter to you, I don't think anyone is necessarily screaming or even actually yelling in indignation at this program. I, for one, am speaking quietly, yet succinctly; I believe that with the proper rules and regulations in place-this OHV Pilot Program can be a successful, economically lucrative program while still finding a middle ground between all types of supporters or non-supporters.

My thoughts and ideas are outlined below:

1. Permit system-anyone who has been on a river trip anywhere in Colorado and surrounding states must apply for a permit to run that river. There are specific rules and regulations in place in order to ensure that minimal damage is done to the river and its surrounding environment. A permit system to drive the Alpine Loop would provide specific rules and regulations to be followed, provide funding to repair roads and bridges, pay for extra law enforcement during peak season of Loop use and will provide a way to hold people accountable for making poor choices while on the Loop. Having a permit with a sticker to

display in plain sight on their vehicle will also allow law enforcement officials a way to put the information into the system if they end up stopping the vehicle for an infraction. A permit system would also allow for the tourist/visitor education piece-a very important part of allowing the OHVs to drive safely through our town and the Alpine Loop. The Alpine Outdoor Association (AOA) has already begun to address the lack of information and education given to those who use the Loop-they have done a good job and will hopefully continue their educational programs into the next year and season. Their ideas would perfectly mesh with a permit requirement as it is obvious that the organization also cares deeply for Lake City and the surrounding environment.

2. There must be an end to the season; June through September is the perfect amount of time-very few (if any) locals run their OHV's through town to pick up their mail or go grocery shopping during the months of October through May (way too cold)-there is no need or reason to allow OHV's to run year-round through our town.
3. A curfew: the continuous noise from all hours of the night to all hours of the day was way too much-not only for the year round residents of our town-but for all of our wildlife-to our tourists boating on the lake or camping-all you could hear, no matter where you were-was the drone of OHV's-their decibel level is definitely not in line with specific vehicle noise ordinances. This is also something that can be addressed through permit use-noise decibel levels.
4. I do believe that the extension to Elk Road on the North side of town and to the CDOT shop on the South side is appropriate and allows OHVs to reach the car wash and have access to those specific neighborhoods.
5. Law Enforcement: I rode the Alpine Loop many times on my mountain bike this summer, as I have in the past. This was the busiest and dustiest summer I have ever experienced. I had mostly good experiences with most off-road vehicles and only felt close to death during a few bad experiences when a 4-wheel drive truck or an OHV was going way too fast-I never saw a law enforcement vehicle out there except during a race I attended at the end of August-this is definitely one of the most important aspects of having the Pilot Program be successful-consistent law enforcement support and presence. This can only happen if there is funding to make this happen.

Pilot Programs are put in place so that community members and state personnel can reflect on what worked and what did not work. I understand that there are some very vocal people who use their position of power to try and say that they are representing everyone. They are definitely representing only themselves and they are only that one person. We live in a democracy where all voices deserve to be heard; including those who cannot speak. Our wildlife, our waters and our lands have only those of us who feel strongly about them to be their voice. If we have none of those things, then there will be no reason to come to Lake City. No bears, no elk, no deer, no moose, no marmots, no pika, no bighorn sheep, no pristine rivers and lakes, no clean air, no peace and quiet-then why would anyone come here? What would be here for them to see and experience?

We need to reflect on this Pilot Program using real life data and decide what is best for this community and surrounding environment. All voices deserve to be heard and all options should be weighed and considered. I truly believe that by finding a middle ground, we can make sure that we do not ruin what we have here in the San Juan Mountains.

Thank you for your time,



STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

What is going on with the SH 149 Pilot Project?

1 message

Teresa

Sun, May 19, 2019 at 7:51 PM

To: Zane Znamenacek <zane.znamenacek@state.co.us>, Michael Goolsby <michael.goolsby@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Kathy Gilliland <Commissioner.Gilliland@state.co.us>, Sidny Zink <Commissioner.Zink@state.co.us>, jennifer.uebelher@state.co.us, Commissioner.Connell@state.co.us, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Edward Peterson <Commissioner.Peterson@state.co.us>, Steven Hofmeister <Commissioner.Hofmeister@state.co.us>, Luella D'Angelo <Commissioner.Dangelo@state.co.us>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Rocky Scott <Commissioner.Scott@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>

Cc: Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, gov_officeofboardsandcommissions@state.co.us, governorpolis@state.co.us, Gina.Talmadge@state.co.us

Zane,

I am requesting clarification and information regarding the Hinsdale County SH 149 OHV Pilot Project.

Hinsdale County posted on Facebook on Friday, 5/17/19, at 7:49 PM that "The Town of Lake City and Hinsdale County together with CDOT are in the implementation stage of the 2019 OHV Pilot Project. Once signs are installed, it will be implemented with the goal of completion by Memorial Day weekend. "

People had heard that the Transportation Commission deferred action until their August meeting on Region 3 Director Mike Goolsby's request to adopt a resolution "in place of" the previously approved Pilot Project. Now there is widespread Pilot Project confusion in the local community and with tourists on multiple Facebook accounts.

What happened between CDOT, the Town of Lake City and Hinsdale County on Thursday afternoon and Friday that lead to an after-hours Facebook announcement on Friday night. What did CDOT agree to? So you understand the magnitude of this confusion, here are just four of the many Facebooks groups seeing information about this matter.

- 1,347 Followers Hinsdale County
- 417 Followers Lake City Hinsdale County Colorado OHV
- 1,480 Members Lake City Locals and Friends
- 14,468 Followers Fans of Lake City, Co

To assure we have the same public information, here is what was obtained from a Colorado Open Records Act request:

- A Letter of Intent for Application for the 2019 – 2020 OHV Pilot Project dated April 3, 2019 was submitted by Hinsdale County and the Town of Lake City to you requesting a two year program using SH149 for approximately three highway miles.
- A CDOT Utility/Special Use Permit Application by Hinsdale County and The Town of Lake City was submitted. Duration of work is stated as May 2019 – October 2020 using approximately 3 miles of Hwy 149 from CR 30 to CR 20.



The dates and routes of the program applied for in the Letter of Intent and Special Use Permit were not approved by the Transportation Commission at the May meeting. Here are the two programs that have been before the Transportation Commission:

- Approved #TC 18-07-XX - "to last for the rest of 2018 and through 2019...". The approved length of the project was 2.30 miles utilizing CR142 and SH149 as shown on Mike Goolsby's "Original Map of approved OHV route" in his June 7, 2019 letter to the Transportation Commission.
- #TC 19-06-XX - not acted on in May - "to last for the rest of 2019 and through 2020...". The length of highway travel would be revised to 2.26 miles utilizing SH149 as shown on Mike Goolsby's *requested route change*.

With the post on Hinsdale County's Facebook page stating they and the town are working with CDOT on implementation I *assume* there must be an application for the Pilot Project under #TC 18-07-XX. Since facts from the source or public meetings are more reliable than assumptions:

- Please provide confirmation from the Transportation Commission that it was their intent to leave #TC 18-07-XX in place utilizing CR142 and SH149 and expiring in 2019.
- Please provide the CDOT Utility/Special Use Permit Application from Hinsdale County/Town of Lake City applying for #TC 18-07-XX. The submitted application does not meet the terms of this Pilot.
- Did you reach out to the local governments and advise that #TC 18-07-XX is viable?
- What communication have you had by phone or in writing with the Town Trustees and/or County Commissioners or their staff since the Transportation Commission declined to act on the replacement resolution on May 16th?
- Did you encourage the use of the #TC 18-07-XX that expires in 2019 and utilizes CR142 and SH149? I ask this since you wrote to Peter D. Nesbitt on 12/10/18, "While there are issues with using that detour, including turning vehicles on and off the highway and difficulty in enforcement, CDOT feels strongly enough about this idea to require that detour."
- When and how did CDOT, the Town and County discuss changing the Pilot Project from the terms of the not-acted-upon #TC 19-06-XX to #TC 18-07-XX? Are you aware of or did you participate in any town or county public meetings last Thursday or Friday where this was discussed.

Thank you for supplying documentation and providing clarification of this process. My time living in and visiting Lake City goes back to the early 1990s. In that time I have never seen such a lack of transparency in government and the people so divided. What a sad state of affairs.

I just received a Code Red Alert for a Winter Storm Warning for Lake City. I hope the Alpine Loop is even open for travel this year. It is wonderful to see the state level support Lake City and Hinsdale County are receiving for emergency preparedness during the current declared State of Emergency.

Teresa [REDACTED]

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Please Suspend #TC18-07-xx until the August TC Meeting

1 message

Teresa

Sun, May 12, 2019 at 1:24 PM

Transportation Commission Members,

On May 16, 2019, the Transportation Commission (TC) is being asked to discuss and act on a resolution to replace #TC18-07-XX. The memorandum dated June 7, 2019 (?) from Mike Goolsby outlines the proposal. This is regarding a Pilot Project for Off Highway Vehicles (OHVs) to operate on a section of State Highway 149 that goes through Lake City in Hinsdale County. I'm asking that you vote to suspend the current resolution and reconsider at your 8/14/19 scheduled meeting based on the following:

7-19-18 - The TC approved a Pilot Project. The TC was misinformed about the route appropriateness and that the local governments had worked with Region 3 on this project. (Explanation below under 5-16-19)

5-8-19 - From the Hinsdale County website - Governor Polis verbally authorized an executive order for a state of emergency in Hinsdale County. This order enables the Division of Homeland Security and Emergency Management and the Colorado State Emergency Operations Center to provide planning support and staffing for a multi-agency coordination group as the county lessens the severity of post-avalanche impacts.

County Road 20 remains closed beyond the gate at the Snowden's Meadow pull out. Hinsdale County Road & Bridge has cleared one lane to Capitol City, but the narrow canyon in the Klondike slide area has caused a buildup of debris between the road and Henson Creek that is unsafe to travel. Local, regional, and state representatives are visiting the site to determine next steps to avoid the road washing out. <http://www.coemergency.com/>

5-16-19 - The TC is being asked to replace the current resolution with a resolution that is amended in two areas:

1. Change the route - The TC was given a route to approve on 7-19-18 that included CR142 which is a single lane dirt road that goes through a tourist court of small cabins. CR142 comes back onto SH149 at the top of a blind hill where one must cross on-coming traffic that cannot be seen from the south. I am clear on this danger as I owned the property across the highway where CR142 enters SH149 and have had several near misses there. I am in agreement that CR142 is not a viable option however Mike Goolsby's memo (referenced above) inaccurately states that the route change "improves the project slightly shortening the overall distance OHVs would be allowed on the highway". The OPPOSITE is true. The change INCREASES the distance OHVs will be on the highway.

2. Extend the time - The TC was misled on 7-19-18 when told that local governments had worked on this Pilot Project. The first public announcement of the Pilot came at the Hinsdale County Board of County Commissioners (BOCC) meeting on 8-1-18 from CDOT by guest speakers Zane Znamenacek, Mike Honn and Major G.A. Dingfelder who had worked with then Sheriff Ron Bruce. A Colorado Open Records Act request to Hinsdale County on 9-6-18 revealed a 7-11-18 email exchange between Sheriff Bruce and Major Dingfelder. Regarding the Pilot Project, the Major wrote to the Sheriff "Just making sure you are aware this is being heard on July 19. Our legislative liaison, Mike Honn, has been actively involved in this as I've been pushing CDOT/AG and anyone who will listen for a resolution. Mike and I will make a trip to see you and the commissioners soon." The Sheriff's response, "Am I in a position to share this w/my BOCC?". Without question, this was done without public transparency and NO LOCAL GOVERNMENT WORK as the TC was told.

A report on the current Pilot is due to the TC by September 2019. Most of the fourteen plus month Pilot Project has expired without use as it has taken until now for the "local governments" to decide to proceed.

7-23-19 – Lake City voters decide whether to allow OHVs on town streets. There have been four votes to allow OHVs in town over the years and three have failed. Due to the number of loud OHVs that have driven Lake City's mostly unpaved dusty streets and alleys since the most recent vote, a petition by citizens has put this matter back on the ballot. If OHVs are banned in town there is **NO WAY TO CONNECT CR20 and CR30 VIA SH149** as that requires travel on town streets. Have you been informed of this upcoming ballot question and that the Pilot Program may not be sustainable? THERE ARE SIXTY SIX DAYS BETWEEN THE TIME YOU COULD APPROVE THE REVISED RESOLUTION AND THE CITIZENS COULD VOTE TO BAN OHVs ON TOWN STREETS THAT WOULD CONNECT TO THE PILOT PROGRAM ROUTE ON SH149.

When it's time for you to vote, do you have the answers to the following:

- What is the urgency? Almost ten months have passed. The State, Town and County are operating under a declared State of Emergency for an undetermined period of time. Some county roads will have limited use going into tourist season due to travel risks.
- Is it a good idea to utilize State funds and resources on a project that might be invalid in 66 days?
- The 7-19-18 memorandum from David Eller, Kathy Young and Andy Karsian to the TC said:
 - "If approved, the region will work with State Patrol and the regional local governments to install specific parameters for OHVs to use while travelling on this state highway". The Town Trustees discussed signage at their last meeting. Where may the public find parameters established by the State?
 - "The Pilot Project will allow CDOT, State Patrol and local governments to promote OHV use in southwest Colorado and gather data that could impact future policy or legislative action." I reviewed the powers and duties of the TC from the state website. How does promoting OHV use fall under the duties of the TC?
- Can the Pilot education and signage be effectively implemented for the residents, tourists and law enforcement in the next two weeks before the tourist season kicks off on Memorial Day weekend?
- How does a community communicate to tourists and residents, that are also under a State of Emergency, that there are Pilot Project rules for 66 days and then there may be a sudden change back to State laws as they apply on all other State Highways after the town vote?
- Has there been a summer traffic study to know the volume of traffic in the Pilot area?
- What is the projected increase in traffic with the Pilot? Is it 100 or 1,000 OHVs a day? How will you know the impact without before and after data?
- Ask to see the CDOT staffing plan to enforce this resolution? CSP will be likely be getting daily violation calls if OHV speed patterns continue as have been witnessed the past couple of years.
- Does the Hinsdale County Sheriff have a staffing plan to enforce this resolution? Will County Staff assist CSP?
- The warnings from ALL OHV manufacturers about the dangers of operating OHVs on paved surfaces are known by the CDOT and the TC – serious injury including death. Ask yourself, why is the operation of unlicensed OHVs on the state highway being considered by the Transportation Commission whose first priority should be public safety?
- When you ask for a report on progress, what is the measure of success or failure – deaths? injuries? How does the public find these measurements?

My request is that you vote to suspend the current resolution and reconsider at your 8/14/19 scheduled meeting. If approved in August, there would be time for a measurable, organized and enforceable implementation in May 2020. The vote from the citizens of the town of Lake City on 7/23/19 will give you guidance. A vote by citizens against OHVs in town means there is no way for OHVs to legally travel from the county road to state highway making the Pilot Project unusable. Almost ten months have passed since the original resolution. Why spend taxpayer dollars changing the laws on SH149 for a Pilot that may only last 66 days while the County and Town is operating under a State of Emergency involving the very roads your Pilot Project is trying to connect.

Respectfully,

Teresa 



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Email to Michael Goolsby ref. Resolutions TC# 18-07-XX and TC #19-06-XX

1 message

Sun, May 12, 2019 at 12:33 AM

To: Michael Goolsby <michael.goolsby@state.co.us>

Cc: Jennifer Uebelher <jennifer.uebelher@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>

Mr. Goolsby,

Attached is a Position Paper (text and PDF) from the Specialty Vehicle Institute of America (SVIA) that opposes ATVs (which are OHVs) operating on public roads and highways.

Do you find it odd that the OHV industry and safety groups recommend that their customers and membership NOT operate ATVs on public roads, paved surfaces, or highways such as SH149 in Hinsdale County?

Does the State of Colorado, CDOT, and the Transportation Commission have a secret plan for keeping OHV operators and the general public safe from the unsafe handling characteristics that are present when OHVs are allowed to operate on public roads, paved surfaces, and highways such as SH149?

I encourage you to abandon your plan to put OHVs onto Colorado State Highways; request that the Transportation Commission rescind Resolution #TC 18-07-XX; and then pull Resolution #TC 19-06-XX from the upcoming Agenda to keep the public safe from the pending loss-of-control and roll-over accidents that will happen when you unleash OHVs upon Colorado State Highways.

POSITION IN OPPOSITION TO ON-ROAD OPERATION OF ATVs

The Specialty Vehicle Institute of America (SVIA) is the national not-for-profit trade association representing manufacturers and distributors of all-terrain vehicles (ATVs) in the United States. SVIA's major goal is to promote the safe and responsible use of ATVs.

Tens of millions of ATV users ride their ATVs in a safe and appropriate manner every day. In addition to their popularity for responsible outdoor recreation, they are tremendously useful products and have become an essential tool for farmers, law enforcement officials, the military and others.

The majority of accidents and injuries are caused by misuse of the ATV. Ninety-two percent of ATV-related fatalities involve behaviors that the Industry warns against in its rider education programs, in all literature and on vehicle labels. These behaviors include children riding adult-sized ATVs, operating on paved roads, operating without a helmet or other protective safety gear, carrying passengers on single-rider ATVs and operating under the influence of alcohol.

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards. Permitting on-road use of ATVs, including modified ATVs, would be in conflict with manufacturers' intentions for their proper use, and would be contrary to federal safety requirements.

The Insurance Institute for Highway Safety has analyzed U.S. Department of Transportation's Fatality Analysis Reporting System (FARS) data on ATV rider fatalities occurring on public roads. In 2013, the most recent year for which the data is available, 319 ATV riders were killed on public roads. This is an increase from 2012 when 304 riders were killed on public roads and from 2011 when there were 305 ATV rider fatalities occurring on public roads. Eighty-nine percent of the fatalities occurring on public roads were on rural roads. Of those, sixty-eight percent were on minor roads.

ATV fatalities occurring on public roads comprise a significant portion of total ATV-related fatalities, as reported by the Consumer Product Safety Commission. If ATVs could be kept off of public roads, as urged by SVIA and as contained in our Model State ATV

Legislation, a large percentage of ATV-related injuries and deaths would be prevented.

CPSC's 2014 Annual Report of ATV Deaths and Injuries, the most recent available, found that estimated ATV-related fatalities have declined each year from 2007 through 2014 but noted that data collection for 2012-2014 is ongoing. As a percentage of total ATV-related fatalities, on-road fatalities were an alarming 48.7 percent of the total in 2011 (the latest year of complete data available from CPSC). This is even though ATVs are not manufactured for or intended to be operated on highways and vehicle labels and owner's manuals clearly warn against such use.

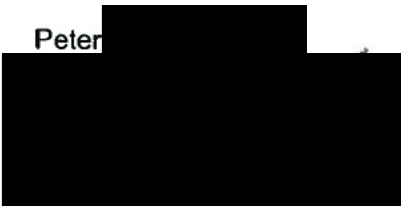
Imagine the progress that could be made in reducing ATV-related injuries and deaths if states were to enact and enforce laws to prohibit ATV use on highways.


Riding on public roads introduces the possibility of the ATV colliding with a car or truck, an obviously dangerous situation. Another CPSC study of 3,200 ATV-related deaths that occurred between 1985 and 1996 found that the most frequently reported hazard pattern (56 percent of all ATV incidents) involved collisions and 35 percent of these involved collisions with motorized vehicles.

SVIA emphasizes that ATVs are not designed, manufactured, or in any way intended for use on public streets, roads or highways and urges that on-highway use of ATVs be prohibited and that law enforcement efforts be strengthened to eliminate this dangerous practice.

It should be noted that for purposes of prohibiting ATV use on public roads, SVIA does not consider such public thoroughfares as logging roads, woodland trails or other unimproved ways to be public streets, roads, or highways and the prohibition on allowing on-road use of ATVs should not be meant to apply to a road that is part of a designated trail system permitting ATV operation.

Peter



 **SVIA -- Position in Opposition to On-Road Operation of ATVs.pdf**
50K



STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Safety Literature from the ATV Safety Institute (ATVSI)

1 message

peter [redacted] Sat, May 11, 2019 at 11:51 PM
 To: Luella D'Angelo <Commissioner.Dangelo@state.co.us>, Kathy Connell <Commissioner.Connell@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Edward Peterson <Commissioner.Peterson@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Steven Hofmeister <Commissioner.Hofmeister@state.co.us>, Kathy Gilliland <Commissioner.Gilliland@state.co.us>, Rocky Scott <Commissioner.Scott@state.co.us>
 Cc: Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>

Commissioners and Staff,

Please take a look at the attached literature from the ATV Safety Institute (ATVSI) — why is CDOT and the Transportation Commission advocating against the advice of a national OHV safety and training organization?

Peter [redacted]
 [redacted]

5 attachments

- ATVSI -- Pavement_2x9.pdf**
128K
- ATVSI -- Pavement_2x4.pdf**
110K
- ATVSI -- Pavement_4x2.pdf**
151K
- ATVSI -- Pavement_2x2.pdf**
2249K
- ATVSI -- Pavement_4x4.pdf**
230K

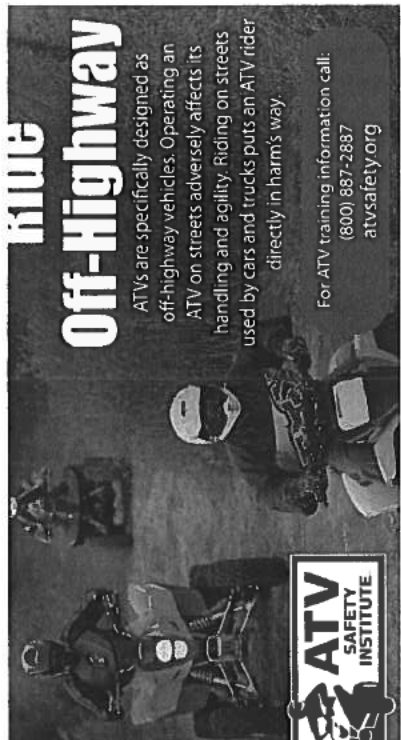
Ride Off- Highway

ATVs are specifically designed as off-highway vehicles. Operating in ATV on streets adversely affects its handling and agility. Riding on streets used by cars and trucks puts an ATV rider directly in harm's way.



For ATV training
information call:
(800) 887-2887
atvsafety.org





RIDE Off-Highway

ATVs are specifically designed as off-highway vehicles. Operating an ATV on streets adversely affects its handling and agility. Riding on streets used by cars and trucks puts an ATV rider directly in harm's way.



For ATV training information call:
(800) 887-2887
atvsafety.org

avement is Prohibited

are specifically designed as off-highway
vehicles. Operating an ATV on pavement adversely
affects its handling and agility. Riding on a road
by autos and trucks puts an ATV rider directly
in their way.



ATV training
information call:
(800) 887-2887

Division of the Society of Vehicle Institute of America

www.atvsafety.org



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 OHV Pilot Program in Lake City and Hinsdale County (Governor Polis)

1 message

peter [REDACTED] Sun, May 12, 2019 at 4:48 PM

To: Governorpolis@state.co.us

Cc: Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>

Governor Polis,

I am writing to express concern with the CO149 OHV Pilot Program that was approved by the *Transportation Commission* in July 2018 as Resolution #TC 18-07-17. This Resolution is up for modification to Resolution #TC 19-06-XX on Thursday May 16, 2019. Both resolutions endanger public safety on State Highways in Colorado.

These Resolutions and Pilot Program will allow Off-Highway Vehicles (OHVs) to operate on the only State Highway that bisects Lake City in Hinsdale County, Colorado — and may allow OHVs to operate on State Highways throughout the State of Colorado in the future.

OHVs create a public safety hazard when they are allowed to operate on public roads, paved surfaces, or highways. Due to OHV design characteristics, OHVs possess a 1) high center of gravity, 2) narrow wheel-base, 3) off-road knobby tires, 4) "locked" rear axle, and 5) 4x4 transmissions. These unique design characteristics mean that OHVs present a greater tendency for loss-of-control and roll-over accidents.

Injures resulting from OHV accidents include severe blunt-force trauma, loss of limbs, partial or full paralysis — or death.

The unsafe handling characteristics of OHVs on public roads is a known and documented by many. The Consumer Product Safety Commission (CPSC), Consumer Federation of America (CFA), the Specialty Vehicle Institute of America (SVIA), the ATV Safety Institute (ATVSI), the Recreational Off-Highway Vehicle Association (ROHVA), and the National Off-Highway Vehicle Conservation Council (NOHVCC) all agree — OHVs should not be allowed to operate on paved surfaces such as Colorado State Highway 149 in Lake City and Hinsdale County.

I urge you to contact the Transportation Commission prior to the Thursday morning meeting and encourage the Commissioners to put an end to this madness that endangers the public safety in Lake City and Hinsdale County.

The CDOT and the Transportation Commission seek to obtain data and study the effects of allowing OHVs to operate on State Highway 149, and they are asking the residents and tourists of Lake City and Hinsdale County to unwillingly participate in an experiment that already has a known outcome — severe injury or death.

The following OHV manufacturers and industry groups have joined forces with the *Specialty Vehicle Institute of America (SVIA)* to oppose the type of program that CDOT, the Transportation Commission, and the elected officials of Lake City and Hinsdale County are trying to implement:

- Americans for Responsible Recreational Access (ARRA) (Safety group)
- Arctic Cat (OHV Manufacturer)
- ATV Safety Institute (ATVSI) (Safety group)
- Can-Am (OHV Manufacturer)
- CFMoto (OHV Manufacturer)
- Coleman Power Sports (OHV Manufacturer)
- EGL Moto (OHV Manufacturer)
- HISUN Motors (OHV Manufacturer)
- Honda (OHV Manufacturer)
- Jingling ATV (OHV Manufacturer)
- Kawasaki (OHV Manufacturer)
- KYMCO (OHV Manufacturer)
- MSF Dirt Bike School (Safety group)
- National Off-Highway Vehicle Conservation Council (NOHVCC)
- Peace Sports (OHV Manufacturer)

1/27/2021

State.co.us Executive Branch Mail - CO149 OHV Pilot Program in Lake City and Hinsdale County (Governor Polis)

- Polaris (OHV Manufacturer)
- Recreational Off-Highway Vehicle Association (ROHVA) (Advocacy group)
- Ricky Power Sports (OHV Manufacturer)
- Sunlight (OHV Manufacturer)
- Suzuki (OHV Manufacturer)
- Textron Off-Road (OHV Manufacturer)
- Yamaha (OHV Manufacturer)
- Yamazuki (OHV Manufacturer)

Why is the *Colorado Transportation Commission* trying to make Colorado State Highways less safe?

Our summer tourists should have an expectation of traveling on Colorado State Highways without encountering other vehicles that possess unsafe maneuvering and handling characteristics.

Sincerely,

Bob



October 24, 2018

Dear Trustee:

As individuals and organizations dedicated to reducing deaths and injuries caused by off-highway vehicles (OHVs), we are writing to urge you to reject any proposal that would increase OHV access to the roads of Lake City.

Tragically, we have identified 49 OHV-related deaths in Colorado from January 2013 to September 2018. Of these deaths, 21 (43%) occurred on-road, 24 (49%) occurred off-road, and 4 (8%) occurred in an unknown location. Unfortunately, these numbers may continue to rise as we gather more data.

Allowing OHVs to use public roads suggests to the public that roadway riding is a safe and responsible use of OHVs when in fact, industry, regulators, and consumer and public health and safety advocates, all agree that OHVs are not safe on public roads.

We write to communicate the dangers of allowing OHVs on roads and hope that this information will help inform any policy decision you make.

Off-Highway Vehicles

There are two main categories of OHVs—neither of which are designed for roadway use and should not be allowed on public roads.

- **All-Terrain Vehicles (ATVs):** ATVs are “off-road, motorized vehicles having three or four low-pressure tires, a straddle seat for the operator, and handlebars for steering control.”¹
- **Recreational Off-Highway Vehicles (ROVs):** ROVs have “four or more wheels with low pressure tires; bench or bucket seating for two or more occupants; automotive-type controls for steering, throttle, and braking; rollover protective structures (ROPS); occupant restraint; and maximum speed capability greater than 30 mph.”²

More ATV and ROV Deaths Occur On Roadways than Off-Road

While there is federal ATV fatality data, there is a lack of ROV fatality data. To fill this need, our coalition has started collecting data on ROVs to give decision makers a better sense of the dangers posed by OHVs besides ATVs. See our data and analysis on our OHV webpage [here](#).

- **ATV Roadway Crashes:** ATV crashes on the road account for over 60% of ATV-related deaths and over 30% of serious ATV injuries.³ Roadway crashes are more likely to involve multiple fatalities, collisions and head injuries. Victims in roadway crashes were less likely to be wearing protective gear such as helmets

and were more likely to be carrying passengers, both things that are risk factors for ATV-related fatalities and injuries. From 1998-2007, roadway fatalities increased twice as fast as those off-road.⁴ The National Highway Traffic Safety Administration released ATV-related fatality statistics for public roads showing that there were 3,411 deaths from 2004-2013, with 323 in 2013 alone.⁵

- **ROV Roadway Crashes:** There is much less data on the number and nature of ROV crashes in comparison to ATVs, but from 2013-2017 our coalition identified 472 ROV fatalities. The crash site could be identified in 457 of the 472 deaths. Of those 457 fatalities, 267 (57%) occurred on-road and 190 (40%) occurred off-road. As our coalition continues to gather more data, these figures may rise.

OHV Design Contributes to Roadway Deaths and Injuries

Ultimately, OHVs are not safe on roads because they were not designed for roadway use.

- **OHVs⁶ have a relatively narrow track and high-center of gravity:** These design features allow for riding in wooded areas and between obstacles, and provide high ground clearance for rough terrain. However, these features put OHVs at a higher risk for rollovers,⁷ and require “that the vehicle takes wider turns than are found in standard road design.”⁸
- **OHVs have low-pressure, deep tread tires designed for off-road use:** Automobile tires have relatively shallow tread and are designed to continually grip and release roadway surfaces. In contrast, OHV tires are made to grab off-road terrain and can act unpredictably on roadway surfaces especially with increasing speed. The operator can easily lose control of the vehicle, potentially endangering the OHV rider, occupants of other vehicles, pedestrians, and bicyclists.⁹
- **Most ATVs lack a rear differential:** Most ATVs have a solid rear axle or locked rear differential which means that both the inside and outside wheels rotate at the same speed, unlike motor vehicles designed for roadways. This often requires that the OHV “take wider turns than are found in standard road design,”¹⁰ and makes it more difficult for OHVs to negotiate roadway curves, especially at the speeds often traveled on roads.

Industry Associations Warn Against OHV Use on Public Roads and Paved Surfaces

Both ATV and ROV trade associations warn against riding OHVs on roadways. The Specialty Vehicle Institute of America (SVIA), a not-for-profit association representing ATV manufacturers and dealers, has a strong policy statement against the use of ATVs on public roads. A training manual for ATV riders from the ATV Safety Institute, a division of SVIA, states:

Remember, ATVs are intended for off-road use only. Never operate an ATV on public roads, and always avoid paved surfaces. ATVs are not designed for use on public roads and other motorists may not see you. ATVs are not designed to be used on paved surfaces because pavement may seriously affect handling and control.”¹¹

Further, the SVIA makes clear that:

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards.¹²

The Recreational Off-Highway Vehicle Association (ROHVA) also directs riders to “avoid paved surfaces. ROVs are designed to be operated off-highway.”¹³ These statements show that the manufactures of these vehicles, those who know the vehicles better than anyone, know that they should not be operated on roads. In addition to these statements from OHV trade associations, ATVs and ROVs are also required to have labels indicating that they should not be operated on paved roads or on public roads.

Unpaved and Rural Roads are Not Safe for OHV Use

Many of the warnings against riding OHVs on roadways specifically mention the hazards of paved roads. While these warnings are accurate they are not sufficient and could incorrectly imply that unpaved roads are safe for OHV use.

A 2015 study of national ATV-related fatalities occurring from 1985-2012, found that in twenty-three states half or more of ATV roadway deaths occurred on unpaved road surfaces and that 42% of all ATV roadway deaths during this time period (6,625) took place on unpaved roads. In addition, more than two-thirds of all roadway ATV fatalities (paved and unpaved) did not involve another motor vehicle. This means that low traffic volume on rural roads does not necessarily translate into fewer deaths and injuries. In fact, riders in serious roadway crashes that occur on more remote roads may be at increased risk of death because of longer distances to trauma centers. While there is not yet similar data available for ROVs, given that ROVs are also designed for off-road use with similar design elements, there is no evidence supporting the idea that they would be safe on unpaved roads.

Additional Information

The latest research about OHVs on roadways and OHV death and injuries, as well as a list of members of a national coalition formed to address this public health crisis and the advocacy efforts undertaken by this coalition are available [here](#).

We urge you to oppose any proposal to allow OHV use on public roads because doing so places the public, including OHV operators, pedestrians, bicyclists, and all motor vehicle drivers and their passengers at unnecessary risk.

We hope that you will consider these comments, and if we can be of any further assistance, please contact Michelle Styczynski at Consumer Federation of America at mstyczynski@consumerfed.org or (202) 939-1000.

Sincerely,

Rachel Weintraub
Legislative Director and
General Counsel
Consumer Federation of America

Mary Aitken, MD MPH
Director, Injury Prevention Center
at Arkansas Children's Hospital

Carolyn Anderson
Co-Founder
Concerned Families for ATV Safety

Michelle Styczynski
Research Advocate
Consumer Federation of America

Sue DeLoretto-Rabe
Co-Founder
Concerned Families for ATV Safety

Gerene Denning, PhD
Emergency Medicine
University of Iowa
Iowa ATV Injury Prevention Task Force

Benjamin Hoffman MD FAAP
Professor of Pediatrics
Medical Director, Doernbecher
Children's Safety Center
Portland, OR

Charles Jennissen, MD
Emergency Medicine
University of Iowa
Iowa ATV Injury Prevention
Task Force
Katie Kearney
Concerned Families
for ATV safety Member
Sean's Law
Massachusetts Safety Advocate
Ben Kelley
Director, Injury Control Policy
The Trauma Foundation
San Francisco General Hospital
San Francisco, CA

Robin D. Schier, DNP, APRN,
CPNP AC/PC
Pediatric Emergency Medicine
Texas Children's Hospital
Houston, Texas

Gary A. Smith, MD, DrPH
President, Child Injury
Prevention Alliance

Gordon S. Smith, MD (MB.ChB, Otago),
MPH Professor, Department of
Epidemiology & Public Health
University of Maryland School of
Medicine Charles "McC" Mathias
National Study Center for Trauma and
EMSShock, Trauma and Anesthesiology
Research – Organized Research Center

¹ CPSC, 2013 Annual Report of ATV-Related Deaths and Injuries, February 2015.
<http://www.cpsc.gov/Global/Research-and-Statistics/Injury-Statistics/Sports-and-Recreation/ATVs/2013-ATV-Annual-Rpt-of-ATV-Related-Deaths--Injuries.pdf>

² CPSC Briefing Package. Pg. 91.
www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf

³ Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012.
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>

⁴ Id

⁵ NHTSA, Fatalities in Traffic Crashes Involving All-Terrain Vehicles. <http://www-nrd.nhtsa.dot.gov/Pubs/812193.pdf>

⁶ The Denning paper cited below deals with ATVs but the CPSC Briefing Package on the Proposed ROV Rule, Pg. 518, notes that ROVs are designed with narrow track widths and high ground clearance for use on off-road trails which results in a high risk of rollovers.

www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf

⁷ Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012.
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>

⁸ Id.

⁹ Id. Discussing ATV tires. The CPSC Briefing Package. Pg. 410. Also defines ROVs as having low pressure tires. This allows one to infer that both categories of OHVs discussed here will have tires that are not suitable for on-road use and will have similar problems when used on-road as those described for ATVs in the 2012 report cited above.

www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf

¹⁰ Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012.
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>

¹¹ Tips and Practice Guide for the All-Terrain Vehicle Rider, ATV Safety Institute.
http://atvsafety.org/downloads/ATV_Riding_Tips.pdf

¹² Specialty Vehicle Institute of America, Position in Opposition to On-Road Operation of ATVs.
<http://www.svia.org/Downloads/PositionPaperOpposingOn-RoadUse.pdf>

¹³ ROV Safety Rules. <http://www.rohva.org/>



Law Enforcement funding to enforce the CO149 Pilot Program

4 messages

peter [redacted] Fri, Oct 16, 2020 at 4:01 PM

To: Michael Goolsby <michael.goolsby@state.co.us>, Znamenacek <zane.znamenacek@state.co.us>
Cc: Governor Jared Polis <Governorpolis@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Lenore Bates <Lenore.Bates@state.co.us>

Michael and Zane,

There is a perception among some Hinsdale County residents, 2nd homeowners, and visitors that our Sheriff's Office is not doing enough to address increased OHV traffic resulting from the CO149 Pilot Program. This enforcement perception is focused primarily on OHVs but should apply to vehicles of all types.

Citizens are voicing concerns with the perceived lack of enforcement. Increased tourism and OHV numbers spread our Sheriff's Office thin this summer. The lack of staffing resulted in inadequate enforcement of State laws, the local OHV Ordinance, and the unique provisions of the CO149 Pilot Program.

The CO149 Pilot Program brought increased numbers of vehicles and tourists to Lake City and Hinsdale County this summer. The BLM reports that traffic on the Alpine Loop nearly doubled this summer. Numbers released last month indicate nearly 500,000 vehicles on the Alpine Loop this summer.

How many of those nearly 500,000 vehicles and passengers passed through Lake City and Hinsdale County on CO149?

These numbers equate to increased traffic of all types of vehicles and an increased number of human visitors to our community. These numbers can not be sustained with the expectation of adequate enforcement without increasing the Sheriff's budget to fund an additional full or part-time Deputy.

Where is the tax revenue to fund an additional Deputy for the Hinsdale County Sheriff's Office? Is CDOT or the State of Colorado willing to assist with funding to support hiring another Deputy to help with the increased traffic associated with the CO149 Pilot Program?

One emergency call from the south end of Hinsdale County may take a Deputy out of town for hours; a search and rescue mission may pull all Deputies into backcountry; and an arrest requiring jail transport will remove a Deputy from our Town and County for several hours.

Increasing our tourist base will exponentially bring more complex issues to our community. If you continue to promote the CO149 Pilot Program, then you should consider helping my Sheriff address the additional workload.

Thank you,

Pete [redacted]

Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us> Mon, Oct 19, 2020 at 1:03 PM

To: Peter Nesbitt <peter_nesbitt@icloud.com>
Cc: Michael Goolsby <michael.goolsby@state.co.us>, Governor Jared Polis <Governorpolis@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Lenore Bates <Lenore.Bates@state.co.us>, Sandy Hines <office@hinsdalecountycolorado.us>, Caroline Mitchell

<carolinemitchell@townoflakecity.co>, "Saunders - CDPS, James" <jamesw.saunders@state.co.us>, Chris Kambish <ckambish@hinsdalecountysheriff.com>

Peter,

Thank you for your continued input on the pilot program.

Two points regarding enforcement, keeping in mind that CDOT is not an enforcement agency (that obviously falls to CSP and the Sheriff). First, I do know that at the state level, CSP and even CPW have helped with highway enforcement of this program beyond what they would normally do in the area. While I speak for neither of them, I suspect you would see a continued commitment to help as they can if this program were extended next year. Second, one point that originally led to this program was, in part, because the Sheriff at that time said he did not have the resources to enforce keeping OHV's off of the highway. By legitimizing OHV travel on the highway, the idea was that less resources might be needed for OHV enforcement. Additionally, with OHV's already having the ability to travel legally on all other Town and County roads, there was understandably great confusion on the side of OHV operators as to why Hwy 149 was the only facility where they were illegal. Between OHV operator confusion and a vaguely written court decision on the matter, the Sheriff also felt that he did not have a strong case to even do enforcement of OHV's on the highway. So really, part of the reason for this program was to make enforcement more clear cut and potentially less demanding. Whether or not this has occurred is something we're looking at right now.

I also want to address your statement that CDOT, and me in particular, "*continue to promote the CO149 Pilot Program*". That isn't true at all. This program was implemented at the request of the Town and County. My role has been to work with the Town and County to implement the program in as safe a manner as reasonably possible, which I believe I have done. So you could say that I do promote that allowing OHV's on short controlled sections of highway can be done safely, as is evidenced by the safety record of the Pilot Program over the past two summers. But I am completely impartial with regards to if a community should do this or not.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

Zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

[Quoted text hidden]

peter

Sat, Oct 24, 2020 at 10:21 PM

To: "Znamenacek - Cdote, Zane" <zane.znamenacek@state.co.us>

Cc: Michael Goolsby <michael.goolsby@state.co.us>, Governor Jared Polis <Governorpoli@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Lenore Bates <Lenore.Bates@state.co.us>, Ann McCord <office@hinsdalecountycolorado.us>, Caroline Mitchell <carolinemitchell@townoflakecity.co>, "Capt. James Saunders" <jamesw.saunders@state.co.us>, Chris Kambish <ckambish@hinsdalecountysheriff.com>

Zane,

Thank you for the continued dialog on the CO149 Pilot Program. I would like to offer the following responses to your October 19, 2020 email:

1. I realize that CDOT is not an enforcement agency, but CDOT and the Transportation Commission helped Hinsdale County and the Town of Lake City implement the CO149 Pilot Program. The Pilot Program created more problems than it solved; it further divided our community; and it facilitated damage to our backcountry wilderness areas.

How do you justify implementing a program that does more harm than good? No amount of tax revenue can justify the destruction we are seeing.

2. CPW is an acronym for Colorado Parks and *Wildlife*. I would rather see my local CPW officer (Lucas Martin) in the backcountry managing our *wildlife* resources as opposed to issuing citations to Pilot Program violators. While I appreciate his effort to assist our community and the Hinsdale County Sheriff's Office, why should a CPW officer be expected to monitor and address an OHV problem created by CDOT and my locally elected officials? Shouldn't Lucas focus on our *parks and wildlife*?

3. CSP has a minimal presence in Hinsdale County and Lake City. Last year we saw an enforcement program designed and implemented by Maj. Dingfelder and Capt. Hadley. CSP Troopers were only able to be in our community once or twice a week. I saw my first CSP Trooper in Lake City during the 2020 tourist season several weeks ago. Where was the CSP presence in my community during the 2020 tourist season?

I hope you are able to gather data on the number of days and hours CSP spent in Hinsdale County during the 2020 tourism season. Hopefully you will obtain data relating to the number of citations issued. Please do not tell me that a lack of citations equates to a lack of violations. If there are no Troopers on CO149, then there can be no citations, and that does not mean that things are going well.

4. You mention that our previous Sheriff did not have the resources to keep OHVs off of the highway. We now allow OHVs on CO149 via the Pilot Program and observed violations soared through the roof. Unfortunately, funding and staffing for the Hinsdale County Sheriff's Office are still lacking. This equates to more OHVs on CO149; an observed increase in traffic violations; and an overall lack of enforcement. The CO149 Pilot Program did not help – it made the situation worse.

5. You mention the Pilot Program was implemented to legitimize OHV travel on CO149. Should we legitimize racism, rape, murder, drinking and driving, child abuse or other crimes because we lack the enforcement ability to address those crimes? Allowing OHVs on CO149 via the Pilot Program is equivalent to throwing-in the towel. Our community just gave-up under the misguided direction of others in positions of power and authority.

6. Comparing the CO149 Pilot Program to the voter decision allowing OHVs to operate on our streets and alleyways is a stretch. The CO149 Pilot program led to traffic on the Alpine Loop that nearly doubled this year. According to BLM traffic counters on the Alpine Loop, the numbers are approaching 500,000 this year. The Pilot Program increased traffic on CO149 in the area known as Wades Addition, and the residents there had absolutely no say in the Lake City vote.

The Town vote and the CO149 Pilot Program has a ripple effect that impacts many people connected to our community. Visitors and 2nd homeowners have no vote and are ignored by our elected and appointed officials. We are witnessing and experiencing an incremental expansion of OHVs in our community, on CO149 and on the Alpine Loop. A local OHV organization now wants to expand the CO149 Pilot Program to the north and south on CO149. They also want to make the Pilot Program permanent and year-round.

When will it end, Zane? The CO149 Pilot Program, requested by the elected officials of Hinsdale County and Lake City, is displacing non-mechanized tourism. It adversely impacts permanent residents, 2nd homeowners, and visitors who seek solitude in the mountains. Our investments are under siege by a mechanized tourist base that does not live here.

7. There was no confusion regarding OHVs operating on Colorado State Highways. The law was quite clear: OHVs were not permitted to operate on Colorado State Highways. The only confusion was with the former Hinsdale County Sheriff who relied on an opinion by Judge Patrick for an extended period of time. No one wanted to challenge Judge Patrick or the former Hinsdale County Sheriff, not even the State of Colorado, CDOT, or the CSP. Judge Yoder settled the confusion that was intentionally created and there is no need for the Pilot Program to "make enforcement more clear cut." We are back to recognizing State law or using the Pilot Program to appease a retired Sheriff and the OHV community.

8. I hear what you are saying about my comments regarding you and CDOT promoting the CO149 Pilot Program. I respectfully disagree with you based on the amount of effort that you, CDOT, and the Transportation Commission put forth to implement the Pilot Program. While you have been open and available to these types of email exchanges, I believe that you ignored critical safety data that placed public safety at risk. I also believe that our elected officials and State employees negotiated in great secrecy due to the known opposition toward OHVs in our community.

9. With regards to public safety, no one at CDOT, the TC, Hinsdale County or Lake City have been able to refute the published OHV safety studies that I provided in 2018. OHVs are off-highway vehicles; they are not crash-test certified; their tires and rear axels increase loss-of-control events; their lights are not certified for highway use; and an accident between an OHV and another certified motor vehicle will be devastating. All of these entities put people in harm's way and we are lucky that no one has been killed.

Who in CDOT signed-off on ignoring published safety data with regards to OHVs operating on highways and paved surfaces?

10. I am disappointed that you are "completely impartial" with regards to whether a community should do this or not. I expect someone with your education and experience to address issues with scientific studies and factual information. I have yet to see any science in the implementation of the CO149 Pilot Program – only money and politics.

Once again, I appreciate the exchange, but I certainly disagree with many of your comments.

Thank you,



On Oct 19, 2020, at 1:03 PM, Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us> wrote:

Peter,

Thank you for your continued input on the pilot program.

Two points regarding enforcement, keeping in mind that CDOT is not an enforcement agency (that obviously falls to CSP and the Sheriff). First, I do know that at the state level, CSP and even CPW have helped with highway enforcement of this program beyond what they would normally do in the area. While I speak for neither of them, I suspect you would see a continued commitment to help as they can if this program were extended next year. Second, one point that originally led to this program was, in part, because the Sheriff at that time said he did not have the resources to enforce keeping OHV's off of the highway.

By legitimizing OHV travel on the highway, the idea was that less resources might be needed for OHV enforcement. Additionally, with OHV's already having the ability to travel legally on all other Town and County roads, there was understandably great confusion on the side of OHV operators as to why Hwy 149 was the only facility where they were illegal. Between OHV operator confusion and a vaguely written court decision on the matter, the Sheriff also felt that he did not have a strong case to even do enforcement of OHV's on the highway. So really, part of the reason for this program was to make enforcement more clear cut and potentially less demanding. Whether or not this has occurred is something we're looking at right now.

I also want to address your statement that CDOT, and me in particular, "*continue to promote the CO149 Pilot Program*". That isn't true at all. This program was implemented at the request of the Town and County. My role has been to work with the Town and County to implement the program in as safe a manner as reasonably possible, which I believe I have done. So you could say that I do promote that allowing OHV's on short controlled sections of highway can be done safely, as is evidenced by the safety record of the Pilot Program over the past two summers. But I am completely impartial with regards to if a community should do this or not.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

[Quoted text hidden]

peter_ [REDACTED]
To: Zane Znamenacek <zane.znamenacek@state.co.us>

Sat, Nov 7, 2020 at 9:36 PM

Cc: Governor Jared Polis <Governorpoli@state.co.us>, Shoshana Lew <Shoshana.Lew@state.co.us>, Michael Goolsby <michael.goolsby@state.co.us>, "Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Sidny Zink <Commissioner.Zink@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Lenore Bates <Lenore.Bates@state.co.us>, Ann McCord <office@hinsdalecountycolorado.us>, Caroline Mitchell <carolinemitchell@townoflakecity.co>, "Capt. James Saunders" <jamesw.saunders@state.co.us>, Chris Kambish <ckambish@hinsdalecountysheriff.com>

Zane,

I continue to review documents and emails relating to your role in the CO149 Pilot Program in Lake City and Hinsdale County.

Your response to me in the below email is inaccurate. Please take a look at the attached document from David Eller, Kathy Young and Andy Karsian. It bears the CDOT letterhead and is dated July 19, 2018.

This CDOT document clearly states the purpose of the "Regional Off Highway Vehicle Pilot Project" as:

"To hear about Region 3's ongoing efforts at finding a way to allow OHVs to travel on some state highways while maintain (sic) public safety. The pilot project will allow CDOT, State Patrol and local governments to promote OHV use in southwest Colorado and gather data that could impact future policy or legislative actions."

In reflecting on how all of this played-out since the 2018 implementation of the CO149 Pilot Program, it is clear that CDOT and others sought to implement a test program that put public safety at risk by allowing OHVs to operate on the only State Highway through Hinsdale County.

The attached document states data would be "gathered", yet no one can determine any scientifically collected data other than traffic citations, violations, accidents and deaths.

The Hinsdale County Sheriff's Office has been underfunded and understaffed. Any analysis of citations, violations, accidents and deaths will fail to provide data to ascertain the "success" of the Pilot Program.

The data relating to OHV accidents and deaths is already documented in numerous government reports and consumer safety studies – OHVs are not safe for use on highways or paved surfaces.

The Pilot Program was pitched as a means to "gather data that could impact future policy or legislative actions." This can only mean that you and CDOT sought to use Lake City and Hinsdale County to increase OHV access to Colorado State Highways. This OHV access to our public highways serves one special interest group, and that is the OHV community.

In previous email to me, you indicated that the CO149 Pilot Program was not being used as a test case to allow OHVs to operate on other Colorado State Highways. The attached document tells a different story:

"This information will help other regions work with local governments in developing other permits to allow OHVs to travel on other state highways using the criteria and outcomes from the pilot program."

Hindsight is always 20/20 and it is now so evident that our community has been used for nefarious purposes with the CO149 Pilot Program.

Peter [REDACTED]

On Oct 19, 2020, at 1:03 PM, Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us> wrote:

Peter,

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Two points regarding enforcement, keeping in mind that CDOT is not an enforcement agency (that obviously falls to CSP and the Sheriff). First, I do know that at the state level, CSP and even CPW have helped with highway enforcement of this program beyond what they would normally do in the area. While I speak for neither of them, I suspect you would see a continued commitment to help as they can if this program were extended next year. Second, one point that originally led to this program was, in part, because the Sheriff at that time said he did not have the resources to enforce keeping OHV's off of the highway. By legitimizing OHV travel on the highway, the idea was that less resources might be needed for OHV enforcement. Additionally, with OHV's already having the ability to travel legally on all other Town and County roads, there was understandably great confusion on the side of OHV operators as to why Hwy 149 was the only facility where they were illegal. Between OHV operator confusion and a vaguely written court decision on the matter, the Sheriff also felt that he did not have a strong case to even do enforcement of OHV's on the highway. So really, part of the reason for this program was to make enforcement more clear cut and potentially less demanding. Whether or not this has occurred is something we're looking at right now.

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Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Fri, Oct 16, 2020 at 4:01 PM [REDACTED]
Michael and Zane,

There is a perception among some Hinsdale County residents, 2nd homeowners, and visitors that our Sheriff's Office is not doing enough to address increased OHV traffic resulting from the CO149 Pilot Program. This enforcement perception is focused primarily on OHVs but should apply to vehicles of all types.

Citizens are voicing concerns with the perceived lack of enforcement. Increased tourism and OHV numbers spread our Sheriff's Office thin this summer. The lack of staffing resulted in inadequate enforcement of State laws, the local OHV Ordinance, and the unique provisions of the CO149 Pilot Program.

The CO149 Pilot Program brought increased numbers of vehicles and tourists to Lake City and Hinsdale County this summer. The BLM reports that traffic on the Alpine Loop nearly doubled this summer. Numbers released last month indicate nearly 500,000 vehicles on the Alpine Loop this summer.

How many of those nearly 500,000 vehicles and passengers passed through Lake City and Hinsdale County on CO149?

These numbers equate to increased traffic of all types of vehicles and an increased number of human visitors to our community. These numbers can not be sustained with the expectation of adequate enforcement without increasing the Sheriff's budget to fund an additional full or part-time Deputy.

Statewide Executive Branch mail - Law Enforcement funding to enforce the CO149 Pilot Program

Where is the tax revenue to fund an additional Deputy for the Hinsdale County Sheriff's Office? Is CDOT or the State of Colorado willing to assist with funding to support hiring another Deputy to help with the increased traffic associated with the CO149 Pilot Program?

One emergency call from the south end of Hinsdale County may take a Deputy out of town for hours; a search and rescue mission may pull all Deputies into backcountry; and an arrest requiring jail transport will remove a Deputy from our Town and County for several hours.

Increasing our tourist base will exponentially bring more complex issues to our community. If you continue to promote the CO149 Pilot Program, then you should consider helping my Sheriff address the additional workload.

Thank you,

Peter [REDACTED]

[REDACTED]

 **12-off-highway-vehicles.pdf**
150K



MEMORANDUM

DATE: July 19, 2018
TO: Transportation Commission
FROM: David Eller, Kathy Young, Andy Karsian
SUBJECT: Regional Off Highway Vehicle Pilot Project

Purpose

To hear about Region 3's ongoing efforts at finding a way to allow OHVs to travel on some state highways while maintain public safety. The pilot project will allow CDOT, State Patrol and local governments to promote OHV use in southwest Colorado and gather data that could impact future policy or legislative actions.

Action

Approve resolution outlining the parameters of the pilot project in Region 3 and possible future projects in other regions.

Background

There has been uncertainty about OHVs travelling on state highways for many years and multiple attempts at clarifying the policies and statutes have resulted in a variety of solutions, but none solving the underlying problem: how do OHVs get to connecting trailheads when a state highway separates the trail by miles.

Region 3 has worked with the local governments in southwest Colorado and using language included in recent legislation feel that there may be an opportunity to allow OHVs to travel on a state highway using a special permit developed through a pilot program for that specific area.

Next Steps

If approved, the region will work with State Patrol and the regional local governments to install specific parameters for OHVs to use while travelling on this state highway.

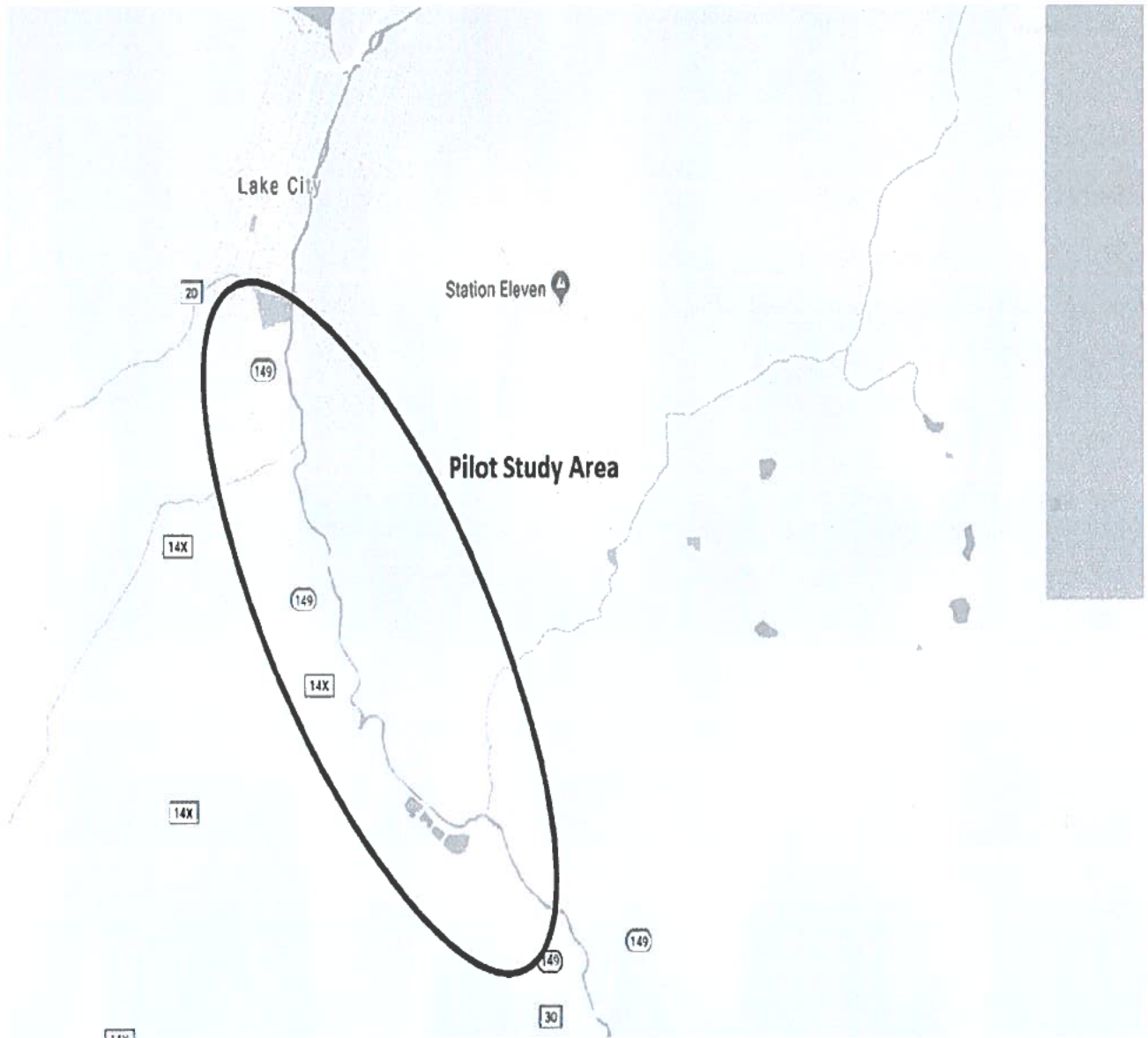
The region and the local governments will monitor the program and collect data on how the travelling public is impacted by the OHVs on the state highway and what, if any, safety factors come into play resulting from the OHVs using the road.

This information will help other regions work with local governments in developing other permits to allow OHVs to travel on other state highways using the criteria and outcomes from the pilot program.

Attachments:

Map of Region 3 pilot program area
Transportation Committee Resolution





Resolution #TC 18-07-xx

Instructing the Colorado Department of Transportation Regions on Permitting of Off-Highway Vehicles for Travel on State Highways.

Approved by the Transportation Commission on July 19, 2018.

WHEREAS, off-highway vehicle tourism provides millions of dollars to the State of Colorado and local economies; and

WHEREAS, the State must balance the promotion of tourism dollars and public safety; and

WHEREAS, the Colorado Department of Transportation (CDOT) regions know best what safety issues and concerns confront particular regions and have a working relationship with the local governments and local law enforcement in the region; and

WHEREAS, the CDOT regions have struggled for years to provide adequate direction to local governments on how off-highway vehicles could travel on state highways; and

WHEREAS, the General Assembly passed legislation over the last two years that provides a structure for local governments to work with their CDOT regions on providing safe travel for off-highway vehicles on state highways; and

WHEREAS, State statute, specifically Section 33-14.5-108(a), C.R.S., stipulates that the State may designate a road or highway open to off-highway vehicles; and

WHEREAS, CDOT regions have worked and will continue to work with the Colorado State Patrol and local governments to develop a process for designating certain roads open to off-highway vehicles; and

WHEREAS, CDOT regions wish to begin a pilot program, to last for the rest of 2018 and through 2019, for off-highway vehicles to travel on some state highways; and

NOW THEREFORE BE IT RESOLVED, the Colorado Transportation Commission approves the regions ability to enter into agreements with the State Patrol and local governments to declare open and allow off-highway vehicles to travel on some state highways, under circumstances that could include but not be limited to:

- Outside CDOT right-of-way
- Outside of highway clear zone
- Off of the maintained highway surface
- On the highway shoulder
- On through lanes in single file rules of the road.

NOW THEREFORE BE IT FURTHER RESOLVED, the Commission believes that these pilot projects could offer an opportunity to gather data to direct future policy discussions,

provide additional resources for the safety of the travelling public, and make available other opportunities in other regions for state and local collaboration.

NOW THEREFORE BE IT FURTHER RESOLVED, the Commission instructs CDOT staff to bring this issue back to the Commission no later than September 2019 for a report on the pilot project and possible further action.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date



CO149 Pilot Program in Hinsdale County (Col. Packard)

1 message

peter [REDACTED] Sat, Oct 24, 2020 at 12:48 PM
To: "Col. Matthew Packard" <kathy.chiero@state.co.us>
Cc: Governor Jared Polis <Governorpolis@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <rep.mclachlan@gmail.com>, Sidney Zink <Commissioner.Zink@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Lenore Bates <Lenore.Bates@state.co.us>

Ms. Chiero,

Please forward my safety concerns to Col. Packard.

Thank you,

Peter [REDACTED]

Col. Packard,

I am writing to you today about the CO149 Pilot Program that is up for renewal in Hinsdale County. This experimental CDOT program allows OHVs to operate on the only State Highway through Lake City and Hinsdale County.

OHVs are not certified for highway use, paved, or hard-packed surfaces. OHVs are not certified by any Federal agency for use on any State or Federal highway. OHVs are not crash-test certified by any government, transportation, or consumer agency. OHVs are equipped with knobby tires that are not certified for highway use. These tires increase the risk of loss-of-control events with increased speed. OHVs are equipped with locked differentials that reduce maneuverability on paved and hard-packed surfaces, and this leads to loss-of-control events. OHVs are often equipped with headlights not certified for highway use.

OHVs are *off-highway vehicles* that are now granted access to CO149 in Hinsdale County via the CO149 Pilot Program.

The CO149 Pilot Program increased OHV traffic in Lake City and Hinsdale County. According to the BLM, the yearly traffic count on the Alpine Loop nearly doubled by September this year. The most recent BLM statistics indicate these numbers may exceed 500,000 by the end of the tourist season.

The Hinsdale County Sheriff's Office is under-funded and under-staffed. They are not capable of handling the massive influx of OHV traffic in Lake City and Hinsdale County. Enforcement of State laws, local ordinances and provisions of the CO149 Pilot Program are not adequately enforced due to funding and staffing.

The CO149 Pilot Program was originally pitched to the public as a temporary seasonal fix to "connect the loop." The plan then expanded north of 2nd Street on CO149. The Alpine Outdoor Association, a pro-OHV entity, is pushing to implement the CO149 Pilot Program on a permanent and year-round basis. Other goals of this organization include extending the program farther north and south along CO149. Any expansion of the CO149 Pilot Program will reduce the level of safety on CO149.

Last year CSP implemented an OHV enforcement plan for Lake City and Hinsdale County to address inappropriate OHV use on our State Highway. The community benefited from regular patrols on CO149 by CSP Troopers during 2019. My personal observation is that the CSP presence in Lake City and Hinsdale County was minimal during the 2020 tourist season.

OHV operators and their passengers routinely violate the provisions of the CO149 Pilot Program. They travel "out of bounds" north and south on CO149 with impunity.

OHV operators and their passengers routinely violate the Town of Lake City OHV Ordinance. I routinely observe occupants without helmets, safety goggles or seat belts. Underage drivers are a common sight and open containers of alcohol are routine observations. Passenger numbers often exceed vehicle design and seating capacity. Other citizens report OHVs racing side-by-side on CO149, exceeding posted speed limits, and not observing posted stop signs.

The CO149 Pilot Program had a damaging impact on our backcountry wilderness areas this year. Trash is now scattered along the Alpine Loop; disbursed camping is damaging once-pristine wilderness areas; fragile alpine tundra was destroyed; and human waste is destroying American Basin. The erosive effects of OHV tires is damaging the Alpine Loop, increasing erosion, and impacting streams and aquatic ecosystems. Engine noise from OHVs is scattering herd animals from their natural breeding and feeding grounds.

The CO149 Pilot Program brought traffic and parking issues to our community along CO149. OHVs drive opposite-direction on the shoulder of CO149 and OHV trailers are scattered along the CO149 shoulder in Lake City. There are no bike lanes or sidewalks along CO149 in Lake City. This situation creates a hazardous situation for pedestrians and bicyclists in my community.

I imagine that you are in the law enforcement and safety business – not the business of politics. However, CDOT and the elected officials of Hinsdale County and Lake City altered the level of safety on a State Highway residing under your area of enforcement. It would be helpful if you would weigh-in and offer comment on the unsafe practice of allowing OHVs to operate on Colorado State Highways.

To be clear, I am against OHVs operating on Colorado State Highways; I am against expanding the CO149 Pilot Program; and I desire to see the CO149 Pilot Program terminated. We need to restore safety on CO149. Canceling the CO149 Pilot Program will have a positive impact on Lake City, Hinsdale County, and the backcountry wilderness areas along the Alpine Loop.

Sincerely,

Peter

[Redacted signature block]

In 2019 CSP implemented an OHV enforcement plan for Lake City and Hinsdale County to address inappropriate OHV use on CO149. My personal observation is that the CSP presence in Lake City and Hinsdale County was minimal during the 2020 tourist season.

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The CO149 Pilot Program had a damaging impact on our backcountry wilderness this year. Trash is now scattered along the Alpine Loop; disbursed camping is damaging once-pristine wilderness areas; fragile alpine tundra was destroyed; and human waste is scattered throughout American Basin. The erosive effects of OHV tires is damaging the Alpine Loop by increasing erosion and impacting streams and aquatic ecosystems. Engine noise from OHVs is scattering herd animals from their natural breeding and feeding grounds.

The CO149 Pilot Program brought traffic and parking issues to our community. OHVs drive opposite-direction on the shoulder of CO149 and OHV trailers often park the CO149 shoulder in Lake City. There are no bike lanes or sidewalks along CO149 in Lake City or Hinsdale County. This situation creates a hazardous situation for pedestrians and bicyclists in the community.

Proponents of the CO149 Pilot Program will tell you that this program brings vast sums of money to Lake City, Hinsdale County, and the State of California. Show me the money and then let us compare mechanized tourism with non-mechanized tourism.

I will counter and say that the money is not worth the devastation we are witnessing in the community and backcountry wilderness areas.

To be clear, I am against OHVs operating on Colorado State Highways; I am against expanding the CO149 Pilot Program; and I desire to see the CO149 Pilot Program terminated.

I encourage you to cancel the CO149 Pilot Program and restore safety to CO149 in Hinsdale County. Cancelling this program will serve to reduce the damage that we are seeing in the backcountry. Cancelling the program will also bring a greater level of safety to our community and CO149.

Sincerely,

Pete



Date: November 3, 2020 at 2:31:10 PM MST

To: Susan Thompson <district1@hinsdalecountycolorado.us>, Kristie Borchers <district2@hinsdalecountycolorado.us>, Sara Gutterman <district3@hinsdalecountycolorado.us>
Cc: Shoshana Lew - CDOT <shoshana.lew@state.co.us>, "Stockinger, Herman" <herman.stockinger@state.co.us>, michael.goolsby@state.co.us, zane.znamenacek@state.co.us, brucevierheller@townoflakecity.co, carolinemitchell@townoflakecity.co, administrator@hinsdalecountycolorado.us, rob.marone@state.co.us, laurie.hadley@state.co.us, kerry.donovan.senate@state.co.us, barbara.mclachlan.house@state.co.us, Pete Piccolo <pete@bicyclecolorado.org>

Dear Commissioners,

We are writing today to ask you not to pursue a continuation of the CO149 OHV Pilot Program that allows OHV's on a stretch of State Highway bisecting Lake City in Hinsdale County.

As you may know Bicycle Colorado is the state's nonprofit bicycle advocacy organization. We have more than 10,000 members statewide, and a nearly 30 year history advocating for safe and accessible conditions for people who bicycle in Colorado.

Bicycle Colorado members in the area tell us the OHV pilot program has led to some very unsafe conditions for bicyclists in the pilot area and well beyond it. They cite a dramatic rise in wrong-way traffic OHV operation, OHV trailer parking and "pull-outs" on the road and shoulders that create a hazard, and frequent unsafe passing maneuvers that create a hostile road environment for recreationists who bicycle. One member even reported direct threats he received from OHV operators to "get off the road." The largely unmonitored and unenforced pilot area also suffers from a lack of paved roadway shoulder areas or bike lane markings, and this exacerbates

the OHV-related safety issues that are impacting people driving and biking on CO149.

Key safety concerns include:

- OHV's are not designed for safe roadway operation
- OHV drivers aren't driving or parking safely, and they are creating hazardous conditions for all road users, including bicyclists
- There is a significant uptick in traffic, dust, noise, and threatening OHV driver behavior
- Thin County and State resources means there is little enforcement
- The lack of a paved shoulder area or marked bike lanes make bicyclists even more vulnerable when OHV operators cause conflict

Please take action to restore safe road conditions for people bicycling in Lake City and Hinsdale County by moving not to renew the OHV pilot project.

Sincerely,

On Tue, Oct 27, 2020 at 12:54 PM

Mr. Goolsby,

Yes, I contacted CDOT Customer Service and asked to have my concerns escalated above your office. Can you tell me if that has been accomplished?

It seems as if the buck stops with you and Zane. Can you tell me if CDOT Director Shoshana Lew knows about the unsafe CO149 Pilot Program that threatens public safety in Hinsdale County?

My Town and County may request anything, but CDOT and the Transportation Commission are ultimately responsible for the safety of our State Highways. Does the CO149 Pilot Program enhance public safety?

I want to make sure that you, Zane, CDOT and the Transportation Commission are all aware of the following:

- OHVs are not certified for highway use by any State or Federal agency or commission.
- OHVs are not crash-test certified.
- OHVs are equipped with tires that are not certified for highway use.
- OHVs are equipped with knobby tires that increase the risk of loss-of-control when used on pavement or hard-packed surfaces.
- OHVs have a high center of gravity that increase the risk of roll-over.
- OHVs are equipped with locking rear-axels that increase the risk of loss-of-control when operated on paved roads and hard-packed surfaces.
- OHVs are equipped with lights that are not certified for highway use.
- Some OHVs are not equipped with a protective windshield.
- Some OHVs are not equipped with seat belts.
- Some OHVs are not equipped with doors to keep occupants constrained inside the vehicle.
- A collision between an OHV and any other road-certified motor vehicle will be catastrophic.
- The Consumer Product Safety Commission warns against OHVs operating on paved surfaces.
- The Specialty Vehicle Institute of America is opposed to OHVs operating on paved surfaces or highways.
- The ATV Safety Institute warns against using ATVs on highways or paved surfaces.
- The Consumer Federation of America warned you that the Pilot Program was dangerous.
- The Consumer Federation of America warned the Hinsdale County Board of County Commissioners that OHVs should not be allowed on Colorado State Highways.
- The Consumer Federation of America warned the Town of Lake City Trustees that OHVs are not designed for use on paved surfaces.

Aside from the OHV industry and the false illusion that OHVs will be the economic savior to rural communities, can you provide me with any documents, reports, or studies that prove OHVs are safe to operate on Colorado State Highways?

It has taken two years to get a response from you, so thank you taking time to respond.

Thank you,

Begin forwarded message:

From: "Polis - GOVOffice, Governor" <governorpolis@state.co.us>

Subject: Re: Terminate the CO149 Pilot Program in Hinsdale County (Gov. Polis)

Date: December 30, 2020 at 6:46:59 PM MST

[REDACTED]

Hello,

Thank you for taking the time to tell us your concerns regarding the CO HWY 149.

CDOT and State Patrol have worked with Lake City, Hinsdale County, local law enforcement and local stakeholders on refining a pilot project that would allow OHVs to travel on a state highway in order to connect between two segments of the Alpine Loop trail on different sides of Lake City's borders. The proposed route is on SH 149 which includes a portion going through Lake City.

The approved route on SH 149 would be from the 2nd St intersection (MP 72.11) in Lake City south to the CR 30 intersection (MP 71.44). The total distance is 2.26 miles. No other state highways will be included in the project.

At this time, CDOT is coordinating with the Town, County, State Patrol, Parks and Wildlife and the Hinsdale Co Sheriff to collect relevant data for inclusion in the final report.

If you have specific comments or concerns, please contact Jennifer Uebelher with CDOT at jennifer.uebelher@state.co.us.

Kind regards,
Office of Governor Jared Polis

On Thu, Oct 15, 2020 at 10:49 AM [REDACTED]

Gov. Polis,

I write to you today with one request: Terminate the CO149 Pilot Program in Hinsdale County.

This test program was implemented by CDOT during your predecessors term. The Pilot Program "connected the loop" between County Roads 20 and 30, thus allowing Off-Highway Vehicles to drive on State Highway 149 (CO149). OHVs are not certified for highway use and are not crash-tested by any Federal agency.

According to the BLM, traffic on the Alpine Loop approached 500,000 vehicles this year – almost doubling the numbers from last year. Increased OHV traffic on the Alpine

to allow OHVs to operate on other Colorado State Highways. The attached document tells a different story:

"This information will help other regions work with local governments in developing other permits to allow OHVs to travel on other state highways using the criteria and outcomes from the pilot program."

Hindsight is always 20/20 and it is now so evident that our community has been used for nefarious purposes with the CO149 Pilot Program.



On Oct 19, 2020, at 1:03 PM, Znamenacek - CDOT, Zane
<zane.znamenacek@state.co.us> wrote:

Peter,

Thank you for your continued input on the pilot program.

Two points regarding enforcement, keeping in mind that CDOT is not an enforcement agency (that obviously falls to CSP and the Sheriff). First, I do know that at the state level, CSP and even CPW have helped with highway enforcement of this program beyond what they would normally do in the area. While I speak for neither of them, I suspect you would see a continued commitment to help as they can if this program were extended next year. Second, one point that originally led to this program was, in part, because the Sheriff at that time said he did not have the resources to enforce keeping OHV's off of the highway. By legitimizing OHV travel on the highway, the idea was that less resources might be needed for OHV enforcement. Additionally, with OHV's already having the ability to travel legally on all other Town and County roads, there was understandably great confusion on the side of OHV operators as to why Hwy 149 was the only facility where they were illegal. Between OHV operator confusion and a vaguely written court decision on the matter, the Sheriff also felt that he did not have a strong case to even do enforcement of OHV's on the highway. So really, part of the reason for this program was to make enforcement more clear cut and potentially less demanding. Whether or not this has occurred is something we're looking at right now.

I also want to address your statement that CDOT, and me in particular, "*continue to promote the CO149 Pilot Program*". That isn't true at all. This program was implemented at the request of the Town and County. My role has been to work with the Town and County to implement the program in as safe a manner as reasonably possible, which I believe I have done. So you could say that I do promote that allowing OHV's on short controlled sections of highway can be done safely, as is evidenced by the safety record of the Pilot Program over the past two summers. But I am completely impartial with

Subject: Are Federal funds being used for the 2021 repaving of CO149 in Hinsdale County?



peter [REDACTED]

Sat, Nov 7, 2020, 10:49 AM

to Shoshana Lew, Dahir Egal, Herman Stockinger, Michael Goolsby, Zane Znamenacek

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Director Lew,

Please see the attached letter from FHA Colorado Division Manager John M. Cater. His letter responds to a complaint submitted to the Department of Transportation (DOT) Federal Highway Administration (FHA) Colorado Division. My complaint alleged inappropriate use of funds and grant money by CDOT associated with the CO149 Pilot Program in Lake City and Hinsdale County.

Mr. Cater commends those of us who seek to reduce the number of deaths caused by OHVs. In his letter, Cater states that "Safety is FHWA's number one priority."

Mr. Cater also writes, "FHWA provides federal funding to the states with the provision that new or reconstructed roads and highways meet certain standards."

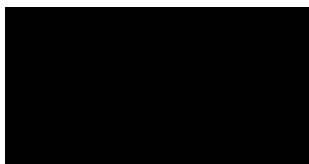
Please provide me with answers to the following questions:

1. Does the future CDOT reconstruction (paving) project on CO149 in Hinsdale County comply with FHA provisions to enhance safety and reduce deaths on a Colorado State Highway?
2. Are Federal funds being used to plan or prepare for the future reconstruction project?
3. Will Federal funds be used to purchase equipment, materials or pay employees or contractors for the future reconstruction project?
4. If Federal funds are received by CDOT, is CDOT and/or the Transportation Commission authorized to implement the CO149 Pilot Program?
5. Can a Pilot Program exist on any Colorado State Highway if CDOT and the Transportation Commission are reducing the level of highway safety in our State?

Previous communication with CDOT officials inform me the Pilot Program is a "local issue", but Mr. Cater clearly states "the TC will make the determination to either extend or end the pilot program."

Thank you in advance for answering the above questions.

Sincerely,



Subject: CO149 Pilot Program (More Questions than Answers)



peter [REDACTED]

Thu, Nov 5, 2020, 1:25 PM

to Bruce [REDACTED], Hollingsworth, Doug Hamel, Dave Roberts, Jesse Kendall,

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Mayor and Trustees:

Our community is engaged in a public process to collect information, "data" and community comments about the CO149 Pilot Program. State employees and locally elected officials inform our community that decisions will be "data driven".

What is "data"?

Other than warnings, citations and accidents documented by law enforcement, the Pilot Program requires no specific data from any scientific or environmental area of study.

Email from the community will be submitted to CDOT, but how will community concerns be translated into "data" used to make an informed decision that benefits the health and welfare of our community?

In an effort to push the process and find solutions, questions must be posed before answers can be provided.

I pose the following questions to the State of Colorado, CDOT, Transportation Commission, and the elected officials of the Town of Lake City and Hinsdale County. If you are unable to answer these questions for yourselves, your governing bodies and the people of our community, then you have no business renewing the CO149 Pilot Program.

SUCCESS

- What metrics do you as an individual use to measure "success" in your life? Your family? Your chosen profession?
- What metrics does your governing body use to measure "success" for projects or programs in your area of responsibility?
- What metrics will your governing body use to measure "success" of the CO149 Pilot Program?
- Did CDOT or the Transportation Commission provide you with any guidelines to measure "success" of the Pilot Program?
- Do you consider business profit and tax revenue as the only measures of "success" when evaluating the Pilot Program?
- If so, how much profit and tax revenue would determine "success"?
- Do you consider warnings, citations and accidents as measures of "success" when evaluating the Pilot Program?
- If so, what is your threshold for success when evaluating warnings, citations and accidents when evaluating the Pilot Program?



Pilot Program, Highway 149, Hinsdale County Colorado

3 messages

Viva [redacted] Mon, Oct 19, 2020 at 12:47 PM

To: michael.goolsby@state.co.us, zane.znamenacek@state.co.us, Lenore.Bates@state.co.us, Commissioner.Zink@state.co.us, sidnyzink@gmail.com, Commissioner.Hall@state.co.us, herman.stockinger@state.co.us, jennifer.uebelher@state.co.us, george.dingfelder@state.co.us, ckambish@hinsdalecountysheriff.com, district1@hinsdalecountycolorado.us, district2@hinsdalecountycolorado.us, district3@hinsdalecountycolorado.us, administrator@hinsdalecountycolorado.us, brucevierheller@townoflakecity.co, michellemartin@townoflakecity.co, richardmoore@townoflakecity.co, daveroberts@townoflakecity.co, doughamel@townoflakecity.co, judhollingsworth@townoflakecity.co, jessekendall@townoflakecity.co, carolinemitchell@townoflakecity.co

Transportation Commission, Colo. Dept. of Transportation and Community Leadership:

I have recently been made aware that there will be a meeting with various town and county officials regarding next steps with the Transportation Commission regarding the Hinsdale County/Hwy149 Pilot Program. I am writing to ask that the pilot program not be activated for 2021...I am asking for a one year moratorium to allow the town/county to recover and improve infrastructure to match the level of tourism.

I am unaware of exactly what will be discussed or analyzed but I wanted to make you aware that it appears there has not been any formal traffic counts in the pilot program route. I spent most of the summer in view of the highway where it crosses through Wade's Addition south of Lake City. I observed an SUV pulled over by the sheriff in October. So while there may be few issues occurring on the pilot program route, it seems to me that there is very little patrolling. I've attached the sheriff report for one week from the Silverton newspaper to give you a perspective. I'm suspicious that Silverton's OHVs follow a similar pattern to those in Lake City and I wonder what the Hinsdale sheriff is reporting and how the Hinsdale numbers of infractions compare based on similar hours of patrolling since I understand there is uneven staffing.

-
My neighbors and I have made some various counts of the OHV traffic on the state highway in individual hours as follows.

July 29 *Wed (all 2020)

9:30-10:30am 43 (incl 8 dirtbikes, trailers not counted)
3-4pm 72 (Incl 4 dirtbikes, trailers not counted)

Aug 8*Sat

10-11 am 25 (+23 on trailers, dirtbikes not differentiated)
11-12 38 (+9 on trailers, dirtbikes not differentiated)
1-2 pm 70 (incl 4 dirtbikes, trailers not counted)
2-3 58 (no dirtbikes observed, trailers not counted)

Aug 9*Sun

8-9 am 35 (dirtbikes not differentiated and trailers not counted)
4-5 pm 36 (no dirtbikes observed, trailers not counted)

In those hours where over 70 units power through the neighborhood via the highway....pretty disturbing to peace and quiet. Contrary to some beliefs, the OHV traffic begins at or before 8 am and continues until after 10 pm. There is relatively few of these type of vehicles after 8 pm. So really only 12 hours of consistent louder than standard traffic. Averaging about 50 per hour. The 5 pm hour is especially heavy and we missed counting that hour. These were not the busiest days so are probably mostly representative and they do represent both northbound and southbound traffic. Do we have appropriate enforcement for this level and type of traffic?

In addition to considering the above, I would like to point out that many of us in the area south of the Henson Crk bridge in Lake City along the pilot program route have concerns that have been inadequately addressed. While the town supported unlimited OHV traffic on all town streets and alleys by 60% in 2019, the county has not had a vote and the pilot program has a major impact on those who live to the south of town limits. Of the 5 town votes taken over the years on the matter, only two have come out in favor of OHV traffic throughout the town. Again, most of the pilot program range as it now is routed is clearly NOT in the town of Lake City. To further complicate matters, over 75% of the homeowners/tax payers are not eligible to vote due to the seasonal nature of their Hinsdale County occupancy.

We understand that the Alpine Outdoor Association is very much in favor of expanding the pilot program in various ways. "ALL" of their members support the expansion... I wonder how many members that group has? Do they have financial interests directly benefited by the pilot program? Do they own property in the county and pay the attendant property taxes which are a major source of support for the county? Are they actually a lobbying group and registered as such?

I further understand that the primary argument is the economy but for seven years I have had a Lake City business and I respectfully disagree. In fact when I look at the total county sales tax revenue for 2018 compared to 2020 and adjust for the Amazon effect (estimated at least 40% of the revenue increase) I see that while tourism as suggested by the Bur. of Land Management increased by 50% , Hinsdale total sales tax revenue that could be attributed to tourism only increased by 25%. No wonder the infrastructure can't keep up.

I have attached a letter with signatures of individuals asking for the county/town to consider some solution to the excessive OHV traffic that is notorious for being disruptive to the community. I call this the Soccer Moms Request because it was spearheaded by some of the mothers of school-age children. OHV traffic is exacerbated by the highway being open to OHVs. I've also attached the advertisement from 5 years ago where issues were brought up that have yet to be addressed by our current or previous sheriffs, various town trustee boards and various boards of county commissioners. This is no criticism of current leadership...this issue has been carried over for years with the only result implemented by the town/county was to put in rules (which are largely not enforced or unenforceable) for the OHV riders' safety--little work, it seems, on the issues faced by the community members.

I would beg you and anyone else who can, give me some examples of communities where extreme motorsports live happily with the citizenry. Show me the literature of how extreme motorsports contributes to the environment, helps the flora and fauna. Please. We could build our community by following their best practices; we need sustainable tourism!

My request is that the Transportation Commission, Town of Lake City, and Hinsdale County elect to not renew the pilot program for ONE YEAR and reconsider it for 2022. This would give the town, the county and the BLM/USFS time to resolve some of the issues that have been occurring in the town and in the back country due to huge increases in tourism, at least in part inspired by the ability to ride OHVs on the highway. The increased tourism is predicted by many to continue unabated in 2021. A key is law enforcement. Some believe that the key is education but frankly we have signs that say what the rules are (signs that are virtually impossible to miss) and we still have exceedingly frequent underage driving, unrestrained and unprotected by helmets children, offroad driving, loud engines, speeding, night riding, crazy lights, loud music, trailer parking haphazardly, dust roiling and so on. I do my best to not be in proximity to OHVs by avoiding their trails and still I manage to have a little pocketbook full of anecdotes of infractions. Virtually every single time I wander where OHVs venture I witness infractions, it seems, even when I see only one of those units while on my

outing. It is quite astounding and I feel that as a tax-paying homeowner I have a right to expect enforcement and roads to be used as intended and not to be swarming with vehicles that are not allowed any place else in the state on a highway.

Thank you, as always for your service and for considering all requests.

Viva



3 attachments

 **LC Silver World No on ATV 2015.pdf**
108K

 **Soccer Moms Request w 70 signatures.pdf**
2220K

 **Silverton paper sheriff report Jun 22-Jul1.pdf**
2467K

Sandy Hines <administrator@hinsdalecountycolorado.us>

Mon, Oct 19, 2020 at 12:51 PM

To: "vashcroft@vivassociates.net" <vashcroft@vivassociates.net>, "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>, "zane.znamenacek@state.co.us" <zane.znamenacek@state.co.us>, "Lenore.Bates@state.co.us" <Lenore.Bates@state.co.us>, "Commissioner.Zink@state.co.us" <Commissioner.Zink@state.co.us>, "sidnyzink@gmail.com" <sidnyzink@gmail.com>, "Commissioner.Hall@state.co.us" <Commissioner.Hall@state.co.us>, "herman.stockinger@state.co.us" <herman.stockinger@state.co.us>, "jennifer.uebelher@state.co.us" <jennifer.uebelher@state.co.us>, "george.dingfelder@state.co.us" <george.dingfelder@state.co.us>, Chris Kambish <ckambish@hinsdalecountysheriff.com>, Susan Thompson <district1@hinsdalecountycolorado.us>, Kristie Borchers <district2@hinsdalecountycolorado.us>, Sara Gutterman <district3@hinsdalecountycolorado.us>, "brucevierheller@townoflakecity.co" <brucevierheller@townoflakecity.co>, "michellemartin@townoflakecity.co" <michellemartin@townoflakecity.co>, "richardmoore@townoflakecity.co" <richardmoore@townoflakecity.co>, "daveroberts@townoflakecity.co" <daveroberts@townoflakecity.co>, "doughamel@townoflakecity.co" <doughamel@townoflakecity.co>, "judhollingsworth@townoflakecity.co" <judhollingsworth@townoflakecity.co>, "jessekendall@townoflakecity.co" <jessekendall@townoflakecity.co>, "carolinemitchell@townoflakecity.co" <carolinemitchell@townoflakecity.co>

[*** This email originated from outside Hinsdale County - PLEASE USE CAUTION OPENING LINKS, ATTACHMENTS OR REPLYING ***]

Good afternoon Viva

Thank you for your communication on the Pilot Program.

[REDACTED]

- County Administrator

- Public Information Officer

970-944-2225



[Quoted text hidden]

Mon, Oct 19, 2020 at 1:17 PM

[Redacted] znamenacek@state.co.us>

[Redacted] sby@state.co.us>, "Bates - CDOT, Lenore" <Lenore.Bates@state.co.us>, Zink
Commissioner - CDOT <Commissioner.Zink@state.co.us>, sldnyzink@gmail.com, Hall Commissioner - CDOT
<Commissioner.Hall@state.co.us>, Herman Stockinger - CDOT <herman.stockinger@state.co.us>, "Uebelher - CDOT,
Jennifer" <jennifer.uebelher@state.co.us>, George Dingfelder - CDPS <george.dingfelder@state.co.us>, Chris Kambish
<ckambish@hinsdalecountysheriff.com>, Susan Thompson <district1@hinsdalecountycolorado.us>, Kristie Borchers
<district2@hinsdalecountycolorado.us>, Stan Whinnery <district3@hinsdalecountycolorado.us>, Jami Scroggins
<administrator@hinsdalecountycolorado.us>, brucevierheller@townoflakecity.co, michellemartin@townoflakecity.co, Richard
Moore <richardmoore@townoflakecity.co>, daveroberts@townoflakecity.co, doughamel@townoflakecity.co,
judhollingsworth@townoflakecity.co, jessekendall@townoflakecity.co, Caroline Mitchell <carolinemitchell@townoflakecity.co>

Viva,

Thank you for your input. I especially appreciate the traffic counts you and your group took, as it isn't easy to find that kind of data.

As you know, the pilot program is now over. I suspect it will be early 2021 before we know if there will or won't be a request to extend the program.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

[Quoted text hidden]

ON DECEMBER 15TH, RESIDENTS WILL MAKE THE MOST IMPORTANT DECISION FOR THE FUTURE OF LAKE CITY SINCE VOTING DOWN LEGALIZED GAMING. OFF-HIGHWAY VEHICLES ON TOWN STREETS WOULD CHANGE LAKE CITY FOREVER.

BEFORE CASTING YOUR VOTE, CONSIDER THE FOLLOWING QUESTIONS.

What are you voting for or against? How would the Town "allow the use of" OHVs?
A Yes vote would leave the "details" to the Town Manager and Trustees.

Would they:

- Write an ordinance that protects your interests and property rights?
- Designate routes for OHVs or let them run anywhere in the town?
- Set a maximum noise level in town?
- Let trucks and trailers transporting OHVs park on town streets? In front of your home?
- Set a curfew for OHV operation?
- Create a permitting process?
- Include dirt bikes that are not street legal?

Do you have enough confidence in Town government to give them free rein to write this ordinance to "allow the use" of OHVs?
If not, VOTE NO on both ballot questions.

What would be some of the impacts of approving OHVs in Town?

- Will the safety of your children and grandchildren be improved by OHV traffic in town?
- Will the residential numbered streets (2nd, 3rd, 4th, 5th, 6th, 7th) become Hwy 149 crossover points to Henson Street for OHVs to access sheriff's department, RV park, medical center and gas station thus increasing traffic passing by Wee Care and the soccer field?
- Will OHVs and trailers be allowed to park on town streets? In front of your home?
- We have dust on Lake City streets. How much more dust will be raised by OHVs in residential areas? 2015 Town budget for street dust control - \$16,000, proposed 2016 budget - \$12,000.
- Will we lose tourists who come to Lake City for quiet activities such as exploring the history, birdwatching, wildlife watching, walking, biking, hiking, etc?
- Will there be a loss of business revenue from residents and visitors who don't want to experience OHVs in town?
- Will increased OHV traffic demand more time of volunteer EMT, Fire, and Search and Rescue members?
- Will your property values increase or decrease if OHVs are on our residential streets?
- Since most Colorado towns do not allow OHVs on their streets, will there be ever-larger numbers of OHVs attracted to Lake City? Could we become the Sturgis of the OHV world?
- What would be the environmental impact (noise, dust, congestion, fumes) in town from increased OHV traffic?
- What liability exposure would the town be inviting by authorizing operation of OHVs in a manner and in places contrary to the clear warnings and instructions from the manufacturers of the equipment?
- Do OHVs complement Lake City's National Historic District designation and the Town Mission and Town Vision statements?

Why are we considering OHVs in town AGAIN after three votes against?

- Because Silverton did it? Why did you choose Lake City as your home over Silverton?
- Are you asking to see, hear and smell OHVs passing by your home?
- Business benefit? How many businesses will actually see a real revenue difference?
- How would OHVs - June to September -- help develop a year-round economy? How would the many residents who work in construction, school, state and local government benefit?
- Have you seen any independent, unbiased study considering the possible gain of revenue from OHV traffic versus the impact/possible loss of existing revenue/economy?
- Do OHV riders come into Lake City for shopping or OHV riding? How much inconvenience would it be to OHV tourists to use a staging area? Couldn't they use their tow vehicles around town?
- Is there an economic development plan for Lake City? Are OHVs a solution? What if they are not and we lose what we have?
- What does it indicate that 52 of the 87 Chamber of Commerce members surveyed in their straw poll either did not respond or said they would vote against OHVs in town?
- Why did the Town Manager advertise for citizen input on pro and cons of OHVs on October 21st and then withdraw that request on November 5th?
- Creede and Ouray do not allow OHVs. The Lake City Chamber points out that "Creede is up a whopping 75.7%" from 2009-2014 according to the Colorado Department of Revenue's tax report. Why is Creede's economic development plan so successful? It's not OHVs.
- Will you be happier living in Lake City with OHVs in town?

As a resident and taxpayer, how much are you willing to pay to have OHVs in town?

- For attorney fees to write the ordinance and required legal notices?
- For the Sheriff and deputies to be trained and to enforce ordinance?
- To prepare communication material for OHV use in town?
- For OHV signage?
- For administrative time of Town staff and Town Trustees?
- To issue permits or tags? Are all OHVs allowed regardless of equipment?
- To defend legal challenges?
- To rewrite the ordinance when the State of Colorado formulates OHV laws state-wide?
- To run another \$6,600 special election?

please reference ballot questions, seen on page 14

Vision Statement from the 2016 Proposed Town of Lake City Budget:

We envision the preservation and enhancement of the historic Lake City/Hinsdale mountain community, a place where local officials and citizens work together to protect community character, quality of life and the environment, and to develop a year-round economy, consistent with community values and interests.

Mission Statement from the Town of Lake City website:

The Town of Lake City protects, maintains and enhances our sense of community, historical heritage and mountain environment. Through ethical and professional leadership we provide economic, recreational and social opportunities.

The delicate balance of characteristics of Lake City that have attracted full-time residents, summer residents and tourists would be undermined with OHVs in town.

The long-term impacts are unknown.

If you are not sure you will love Lake City more with OHVs in town then

VOTE NO --- TWICE.

Paid for by caring taxpayers supporting the stated Vision and Mission of the Town of Lake City.

Gary and Deborah Ciron * Warner and Helen Dewey * Bill and Bernadette Hagendorf * Larry and Linda Iann * Steve and Gail LaGrone * Bill and Teresa Pippin * Dick and Gwen Powell * Herb and Patricia Quick * Konrad and Brenda Rock * Steve and Laurie Shingle * Martha Smith * Mon and Cael War * Ron and Sandra Yates

Town Trustees approved a September 2016 OHV Rally at the November 4, 2015 meeting. Why didn't they wait until the results of this 2015 vote were known?

Dear Hinsdale County Commissioners and Lake City Town Trustees:

This letter is a formal request from a Hinsdale County resident and property owner to develop a common-sense, middle-ground solution to OHVs in our community.

I am not trying to reopen the polarizing debate about whether or not OHVs have a place in Hinsdale County and Lake City. I fully recognize the results of last summer's vote, but I wholeheartedly submit that the current situation—devoid of rules, restrictions, routes, and noise ordinances—is not working.

Reckless drivers put our children in jeopardy.

The barrage of noise in the early mornings, late evenings, and weekends ruins the tranquility and peacefulness of our community. Early morning coffee on my front porch is accompanied by the noise of OHVs exploring my neighborhood and alley behind my home. Staging, loading, and unloading of OHVs on our city streets and neighborhoods prevents access to businesses and our own homes.

High speeds on county roads not only pose a dangerous threat to pedestrians, but also creates excess dust, negatively impacting runners, hikers, bikers, wildlife, and waterways. Engaging in any pedestrian activity along our county roads is no longer a viable option.

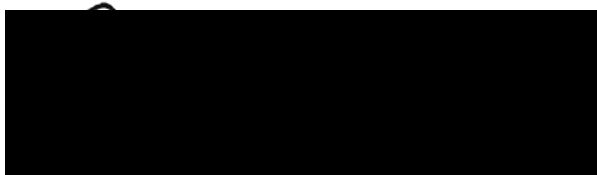
Unconcerned tourists that drive off-road and park in restricted areas damage our most precious wilderness areas. Tourists come to town and camp in their cars or campers on city streets in our neighborhoods.

And the proliferation of safety violations, including underage drivers and lack of seat belts and mirrors, is deeply concerning and dangerous.

I ask that you resurrect the group of Trustees, Commissioners, and other community leaders to develop a reasonable middle-ground solution with appropriate guidelines so that we can all feel safe and good about having OHVs in our community.

I also request enhanced enforcement to address our ongoing safety concerns and to protect our community members, wildlife, and natural areas.

Thanks for your consideration of this vital matter. I am certain that by taking a collaborative, constructive approach, you can craft a middle ground solution that will work for everyone in our community and can be adequately enforced.



Request for Middle Ground OVH Solution in Lake City
7/27/2020

Dear Hinsdale County Commissioners and Lake City Town Trustees:

This letter is a formal request from Hinsdale County residents to develop a common-sense, middle-ground solution to OHVs in our community.

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High speeds on county roads not only pose a dangerous threat to pedestrians, but also create excess dust, negatively impacting runners, hikers, bikers, wildlife, and waterways.

Unconcerned tourists that drive off-road and park in restricted areas damage our most precious wilderness areas.

And the proliferation of safety violations, including underage drivers and lack of seat belts and mirrors, is deeply concerning and dangerous.

We sincerely ask that you resurrect the group of Trustees, Commissioners, and other community leaders to develop a reasonable middle-ground solution with appropriate guidelines so that we can all feel safe and good about having OHVs in our community.

We also request enhanced enforcement to address our ongoing safety concerns and to protect our community members, wildlife, and natural areas.

Thanks for your consideration of this urgent and vital matter.

We are certain that by taking a collaborative, constructive approach, we can craft a middle ground solution that will work for everyone in our community and can be adequately enforced.

Sincerely,
Harvey 

Request for Middle Ground OHV Solution in Lake City
7/27/2020

Dear Hinsdale County Commissioners and Lake City Town Trustees:

This letter is a formal request from Hinsdale County residents to develop a common-sense, middle-ground solution to OHVs in our community.

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Thanks for your consideration of this urgent and vital matter.

We are certain that by taking a collaborative, constructive approach, we can craft a middle ground solution that will work for everyone in our community and can be adequately enforced.

Sincerely,
Bernadette



Request for Middle Ground OHV Solution in Lake City
7/27/2020

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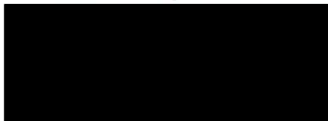
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Thanks for your consideration of this urgent and vital matter.

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Request for Middle Ground OHV Solution in Lake City

7/27/2020

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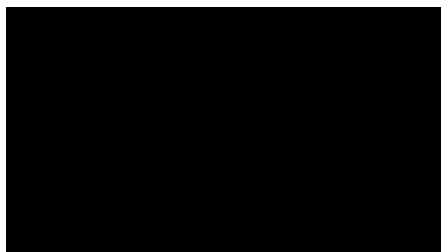
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Thanks for your consideration of this urgent and vital matter. We are certain that by taking a collaborative, constructive approach, we can craft a middle ground solution that will work for everyone in our community and can be adequately enforced.

Sincerely,



Sincerely,

Vivian

7/30/2020

in swim

7/30/2020

J.D.

7/30/2020

Paul

7/30/2020

Sheil

7/30/2020

My

7-30-2020

~~XXXXXXXXXX~~

MOUNTAIN HAPPENINGS

Monday, Aug. 24

• **Silverton Town Board**, 7 p.m., via Zoom conference.

Wednesday, Aug. 26

• **San Juan County Board of Commissioner**, 6:30 p.m., County Courthouse.

Ongoing

Silverton Farmers Market, 8 a.m.-noon Tuesdays, July-September, Columbine Park. Health and Safety are paramount so please wear a mask and practice social distancing.

• **San Juan Regional Planning Commission**, 7 p.m., third Tuesday of the month, County Courthouse.

• **Silverton Clinic**, 8:30 a.m.-4 p.m. most Thursdays, Miners Union Hospital. Call for appointment, 587-5114 or 587-0242.

• **Tai Chi**, Tuesdays and Fridays, 10 a.m., Silverton Library.

• **American Legion**, 6 p.m., first Thursday of the month, Grand Imperial.

• **Silverton Threads Quilting Club**, 7 p.m. Tuesday evenings at the school. All are welcome.

• **San Juan County Historical Society Archive** - Thursdays, 10 a.m. to 4 p.m.

• **Alcoholics Anonymous** has moved to Wednesdays in Silverton at 7 p.m. For locations, questions or help, call (888) 353-9649.

Spiritual Events

• **Church of Christ**, Sundays: Bible class, 8 a.m.; service, 9 a.m.; and Sunday Bible discussion, 5 p.m., (970) 946-7648.

• **St. Patrick's Catholic Church**, Father Nat Foshage, Mass, 4 p.m. Saturdays and Wednesdays, 1005 Reese St., 325-4373.

• **Church of Jesus Christ of Latter Day Saints**, Sunday services: sacrament meeting, 9 a.m.; Sunday School, 10 a.m.; priesthood, 11 a.m., 727 Greene St., 387-3558.

• **First Congregational Church of Silverton**, Sue Kurtz, moderator. Sunday service 9 a.m. All welcome. 1070 Reese St. (970) 946-8928. E-mail: silvertonecc@aol.com. Website: silvertonecc.org.

• **Silverton Church on the Hill**, 11th and Snowden, Pastor Mark Lawson, (970) 387-5215. Sunday KSJC (92.5 FM) 8-10 a.m., Christian music, devotional and sermon; Bible study, 9 a.m.; Children's Sunday School at 10:15; 10:15 a.m. regular service; Wednesday night prayer fellowship, 7 p.m.

• **Word of Life Fellowship**, Pastor Jim Greenfield, Sunday service starts at 10 a.m., 1706 Empire St. 387-5893.

• **Group Meditation**, Tuesdays 6:30 p.m. and Fridays 9 a.m. Public Library. All are welcome.

Send us your 'Happening'

Got somethin' goin' on? Contact the *Silverton Standard*. Phone 387-5477 or e-mail editor@silvertonstandard.com

Mining, reclamation conference Sept. 21-24

The 10th annual San Juan Mining & Reclamation Conference: Adaptive Capacity in Uncertain Times, will be conducted online with local, state, national and international guests, Sept. 21-24.

Organized by Mountain Studies Institute, Uncompahgre Watershed Partnership, San Miguel Watershed Coalition, and Headwaters Alliance. Cost is \$55 per person (scholarships and sponsorships with benefits available).

Information & Registration: <http://www.mountainstudies.org/sjmr>

Contact: Kelly Northcutt, kelly@mountainstudies.org, 970.387.5161.

FUHRMAN, from Page 2

on tourism. To shift to a Community First mindset we will need discipline and perseverance, two qualities this community has plenty of.

We also need to understand what our community values are with respect to quality of life. This is the purpose behind the survey the Town recently published.

The Town is accepting responses until Aug. 31. If you have not already responded to the survey, please do! More information and a link to the survey are available on the homepage of the Town website here: <https://townofsilverton.colorado.gov>.

This is not a transition that will occur overnight from one or two big decisions, but from thousands of micro-decisions over a number of years.

We need to normalize choosing long-term outcomes over short-term survival, and supporting each other through this change.

To help steer us in the right direction, I propose that we frame all of our decisions with a Community First mindset by actively considering and balancing:

(a) How does this decision benefit the community? (b) What does this decision cost the community? (c) Does the benefit justify the cost?

The alternative is to continue to rely solely on tourism...while Silverton slowly becomes more like all of the places we do not want to be.

The Town of Silverton Board of Trustees has a work session this week to develop our goals and objectives, and I am excited to do this with a Community First mindset. Economic and environmental sustainability are top of mind for me, and I am enjoying the challenge of representing all of you.

To help me continue to do that, please share your thoughts and opinions with me. Having these conversations will enable us to continue moving forward together, as a community.

Thank you for your consideration.

Shane Fuhrman, Mayor

'Welcome, masks required'

June 22 - Issued a verbal warning to an OHV off route. Extinguished three fires in violation of fire bans. Met some suspicious minors up to no good and took them back to their visiting parents. Issued a verbal warning for too many occupants of an OHV.



Sheriff Bruce Conrad

Issued four verbal warnings for speeding, one for failure to yield, one for expired license plates, and another to an OHV where prohibited. Issued Mr. Joseph, of Alito, Texas, a summons driving under revocation while speeding. Ambulance assist.

June 23 - Issued a verbal warning for operating an OHV with minors without helmets. Stopped a party from trespassing, yes, the sign and gate were meant for you. Issued a verbal warning for operating an OHV where prohibited. Performed VIN verification. Contacted campers reported as having an illegal campfire the previous evening and educated. Issued a verbal warning to an OHV off route. Responded to and investigated a vicious dog complaint. Issued a verbal warning and an assist to somewhere else after dealing with an individual trespassing and providing false information. Issued a verbal warning for a lane blockage. Performed a VIN verification. Responded to a reported disturbance resulting in a long interaction and eventual transport for mental health issues. Issued a verbal warning to an OHV operator for disregarding a stop sign. Ambulance assist. Issued a verbal warning for disregarding a stop sign. Responded to a motorcycle accident and assisted the parties with motorcycle storage for a couple days.

June 24 - Fingerprinted an individual. Issued 5 verbal warnings for speeding. Issued a verbal warning for blocking a lane of traffic. Issued a verbal warning to an RV leaking black water. Attempted to locate a male walking in the highway dangerously. Issued a verbal warning for illegal lighting. Responded to an OHV complaint. Performed a VIN verification. Issued a verbal warning for speeding. Stopped a reported drunk driver, unfounded.

June 25 - Issued 8 verbal warnings for speeding. Issued a verbal warning for illegal lighting on an OHV. Followed up with a rental company regarding vehicles traveling off road. Issued William Bird, of Durango, a citation for speeding in town. Speed enforcement on CR 2. Issued a verbal warning for impeding traffic.

June 26 - Issued a verbal warning for turning left where

prohibited. Issued two verbal warnings for speeding. Motorist assist. Issued a verbal warning for displaying expired number plates. Issued a verbal warning to an OHV where prohibited. Issued a warning for a parking violation. Served civil papers. COVID-19 tactics meeting. Issued a parking violation for parking in a crosswalk. Issued a verbal warning for operating an OHV with minors without helmets. The town entrance signs changed to "Welcome, Masks Required." CR 2 speed enforcement. Issued a verbal warning for operating an OHV without eye protection. Issued Karl Janson, of Cabool, MO a citation for allowing an unlicensed child to speed in an uninsured OHV. Issued a verbal warning for a fire ban violation.

June 27 - Issued a verbal warning for speeding. Issued a verbal warning for disregarding a stop sign. CR 2 speed enforcement. Arrested and transported to jail Dustin Stockwell on DUI charges after observing his OHV driving behaviors. Issued a verbal warning for open containers. Ambulance assist. Attempted to locate a reported rowdy party of drinkers about town. Issued a verbal warning for illegal lighting on an OHV. Issued a verbal warning to three motorcycles reported as speeding in town.

June 28 - Removed a rock hazard from the roadway. Responded to a reported illegal campfire. Issued a verbal warning for blocking a lane of traffic. Issued a verbal warning for camping where prohibited.

June 29 - Met with Code Enforcement to discuss Public Health Order issues. Issue Kelly Upp, of Manhattan, KS, a citation for operating an uninsured OHV where prohibited. Responded to a vehicle stuck in the river and attempted to direct the folks over to the Rec. Center, but we needed some Search and Rescue, and Animas Towing intervention to solve the issues presented.

June 30 - Delivered evidence to the DA's Office and met with our neighboring Sheriff. Ambulance assist. CR 2 speed enforcement. Issued Zachary Hodge Walpole, of Atlanta, Ga., a citation for speeding in an OHV on CR 2. Issued a verbal warning for speeding and making a bad pass in an OHV on CR 2. Issued Keenan Mease, of Fruita, CO, a summons for driving under revocation and arrested him on a CSP warrant. Issued a parking citation for parking in a lane of traffic.

July 1 - Covid-19 tactics meeting. Issued a verbal warning for a public health order violation. Received a complaint about a rowdy camp group and issued a verbal warning. Issued a verbal warning for speeding. And another to a speeding OHV. And another for a minor in an OHV without

a helmet. Received a report of gunfire, was appropriate. Issued a verbal warning for violating the fire ban.

July 2 - Issued Parker Garner, of Missouri, a citation for speeding in an uninsured OHV with unhelmeted minors on board. Issued a verbal warning for minors without helmets in an OHV, and another. Responded to a reported harassment and removed the vulgar individual from the situation on which he was wreaking havoc. Issued a verbal warning for a public health order violation. Issued a verbal warning for speeding downtown. Issued two verbal warnings for fire ban violations. Responded to a reported possible domestic violence that turned out to be a disturbance and removed the parties from their hotel room. Responded to a noise violation, that also became a public health order verbal warning, beyond the horrible karaoke. That's redundant.

July 3 - Follow up on last night's ridiculousness. Dealt with a transient party at the gas station. Issued a verbal warning to an OHV where prohibited. Issued a second verbal warning for a public health order violation. Issued a verbal warning for disregarding a stop sign. Responded to a complaint of several OHVs off route. Issued a verbal warning for speeding. Responded to a reported harassment and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 4 - Issued Kevin Sanchez, of Albuquerque, N.M., a summons for violating the fire ban. Issued David Gay, of Castle Rock, Colo., a verbal warning for speeding and reckless driving, and a citation for disregarding a stop sign. Issued Nicklas Beightel, of Grand Junction, a citation for operating an uninsured OHV, where prohibited, with minors without helmets. Issued a verbal warning for disregarding a stop sign. Issued a verbal warning to a group of OHVs about to travel on the highway. Motorist assist. Verbal for no helmets on minors in an OHV. Retrieved a firearm mistakenly left at a lodging. Responded to a disturbance downtown. Shut down many illegal campfires. Issued a verbal warning for a public health order violation. Stopped a dangerous situation created by the minds lost when a moose is seen near the highway.

July 5 - Motorist assist. Issued verbal warning for aggressive driving and disregarding a stop sign in an OHV. Deal with parking concerns in South Mineral. Issued a verbal warning for too many passengers in an OHV. It's a 4-wheel drive golf cart, not a clown car. Issued a verbal warning for speeding in town. Responded to Howardsville to a reported disturbance.

July 6 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 7 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 8 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 9 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 10 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 11 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 12 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 13 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 14 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 15 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 16 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

July 17 - Issued a verbal warning for speeding. Responded to a reported disturbance and issued a verbal warning. Responded to a parking complaint and had the vehicle moved.

MacDOUGALL, from Page 2

April 1 - December 1. Attract birds with native plants, hanging flower baskets and bird baths.

• **Barbeques & Grills**
Clean barbecue grill regularly. Empty grease trap. Store barbecue inside a secure structure.

• **Lock It Up**
Never leave food, beverages, pet food, trash or odorous items in vehicles. Keep all bear-accessible windows and doors closed and

locked, including garage doors. Replace lever style handles with round knobs.

Donations to the Town's Bear Aware Fund are also appreciated, and a gift of any amount will make a big difference in our bear-proofing efforts.

To recognize your support of making Silverton Bear Aware, you will receive a bumper sticker designed by Silverton School students as a token of appreciation!

Bear-Aware donations can be mailed to Silverton Town Hall at PO Box 250, Silverton CO 81435, or feel free to stop into Town Hall at 1360 Greene Street.

Thank you, and together we look forward to taking the next steps to make Silverton more Bear Aware!

Bill MacDougall is Code Enforcement Officer for the Town of Silverton.



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Pilot Program, Highway 149, Hinsdale County Colorado

1 message

Viva

Wed, Jan 13, 2021 at 1:30 PM

To: jennifer.uebelher@state.co.us, Commissioner.Zink@state.co.us, zane.znamenacek@state.co.us

Dear Transportation Commission, Mr. Znamenacek and other interested parties,

Once again you are considering the question referred to above about approving a program to allow all manner of off-highway vehicles to traverse a stretch of state highway. I strenuously oppose this program.

This pilot program is objectionable to me on two counts, both of which I am sure you have heard about many times and in many ways. Specifically safety and the environmental issues are disturbing.

First and foremost is the safety and liability issue. The literature is definite on the dangers of off-highway vehicles and especially when operated, against manufacturer recommendations on paved roads. I am still in a state a shock that the county government is encouraging this program when the budget of the county and the health district do not allow for robust medical and emergency services. **This county has a lovely medical center that is staffed with a part-time physician who resides in Gunnison (55 miles away) along with a few RNs and PAs. The Emergency Medical Service is staffed by one professional who then trains and relies on volunteers from the area to provide virtually all emergency services. In the event of a multiple injury accident the EMS would be easily overwhelmed. Also, many of the responders will have rushed away from their primary jobs in food service, retail, construction work, etc. I believe it would be common to be aided by EMS personnel who for the most part have never been involved in a multiple injury environment.** The lack of substantial experience by the EMS is an added layer of danger to the traveling public and completely unlike what occurs in larger communities. None of us wants a family member involved in an accident, but how would you feel knowing the volunteer first responders would have likely been, moments ago pounding nails or showing real estate, and are now responsible for the care of your injured relative, having rarely been involved in emergencies at all much less a serious one? How would the public feel about that? Is that serving the public interest? Some might see it as first creating a hazard and then acting surprised when multiple injuries occur and then those multiple injuries are responded to by inexperienced volunteers.

Hinsdale County is home to truly delightful albeit sensitive environment. Wildlife experts say that severe damage to wildlife via environmental damage is "death by a thousand cuts". The noise, dust, and ground disturbance is bothersome to humans and creates stress and allergy reactions in some individuals. How can we think it is not be equally if not more bothersome to wildlife? While the majority of off-highway operators are respectful, we KNOW (since I took actual counts) that there are times when over 70 off-highway vehicles will pass a given point IN ONE HOUR on the route in question. Consider that many OHVs are as loud as lawn mowers. Would you like dozens of them going by your yard hourly? With that high level of traffic it takes only a small percentage of operators misbehaving, even if mistakenly, to do real damage to the ultra-sensitive tundra and riparian areas. The agility and fun factor of many of the OHV units is quite seduction. So even while abiding by laws the disturbance is significant then layer on top of that the small percentage of scofflaws that feel compelled to range off established roadways and into sensitive areas and what we have is a thousand cuts, or at least several hundred of them.

By the way...I applaud and appreciate immensely our wonderful EMS volunteer team. They are amazing and I do not disparage them in any way as they are wonderful individuals who provide a priceless service. Some of them are more

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State.co.us Executive Branch Mail - Pilot Program, Highway 149, Hinsdale County Colorado

experienced but luckily Hinsdale County has few opportunities for them to be extremely experienced. They have big hearts and they don't get paid enough to provide EMS to a severe emergency.

Commissioners, please let us limit the impact of off-highway vehicles by NOT allowing those vehicles on a highway.

With respect,

Viva 

Lake City, CO 81235

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

another layer of concern* Do NOT pass CO149 OHV Pilot Program*****

1 message

Viva [REDACTED]

Sun, May 12, 2019 at 2:16 PM

To: michael.goolsby@state.co.us

Cc: Luella D'Angelo <Commissioner.Dangelo@state.co.us>, Kathy Connell <Commissioner.Connell@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Edward Peterson <Commissioner.Peterson@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Steven Hofmeister <Commissioner.Hofmeister@state.co.us>, Kathy Gilliland <Commissioner.Gilliland@state.co.us>, Rocky Scott <Commissioner.Scott@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>

Dear Transportation Commission and Interested Parties,

I know you have been made well aware of the extreme safety issues associated with OHV use in ways for which they were not intended—specifically highway use.

Here is another layer to this confounding issue of safety:

Hinsdale County has a professional small medical center than employs one physician. The Emergency Medical Service personnel are all, save for the director, volunteers. While those EMS personnel are all quite well trained, mostly by the medical center physician, right before they run out to an accident scene they can be found working in food service, showing real estate, performing their handyman duties, clerking in a store. While they are quite professional in performing their duties, one might suspect that many of them are less experienced than those found in a city. At the moment the EMS director's position may actually be unfilled or filled by an acting EMS director.

The CO149 pilot program puts citizens at risk in an area that has only volunteer emergency medical services. That is right...the ambulance driver and probably all of the technicians who would arrive at the scene of an accident—not if, but when an accident occurs will be volunteers (are they amateurs by definition might they have minimal experience?) Those folks absolutely have my respect and love. I see them drop everything when their radio goes off, jump into their personal vehicle wherever they are working at the moment and rush to the medical center or other rendezvous point to drive or ride the ambulance to aid a person who is hurt; it is extremely impressive.

This is just another layer of concern for your consideration. Please do not pass the Highway 149 Pilot Program...our EMS personnel do not get paid enough to attend people encouraged onto the highway when their vehicles are clearly not intended for highway use.

Viva [REDACTED]

From: [REDACTED]
Sent: Saturday, May 11, 2019 2:58 PM
To: michael.goolsby@state.co.us
Cc: Luella D'Angelo <Commissioner.Dangelo@state.co.us>; Kathy Connell <Commissioner.Connell@state.co.us>; Karen Stuart <Commissioner.Stuart@state.co.us>; Kathy Hall <Commissioner.Hall@state.co.us>; Bill Thiebaut <Commissioner.Thiebaut@state.co.us>; Shannon Gifford <Commissioner.Gifford@state.co.us>; Edward Peterson <Commissioner.Peterson@state.co.us>; Sidney Zink <Commissioner.Zink@state.co.us>; Steven Hofmeister <Commissioner.Hofmeister@state.co.us>; Kathy Gilliland <Commissioner.Gilliland@state.co.us>; Rocky Scott <Commissioner.Scott@state.co.us>; Herman Stockinger <herman.stockinger@state.co.us>; Jennifer Uebelher <jennifer.uebelher@state.co.us>
Subject: [TALC Leaders] Do NOT pass CO149 OHV Pilot Program
Importance: High

Dear Mr. Goolsby,

As a full time resident of Lake City, CO, I am writing to implore you NOT to pass TC-18-07-XX, also known as the CO149 OHV Pilot Program. This program, which promotes the use of OHVs on a windy stretch of highway that is busy in the summer with vehicle and pedestrian traffic as well as wildlife crossings, is completely irresponsible and dangerous.

My biggest concern about the Pilot Program is safety. OHVs are designed for off road use only, and permitting these vehicles on paved roads would be in conflict with the manufacturers' intention and in direct contrast to federal safety requirements.

Even SVIA, the Specialty Vehicle Institute of America—an organization comprised mostly of OHV manufacturers, advocates against the use of OHVs on highways and paved roads. The group also calls for enhanced law enforcement efforts to eliminate the use of OHVs on highways, which they assert is a "dangerous practice."

According to the Consumer Federation of America, Consumer Product Safety Commission, and Fatality Analysis Reporting System, the vast majority of OHV accidents occur when these vehicles are driven on paved roads and highways. Even the ATV institute insists that OHV drivers should "never ride on paved roads."

Look in any OHV owners' manual and you'll find clear instructions to OHV drivers to never, in any scenario, utilize these vehicles on paved surfaces, public streets, roads, or highways.

Neither Hinsdale County nor the town of Lake City have the financial or human resources to enforce safety, speed, or traffic laws to properly regulate the use of these vehicles, and they therefore cannot responsibly support the Pilot Program.



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Fwd: CO149 Program Renewal (Sierra Club)

1 message

Sun, Nov 1, 2020 at 11:50 AM

To: Governor Jared Polis <Governorpolis@state.co.us>

Cc: Shoshana Lew <Shoshana.Lew@state.co.us>, Michael Goolsby <michael.goolsby@state.co.us>, "Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Zane Znamenacek <zane.znamenacek@state.co.us>

Gov. Polis,

Please be advised that we now have the support of the Colorado Sierra Club with our desire to see the CO149 Pilot Program terminated in Lake City and Hinsdale County. You may read their email below.

We would appreciate your voice and support in this matter.

Sincerely,

Peter

Begin forwarded message:

From: Bhatt

Subject: CO149 Program Renewal

Date: November 1, 2020 at 12:14:47 PM CST

To: "district1@hinsdalecountycolorado.us" <district1@hinsdalecountycolorado.us>, "district2@hinsdalecountycolorado.us" <district2@hinsdalecountycolorado.us>, "district3@hinsdalecountycolorado.us" <district3@hinsdalecountycolorado.us>, "administrator@hinsdalecountycolorado.us" <administrator@hinsdalecountycolorado.us>, "brucevierheller@townoflakecity.co" <brucevierheller@townoflakecity.co>, "michellemartin@townoflakecity.co" <michellemartin@townoflakecity.co>, "daveroberts@townoflakecity.co" <daveroberts@townoflakecity.co>, "doughamel@townoflakecity.co" <doughamel@townoflakecity.co>, "judhollingsworth@townoflakecity.co" <judhollingsworth@townoflakecity.co>, "jesseekendall@townoflakecity.co" <jesseekendall@townoflakecity.co>, "carolinemitchell@townoflakecity.co" <carolinemitchell@townoflakecity.co>

Dear Commissioners and Trustees,

I am writing on behalf of the approximately 100,000 Coloradans who are members of the Sierra Club. In existence for over 125 years, Sierra Club members are present in nearly every district and state across the country. From securing protection for 439 parks and monuments, to addressing unprecedented levels of pollution and powerful special interests, the Sierra Club serves to protect everyone's right to a healthy world.

It has come to our attention that the CO149 Pilot Program is up for renewal. We are writing to voice our concern for the damage that the current program has promulgated and our support for protections to mitigate the impacts that have resulted from unmanaged recreation.

Sierra Club members in the area inform us the Pilot Program has led to a dramatic increase in vehicular traffic on the Alpine Loop which has led to negative environmental impacts. Our members cite BLM numbers that indicate traffic nearly doubled during the 2020 tourist season.

This rapid and unmanaged traffic increase has led to the degradation of human and wildlife habitat. Fragile alpine tundra habitat in the San Juan Mountains has been damaged, Hinsdale County roads have experienced intensified damage and erosion, the Alpine loop has seen increased trash and human waste and degradation of dispersed camping areas, and ecosystems in the American Basin have been damaged by uncontrolled overuse and abuse.

The Sierra Club serves to create healthy environments and just communities. Our members fear the continued CO149 Pilot Program will only further the degradation of this beautiful and ecologically significant environment surrounding Lake City, Hinsdale County. Continued unmanaged vehicular use is jeopardizing the backcountry wilderness experience and ecosystem health along the Alpine Loop.

We encourage you to not renew the CO149 Pilot Program until management measures are in place that adequately protect these areas and restore the damage that has already occurred. These measures should serve to protect both the human community and the ecological systems upon which we depend for clean air, clean water, and recreation.

Sincerely,

Ramesh [REDACTED]

Chair, Conservation Committee Colorado Sierra Club
1536 Wynkoop St #200, Denver, CO 80202





STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Program: ATV deaths on paved surfaces (Traffic Injury Prevention Journal Article)

1 message

Fri, Nov 27, 2020 at 2:12 PM

To: Ghoshana Lew <Ghoshana.Lew@state.co.us>

Cc: Governor Jared Polis <Governorpolis@state.co.us>, "Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Barbara Vasquez <vasqueztdistrict6@gmail.com>, Kathleen Bracke <kbrackeTCdistrict5@gmail.com>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Don Stanton <dot_transp_comm@state.co.us>, Sidny Zink <Commissioner.Zink@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Michael Goolsby <michael.goolsby@state.co.us>, Zane Znamenacek <zane.znamenacek@state.co.us>, Chris Kambish <ckambish@hinsdalecountysheriff.com>, Susan Thompson <district1@hinsdalecountycolorado.us>, Kristie Borchers <district2@hinsdalecountycolorado.us>, Sara Gutterman <district3@hinsdalecountycolorado.us>, Hinsdale County Administrator <administrator@hinsdalecountycolorado.us>, Greg Levine <galevine13@gmail.com>, Robert Hurd <rkhurd@msn.com>, Bruce Vierheller <brucevierheller@townoflakecity.co>, Michelle Martin <michellemartin@townoflakecity.co>, Jud Hollingsworth <judhollingsworth@townoflakecity.co>, Dave Roberts <daveroberts@townoflakecity.co>, Doug Hamel <doughamel@townoflakecity.co>, Jesse Kendall <jessekendall@townoflakecity.co>, Caroline Mitchell <carolinemitchell@townoflakecity.co>, Lake City Town Clerk <townclerk@townoflakecity.co>

CDOT Director Lew:

Please see the Traffic Injury Prevention journal abstract (below) from *All-terrain vehicle fatalities on paved roads, unpaved roads, and off-road: Evidence for informed roadway safety warnings and legislation*.

The complete journal article is attached as a PDF at the end of this email. The article appeared in *Traffic Injury Prevention*, a bimonthly peer-reviewed academic journal covering the prevention of injuries resulting from traffic accidents.

CDOT has not performed any scientific research with regards to allowing OHVs of any type to operate on Colorado State Highways. Instead, CDOT is allowing elected officials (politicians) to serve as gatherers of "data" to renew or permanently implement the CO149 Pilot Program in Lake City and Hinsdale County.

There are plenty of scientific studies that document the unsafe handling characteristics of OHVs when allowed to operate on paved surfaces. I challenge you to consider existing studies and evidence before approving the CO149 Pilot Program in Lake City and Hinsdale County.

If CDOT and/or the Transportation Commission chose to reject scientific evidence regarding the dangers of OHVs operating on paved surfaces, I respectfully request justification from your office as to why and how scientific evidence was not deemed sufficient.

ABSTRACT

Objective: All-terrain vehicles (ATVs) are designed for off-highway use only, and many of their features create increased risk with roadway travel. Over half of all ATV-related fatalities occur on roadways, and nonfatal roadway crashes result in more serious injuries than those off the road. A number of jurisdictions have passed or have considered legislation allowing ATVs on public roadways, sometimes limiting them to those unpaved, arguing that they are safe for ATVs. However, no studies have determined the epidemiology of ATV-related fatalities on different road surface types. The objective of the study was to compare ATV-related deaths on paved versus unpaved roads and to contrast them with off-road fatalities.

Methods: Retrospective descriptive and multivariable analyses were performed using U.S. Consumer Product Safety Commission fatality data from 1982 through 2012.

Results: After 1998, ATV-related deaths increased at twice the rate on paved versus unpaved roads. Still,


42% of all roadway deaths during the study period occurred on unpaved surfaces. States varied considerably, ranging from 18% to 79% of their ATV-related roadway deaths occurring on unpaved roads. Paved road crashes were more likely than those on unpaved surfaces to involve males, adolescents and younger adults, passengers, and collisions with other vehicles. Both the pattern of other vehicles involved in collisions and which vehicle hit the other were different for the 2 road types. Alcohol use was higher, helmet use was lower, and head injuries were more likely in paved versus unpaved roadway crashes. However, head injuries still occurred in 76% of fatalities on unpaved roads. Helmets were associated with lower proportions of head injuries among riders, regardless of road surface type. Relative to off-road crashes, both paved and unpaved roads were more likely to involve collisions with another vehicle. The vast majority of roadway crashes, however, did not involve a traffic collision on either paved or unpaved roads.

Conclusions: Although differences were observed between paved and unpaved roads, our results show that riding on either represented significantly greater dangers than riding off the road. Many vehicle warnings specifically mention the risks of paved but not unpaved roads, yet we found 23 states with half or more of their roadway deaths on unpaved surfaces. Safety warnings should explicitly state the dangers of roadway riding regardless of surface type. These data further support laws/ordinances greatly restricting ATV riding on all types of public roadways.

Thank you,

Peter D. [Redacted]

- CC: Gov. Polis
- Sen. Kerry Donovan
- Rep. Barbara McLachlan
- Colorado Transportation Commission and Staff
- CDOT Region 3 Manager Michael Goolsby
- CDOT Program Manager Zane Znamenacek
- Hinsdale County Sheriff Chris Kambish
- Hinsdale County Commissioners, Staff and Commissioners-elect
- Town of Lake City Trustees and Staff

 **TIP – All-terrain vehicle fatalities on paved roads, unpaved roads, and off-road – Evidence for informed roadway safety warnings and legislation.pdf**
362K



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Project in Hinsdale County (Darrell Lingk)

1 message

Sat, Nov 28, 2020 at 2:17 PM

To: Darrell Lingk <darrell.lingk@state.co.us>

Cc: Shoshana Lew <Shoshana.Lew@state.co.us>, Governor Jared Polis <Governorpolis@state.co.us>, "Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>

Mr. Lingk,

I am writing about safety and risk concerns with the CDOT CO149 Pilot Project that is up for renewal in Hinsdale County. This CDOT program allows *off-highway vehicles (OHVs)* to operate on the only State Highway that bisects the Town of Lake City and Hinsdale County.

As you may know, OHVs are *not* certified for highway use and are *not* subject to any crash-test standards for occupant safety. OHVs are equipped with off-road knobby tires that are *not* certified for highway use. These tires present a documented danger to OHV occupants and other drivers on the road when used on paved surfaces such as CO149 in Hinsdale County. Due to their high center-of-gravity and locking rear axels, OHVs are prone to loss-of-control events when allowed to operate on paved surfaces. OHVs are not all equipped with highway-certified lights, yet they are allowed to drive on CO149 at night.

OHV manufacturers warn against using OHVs on paved surfaces and highways. Safety groups warn against driving OHVs on paved surfaces and highways. The Consumer Federation of America (CFA) and the Consumer Product Safety Commission (CPSC) have studied this issue for many years and concluded that OHVs should *not* be allowed to operate on paved surfaces or highways.

The Town of Lake City, Hinsdale County and anyone who drives on CO149, have all been put at risk with the CO149 Pilot Project. To be clear, this program was an experiment to see how many accidents and deaths would occur with OHVs operating on our State Highway. Public safety was put at risk when CDOT did not disclose the dangers associated with allowing OHVs to operate on paved surfaces. Thankfully, there have been no deaths in our community, but OHV deaths throughout the State and nation are well-documented by other safety advocates.

It is my understanding that the Town of Lake City Trustees and Hinsdale County Board of County Commissioners are collecting and reviewing "data" from the 2-year Pilot Project. Interestingly enough, CDOT set no clear parameters for what "data" is to be collected and analyzed. Additionally, CDOT, to my knowledge, has not performed any type of scientific study or analysis regarding OHVs operating on State Highways – but many other safety studies have been conducted and made available to the public. These safety studies all warn that OHVs should *not* operate on paved surfaces or highways.

Proponents of the CO149 Pilot Project say that access to CO149 allows them to "connect the loop" on the Alpine Loop. According to the BLM, traffic on the Alpine Loop nearly doubled this year. This increase means that traffic through Lake City and Hinsdale County nearly doubled. My Sheriff's Office was under-funded and under-staffed this year. This created a situation where the Sheriff's Office was unable to provide adequate enforcement of Colorado State Laws, Town and County Ordinances – or the provisions of the CO149 Pilot Project. This lack of enforcement created chaos in my community and in the backcountry.

Proponents of the CO149 Pilot Program say that OHV tourism brings vast sums of money to our community. To date, no local, State, or non-profit entity has conducted an analysis of the financial contributions that OHV tourism brings to our community. However, the 2019 CPW *Statewide Comprehensive Outdoor Recreation Plan (SCORP)* ranks OHV tourism 13th out of 30 on their list of top activities in the State of Colorado. Damage created by all other forms of tourism do not equal the damage witnessed by OHV tourism.

Any financial "contribution" to our community by OHV tourism does nothing to increase the economic viability of our community and backcountry wilderness areas. In fact, OHV tourism is destroying the very reason that I and so many others live in and visit the San Juan Mountains – the natural beauty and silence of the mountains.

OHV tourism is damaging backcountry wilderness areas, destroying our County Roads, ruining the peace and tranquility of our neighborhoods, increasing traffic throughout Town and County, creating parking nightmares and – reducing the

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level of safety on CO149 by increasing the risk for fatal accidents between *off-highway vehicles* and other certified motor vehicles.

Based on the documented safety hazards with OHVs operating on paved surfaces and highway environments, I am asking CDOT to terminate the CO149 Pilot Project and *never* allow it to be renewed or made permanent. OHVs have no place on paved surfaces and certainly no place on the only State Highway in Hinsdale County. If CDOT choses to allow this program to continue, I would like to see written justification for how CDOT came to a conclusion that ignores all current safety suggestions relating to OHVs operating on paved surfaces and highway environments.

Thank you,

Pete



Work with CPW for cameras etc

Last time I checked, CPW was an acronym for *Colorado Parks and Wildlife*. Why are we asking CPW to spend money to support or collect data on OHV tourism? I want CPW officers to be in the wilderness taking care of our wildlife and environmental issues. Asking CPW for money, equipment and manpower to address an issue created by CDOT and elected officials is inappropriate.

But while we are on the subject of camera and data collection, why did CDOT not provide my Town and County with proper data collection guidelines and the necessary equipment to collect and compile data? Who creates and implements an experimental program that endangers public safety without have a sound method of data collection and analysis?

Work with BLM and Forest Service for more dumpsters and restrooms and game cameras to catch bad behavior.

As much as I hate to see dumpsters and restrooms in the backcountry, it appears this is necessary due to the numbers and types of people who now visit our community.

Game cameras to catch bad behavior? How much money are we going to ask the Federal Government to contribute for this recommendation? I appreciate the effort, but CDOT and my elected officials created the OHV problem. Now my elected officials want to ask the Federal government to spend more tax dollars to "catch bad behavior" facilitated by the CO149 Pilot Project. How will BLM and NFS track-down and issue citations to these bad actors?

CONCLUSION

Director Lew, the CDOT CO149 Pilot Project was successful for one purpose, and that was to expand OHV access to and through my community and backcountry wilderness areas. The increased traffic and access had a devastating impact on Lake City and Hinsdale County. Not a single elected official can provide any evidence to support increased tax revenue based on OHV tourism. Yet, the CPW 2019 SCORP study documents OHV tourism as being in the middle of the pack for outdoor recreational activities in Colorado.

A small special interest group convinced CDOT and my elected officials that OHV tourism would provide financial gains to our community. This is simply not the case and no one wants to admit it. If they had the numbers to prove me wrong, do you think those numbers would be floating around somewhere?

My community has been devastated from the adverse effects of OHVs. Terminate the CO149 Pilot Project.

Sincerely,

Pete



Stockinger - CDOT, Herman <herman.stockinger@state.co.us>

Wed, Dec 16, 2020 at 2:51 PM

To: Jennifer Uebelher <jennifer.uebelher@state.co.us>

Cc: Shoshana Lew <Shoshana.Lew@state.co.us>, Michael Goolsby <michael.goolsby@state.co.us>, Zane Znamenacek <zane.znamenacek@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Barbara Vasquez <vasqueztcdistrict6@gmail.com>, Gary Beedy <dot_transp_comm@state.co.us>, Kathleen Bracke <kbrackeTCdistrict5@gmail.com>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Sidny Zink <Commissioner.Zink@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>

Jennifer,

Please include this in your folder of OHV contact emails but with a special "flag", as it contains some recommendations the Region or TC may want to consider should we receive a request to consider the pilot program again in 2021.

Thanks!

restricting OHVs to a defined route. Do you think a route proposal will ever see the light of day?

To be clear: I want OHVs out of Lake City and off of the State Highway. However, a defined route that allows OHVs to drive by the homes of every elected official in the Town and County would be a wonderful thing.

Lake City is no longer a pedestrian or bicycle community. The CDOT CO149 Pilot Project allows OHVs to mix with pedestrians and bicyclists on CO149. OHVs drive opposite direction on the shoulder of CO149 and threaten public safety. OHV trailers line the shoulder of CO149 and force pedestrians onto the highway. My elected officials refuse to ask CDOT for bike lanes or a paved shoulder on CO149.

Volunteer in-person kiosks.

Another feel-good effort that will yield no results. Who is going to construct and staff these kiosks? What happens when the kiosks are not staffed? Will the Alpine Outdoor Association take responsibility for this? Or will our elected officials use taxpayer money to address the impact of OHVs in our community?

Is a local group authorized to "stop" OHVs on a County Road or State Highway?

Pass a sales tax similar to San Juan County that would fund SO or EMS.

Several of my elected officials want taxpayers to support the onslaught of OHVs in our community by increasing taxes. Why should any of us pay more taxes to increase funding for the Sheriff's Office or EMS services because of a problem created by CDOT and elected officials? If OHV tourism is so good for the Town and County, there should be plenty of money in the Town and County budgets to increase funding for the Sheriff's Office and EMS services.

Spark arresters (not after-market)

OHVs are delivered to the owner with a spark arrester installed. A spark arrester discussion is a waste of time.

My elected officials brought this up as means to address fire "safety" in the backcountry. Why will they not discuss "safety" on the highway? Why will they not discuss known OHV safety issues? Why will they not discuss deaths associated with OHVs operating on paved roads and highways?

(The following items are planned for discussion at a future meeting.)

Educational sessions with lodging places and rental places.

Why push the burden of OHV education onto lodging facilities? OHV businesses should certainly help with education but when I rented an OHV several years ago, I was simply given the key and told to have a good time. Who is going to design the education program? Will the education program cover all of the many types of OHVs in our community? Will there be any penalty for lack of compliance or participation in the education program?

Work with Barbara McLachlan about special permit for Alpine Loop.

Barbara McLachlan is a State Representative. The Alpine Loop is on or surrounded by public land managed by National Forest Service (NFS) and the Bureau of Land Management (BLM). I do not believe Ms. McLachlan has any authority or jurisdiction on what happens on Federal land.

I do think a permit system would be a good thing though. My discussions with Federal officials indicate this could take years to implement, and quite possibly never see the light of day due to bureaucratic stumbling blocks.

Put down Mag chloride earlier to help control dust.

I appreciate the effort to control dust in my community, but why should the environment suffer more damage from chemicals in order to support OHV tourism? I do not want more chemicals sprayed throughout my Town and County. All of these chemicals flow into our lakes and streams. Why are taxpayers asked to pay for spray chemicals to support OHV tourism?

This is one of the few suggestions I support. Yes, let's increase the fines for OHV operators and make them feel pain for their reckless activity that completely changed the dynamic of our Town and County. The only problem with this, is that we do not have enough law enforcement officers to enforce local ordinances or State Laws. Increased fines are meaningless without adequate enforcement.

Season is May to September or October but no longer.

As a former Lake City business owner, it is my observation that the tourist season does not kick-off until mid-May. When September rolls around and schools start-up in Texas and Oklahoma, the vast majority of tourists leave our community. The few remaining tourists come to enjoy the peace and quiet while watching the leaves change.

At the recent Joint Town/County meeting, one of our elected officials suggested the last day of September for the Pilot Project. Why? He said that the local residents needed a break from all of the summer OHV noise. Apparently it is okay to ruin the summer serenity of our community, but elected officials are willing to give us a respite at the end of September – how nice.

Curfew for off road vehicles to be concurrent with noise ordinances.

Our Trustees want to create more ordinances that will never be enforced.

CDOT created and implemented the CO149 Pilot Project. Is the State going to allow a local ordinance to determine who or what can drive on a State Highway at night? Don't get me wrong, I want OHVs off the highway completely, but can a Town or County draft an ordinance that restricts certain types of vehicles from operating on an already approved section of CO149?

Residents often call the Sheriff's Office during the summer to complain about OHVs. Some of us call Gunnison Dispatch during off-duty hours. I am unaware of a single citation or warning issued to any OHV operator for excessive noise in our community.

The current Hinsdale County Sheriff expressed concern with trying to enforce an OHV noise ordinance based on his staff and financial resources. If an ordinance prevents OHVs from operating before 5:00 a.m. or after 11:00 p.m., the Sheriff needs to have a Deputy on duty and ready to enforce the ordinance. Based on current and projected resources, our Sheriff says this will be difficult.

Extend the pilot program to the Car Wash to get traffic out of more subdivisions and residential neighborhoods.

The CO149 Pilot Project was designed to "connect the loop" between County Road 20 and County Road 30. Why are we discussing the expansion of the project to the north and south? One CDOT employee told me there are no plans to use Lake City or Hinsdale County as a test community to expand the program locally or throughout the State, but this is obviously not the case.

The Pilot Project already extends north through Town. Now our elected officials and the Alpine Outdoor Association want to expand the length of the project even more. When will this end? As one elected official personally told me two years ago, if I don't like the way things are here, I should "just leave". This is the pervasive attitude by the elected officials in Lake City and Hinsdale County.

One proponent of extending the Pilot Project is the owner of the car wash at the north end of town. He is asking my elected officials for an extension that will directly benefit his business. When will these types of personal requests end?

Our former Sheriff wants to see reduced OHV traffic on Oceanwave Boulevard and throughout his neighborhood, so he supports extending the Pilot Project to the north. That's great for the former Sheriff and his neighbors. They regain some sense of peace and quiet in their neighborhood, but what about the rest of us? What about our neighborhoods?

Support the town having a specific route and make downtown a walking place rather than riding place.

This discussion item only serves to convince OHV proponents that the Town of Lake City may do something to address the OHV issue.

The current Trustee makeup consists of five (5) pro-OHV Trustees, one (1) Trustee who is pleading for middle ground, and a Mayor who is trying to maintain integrity on the board. Several Trustees are already voicing objections about

enforcement? Based on what I have learned, it takes time to train and certify a Deputy for local operations to become part of the team. I doubt seriously that a part-time Deputy is capable of becoming fully integrated into our Sheriff's office or community.

I hardly see "free camping" as much of an incentive for a paid law enforcement officer.

Video and information regarding rules around ATV/OHV at all lodging including VRBO, hotel etc.

This is another suggestion that looks and sounds nice in a public meeting, but it will be useless. The vast majority of OHV tourists are simply passing through our town and will never stop to watch a video that informs OHV operators about our local rules and ordinances.

Who will pay for video production? Who will define the "rules" in the video? Who has authority to mandate OHV tourists watch a video? Who will enforce any of this?

Don't get me wrong, education is a good idea, but educating the OHV community will not work. There are a number of OHV groups that "educate" their members, but those educational efforts have obviously failed. Do you or anyone at CDOT think Lake City and Hinsdale County will reinvent the wheel and come up with a successful educational strategy to protect our community and backcountry from additional OHV abuse?

Work with Alpine Outdoor Association to make that happen.

The elected officials of Lake City and Hinsdale County are in love with the Alpine Outdoor Association. One of our Trustees is an ardent supporter and member of the AOA. According to the Colorado Secretary of State Office, the AOA is formerly known as the *Alpine ATV Association*. The officers of the AOA are adamantly pro-OHV and only seek to expand OHV access.

Why are elected officials willing to work with a pro-OHV organization, but unwilling to work with the *Tourism and Recreation Management* group? This group was formed by Hinsdale County Commissioner Sara Gutterman and Town of Lake City Trustee Michelle Martin. These two elected officials seek to address issues relating to all forms of tourism in our community. The TRM group is modeled after the successful Gunnison *Sustainable Tourism and Outdoor Recreation Committee*

Unfortunately, the elected officials of Lake City and Hinsdale County will not support Gutterman and Martin. In fact, several of our elected officials publicly derided the TRM group and refuse to offer any support. It is clear that elected officials in Hinsdale County and Lake City only want to work with OHV groups.

Have permanent signs advising route, times, months of the year all along the highway and no off-road vehicles past this point.

We already have OHV signs on County Road 20 and County Road 30. CDOT provided signs for the Pilot Project that are already permanent fixtures on CO149. These signs inform OHV operators where they may and may not drive. If the Town and County decide to put up more signs, who is going to pay for that? Why use more tax dollars to address an activity known to be unsafe on paved roads and highways? Why litter a mountain community with more signs in support of a dangerous and destructive form of mechanized tourism?

Consistent signage/education plan.

This is just another feel-good suggestion that will accomplish nothing. CDOT has an extensive operations manual regarding sign requirements and placement. Who exactly are we getting "consistent" with? How many signs must litter our mountain landscape in order to address the OHV issue in my community?

As for education, why is my community spending more time, money and energy to educate people on a known and unsafe activity that takes place on a State Highway? I provided my elected officials with reports and studies about the unsafe handling characteristics of OHVs; I provided information from the Consumer Product Safety Commission and Consumer Federation of America; I provided information from OHV and ATV manufacturers that warn against using OHVs and ATVs on paved surfaces. Will any signs warn of the dangers associated with OHV use on paved surfaces and highway environments?

Increase fines for violations regarding off road vehicles.



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hinsdale County and Lake City Joint meeting discussion about the CO149 Pilot Project

2 messages

Wed, Dec 16, 2020 at 2:35 PM

To: Shoshana Lew <Shoshana.Lew@state.co.us>
Cc: Michael Goolsby <michael.goolsby@state.co.us>, Zane Znamenacek <zane.znamenacek@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Barbara Vasquez <vasqueztdistrict6@gmail.com>, Gary Beedy <dot_transp_comm@state.co.us>, Kathleen Bracke <kbrackeTCdistrict5@gmail.com>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, "Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>

CDOT Director Lew,

The Hinsdale County Board of County Commissioners met recently with the Town of Lake City Board of Trustees to discuss recommendations relating to the CO149 Pilot Project. It appears my elected officials want to move forward with this unsafe and disruptive project. It also appears both elected bodies continue to ignore known and documented safety issues relating to OHVs that operate on paved surfaces and highways.

Please see the **BOLD** suggestions listed below. These were the main topics of discussion at a recent Joint Town/County meeting between my Trustees and Commissioners. The meeting was a dog and pony show. I believe it is important for you to see the manner in which my elected officials are addressing the CO149 Pilot Project.

My comments are under each **bold suggestion** below:

Reduce speed to 25 mph for entire route and during the entire period of the program.

While I think an OHV speed reduction on the CO149 Pilot Project route is a good thing, OHVs present a known safety hazard when allowed to operate on paved surfaces and highways. If CDOT is willing to admit that a reduced speed for OHVs will enhance safety, then that is an admission of a known unsafe situation.

If Town and County officials reduce the speed limit for OHVs to reduce noise, then that is an admission that OHVs are disruptive to our community and backcountry wilderness areas.

Our community continues to lose ground to OHV tourism. In an effort to support OHVs, operators of street-legal vehicles will be asked to reduce their speed in order to accommodate more OHV tourism. Our entire community sacrifices so that OHVs may "connect the loop" and leave a little gas and burger money behind.

Employ more seasonal law enforcement and give incentive of free camping at Wupperman or town owned campground. Reserve 2 spots for the season and rotate with visiting law enforcement that would be willing to volunteer for the free camping.

Based on what I've learned at public meetings, the Town of Lake City increased its yearly budget to Hinsdale County to support the Sheriff's Office. Our Town Manager was quite clear: this money supports the Sheriff's Office and does not grant Lake City its own Deputy.

We may see four Deputies on the payroll next year and we may see one Alpine Ranger in the backcountry. Four Deputies. Think about that. Four Deputies to cover all duty shifts throughout the Town and County. According to the Hinsdale County Sheriff, these four Deputies are required to run traffic, conduct investigations, participate in search and rescue operations, provide jail transport, provide backup for Fire and EMS calls, serve warrants, attend training and provide many additional services to our community.

The concept of hiring seasonal law enforcement looks and sounds nice, but is impractical in my opinion. What does the Hinsdale County Sheriff say about this? Does Hinsdale County plan to increase their budget to support seasonal law



STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Request for permission to address the Transportation Commission

6 messages

Sat, May 11, 2019 at 1:23 AM

Jennifer,

I am requesting permission to address the Transportation Commission on Thursday May 16th, 2019 on the following two items:

1. Item #13, Replacement of Resolution #TC-18-07-XX (CO149 (OHV Pilot Program)
2. Item #13, Resolution #TC-19-06-XX (Instructing CDOT on permitting OHVs for Travel on State Highways)

This will be my first time appearing before the Transportation Commission. Please advise me on any requirements that I need to know before attending this public meeting, as I will be driving 5 hours to deliver my remarks. If there is a "list" to deliver remarks on these 2 resolutions, please add my name to the list.

Additionally, I hope to bring 7 other residents from Lake City and Hinsdale County to deliver public comment on the Resolutions listed above. Do these residents need to be placed on the speaker's list in advance?

I would like to deliver supporting documents in printed or email format. Do you have a preference, and if so, are there any requirements for appropriate document format or delivery?

According to the Agenda that was posted online today, Item #13 comes-up at 10:40, but it also appears that Items could be moved around or even removed at the last minute. Should I be present at 9:30? At what point will the Agenda items be solid and confirmed?

What about the Commissioner's Breakfast at 8:00? Is this open to the public? Is this an appropriate time and place to meet with one or more of the Commissioners for brief introductions and conversations?

Thank you,

Peter

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Mon, May 13, 2019 at 10:02 AM

Cc: Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>

Hello Mr.

The commission allots time at the beginning of each meeting for public comment. Generally, the Chair allows 10 minutes per topic with no more than 3 min per person. If you are coming as a group, I would highly suggest consolidating your remarks and allowing 1 or maybe 2 people to deliver them on behalf of the group. If other people come wishing to discuss this topic the 10 minutes would be divided between all parties interested in making comments. The Chair may allow further discussion but we have a pretty full agenda and an award ceremony afterwards so I am not sure how long she may let the conversation go. Please note that the commissioners are there to listen to your concerns but this is not a format for asking questions or in-depth discussion.

I will have a sign up sheet in the back of the auditorium and anyone wanting to speak should sign in upon arrival. The chair will call people up for comments based on that list. The chair can choose to move things around the day of so there is no "set schedule" other than the agenda that is online and usually followed pretty closely. I am not sure if she will wait for speakers during the 5 minute discuss and act time or not so I would advise you to arrive prior to the 9:30 start time so you can sign in and be prepared at either point.

Technically the breakfast is open to the public but no one has ever joined. While you are welcome to listen, it is not an appropriate time to make introductions and you will not be allowed to discuss your issue with the commissioners at that time. This is the time when they generally review the schedule with the Executive Director. Although you are welcome to attend, I do not think it would be beneficial to you in regard to this topic.

I have received numerous emails from you and others regarding this topic. I am currently printing them for review by the commission. If you have anything else to send, please do so by Close of Business today to ensure that I have time to print everything. I do not need duplicates of other letters, I will only be submitting one copy of each document. Please let me know if you have further questions.

Kind Regards,

Jennifer Uebelher
Transportation Commission Liaison
 Office of Policy and Government Relations

P 303.757.9025
 2829 W. Howard Place, Denver, CO 80204
 Jennifer.Uebelher@state.co.us | www.codot.gov | www.cotrip.org



Please consider the environment before printing this email.

[Quoted text hidden]

Mon, May 13, 2019 at 10:47 AM

To: "Uebelher - CDOT, Jennifer" <jennifer.uebelher@state.co.us>

Jennifer,

Thank you for the response and info. I will arrive bright and early after a 5-hour drive from Lake City.

I understand that there will be no discussion or questions. That is fine, as I only want to go on-record with my concerns of safety.

Sent from my iPhone

[Quoted text hidden]

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Mon, May 13, 2019 at 10:50 AM

Thank you for your understanding. I look forward to meeting you and hearing your remarks. Safe travels!

Kind Regards,

Jennifer Uebelher
Transportation Commission Liaison
Office of Policy and Government Relations

P 303.757.9025
2829 W. Howard Place, Denver, CO 80204
Jennifer.Uebelher@state.co.us | www.codot.gov | www.cotrip.org



Please consider the environment before printing this email.

[Quoted text hidden]

Mon, May 13, 2019 at 9:16 PM

To: Jennifer Uebelher <jennifer.uebelher@state.co.us>

Jennifer,

What time will the sign-up sheet be available? I am driving 5-hours and do not want to miss the opportunity to speak because someone beat me to the punch.

Thank you,

Peter D. Nesbitt



On May 13, 2019, at 10:02 AM, Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us> wrote:

Hello [Redacted]

...

I will have a sign up sheet in the back of the auditorium and anyone wanting to speak should sign in upon arrival. The chair will call people up for comments based on that list. The chair can chose to move things around the day of so there is no "set schedule" other than the agenda that is online and usually followed pretty closely. I am not sure if she will wait for speakers during the 5 minute discuss and act time or not so I would advise you to arrive prior to the 9:30 start time so you can sign in and be prepared at either point.

Kind Regards,

Jennifer Uebelher

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Mon, May 13, 2019 at 10:03 PM

Hi Mr. [REDACTED]

Honestly, I put the sheet out whenever I get to it in the morning. There is no set time. I will likely be running around a bit, but I sit in the front as you face the dais on the right side. There are usually 1 or 2 computers on the table where I will be. If for some reason you can't find the sheet let me know. I can't guarantee that everyone in your group will get to speak but I will do my best to ensure you will get a chance to.

Kind Regards,

Jennifer Uebelher
Transportation Commission Liaison
Office of Policy and Government Relations

P 303.757.9025
2829 W. Howard Place, Denver, CO 80204
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Please consider the environment before printing this email.

[Quoted text hidden]





STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Recreational Off-Highway Vehicle Association (ROHVA) Position Paper in opposition to on-highway operation of ROVs

1 message

Sat, May 11, 2019 at 9:39 PM

To: Luella D'Angelo <Commissioner.Dangelo@state.co.us>, Kathy Connell <Commissioner.Connell@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Edward Peterson <Commissioner.Peterson@state.co.us>, Sidney Zink <Commissioner.Zink@state.co.us>, Steven Hofmeister <Commissioner.Hofmeister@state.co.us>, Kathy Gilliland <Commissioner.Gilliland@state.co.us>, Rocky Scott <Commissioner.Scott@state.co.us>

Cc: Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>, Kerry Donovan <kerry.donovan.senate@state.co.us>, Barbara McLachlan <barbara.mclachlan.house@state.co.us>

Commissioners and Staff,

Please note the attached Position Paper (text and PDF) from the Recreational Off-Highway Vehicle Association (ROHVA) in opposition to allowing recreational OHVs to operate on highways.

POSITION IN OPPOSITION TO ON-HIGHWAY OPERATION OF ROVs

The Recreational Off-Highway Vehicle Association (ROHVA) is a not-for-profit trade association formed to promote the safe and responsible use of recreational off-highway vehicles (ROVs) manufactured or distributed in North America. ROHVA also serves as the primary resource for information on ROVs. An ROV – sometimes referred to as a side-by-side or UTV – is a motorized off-highway vehicle designed to travel on four or more non-highway tires, with a steering wheel, non-straddle seating, seat belts, an occupant protective structure, and engine displacement up to 1,000cc. Current models are designed with seats for a driver and one or more passengers.

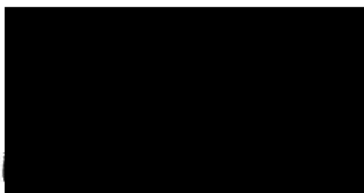
ROVs are designed, manufactured and sold for off-highway use only. On-highway vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ROVs are not intended to be used on-highway, they are not designed, equipped or tested to meet such standards. Permitting street use of ROVs, including modified vehicles, would be in conflict with manufacturers' intentions on their proper use, and would be contrary to federal safety requirements.

Riding on public streets and highways introduces the possibility of the ROV colliding with a car or truck, an obviously dangerous situation.

ROHVA emphasizes that ROVs are not designed, manufactured, or in any way intended for use on public streets or highways and urges that on-highway use of ROVs be prohibited and law enforcement efforts be strengthened to eliminate this practice.

Government Relations Office · 1235 South Clark Street, Arlington, VA 22202 · PH: (703) 416-0444 · Fax: (703) 416-2269

Thank you,





STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO 149 Pilot Project

1 message

Steven [REDACTED]

Sun, Jan 17, 2021 at 10:17 AM

To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Director Michael Goolsby <michael.goolsby@state.co.us>, CDOT Project Engineer Zane Znamenacek <zane.znamenacek@state.co.us>, Transportation Commissioner Kathleen Bracke <kbrackeTCdistrict5@gmail.com>, Transportation Commissioner Shannon Gifford <Commissioner.Gifford@state.co.us>, Transportation Commissioner Kathy Hall <Commissioner.Hall@state.co.us>, Transportation Commissioner Don Stanton <dot_transp_comm@state.co.us>, Transportation Commissioner Karen Stuart <Commissioner.Stuart@state.co.us>, Transportation Commissioner Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Transportation Commissioner Barbara Vasquez <vasqueztdistrict6@gmail.com>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>, "Colorado Gov. Jared Polis" <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>
Cc: Hinsdale County Administrator <administrator@hinsdalecountycolorado.us>, Lake City Town Clerk <townclerk@townoflakecity.co>

Dear Members of the Colorado Department of Transportation and the Colorado Transportation Commission:

I have written to you in the past recommending against the potential renewal of the CO 149 Pilot Project for Lake City and Hinsdale County. These letters documented the many, many negative safety issues associated with OHVs operating on state highways and paved roads. However, there are also numerous other environmental and quality of life issues that have adversely affected Hinsdale County, the Alpine Loop and the residents of Lake City and the surrounding areas. These issues stem from the increased operation of OHVs due to the CO 149 Pilot Project.

Allow me to enumerate these issues:

- 1. Noise and dust:** OHV tourism has more negative impact upon our community than all other forms of tourism combined. The noise along CO 149 between Lake City and County Road 30 south of town is deafening from morning until night. I can attest to that since that is where my summer homes are located. The amount of dust created by OHVs on unpaved roads makes driving there unhealthy and unsafe due to reduced visibility.
- 2. Damage to alpine and wilderness areas:** There are numerous examples of OHVs driving off of designated roads and onto alpine tundra. They operate off designated trails and create unauthorized trails. This damage to our precious wilderness areas will take many decades to recover, if they are able to recover at all.
- 3. Impact on residential areas that are not on allowed routes:** I can attest personally that OHVs do not stay on the routes allowed by law. They drive past the County Road 30 turnoff south of town and continue further south on CO 149. They stop at the Packer Massacre Site, which is on Vickers Lane and clearly off the legal route. Other local residents throughout Lake City and the County frequently complain about OHV traffic in areas that are clearly not on the streets allowed under the Pilot Project.
- 4. Drain on the local economy:** Local elected officials in Lake City and Hinsdale County claim that OHV families generate massive tax revenue but they have been unable to document that with facts. The drain on local law resources for increased enforcement is not compensated by an increase in revenue. Our roads are suffering and need repair but there is insufficient funding for this.
- 5. Quality of life in our rural mountain town:** Lake City is no longer the quiet mountain town that many first experienced. The solitude and serenity that many desire and seek in Lake City has disappeared with the influx of OHVs. They keep us awake at night, wake us early in the morning, and destroy our once-quiet community. They park whenever and wherever they desire; they leave trash wherever they want; they violate our State laws and local ordinances.

Lake City is no longer safe for pedestrians and bicyclists due to the Pilot Project. OHVs drive everywhere on our streets and through our alleyways. OHV trailers line our neighborhoods, streets and the shoulder of CO149. There are no bike lanes in our community so bicyclists must take their chances on CO149 with OHVs. Pedestrians must avoid OHVs driving on the highway shoulder and throughout the downtown area. Lake City was a bicycling and pedestrian community before we embraced OHV tourism and implemented the CO149 Pilot Project.

1/27/2021

State.co.us Executive Branch Mail - CO 149 Pilot Project

For these reasons, I request that you vote NO on any renewal or extension of the CO 140 Pilot Project.

Thank you for your thoughtful consideration of this request.

Steve



Tara [REDACTED]

To Whom it May Concern,

I am writing to you in regards to the OHV Pilot Program on Highway 149. I have strong feelings that this program should be ended permanently. The demeanor and energy of the quaint little town that we moved to years ago has completely changed from peaceful to obnoxious. The OHVs allowed in our town have made for an unsafe environment and our police department does not have the necessary means to provide adequate enforcement (in our town or in surrounding areas.) While the town has voted twice to keep the pilot program, many year-round residents, including myself, are unable to vote on the matter despite being heavily affected by it. We want to make sure our voices are heard as well.

I am a year-round resident of Lake City. I live here with my husband who is very involved in the fire department as well as Hinsdale County Search and Rescue, and our 10 year old daughter who has attended Lake City Community School since kindergarten. We moved here from Evergreen, CO and were so relieved to get out of the bustling Front Range. Lake City was the first place we have lived that felt like home immediately. It felt like the right place to raise our child and put down roots. It felt safe and peaceful and we fell in love with the community. We still love it here and are committed to this community, however, much has changed since the introduction of the OHV Pilot Program. We happen to live right on Gunnison Ave (Highway 149.). All day, every day during the beautiful summer months, we have OHVs zooming past our home completely ruining our ability to enjoy what once was our peaceful mountain retreat. I cannot say enough what a great stressor this adds to the outside environment when we are trying to enjoy our summer days with our daughter and our friends in our yard, which once was our personal sanctuary.

What once felt like a safe place to raise our child, now feels much less so. Our daughter is now 10 and old enough and mature enough to ride her bike a few blocks down to the park to play with friends. This should not be a problem in our small town. But it is now. EVERY TIME I am driving through town in my car, I encounter such dangerous driving violations committed by people driving OHVs. Pulling off and onto the road without looking, signaling or in general paying attention at all. Riding alongside the road in front of businesses and using it like you would use a road . . . but it's not. Turning abruptly without signaling. Kids driving who look too young to be driving any vehicle. I could go on. It is not a few times I've witnessed these acts, it is literally every time I drive through my town. I can't tell you how many times I've slammed on my brakes to avoid a collision. Thankfully, I'm a good defensive driver. But I can't and won't risk my child in that environment. I keep her from doing activities she should be able to do, and once would have been comfortable with allowing, solely due to the OHV presence in our town. Further more, our police department is unable to provide the enforcement needed to maintain a safe environment. They lack the funding and staffing to make sure violations do not go unchecked. I've heard countless stories from others in my town who have witnessed gross violations and complete disregard for the rules, our community and our beautiful surrounding land which is such a precious resource to those who live here and those who come to experience it in a different way such as hiking, biking, rafting, fishing, camping, etc. I understand that there are responsible OHV drivers and would never label all of them as negligent, however, while they are vacationing in our town, it feels that many are taking a vacation from rules and laws they might follow otherwise.

Perhaps the most frustrating aspect of this situation, other than the day-to-day coping we have to do, is that we have had no say in it. We live just barely outside of town limits. Because we

are technically in the county, we are unable to vote on this issue. We are not the only ones. We have several neighbors in the same situation. They live on Gunnison Ave, are affected heavily by the allowance of OHVs, but do not have a vote in the matter. We are very much a part of the community and I feel strongly that this is the "county's" issue as well as the town's. But, even more than that, it's a state's issue because the state of Colorado has the power to allow this program to move ahead . . . or not. The danger that exists in my much loved town of Lake City because of this program could be ended now. Or will it be allowed until the inevitable tragedy happens?

I want to be clear that my family is not anti-OHV. In fact, when we moved here, we owned two ATVS. Had we been able to vote in the first election, we most likely would have voted 'yes' to allowing them. It sounded like a fun addition to our town at the time. After experiencing how they have changed the entire feel of Lake City, however, we would have changed our vote to 'no' in the second election. We also care greatly about the survival of our local businesses as many of them are our friends. We want success for them and also so that locals have access to stores and restaurants too. All the businesses that are doing well now, with OHV presence, were doing well before them. OHV owners have always come to Lake City. They used trailers to transport their vehicles to appropriate places for use and no one complained that they weren't allowed to use them in town. It just simply wasn't an issue.

I do not fault anyone for wanting to explore legalizing the use of off road vehicles in Lake City. But after witnessing how much it has changed the town, I feel that any increased business brought about by becoming a more OHV friendly town, is offset by the damage they do to our precious surrounding land resources, and the very unsafe environment they create inside our little town. Furthermore, we are losing other sectors of tourists including those who are looking for the peace and serenity of a mountain town. Lake City no longer offers those things. In a world of population explosion and where wild places are disappearing at an alarming rate, I am joining with my fellow community members who want to fight to keep Lake City one of those rare places where you can find the solitude, peace and stillness that the mountains offer for as long as possible.

Thank you for listening to us and for considering the needs and desires of all people voicing their concerns, on both sides of the matter, in this situation where allowing OHVs to be a presence in the town of Lake City will affect all residents as well as the health of the natural environment.

Sincerely,

Tara 

Subject: CO149 Pilot Program



[REDACTED]
to CDOT Director Shoshana Lew, CDOT Region 3 Director Michael Goolsby, CDOT Project Engineer Z

Sun, Jan 17, 5:49 PM (10 days ago)

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

I am writing today, again, to respectfully request that this Pilot Program, allowing OHVs to operate on State Highway 149, not be continued. In 2015 the Colorado State Police presented an opinion that these vehicles are for many reasons NOT SAFE for use on paved roads, and one would think that that would be plenty of reason to cancel this Pilot Program.

My husband and I drove out to Lake San Cristobal today along this road, and were really depressed to see the condition of the pavement. Our county can not afford to keep the road in safe driving condition, and a few days ago one resident died in an accident when his vehicle left the road and crashed over 100 feet down to end in the river. This is not a 'playground' for OHV adventures! In the summer this road is heavily traveled by cars and trucks, motorcycles and bikes which are certified safe for paved roads, and to add OHVs to this mix is inviting disaster!

Our quiet historic town does not need the increased traffic, noise, dust and pollution that we experienced last summer., largely as a result of the campaign to lure OHV riders to 'ride the loop' right through our quiet town. Local elected officials have 'railroaded' this Pilot Program through, in spite of lack of evidence of any real benefit to the community, and the ecology of this once-pristine area has been under harsh assault as increased traffic and lack of personnel to enforce good back-country practices have destroyed fragile tundra, littered and left trash and human feces spread over the countryside. The huge increase in traffic in the past year, caused by the surge in OHV traffic, has caused irreparable damage.

Before this Pilot Program was begun, staging areas were provided out of town so that OHV access to 149 was not needed. Owners could still have access to the town of Lake City and drive their OHVs on the county dirt roads. This would seem to be a fair and much less dangerous compromise and I would so love to see this situation returned!

Thank you so much for your time and consideration of this matter.

Sincerely,

Julie [REDACTED]



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Please, We Urge You to Oppose Increasing Road Access to OHVs and ATVs in Lake City and Hinsdale County

1 message

Ray [REDACTED] Fri, Oct 30, 2020 at 9:52 AM
To: "Governorpoli@state.co.us" <Governorpoli@state.co.us>, "district1@hinsdalecountycolorado.us" <district1@hinsdalecountycolorado.us>, "district2@hinsdalecountycolorado.us" <district2@hinsdalecountycolorado.us>, "district3@hinsdalecountycolorado.us" <district3@hinsdalecountycolorado.us>, "brucevierheller@townoflakecity.co" <brucevierheller@townoflakecity.co>, "michellemartin@townoflakecity.co" <michellemartin@townoflakecity.co>, "daveroberts@townoflakecity.co" <daveroberts@townoflakecity.co>, "doughamel@townoflakecity.co" <doughamel@townoflakecity.co>, "judhollingsworth@townoflakecity.co" <judhollingsworth@townoflakecity.co>, "jessekendall@townoflakecity.co" <jessekendall@townoflakecity.co>
Cc: Rachel Weintraub <rweintraub@consumerfed.org>

Colorado Department of Transportation

October 30, 2020

2829 W. Howard Pl.

Denver, Colorado 80204

Dear Governor Polis, Hinsdale County Board of Commissioners, and Town of Lake City Trustees:

As individuals and organizations dedicated to reducing deaths and injuries caused by off-highway vehicles (OHVs), we are writing to urge you to reject any proposal that would increase OHV access to the roads of Lake City, Colorado and Hinsdale County, Colorado.

Tragically, we have identified 57 OHV-related deaths in Colorado from January 2013 to October 2020. Of these deaths, 22 (39%) occurred on-road, 31 (54%) occurred off-road, and four (7%) occurred in an unknown location. Additionally, 13 (23%) of the deaths were children age 16 or younger. Unfortunately, these numbers may continue to rise as we gather more data.

As the COVID pandemic has impacted the nation, public health officials have documented an increase in OHV deaths and injuries likely tied to school closures and stay-at-home orders. Through media reports, CFA has identified that eleven states are reporting increases in OHV deaths and injuries, including Colorado.^[1]^[2]

Allowing OHVs to use public roads suggests to the public that roadway riding is a safe and responsible use of OHVs when in fact, industry, regulators, and consumer and public health and safety advocates, all agree that OHVs are not safe on public roads.

We write to communicate the dangers of allowing OHVs on roads and hope that this information will help inform any policy decision you make.

Off-Highway Vehicles

There are two main categories of OHVs—neither of which are designed for roadway use and should not be allowed on public roads.

- **All-Terrain Vehicles (ATVs):** ATVs are “off-road, motorized vehicles having three or four low-pressure tires, a straddle seat for the operator, and handlebars for steering control.”[3]
- **Recreational Off-Highway Vehicles (ROVs):** ROVs have “four or more wheels with low pressure tires; bench or bucket seating for two or more occupants; automotive-type controls for steering, throttle, and braking; rollover protective structures (ROPS); occupant restraint; and maximum speed capability greater than 30 mph.”[4]



More ATV and ROV Deaths Occur On Roadways than Off-Road

While there is federal ATV fatality data, there is a lack of ROV fatality data. To fill this need, our coalition has started collecting data on ROVs to give decision makers a better sense of the dangers posed by OHVs besides ATVs. See our data and analysis on our OHV webpage here.

- **ATV Roadway Crashes:** ATV crashes on the road account for over 60% of ATV-related deaths and over 30% of serious ATV injuries.[5] Roadway crashes are more likely to involve multiple fatalities, collisions and head injuries. Victims in roadway crashes were less likely to be wearing protective gear such as helmets and were more likely to be carrying passengers, both things that are risk factors for ATV-related fatalities and injuries. From 1998-2007, roadway fatalities increased twice as fast as those off-road.[6] The National Highway Traffic Safety Administration released ATV-related fatality statistics for public roads showing that there were 3,411 deaths from 2004-2013, with 323 in 2013 alone.[7]
- **ROV Roadway Crashes:** There is much less data on the number and nature of ROV crashes in comparison to ATVs, but from 2013-2020 our coalition identified 811 ROV fatalities. The crash site could be identified in 784 of the 811 deaths. Of those 811 fatalities, 464 (57%) occurred on-road and 320 (39%) occurred off-road. As our coalition continues to gather more data, these figures may rise.

OHV Design Contributes to Roadway Deaths and Injuries

Ultimately, OHVs are not safe on roads because they were not designed for roadway use.

- **OHVs[8] have a relatively narrow track and high-center of gravity:** These design features allow for riding in wooded areas and between obstacles, and provide high ground clearance for rough terrain. However, these features put OHVs at a higher risk for rollovers,[9] and require “that the vehicle takes wider turns than are found in standard road design.”[10]
- **OHVs have low-pressure, deep tread tires designed for off-road use:** Automobile tires have relatively shallow tread and are designed to continually grip and release roadway surfaces. In contrast, OHV tires are made to grab off-road terrain and can act unpredictably on roadway surfaces especially with increasing speed. The operator can easily lose control of the vehicle, potentially endangering the OHV rider, occupants of other vehicles, pedestrians, and bicyclists.[11]
- **Most ATVs lack a rear differential:** Most ATVs have a solid rear axle or locked rear differential which means that both the inside and outside wheels rotate at the same speed, unlike motor vehicles designed for roadways. This often requires that the OHV “take wider turns than are found in standard road design,”[12] and makes it more difficult for OHVs to negotiate roadway curves, especially at the speeds often traveled on roads.

Industry Associations Warn Against OHV Use on Public Roads and Paved Surfaces

Both ATV and ROV trade associations warn against riding OHVs on roadways. The Specialty Vehicle Institute of America (SVIA), a not-for-profit association representing ATV manufacturers and dealers, has a strong policy statement against the use of ATVs on public roads. A training manual for ATV riders from the ATV Safety Institute, a division of SVIA, states:

Remember, ATVs are intended for off-road use only. Never operate an ATV on public roads, and always avoid paved surfaces. ATVs are not designed for use on public roads and other motorists may not see you. ATVs are not designed to be used on paved surfaces because pavement may seriously affect handling and control.”[13]

Further, the SVIA makes clear that:

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards.[14]

The Recreational Off-Highway Vehicle Association (ROHVA) also directs riders to “avoid paved surfaces. ROVs are designed to be operated off-highway.”[15] These statements show that the manufactures of these vehicles, those who know the vehicles better than anyone, know that they should not be operated on roads. In addition to these statements from OHV trade associations, ATVs and ROVs are also required to have labels indicating that they should not be operated on paved roads or on public roads.

Unpaved and Rural Roads are Not Safe for OHV Use

Many of the warnings against riding OHVs on roadways specifically mention the hazards of paved roads. While these warnings are accurate they are not sufficient and could incorrectly imply that unpaved roads are safe for OHV use.

A 2015 study of national ATV-related fatalities occurring from 1985-2012, found that in twenty-three states half or more of ATV roadway deaths occurred on unpaved road surfaces and that 42% of all ATV roadway deaths during this time period (6,625) took place on unpaved roads. In addition, more than two-thirds of all roadway ATV fatalities (paved and unpaved) did not involve another motor vehicle. This means that low traffic volume on rural roads does not necessarily translate into fewer deaths and injuries. In fact, riders in serious roadway crashes that occur on more remote roads may be at increased risk of death because of longer distances to trauma centers. While there is not yet similar data available for ROVs, given that ROVs are also designed for off-road use with similar design elements, there is no evidence supporting the idea that they would be safe on unpaved roads.

Additional Information

The latest research about OHVs on roadways and OHV death and injuries, as well as a list of members of a national coalition formed to address this public health crisis and the advocacy efforts undertaken by this coalition are available here.

We urge you to oppose any proposal to allow OHV use on public roads because doing so places the public, including OHV operators, pedestrians, bicyclists, and all motor vehicle drivers and their passengers at unnecessary risk.

We hope that you will consider these comments, and if we can be of any further assistance, please feel free to contact Nick Roper at Consumer Federation of America at roper@consumerfed.org or (202) 939-1000.

Sincerely,

Rachel Weintraub
Legislative Director and
General Counsel
Consumer Federation of America

Charles Jennissen, MD
Emergency Medicine
University of Iowa
Iowa ATV Injury Prevention
Task Force

Dr. Aitken, MD MPH
Chair, Department of Pediatrics at McGovern
Medical School
The University of Texas Health Science Center at
Houston
Physician-in-Chief, Children's Memorial Hermann
Hospital

Katie Kearney
Concerned Families
for ATV safety Member
Sean's Law
Massachusetts Safety Advocate

Carolyn Anderson
Co-Founder
Concerned Families for ATV Safety

Ben Kelley
Director, Injury Control Policy
The Trauma Foundation
San Francisco General Hospital
San Francisco, CA

Nick Roper
Administrative & Advocacy Associate
Consumer Federation of America

Robin D. Schier, DNP, APRN,
CPNP AC/PC
Pediatric Emergency Medicine
Texas Children's Hospital
Houston, Texas

Sue DeLoretto-Rabe
Co-Founder

Gary A. Smith, MD, DrPH
President, Child Injury

Concerned Families for ATV Safety

Prevention Alliance

Gerene Denning, PhD

Emergency Medicine

University of Iowa

Iowa ATV Injury Prevention Task Force

Gordon S. Smith, MD (MB.ChB, Otago), MPH
Professor, Department of Epidemiology & Public Health

University of Maryland School of Medicine Charles
"McC" Mathias National Study Center for Trauma
and EMSShock, Trauma and Anesthesiology
Research – Organized Research Center

Benjamin Hoffman MD FAAP

Professor of Pediatrics

Medical Director, Doernbecher

Children's Safety Center

Portland, OR

Serap Gorucu, PhD

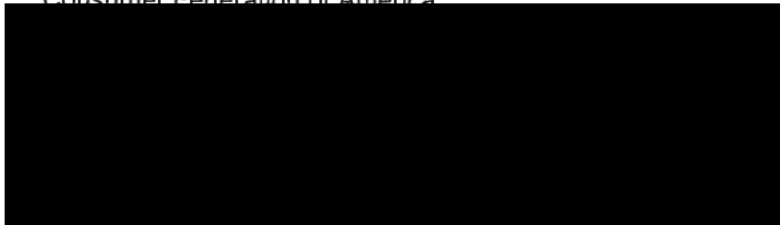
Department of Agricultural & Biological Engineering

University of Florida

CC: CDOT Region 3 Manager, CDOT CO149 Pilot Program Project Manager, Colorado State Patrol District 5 Commander, Colorado State Senator Donovan, Colorado State Representative McLachlan, District 8 Commissioner, District 7 Commissioner, Transportation Commission Secretary, Transportation Commission Liaison, Hinsdale County Sheriff, Hinsdale County Administrator, and Lake City Town Manager.

Nick Roper | Administrative and Advocacy Associate

Consumer Federation of America





Truth will ultimately prevail where pains is taken to bring it to light."
-George Washington (1794)

[1] Dawidowicz, C. (2020, June 02). Doctors see an early start to 'Trauma Season' this year. Retrieved October 30, 2020, from <https://www.fox21news.com/digital-now/doctors-see-an-early-start-to-trauma-season-this-year/>.

[2] Cronin, I. (2020, June 05). Your Healthy Family: Trauma visits up at Children's in Colorado Springs. Retrieved October 30, 2020, from <https://www.koaa.com/community/your-healthy-family/your-healthy-family-er-visits-up-at-childrens-in-colorado-springs>.

[3] CPSC, 2013 Annual Report of ATV-Related Deaths and Injuries, February 2015. <http://www.cpsc.gov/Global/Research-and-Statistics/Injury-Statistics/Sports-and-Recreation/ATVs/2013-ATV-Annual-Rpt-of-ATV-Related-Deaths--Injuries.pdf>

[4] CPSC Briefing Package. Pg. 91. www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf

[5] Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>

[6] Id

[7] NHTSA, Fatalities in Traffic Crashes Involving All-Terrain Vehicles. <http://www-nrd.nhtsa.dot.gov/Pubs/812193.pdf>

[8] The Denning paper cited below deals with ATVs but the CPSC Briefing Package on the Proposed ROV Rule, Pg. 518, notes that ROVs are designed with narrow track widths and high ground clearance for use on off-road trails which results in a high risk of rollovers. www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf

[9] Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>

[10] Id.

[11] Id. Discussing ATV tires. The CPSC Briefing Package. Pg. 410. Also defines ROVs as having low pressure tires. This allows one to infer that both categories of OHVs discussed here will have tires that are not suitable for on-road use and will have similar problems when used on-road as those described for ATVs in the 2012 report cited above. www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf

[12] Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>

[13] Tips and Practice Guide for the All-Terrain Vehicle Rider, ATV Safety Institute. http://atvsafety.org/downloads/ATV_Riding_Tips.pdf

[14] Specialty Vehicle Institute of America, Position in Opposition to On-Road Operation of ATVs <http://www.svia.org/Downloads/PositionPaperOpposingOn-RoadUse.pdf>

[15] ROV Safety Rules. <http://www.rohva.org/>



CO149_CO.pdf
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STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CDOT CO 149 Pilot Project

1 message

Steven [REDACTED]

Thu, Jan 14, 2021 at 8:36 AM

To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Director Michael Goolsby <michael.goolsby@state.co.us>, CDOT Project Engineer Zane Znamenacek <zane.znamenacek@state.co.us>, Transportation Commissioner Kathleen Bracke <kbrackeTCdistrict5@gmail.com>, Transportation Commissioner Shannon Gifford <Commissioner.Gifford@state.co.us>, Transportation Commissioner Kathy Hall <Commissioner.Hall@state.co.us>, Transportation Commissioner Don Stanton <dot_transp_comm@state.co.us>, Transportation Commissioner Karen Stuart <Commissioner.Stuart@state.co.us>, Transportation Commissioner Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Transportation Commissioner Barbara Vasquez <vasqueztcdistrict6@gmail.com>, Transportation Commissioner Sidny Zink <Commissioner.Zink@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>, "Colorado Gov. Jared Polis" <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>
Cc: Hinsdale County Administrator <administrator@hinsdalecountycolorado.us>, Lake City Town Clerk <townclerk@townoflakecity.co>, Peter Nesbitt <peter_nesbitt@icloud.com>

Dear Director Lew,

I am a summer resident of Hinsdale County and own two homes located on the Lake Fork of the Gunnison about 2 miles south of Lake City, CO. My family has been vacationing in Hinsdale County for over 70 years. I am writing to you today with great concern for the safety of my community, the quality of life in rural Colorado, and the protection of Colorado backcountry wilderness areas in Hinsdale, San Juan and Ouray Counties. These counties are connected via the *Alpine Loop*.

The CDOT CO149 Pilot Project ignores Colorado State law and allows OHVs to operate on the only State Highway that bisects Lake City and Hinsdale County. This CDOT project connects the *Alpine Loop*, thereby providing OHVs with greater access to our backcountry wilderness areas. This CDOT project also threatens public safety by allowing *off-highway vehicles* to co-mingle with other vehicles on a paved highways.

As the CDOT director with years of experience with transportation issues, you are certainly aware that OHVs are not legal or safe for highway use. These vehicles a) are not crash-test certified; b) have a propensity for rollover accidents due to their high-center of gravity; c) have a known tendency for loss-of-control events due to their off-highway tires that are not legal for use on State Highways; and d) create unsafe handling characteristics due to their locking differentials when allowed to operate on paved or hard-packed surfaces.

CDOT along with all elected officials in Hinsdale County and the Town of Lake City have been provided with many documents, studies and reports that enumerate the many reasons for not allowing OHVs to operate on Colorado State Highways. I strongly encourage CDOT managers and other elected officials to not ignore known safety issues by allowing this project to move forward.

While CDOT and our elected officials may have had the best of intentions with the CO149 Pilot Project, the unintended consequences of increased OHV traffic in our community and backcountry wilderness areas have been devastating. County roads are in disrepair; the Alpine Loop saw increased damage; and fragile alpine tundra was irreparably damaged last year.

The Hinsdale County Sheriff is on-record with the fact that his office is unable to manage the increased levels of tourism in Lake City and Hinsdale County. In addition, the BLM and NFS are on record with their observations of damage to the Alpine Loop and adjacent wilderness areas.

Residents, 2nd-homeowners and tourists not using mechanized vehicles have repeatedly documented the adverse impact of dust, noise, traffic, parking and violations of Colorado law throughout our community. The portion of CO 149 encompassed by the Pilot Project runs directly through the Lake Fork Valley where my two properties are situated. Thus, the Pilot Project impacts me and my family every day of the summer due to increased noise and dust along with OHVs not staying on the legal designated routes and driving into residential and private property areas.

I urge you to terminate and not renew the CO149 Pilot Project in Lake City and Hinsdale County. The State of Colorado, CDOT and the Transportation Commission must devise a sustainable economic plan for remote mountain communities that does not involve a destructive and unsafe form of tourism.

Thank you for your consideration of these requests.

Sincerely,

Stever 



modes of transportation, all of which are less polluting than OHV use. Facilitation of unnecessary use of polluting vehicles on this State Highway is contrary to other State initiatives being taken to combat pollution and climate change.

We have concerns regarding the mindset of OHV operators. OHVs are defined as recreational vehicles, and most OHV operators use these machines for recreation. State Highways are primarily designed and used for transportation. Many OHV operators find it difficult, or are unable to, switch their frame of mind from pursuing recreation to focusing on transportation when they begin to drive their OHV on a State Highway. A recreational mindset can lead to unsafe and dangerous maneuvering on the highway.

The vast majority of OHVs lack a visible ID, such as a license plate. The lack of a visible ID makes it impossible for other motorists to identify and report unsafe and dangerous OHV use on a highway as they can with regular licensed and plated vehicles. Some OHV operators believe that the lack of a visible ID makes it unlikely they will be reported or cited for their actions. Those individuals are less likely to comply with regulations knowing that they are not likely to be held accountable for their actions.

Law enforcement records indicate that there were a high number of violations of regulations committed by OHV operators on this highway in the past. Officers report that the number of OHV warnings and citations issued were only a small percentage of the overall number of violations occurring.

We are concerned about this action setting a precedent for the opening of other highways to this use in the rest of the State.

We thank you for your consideration of these comments.

Sincerely;

Tom 

Director


The Quiet Use Coalition is a 23-year-old non-profit organization working to preserve and create quiet use areas on our public lands and waters, while protecting natural soundscapes and wildlife habitat



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Opposition to OHV use on Highway 149

1 message

Quiet Use Coalition

Mon, Jan 18, 2021 at 6:55 AM

To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>, "CDOT Engineer Jason C. Smith" <jasonc.smith@state.co.us>, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>
Cc: Colorado Governor Jared Polis <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Colorado Department of Transportation and Others;

We are writing to express serious concerns with the potential exception to permit unlicensed Off-Highway Vehicles (OHVs) such as ATVs, dirt motorcycles, UTVs, etc. to travel on a segment of Colorado State Highway 149 near Lake City, Colorado.

We are writing to express our opposition to the potential renewal of a program that temporarily allowed this use.

Allowing OHVs on Highway 149 compromises the safety of *all* highway users. OHVs are very different from regular highway licensed cars and trucks. They are not designed, nor are they intended to be used for, travel on an improved paved road surface at any type of speed. The tire and other design of these vehicles limits their ability to safely corner, maneuver, or stop on improved road surfaces.

Many of the manufacturers of these vehicles specifically warn users not to operate these vehicles on paved roads. This information is contained in owner's manuals and also on decals on the vehicles themselves.

Numerous organizations state that OHVs should never be ridden on paved public roads, including the Consumer Product Safety Commission.

Many OHVs lack basic functional safety equipment and thus it is not possible to operate these vehicles safely on paved roads. Many OHVs lack a rear differential, rear view mirrors, speedometers, a horn, tires approved for road use, functioning brake and turn signal lights, and/or a reverse gear.

Most of these vehicles lack safety equipment to be crash worthy, such as seat belts. These vehicles have not undergone any type of testing, nor do they meet standards, for safety in the event of a crash.

OHV operators may not know or fully understand the additional risk they are being exposed to when an exception is made to allow them to ride on a State Highway.

Allowing vehicles that are not crash worthy on a State Highway exposes regular licensed vehicle operators to additional risks, problems, and potential mental anguish if they are involved in an accident with an unlicensed OHV. The presence of these vehicles on a State Highway is a distraction for other highway users.

The lack of any type of required operator training course or required OHV operator certification in Colorado permits untrained, unknowledgeable, and unskilled OHV operators to share this Highway with other users. OHVs are very different from regular licensed cars or trucks, and the skills required to safely operate an OHV are not the same as the skills required to operate a licensed vehicle. People with no previous experience with an OHV can rent one in Lake City and within a minute or so be traveling at high speed on Highway 149.

We have concerns with the additional pollution put out by OHVs. OHV engines are not subject to the same strict emission standards that regular licensed cars and trucks are subject to. The EPA allows OHV engines to emit up to eight times the amount of certain noxious exhaust particulates than regular licensed car and truck engines. These extra emissions contribute to overall and localized air pollution.

We do not believe that State government should be taking actions that facilitate and increase air pollution, especially for a recreational activity. The Alpine Loop and State Highway 149 are already open and accessible to numerous other

We have concerns regarding the mindset of OHV operators. OHVs are defined as recreational vehicles, and most OHV operators use these machines for recreation. State Highways are primarily designed and used for transportation. Many OHV operators find it difficult, or are unable to, switch their frame of mind from pursuing recreation to focusing on transportation when they begin to drive their OHV on a State Highway. A recreational mindset can lead to unsafe behavior.

The vast majority of OHVs lack a visible ID, such as a license plate. It is impossible for other motorists to identify and report unsafe and dangerous OHV use on a highway as they can with regular licensed and plated vehicles. Some OHV operators believe that the lack of a visible ID makes it unlikely they will be reported or cited for their actions. Those individuals are less likely to comply with regulations knowing that they are not likely to be held accountable for their actions.

The 2019 Statewide Comprehensive Outdoor Recreation Plan for Colorado (<https://cpw.state.co.us/aboutus/Pages/SCORP.aspx>) found that quiet use activity participation (walking, biking, hiking, etc.) outnumbered OHV use by a margin of nearly six to one in Southwest Colorado. This difference in the relative popularity of an activity was even greater statewide, and is much greater nationally. The incidence of conflict between OHV use and quiet use is high. This conflict is almost always asymmetrical, experienced by quiet users but not OHV users. Such conflict typically results in displacement of quiet recreationists, where they permanently avoid an area with high amounts of OHV use. Lake City, Hinsdale County and Highway 149 are becoming such an area. We do not believe it is wise to manage and promote an area for high levels of an activity (such as OHV use) that has the potential to displace the vast majority of other recreational users. This ultimately limits the recreational growth potential of this area.

We have concerns regarding the transparency, and amount of public participation used and potentially to be used in the process to consider OHV use on State Highway 140.

We thank you for your consideration of these comments.

Sincerely;

Tom 

Director

Quiet Use Coalition


The Quiet Use Coalition is a 23-year-old non-profit organization working to preserve and create quiet use areas on our public lands and waters, while protecting natural soundscapes and wildlife habitat



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Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

OHVs on Highway 149

1 message

Fri, Oct 30, 2020 at 5:00 PM

to: Commissioner.Zink@state.co.us

Sidny Zink

Transportation Commission Commissioner for District 8

Dear Sidny Zink;

We are writing to express concerns with the CO149 Pilot Program in Lake City and Hinsdale County and Lake City, CO.

As you likely are aware, this program allowed unlicensed Off-Highway Vehicles (OHVs) such as ATVs, dirt motorcycles, UTVs, etc. to travel on a segment of Colorado State Highway 149. This program, designed by the Colorado Transportation Commission and CDOT, may be considered for renewal.

We are writing to oppose potential renewal of this program

We are concerned that allowing OHVs on Highway 149 compromises the safety of *all* highway users. These vehicles are very different than a regular highway licensed car or truck. They are not designed, nor are they intended to be used for, travel on an improved paved road surface at any time of speed. The tire and other design of these vehicles limits their ability to

Many of the manufacturers of these vehicles specifically warn users not to operate these vehicles on paved roads. This information is contained in owner's manuals and sometimes also on decals on the vehicles themselves.

The ATV Safety Institute (<https://atvsafety.org/the-golden-rules/>) and the Consumer Product Safety Commission (<https://www.cpsc.gov/Safety-Education/Neighborhood-Safety-Network/Toolkits/ATV-Safety>) both state that ATVs should never be ridden on paved public roads.

Many OHVs lack functional equipment and thus it is not possible to operate these vehicles safely on paved roads. Many OHVs lack a rear differential, rear view mirrors, speedometers, a horn, tires approved for road use, functioning brake and turn signal lights, and/or a reverse gear.

The lack of any type of required operator training course in Colorado and most other states permits untrained, unknowledgeable, and unskilled OHV operators to share this Highway with other users. As stated previously, most OHVs are very different than regular licensed cars or trucks, and the skills required to safely operate an OHV are not the same as the skills required to operate a licensed vehicle. People with no previous experience with an OHV were able to rent an OHV in Lake City and within a minute or so be traveling on Highway 149.

We have concerns with the additional pollution put out by OHVs. OHV engines are not subject to the same strict emission standards that regular licensed cars and trucks are subject to. The EPA allows OHV engines to emit up to eight times the amount of certain noxious exhaust particulates than regular licensed car and truck engines. These extra emissions contribute to overall and localized air pollution. We do not believe that promoting additional air pollution should be a goal of Colorado government.

Noise pollution is another concern. OHVs are permitted by Colorado Statute to emit up to 96 dBA in noise. This far exceeds the noise level that most people believe is annoying, and is perceived to be many times louder than the 70 dBA the average highway licensed car or truck permits.

Noxious OHV emissions and noise are compounded when one considers that many OHVs are single passenger vehicles. For example, four ATV engines carrying four adults, each on their own ATV, emit far more pollutants and noise than if the four people all rode in a single highway licensed SUV or jeep. Four personal motorized recreational vehicles raise more dust, increase traffic congestion, and take up limited parking spots much more so than a single jeep.






program will attract more unlicensed OHVs and open the flood gates in 2019. We do not want to be CDOTs test case for unlicensed OHVs on State Hwy 149.

There are a group of people working to restore Lake City's residential and business community to what it was before mechanization silenced the sounds of nature. We are taking different roles in that effort. Mine was to let the Transportation Commission know that there has been no public transparency or county and town government involvement in this pilot program. If it is helpful for you to receive piles of emails and letters as well as calls, we can accommodate your request. We hope this summary and request to bring the Resolution back to the table for suspension or cancellation is a more efficient process for you and us. The supporting evidence is clear. I am available to discuss or answer any questions you may have. Thank you for your consideration and action on this matter.

Respectfully,

Teresa [REDACTED]

8 attachments

-  **Silver World 8-10-18 County, Public Weigh in on Trial OHV Highway 149 Access.docx**
18K
-  **CORA Town of Lake City 9-6-18 Pilot 149.pdf**
63K
-  **Silver World 9-14-18 Trustees Hear Earful on OHVs at Town's Wed, 9-5 meeting.docx**
20K
-  **CORA Hindsale County 9-6-18 Pilot 149.pdf**
500K
-  **Sheriff Bruce 4-20-16 Guidance to Tourist Bohling.pdf**
1380K

and money on a pilot program, it would be prudent to:

- see the outcome of the town vote to know if there will be access to Hwy 149 through the town from the county road,
- involve the BOCC with incoming Commissioner Kristi Borchers and incoming County Sheriff Justin Casey in 2019 in any further pilot program discussions, if not moot after the election, and,
- have public input. The Sunshine Law is in place for a reason. While too late as the pilot program is approved, after more negative public input at the BOCC meeting on September 19th, the commissioners agreed to approach the town trustees and establish a public input process.

There is another major issue in addition to the above. The pilot program discussion with CDOTs Zane Znamenacek, Mike Honn and Major G.A. Dingfelder covered a 2.3 mile stretch of Hwy 149. Sheriff Bruce currently operates an arbitrarily established 4+ mile section of State Highway 149 where he does not enforce the state laws for unlicensed OHVs. For years and continuing to the present, he communicates this publicly (examples below). District Attorney Dan Hotsenpiller is aware of this and responded to a citizen about this matter on September 8, 2017. (copy attached) DA Hotsenpiller mentions in that letter that he has communicated with Colorado State Patrol Captain Hadley. So without question, CSP has knowledge of unlicensed OHVs operating in their jurisdiction. I personally spoke with Sheriff Bruce Wednesday about this matter. While I understand his reasoning, he serves in a law enforcement capacity NOT in a lawmaking capacity. Was the Transportation Commission aware of these issues when asked to approve a pilot program on a 2.3 mile stretch of road? Oh wait, is it 4+ miles under Sheriff Bruce's rules of the road? Is CSP coming to Hinsdale County to enforce the section of highway not included in the 2.3 mile pilot program? How are we planning to measure this in the pilot program?

Attached is an email from Sheriff Bruce describing his lawmaking position on August 29th. Here is an excerpt:

"We have had some not plated that have been caught up on Slum and elsewhere on 149 and per my promise to State Patrol, if detected, we are 100% issuing citations for being outside of my arbitrarily established 4+ mile window. If they go beyond the county line, they are not my problem. Your allegation that there is "...little to no enforcement..." is unsubstantiated and mere speculation.

I opened that stretch of road up simply because I thought it was extremely unfair to our local residents who could not afford to set up LLC's and to our visitors from (primarily) Texas and Oklahoma not to be able to use this limited stretch of roadway."

In addition to the above example, attached is an email from Sheriff Bruce explaining his State Hwy 149 lawmaking to a tourist. (Email attached to Glenn Bohling). Below is another of Sheriff Bruce's posts on a public forum. There are many more examples. These three give a clear picture.

<https://www.rzrforums.net/general-rzr-discussion/84150-street-legal-lake-city.html>

I am no longer a voter in Colorado. My husband and I sold our home in Hinsdale County last year due to the OHV influx after being full-time residents for 10 years and property owners for almost three decades. We are seasonal renters now and hope to be able to return to Lake City if it can be restored to a peaceful community. I have been contacted by over 60 people, including multiple businesses, thanking me for speaking out about what is happening in Lake City at a town meeting on August 15th. The loss of the soul of the community, dust, noise, fumes, wildlife impact, environment impact, etc. are devastating in only a few years. We are enjoying the fabulous fall aspen and will leave at the end of the month. We visited Gunnison, Crested Butte, Ouray, Creede, Durango, Southfork, Salida and Montrose this summer and OHVs have not consumed those towns and they are thriving. OHVs are limited in Silverton. With the neighboring communities not allowing unlicensed vehicles on town streets and state highways, Lake City is attracting the masses. It is quickly becoming a mechanization tourist destination like Pitkin, Tincup and Ohio City. Opening Highway 149 with a pilot

response attached)

- At a meeting of the Lake City Town Trustees on September 5, 2018, the Lake City Town Manager stated to a standing room only group that the Town had not been involved in a pilot program. "Caroline Mitchell responded, "as the Town Manager, I will tell you that nobody from the State of Colorado has reached out to our office and asked us anything". (Silver World 9/14/18 attached). Recording available on town website.
- A CORA request to Hinsdale County reveals the only records they have for a pilot program are email discussions between Sheriff Ron Bruce, Sergeant Mike Honn and Major George Dingfelder. (CORA response attached) In those email exchanges, on July 11th, Sheriff Bruce asks Major Dingfelder, "Am I in a position to share this w/my BOCC? If not, I'll sit on it until you green light it." Later that day, Sheriff Bruce shared an email with the BOCC, Lake City Trustees and his staff and told the group "George had run this up his chain of command (Lt. Col. And Col.) and got their blessing before pursuing it further."
- The public learned about the pilot program on August 1th, when CDOT guest speakers Znamenacek, Honn and Dingfelder attended the BOCC meeting. I was not present but understand from attendees and Silver World reporting that there was overwhelming disapproval.
- No records have been uncovered through the CORA requests of any public meetings hosted by the county or town on the subject of a pilot program. Both local governments confirmed in public meetings on September 20th that there was no public input about the pilot program as they did not know about it. The County acknowledged their work over the years regarding possible routes to complete the loop but did not know about the pilot program. Recordings of both meetings are available.
- Sheriff Bruce stated in an email to Bernadette Hagendorf (copy attached) on August 29th, " The pilot program is being proposed by CDOT, not by the Sheriff's Office. As far as we were concerned, what we had in place was working and in spite of the hysteria by a few, your Sheriff's Office has been taking pretty significant enforcement actions."

Where is all the work with local governments the Transportation Commission was told about in the July 19th memo from David Eller, Kathy Young and Andy Karsian? It appears that the Transportation Commission did not have accurate information regarding work with local governments when they were asked to approve the Resolution in five minutes at 11:15 a.m. on July 19th. This five minutes materially impacts 1,000s of people in Lake City and Hinsdale County who are full-time and seasonal residents and are feeling the impacts OHVs have on their daily lives.

The influx of OHVs this summer created a great deal of turmoil in Lake City and Hinsdale County. **The pilot program surprise put icing on the proverbial cake. The result: A Referendum Petition was submitted yesterday to the Town of Lake City for review as to form and content. Once approved, signatures will be collected. There is no question there are the needed number of signers. This process will result in a special election that could and likely will overturn the existing ordinance allowing OHVs on streets and alleys of the Town of Lake City.** As a point of reference, there have been three votes prior to the current ordinance that were against OHVs on town streets. Should the town ordinance be overturned this winter, there will be no legal access between County Road 20 and State Highway 149. Lake City would revert back to the way it operated peacefully with OHVs in the past. There were previously businesses that shuttled OHVs on the section of State Hwy 149 needed to complete the Alpine loop. Therefore, it is unclear why the Alpine Loop County Byway application dated 12/7/15 submitted by Angela Hollingsworth for consideration in Governor Hickenlooper's Colorado the Beautiful's "16 in 2016" states in # 3 that we were not able to accommodate OHV drivers. Of course, those shuttle companies are now out of business as they were not needed due to lack of enforcement on State Hwy 149.

Hinsdale County has a three-person BOCC and County Sheriff Ron Bruce. By the end of 2018, there will be 50% turnover in that group as Commissioner Dozier and Sheriff Bruce's terms will expire. Before spending state, county and town time

SUBJECT:

Resolution #TC 18-07-xx

Presented to and approved by the Transportation Committee on July 19, 2018

Agenda Item 19, 11:15 a.m. – 11:20 a.m. Discuss and Act on Off Highway Vehicle Permitting on State Highways
(Herman Stockinger & Kathy Young)

REQUEST:

Resolution #TC 18-07-xx be reconsidered and further implementation be suspended at this time.

BACKGROUND:

The subject resolution came as a surprise to Hinsdale County and Lake City residents as well as the Board of County Commissioners (BOCC) and the Trustees of the Town of Lake City. The first public announcement came at the BOCC meeting on August 1st. CDOT guest speakers Zane Znamenacek, Mike Honn and Major G.A. Dingfelder were not greeted with the reception they expected. Sheriff Ron Bruce appears to be the only town or county official that knew about the ALREADY APPROVED pilot program. Quoting from the Lake City Silver World (copy attached), "Znamenacek referenced his view that citizen comments at the meeting had nothing to do with the proposed Pilot Project. "We have permission to do a pilot project," he repeated, noting that the other issues were really not in his purview."

Since that announcement by CDOT, a group of people have been trying to determine how this pilot program came to be approved by the Transportation Commission. We are requesting a review of the pilot program based on the following:

Excerpts from July 19, 2018 memo to the Transportation Commission from David Eller, Kathy Young and Andy Karsian state:

Background: Region 3 has worked with the local governments in southwest Colorado and using language included in recent legislation feel that there may be an opportunity to allow OHVs to travel on a state highway using a special permit developed through a pilot program for that specific area.

Next Steps: If approved, the region will work with State Patrol and the regional local governments to install specific parameters for OHVs to use while travelling on this state highway.

The region and the local governments will monitor the program and collect data on how the travelling public is impacted by the OHVs on the state highway and what, if any, safety factors come into play resulting from the OHVs using the road.

From that memo and Resolution, research began at the local level on what work had been done with local governments. The answer is NONE. The Sheriff was the only local official aware of the pilot program. Findings:

- The response to a Colorado Open Records Act (CORA) request to the Town of Lake City on September 6, 2018 did not indicate the Town of Lake City has been involved in any pilot program discussions with the state. (CORA

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Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

FW: Transportation Commission Resolution #TC 18-07-xx - July 19, 2018

1 message

Teresa [REDACTED]

Sun, May 12, 2019 at 1:43 PM

To: Herman Stockinger <herman.stockinger@state.co.us>

Cc: Jennifer Uebelher <jennifer.uebelher@state.co.us>

Mr. Stockinger,

I sent an email to you and the Transportation Commission members today regarding the May 2019 meeting. Regretfully, I didn't confirm that my auto signature populated my mailing address and phone numbers. That information was inadvertently omitted. For the record, it is:

Teresa [REDACTED]

I'm sending this information on a forwarded email I sent to the Transportation Commission last year. For the record, I received no response.

It is unfortunate that while the original Pilot Project period would expire in a few of months, this matter is being revisited by the TC at such an inappropriate time for Lake City/Hinsdale County.

Teresa [REDACTED]

From: [REDACTED]**Sent:** Friday, September 21, 2018 1:17 PM**To:** commissioner.zink@state.co.us; herman.stockinger@state.co.us; andy.karsian@state.co.us; kathy.young@coag.gov; michael.goolsby@state.co.us**Subject:** Transportation Commission Resolution #TC 18-07-xx - July 19, 2018

CDOT Transportation Commission Secretary Herman Stockinger

Commissioner Sidney Zink, District 8, Hinsdale County

Kathy Young, Chief Transportation Counsel

Michael Goolsby, Region 3 Transportation Director

Andy Karsian, Office of Policy & Government Relation

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Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy 149 Pilot Program Lacks Economic Impact

2 messages

David [REDACTED] Tue, Feb 9, 2021 at 10:11 AM
To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>, "CDOT Engineer Jason C. Smith" <jasonc.smith@state.co.us>, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>
Cc: Colorado Governor Jared Polis <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liaison Jennifer Uebelher <jennifer.uebelher@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Dear Officials: It is not true that the Hwy. 149 Pilot Program has greatly increased sales tax revenue for the Town of Lake City and Hinsdale County. The town and county have claimed that "Sales taxes in the town and county increased 39% during the period of the pilot project (June to October) from 2018 to 2020." This increase includes sales tax on internet sales not collected before October of 2019, resulting in an apples to oranges comparison.

This claimed increase is materially misleading. The data made publicly available by Hinsdale County does not support the claim. Here's why:

1. The 2020 data, for the first time, includes sales tax revenue from sales made over the internet such as by Amazon. Those sales cannot be credibly claimed to be due to visitors riding OHVs who only pass through. Internet sales to fulltime and seasonal residents cannot be attributed to the Pilot Program. Before the advent of OHVs, fulltime and seasonal residents drove other types of 4-wheel drive vehicles to travel the loop.
2. As of today, February 9, the county finance director informs that she has not had time to calculate the percentage of sales tax collected for June 2020, or any month prior thereto, and attributable to internet sales. Without the June 2020 numbers, we cannot accurately compare the June to October sales tax revenue between 2018 and 2020 because tax on internet sales was not received by either the town or county for June 2018. October of 2019 was the first month for which tax on internet sales was received.

An example of the impact of internet sales tax receipts can be seen by comparing the historically largest month of the year, July, for the town, as follows: July 2018 (sales tax from "local sales"--\$87,149.09—no internet tax) to July 2019 (sales tax from "local sales"--\$85,304.58---no internet tax) to July 2020 (gross sales tax from all sales\$111,746.33—less internet tax of \$19,001.88 resulting in "local sales" tax receipts of \$92,734.45). The result is a 6.7% increase in sales tax receipts for the month of July when comparing 2018 to 2020. 6.7% is only slightly more than the increase in the Consumer Price Index over those years, resulting in a minimal effect of "local sales" in real dollars for the economy.

If the 39% claimed increase was due to the Pilot Program, the town and county would have put the numbers in the report and the application. Zane Znamenacek told them to quantify the economic impact of the Pilot Program for you, but they did not because they cannot. For additional information, see my email to you of December 28, 2020, below.

I have pointed out the lack of real economic growth to the local elected officials and none have challenged my conclusions. Why? Because they know there is no real, substantial added economic impact due to the Pilot Program.

You cannot, based on the facts, support renewing the Pilot Program based on a claimed increase in economic activity.

Thank you for your consideration.

David 


2020 resulted in an economic benefit. Here are the numbers: For the town, sales tax revenue from local, on the ground sales in the months of July – September 2020 increased only 1.3% over the same period in 2019; and, for the county, sales tax revenue **decreased 24%**. I'll be happy to share the raw numbers and calculations if you wish.

The town and/or county may claim that 2019 was a “flood” year and “2020” was a COVID year. But, those events did not impact the months of July-September. My personal observation for both years is that all RV campgrounds appeared populated as in prior years; lodging businesses all had “no vacancy” signs and Airbnb type residential rentals were full. In fact, lodging tax revenue in 2020 has been well above historical amounts.

You cannot legitimately base a decision to renew the Pilot Program on claims of economic growth. It simply did not happen.

Please do not renew the Pilot Program.

Thank you for your consideration.

David [REDACTED]

Email: dcherry@haleyolson.com

From: David [REDACTED]

Sent: Monday, December 28, 2020 9:48 AM

To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>; CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>; CDOT Engineer Jason C. Smith <jasonc.smith@state.co.us>; CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>

Cc: Colorado Governor Jared Polis <Governorpolis@state.co.us>; Colorado State Sen. Kerry Donovan <kerry.donovan.senate@state.co.us>; Colorado State Rep. Barbara McLachlan <barbara.mclachlan.house@state.co.us>; Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>; Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>; Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Subject: Hwy 149 Pilot Program Economic Impact

Dear Officials: I own a home in Lake City, am opposed to renewal of the Hwy. 149 Pilot Program, and write to caution you to carefully examine any claim by anyone that the Hwy. 149 Pilot Program has been an economic success. It has not. The lack of sales tax revenue received by the town and county is shocking and local officials have not responded with any explanation of why the onslaught of OHVs in 2020 has not brought the economic growth promised to the voters.

Comparison of sales tax numbers requires understanding a monumental change. In October of 2019 the town and county began to receive sales tax revenue from sales made over the internet for delivery of goods into the area. As a result, the raw sales tax numbers show a large increase for each month beginning in October of 2019, but this data is misleading when attempting to measure growth. The tax revenue from sales made on the ground, locally, must be separated from that received from internet sales to make a comparison to past years, and such requires the county to provide that information. The county finance director has not had time to provide the breakdown for months prior to July of 2020.

At this time, we have the information necessary to make the comparison only for the months of July-September in 2019 and 2020. These months compose 3 of the 4 months OHVs are allowed to operate in the Pilot Program area and the reality is most visiting OHVs leave the area at the end of September when the Pilot Program ends. The sales tax data do not support a claim that the onslaught of OHVs during these months in

On Tue, Oct 27, 2020 at 3:07 PM Beth Kendall <[REDACTED]> wrote:

I would like to express my support for the extension of the Highway 149 Pilot Program 3-5 years or indefinitely. The Pilot Program that has been provided by the States Pilot Program has been a great success for Lake City, allowing all of the locals and visitors staying in town or exploring the Alpine Loop to come into our town and enjoy and support our businesses, during their stay or before completing the rest of the loop.

It also would be extremely helpful to extend the boundaries of the Pilot Program to Elk Road just north of Lake City, giving access to the car wash and the adjoining neighborhoods north of town, and south to the CDOT shop giving access to Woodlake RV Park and the Packers massacre site and all the adjoining neighborhoods south of town.

We have been full time residents in Lake City since June 2016 when we retired and could choose where we would live. We fell in love with Lake City and the area in the mid 1990's, we bought our land in 1998 and built our home in 2005. We love Lake City and are thrilled to share this beautiful place with all of the tourists that can now come down into town on OHV's instead of stopping and turning around at one of the staging areas giving their business to other towns.

We own 1 OHV equipped with a snowplow for clearing snow in the winter and 2 ATV's which allow amazing views with no roof over head for exploring the Alpine Loop and accessing the mountains, hiking, fishing, and everything else outdoors. One of our ATV's also has a snow plow. We love being able to access Highway 149 to get from our house to and from the Loop without needing to use a larger vehicle with trailer to go to drop off the ATV/OHV at one staging area to start the loop and a second one at the other staging area to complete the trip back to town and our house.

Throughout the winter, my husband uses our OHV and plow to clear snow from our driveway and then move down through town helping others who are out shoveling their driveways and are happy to get the help, and on to Wee Care to keep the parking lot clear including attempting to keep up with the snow sliding off the roof and covering the sidewalk to the building, and on and on. He even took special requests to have driveways clear so that people could get out of their driveways to attend church Sunday morning. Because of the Highway restrictions, he can't help anyone south of 1st street with the snow removal.

Intermingled regular vehicle and OHV traffic on Highway 149 worked well... all of the vehicles were on the Highway where they belong, leaving the shoulders of the Highway for all of the pedestrians that use them.

The Alpine Outdoor Association from Lake City did a great job volunteering many, many hours to make sure the visitors to Lake City and the Alpine Loop access to the mountains were given information about the rules they needed to follow and how to take care of our precious area. We especially like that they gave the same information to all of the visitors, regardless of the vehicle they were driving. I overheard many compliments about the information that people received and how helpful it was to understand the issues with high mountain habitats. We thank them for all their hard work.

Thank you,

Beth [REDACTED]

Lake City full time resident



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Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Project

1 message

Gle [REDACTED] Mon, Dec 21, 2020 at 6:48 AM
 To: "Gle [REDACTED]@state.co.us", "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>, "jasonc.smith@state.co.us" <jasonc.smith@state.co.us>, "zane.znamenacek@state.co.us" <zane.znamenacek@state.co.us>
 Cc: "Governorpoli@state.co.us" <Governorpoli@state.co.us>, "kerry.donovan.senate@state.co.us" <kerry.donovan.senate@state.co.us>, "barbara.mclachlan.house@state.co.us" <barbara.mclachlan.house@state.co.us>, "Commissioner.Zink@state.co.us" <Commissioner.Zink@state.co.us>, "jennifer.uebelher@state.co.us" <jennifer.uebelher@state.co.us>, "herman.stockinger@state.co.us" <herman.stockinger@state.co.us>

As a frequent tourist of Lake City Colorado, I am dismayed at the allowance of non-highway vehicles "OHVs" use on the highways and roads in and around Lake City, especially on State Highway 149, the abundance of these vehicles is a serious danger to licensed insured motorist traveling your roads.

My family has been a visitor of Lake City for 20+ years enjoying the peaceful little town as our main summer getaway, not any more, **not peaceful at all as these OHVs speed around town with excessive noise and lack of traffic awareness**, and no law enforcement to be seen.

We had several close calls as they would travel at high rates of speeds around blind corners on steep narrow roads and speed through stop signs.

I have driven mountain roads for years, it is a well-known practice for the descending traffic to give right away to ascending traffic. When meeting oncoming traffic they don't slow down or give right of way to ascending traffic, they would speed on expecting you to yield, was even given obscene gestures, I guess because we didn't pull over and yield to the sometimes 7 or more convoyed vehicles as we were ascending the mountain roads.

These vehicles are not equipped with turn signals and some no brake lights either, always left me guessing to what their intentions were. **The lack of safety equipment is concerning and a traffic hazard.**

These vehicles are open wheeled vehicles spraying debris from their tires as they pass bicyclists and hikers.

I encountered numerous OHVs with young children passengers with no helmets and no seat belts in use as they traveled your roads, absurd that the county is letting that go unchecked.

The county says the OHV must meet certain criteria, but there is an obvious lack of interest to enforce these rules.

I am very concerned that in the event of an accident, being where the ohv is at fault, with no tag, no insurance, who pays damages they will cause, the county would seem to be at fault by allowing these unlicensed/uninsuranced vehicles on the state highways.

Also witnessed an OHV pass my vehicle by running off road on tundra. This destruction of high altitude tundra will ruin your state, it is absurd.

Do you have to let children die before action is taken to prevent these occurrences.

We will not be back to Lake City, Colorado as long as this hazard and complete disregard for traffic laws is allowed

Glen 

Continued Support LLC


On Tue, Oct 27, 2020 at 3:07 PM Beth [REDACTED]

I would like to express my support for the extension of the Highway 149 Pilot Program 3-5 years or indefinitely. The Pilot Program that has been provided by the States Pilot Program has been a great success for Lake City, allowing all of the locals and visitors staying in town or exploring the Alpine Loop to come into our town and enjoy and support our businesses, during their stay or before completing the rest of the loop.

It also would be extremely helpful to extend the boundaries of the Pilot Program to Elk Road just north of Lake City, giving access to the car wash and the adjoining neighborhoods north of town, and south to the CDOT shop giving access to Woodlake RV Park and the Packers massacre site and all the adjoining neighborhoods south of town.

We have been full time residents in Lake City since June 2016 when we retired and could choose where we would live. We fell in love with Lake City and the area in the mid 1990's, we bought our land in 1998 and built our home in 2005. We love Lake City and are thrilled to share this beautiful place with all of the tourists that can now come down into town on OHV's instead of stopping and turning around at one of the staging areas giving their business to other towns.

We own 1 OHV equipped with a snowplow for clearing snow in the winter and 2 ATV's which allow amazing views with no roof over head for exploring the Alpine Loop and accessing the mountains, hiking, fishing, and everything else outdoors. One of our ATV's also has a snow plow. We love being able to access Highway 149 to get from our house to and from the Loop without needing to use a larger vehicle with trailer to go to drop off the ATV/OHV at one staging area to start the loop and a second one at the other staging area to complete the trip back to town and our house.

Throughout the winter, my husband uses our OHV and plow to clear snow from our driveway and then move down through town helping others who are out shoveling their driveways and are happy to get the help, and on to Wee Care to keep the parking lot clear including attempting to keep up with the snow sliding off the roof and covering the sidewalk to the building, and on and on. He even took special requests to have driveways clear so that people could get out of their driveways to attend church Sunday morning. Because of the Highway restrictions, he can't help anyone south of 1st street with the snow removal.

Intermingled regular vehicle and OHV traffic on Highway 149 worked well... all of the vehicles were on the Highway where they belong, leaving the shoulders of the Highway for all of the pedestrians that use them.

The Alpine Outdoor Association from Lake City did a great job volunteering many, many hours to make sure the visitors to Lake City and the Alpine Loop access to the mountains were given information about the rules they needed to follow and how to take care of our precious area. We especially like that they gave the same information to all of the visitors, regardless of the vehicle they were driving. I overheard many compliments about the information that people received and how helpful it was to understand the issues with high mountain habitats. We thank them for all their hard work.

Thank you,

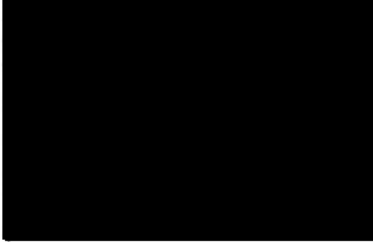
Beth [REDACTED]

Lake City full time resident

On your Agenda today, May 16, 2019 at 10:40 am, you were going to discuss and possibly approve/act on a Resolution to Amend TC RES 08 07 17 for OHV Use/Pilot Program. It is my understanding that you have postponed that agenda item.

Please advise as to the reasons you postponed this agenda item. If you have a link to the recording, I am willing to listen to the meeting as well, I just did not see that on your website.

Regards



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Stockinger - CDOT, Herman <herman.stockinger@state.co.us>

Thu, May 16, 2019 at 5:04 PM

To: A Danielle Worthen <danielle@hallrealty.net>

Cc: Michael Goolsby - CDOT <Michael.Goolsby@state.co.us>, zane.zanamenacek@state.co.us, DAngelo Commissioner - CDOT <commissioner.dangelo@state.co.us>, commissioner.connell@state.co.us, Stuart Commissioner - CDOT <commissioner.stuart@state.co.us>, Hall Commissioner - CDOT <commissioner.hall@state.co.us>, Thiebaut Commissioner - CDOT <commissioner.thiebaut@state.co.us>, Gifford Commissioner - CDOT <commissioner.gifford@state.co.us>, Peterson Commissioner - CDOT <commissioner.peterson@state.co.us>, Zink Commissioner - CDOT <commissioner.zink@state.co.us>, Hofmeister Commissioner - CDOT <commissioner.hofmeister@state.co.us>, commissioner.gilland@state.co.us, commissioner.scott@stae.co.us, Jennifer Uebelher - CDOT <jennifer.uebelher@state.co.us>, kerry.donovan.senate@state.co.us, barbara.mclachlan.house@state.co.us, "Young, Kathy" <kathy.young@coag.gov>, Andy Karsian <andy.karsian@state.co.us>

By not voting on anything today, the existing allowance for a pilot program stays in place. The TC will re-visit this in August. Until then, whatever was happening on the roads yesterday is still allowed today.

Herman Stockinger, Director
Office of Policy & Government Relations
P 303.757.9077 | C 720.810.6934



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Re: Hinsdale County Highway 149 OHV Pilot Project

3 messages

A Danielle [REDACTED]

Thu, May 16, 2019 at 4:12 PM

To: "Stockinger - CDOT, Herman" <herman.stockinger@state.co.us>

Cc: Michael Goolsby - CDOT <Michael.Goolsby@state.co.us>, zane.zanamenacek@state.co.us, commissioner.dangelo@state.co.us, commissioner.connell@state.co.us, commissioner.stuart@state.co.us, commissioner.hall@state.co.us, commissioner.thiebaut@state.co.us, commissioner.gifford@state.co.us, commissioner.peterson@state.co.us, commissioner.zink@state.co.us, commissioner.hofmeister@state.co.us, commissioner.gilland@state.co.us, commissioner.scott@stae.co.us, jennifer.uebelher@state.co.us, kerry.donovan.senate@state.co.us, barbara.mclachlan.house@state.co.us, kathy.young@coag.gov, andy.karsian@state.co.us

Mr. Herman,

Yes, there is a Town of Lake City vote on July 23rd with regard to allowing OHVs on **Town Streets** that would not go into effect until the second week of August. Our tourist season is from Memorial Day until mid September.

As it states in your Commissioner Meeting Packet dated for May 16, 2019 and submitted by Mike Goolsby,

"At present, all parties are ready to implement this project on State Highway (SH) 149 for a short segment this summer."

At Town of Lake City Board of Trustees meetings and Hinsdale County Board of County Commissioner meetings that I have attended, it was discussed that even if the July 23rd vote overturns current allowance of OHV on Town Streets, the Trustees and Commissioners were still in favor of "completing" the Alpine Loop. Included in your packet was Town of Lake City Resolution No. 1030 and Board of County Commissioners Resolution 10, Series 2019. Both signed resolutions state that the the OHV Pilot Program would begin May 2019.

As a long time resident since 1976 and business owner since 2002, I am extremely concerned that your actions will negatively impact the 2019 tourist based economy season and the long term economic impact may be even more devastating.

I urge you and the Transportation Commission to reconsider your decision.

Respectfully,

[REDACTED]

On Thu, May 16, 2019 at 3:19 PM Stockinger - CDOT, Herman <herman.stockinger@state.co.us> wrote:
The TC decided to push the Resolution to August because there is a public vote on the OHV issue in July.

Herman Stockinger, Director
Office of Policy & Government Relations
P 303.757.9077 | C 720.810.6934
Herman.Stockinger@state.co.us

[REDACTED]

On Thu, May 16, 2019 at 2:27 PM A Danielle Worthen <danielle@hallrealty.net> wrote:
Dear Mr. Stockinger & Mr. Goolsby,

We are asking you to discontinue the CO149 OHV Pilot Program. We want a community that is manageable for all and where residents, visitors and OHV riders can co-exist harmoniously. We do NOT want to be the only community in the state that has willfully ignored a law just so a few people can do whatever they want at the expense of the rest.

Sincerely,



George [redacted] and Lonnie [redacted]

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

The CO149 OHV Pilot Program

1 message

James

To: M

Thu, Oct 22, 2020 at 3:51 PM

To Whom It May Concern,

We are 44-year residents and business owners in Lake City and Hinsdale County. We have seen a lot of changes in that time, some good and some not so good. But the shortsighted, arrogant decision to override Colorado State law and allow Off Highway Vehicles (OHVs) on the State Highway is by far the worst. A Court of Law decided in 2018 that it was illegal for OHVs to operate on State Highways. Period. Yet the powers-that-be found a way to ignore that law and implement the OHV Pilot Program.

The CO149 OHV Pilot Program has negatively impacted the community of Lake City and Hinsdale County in several ways:

- A significant and harmful increase in noise pollution
- Increases in dust in the air and a corresponding increase in respiratory distress especially within older citizens
- Damage to the dirt roads throughout the county
- A rise in dangerous conflicts with legal vehicles on the highway
- Increased costs in terms of maintenance and no commensurate fees to cover those costs as OHVs pay no fees

Now, those same powers-that-be want to continue to ignore State Law and extend the CO149 Pilot Program not just geographically but also to a full twelve months of the year. The main proponents of the extension of the CO149 OHV Pilot Program are a small number of Lake City residents who simply want to be able to drive their OHVs wherever and whenever they want. The residents of Hinsdale County have not been given a voice nor have they been allowed to participate in the decision about the CO149 OHV Pilot Program because voting on the issue was limited only to Lake City residents rather than the entire county. This small cadre of people have been able to maneuver around the laws and shove their selfish desires down the throats of the residents of Hinsdale County. That isn't fair and it isn't right!

Because OHV riders do not pay fees, as do owners of legal vehicles, the burden of paying for the damages they cause is shouldered by the taxpayers of Hinsdale County the majority of whom don't own an OHV. Yet again this isn't fair and it isn't right!

We are not opposed to change and embrace the notion that change is needed in order for there to be progress. However, we do not feel the overriding State Law and allowing vehicles that by their very name – Off Highway Vehicles – are not meant to be operated on State Highways is a change that results in progress. Hinsdale County generally and Lake City specifically have always been where people can come to experience the magnificence of the natural beauty of Colorado. It is our opinion that OHVs do not contribute to the experience of the beauty of Colorado, rather they detract from it. That said, we also don't believe they should be done away with. We respect the rights of people to live and recreate how they want as long as they do so within established laws.

Creede Colorado, a town roughly the same size as Lake City, allows OHVs on only one street within the city. They have had this ordinance since 2016 and have had zero issues with it. OHV riders adhere to it without complaint. There are staging areas where OHV riders can unload and drive their vehicles on appropriate roads and trails. This is a system that works and is well understood by OHV riders. It also is in line with other states that similarly legislate OHVs.

Forwarded message

Date: Thu, May 3, 2019 at 5:40 PM
 Subject: OPPOSITION to Alpine Loop CR149 Pilot Program
 To: Lenore.Bates@state.co.us <Lenore.Bates@state.co.us>

HELLO LENORE!

We visited at the 2018 Southern Colorado Tourism Conference in Pueblo. I was expressing an interest in helping to organize a Byway Committee for the Alpine Loop. My interest remains, however in the meantime...

Our County and Town elected officials have submitted application to Zane and the Transportation Commission to allow OHV's to operate on a paved state highway in order to "complete the Alpine Loop" for vehicles not currently legal to operate on our state highways. These elected officials are all motorsports enthusiasts and have supported our Sheriff in NOT enforcing traffic laws on Highway 149 by allowing OHVs to travel on the highway. It has been widely publicized for multiple years now. This Pilot Program will officially legalize it and that Genie will never go back into the bottle.

Will you please read the email I sent to the Commission below? The SAFETY concerns are astounding, and there are many, many of us opposing this ridiculous plan for the precious Alpine Loop.

Have you been involved in this at all? Are you being kept up to date? Because this all seems like it has not seen the light of day, and it is so terribly COUNTER to the core intentions of the Byway Program.

Please read my email below! And I do hope to hear back from you.

Thank you, Lenore

Owner, The Matterhorn Motel, Lake City, Colorado

To: Zane Znamenacek and Colorado Transportation Commission Staff and Members

From: Debra Goodman, Owner: The Matterhorn Motel, Lake City, Colorado

Re: CO149 Pilot Program Application

Dear Mr. Znamenacek and esteemed Members and Staff of the Colorado Transportation Commission,

I am writing today to voice my complete **opposition** to the CO149 Pilot Program Application. I am formally asking each of you to **REJECT this application in order to protect the SAFETY** of our residents and visitors.

SAFETY

That a program with the **well-documented safety issues** such as this has made it to this place is actually shocking to me. I believe that the original intention was to complete the Alpine Loop via a dirt road, but this is not the case. The revised plan will **IRRESPONSIBLY** allow OHVs to drive legally on the **paved surface of a Colorado State Highway!**

The Specialty Vehicle Institute of America position paper states:

- "As a percentage of total ATV related fatalities, **on-road fatalities** were an alarming **48.7%** of the total.
- 92% of ATV related fatalities involve behaviors that the Industry warns against... including operating on **paved roads.** "
- "ATV's are designed, manufactured and sold for **off road use only.**

- Permitting use of ATVs on roads would be a conflict with manufacturers intention and would be **contrary to federal safety requirements.**
- "SVIA. . urges that **on-highway use of ATV's be prohibited** and that the law enforcement efforts be strengthened to eliminate this dangerous practice."

Consumer Federation of America

- "Given that ATVs are not designed to be driven on roads, that industry, the CPSC and consumer and safety advocates are in agreement that ATVs **should not be operated on roads**, and that most **ATV deaths take place on roads, states should be working to restrict OHV access to public roads.**"

Consumer Product Safety Commission (CPSC)

- "65 percent of **ATV Deaths Occur on Roads**"
- "**On-Road Deaths** Increased 284 percent while **Off-Road Deaths** Increased 155 percent." (CPSC data from 1998 - 2007)

Fatality Analysis Reporting System (FARS)

- "74 percent of **ATV Deaths on Public Roads** are on **Paved Roads.**"

ATV Safety Institute

- "ATVs are designed to be operated **off-highway.**"
- "Never ride on **paved roads.**"

Polaris Ace, 2019 Owner's Manual:

- "Operating this vehicle on public streets, roads or highways could result in a collision with another vehicle. **Never operate this vehicle on any public street, road or highway**, including dirt and gravel roads (unless designated for off-highway use)."
- "Never operate the vehicle on **pavement** or on any public street, road or highway, including dirt and gravel roads."
- "This vehicle's tires are designed for off-road use only, **not for use on pavement**. Operating this vehicle on paved surfaces (including sidewalks, paths, parking lots and driveways) may adversely affect the handling of the vehicle and may **increase the risk of loss of control and accident or rollover**. Avoid operating the vehicle **on pavement**."
- "Improper vehicle use can result in **SEVERE INJURY or DEATH**. **NEVER** allow vehicle to be operated on **paved surfaces** - pavement may seriously affect handling and control."

Arctic Cat Wildcat Sport XT Owner's Manual

- "The vehicle's tires are designed for off-road use only, **not for use on pavement**. Paved surfaces may seriously affect handling and control of the vehicle and may cause the vehicle to go out of control."

Kawasaki TERYX4 Owner's Manual

- "Use of this vehicle on public roads and **paved surfaces is hazardous.**"

TEXTRON Alterra VLX 700 Owner's Manual

- "Always **avoid paved surfaces**. ATVs are **not designed to be used on paved surfaces** and may seriously affect handling and control."

Kawasaki TERYX4 Owner's Manual

- "Remember that this vehicle is not for use on public streets, roads, or **highways.**"
- "Do not operate this vehicle on public roads or **paved surfaces.**"

INABILITY TO MANAGE

- The Hinsdale County Sheriff (both past and present) have gone on the record stating that they do not have the manpower or resources to enforce **traffic laws.**
- The Hinsdale County Commissioners have been quite vocal with the information that our County does not have the resources to enforce **traffic laws** with the amount of OHV traffic we have.
- Lake City Town Trustees have made it very clear that the Town does not have the resources to enforce **traffic laws.**
- Colorado State Highway Patrol does not provide regular and consistent officers to enforce **traffic laws** in Hinsdale County.

THE ECONOMICS

It has been made clear that this effort is in the name of economic development, i can assure you first hand with my business, and through study of local economic data, that the increase in OHV traffic in our Town and County is NOT resulting in economic increases.

- Sales tax trends have remained unchanged
- Real Estate values are going down
- A significant percentage of our businesses are closing or being repossessed.
- Loyal visitors are offended and going elsewhere.
- More OHVs mean fewer hikers and anglers.
- Increases in business are limited to a very few fuel and dining establishments.

**Please do not believe that economic drivers are a compelling reason to take this RISK on public SAFETY!
The facts prove otherwise!**

SAFETY must be our priority.

I implore you to please make the responsible decision to REJECT THE APPLICATION by Hinsdale County and the Town of Lake City.

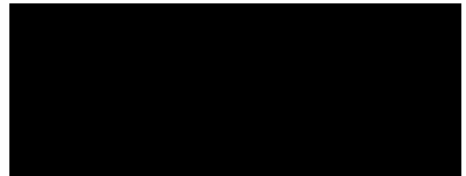
Please protect our citizens and visitors!

Discontinue a seriously dangerous program.

With my very sincere regards



OWNER, The Matterhorn Motel
Lake City, Colorado



Subject: Re: Hinsdale County OHV Pilot Program



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>

Mon, Nov 2, 2020, 2:15 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Kelsey, thank you for the input. Be sure to let your local officials know your thoughts as well.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Mon, Nov 2, 2020 at 2:10 PM Erik and Kelsey [REDACTED]

Hello -

I am writing this letter to show my support of the Hinsdale County OHV Pilot program, allowing ATVs to ride on the highway during the summer. I was very surprised to hear that some individuals are pushing this program after the town voted 'Yes' to allow them on the streets in order to support the economy. But now, because they are considered 'noisy' it is being taken to a whole new level to ensure ATVs cannot access town by limiting their ability to access OHV trails at all, unless by trailer.

As a citizen that spent their entire adolescent life in Lake City, I know that the town survives off one industry - tourism. Without it, Lake City would turn into a ghost town. A good portion of tourism comes from OHVs and without it, the economy would take a significant hit, resulting in a harsher winter than homeowners and business owners already face. Because of the pilot program, Lake City is able to flourish and generate revenue off tourists who decide to make Silverton and Ouray their destinations. All these OHV owners want to do is be able to complete the historic Alpine Loop and experience all the historic towns it's tied to. Eliminating the OHV pilot program is basically telling OHVs both staying in Lake City and Silverton, 'sorry, we don't want you'.

To the people complaining they don't want ATVs because they are noisy, motorcycles are just as noisy and are legal on all highways. OHV supporters aren't asking for this to be a year-round initiative, they're asking for this to be available in the summers to ensure Lake City's economy stays strong for further years. If the pilot program is removed, Lake City will face a decrease in the economy similar to

community. I think those conversations are good. Dissent is good. Discussion is good. Debate is good. Political Science Theory actually states these types of honest conversations make our Democracy stronger. I will continue to have "honest" conversations with my peers, community members, and elected officials as I have every Right to do so – whether they choose to engage or respond to me is up to them.

I'm not sure what type of snowplowing restrictions you are referring to. I have never suggested shutting-down OHVs engaged in snow plowing operations. In fact, the previous Joint County/Town OHV Workgroup discussed OHV snow plowing operations. We were all in favor of allowing this type of OHV operation to continue without exception or restriction. If memory serves me correctly, the Colorado Revised Statutes (CRS) provides an exemption that allows OHVs to perform snow plowing operations. I am unaware of any individual in the Town or County who seeks (or sought) to prevent snow plowing operations by OHVs, so I'm not sure where your comments are coming from.

CO149 Pilot Program expansion. I actually submitted a proposal to the Joint County/Town OHV Workgroup, CDOT, and Zane Znamenacek for extensions beyond just connecting the Loop. You would need to speak with the Commissioners, the Trustees, and Zane Znamenacek to ascertain why and how other ideas were or were not incorporated into the current CO149 OHV Pilot Program. The OHV Workgroup, consisting of members from both sides of this issue, submitted solid "compromise" ideas that were never acted upon by the County and Town. Granted, heavy snowfall and avalanches impacted our community that winter, but the OHV Workgroup never met again. Our ideas died on the vine and never saw the light of day ever again.

I have copies of all plans and ideas submitted by me and others to the Joint County/Town OHV Workgroup. I have copies of all email that was sent to Local and State officials regarding our progress. I also have copies of extensive notes taken during those discussions. We had 3 solid "Options" that ranged from very restrictive to limited restrictions with defined OHV routes. The defined routes allowed access to all major businesses but also provided some protection to neighborhoods and homes. The OHV Workgroup discussed, debated, considered, and ultimately approved these "Options". The "Options" were presented to the Town and County. As mentioned above, no official action was ever taken by the Town or County with any of our ideas.

It is great that you wave to OHV operators as they drive through your neighborhood. It is also interesting to note that you were able to have signage posted near your home to slow-down the traffic in your neighborhood. I try to wave at OHVs when I am out walking, hiking or cycling on any of the roads in our Town and County. It seems as if there is a 50/50 split with these operators as to whether they slow down or give me space on the road as a pedestrian or bicyclist. I generally reserve my "waves" for those considerate drivers who don't leave me in a cloud of dust or threaten my safety.

I was run-off the road recently while bicycling in Lake City. The occupants of that vehicle yelled at me and told me to "get out of the road". I tried to explain to these visitors that I had every Right occupy the road as a bicyclist and was threatened with bodily harm.

The vehicle then followed me into Ball Flats and continued to communicate with me via their "middle finger".

It is refreshing to read you would like to have discussions with others in the community with regards to "control", "traffic", "fast" and "egregious" driving, and "dust". It sounds as if you and others in the community might actually use these areas as common ground to further the discussion in a more positive and productive manner.

The Alpine Outdoor Association (AOA) has a growing reputation in the community. Articles written by Grant in the Silver World Newspaper describe the activities of this group as addressing the destructive effects of all vehicles when operating in our backcountry. These articles indicate that the AOA is encouraging good behavior by policing all motorized enthusiasts, and this indicates AOA is aware of problems existing in our community.

Commissioner Gutterman and Trustee Martin spoke highly of the AOA at recent public meetings. They are trying to create a Tourism Management Group (TMG) that invites all stakeholders to the table for these types of discussions. Gutterman and Martin specifically mentioned a desire to have the AOA at the table to participate in a process that addresses all community concerns. After attending several public meetings with the TMG, it appears that the desire is to address a broad-section of concerns that are impacting our community – not just your concerns or my concerns – the concerns of everyone.

I find it odd that you should be the only person within the community allowed to voice ideas, concerns, or solutions without being accused of being "hysterical". As a retired law enforcement officer, you of all people, should know that you should not believe anything that you hear and only half of what you see. So, in that vein, thank you for allowing me to comment on whatever you may have "heard" about my "hysterical" speech.

As for your observation of my "hysterical speech", I can only say that those are *your* observations, and I have no control on how you observe or perceive my speech in our shared Democracy. What you think of me is none of my business, but I am interested in what you have to say about solutions to community-wide issues of concern.

Sincerely,

Peter



On Sep 30, 2020, at 11:09 AM, Ron [REDACTED]

Peter-

Your vehement and often hysterical speech against the OHV's is nothing short of disheartening. However, I continue to believe the majority of voters still want their presence in Lake City and Hinsdale County. Is there some discussion needed about perhaps a bit more control? Sure. But honest conversation is needed and not the hysteria I'm hearing.

I am also 100% in favor of the Town and County endorsing a renewal of the "permit". But, I also believe putting a calendar window, as far as a month to month allowance, is silly and hurts the local folks w/these machines. The weather will shut down the highway when it needs to be. We have folks w/snowplows that assist folks who cannot afford to pay for plowing or elderly residents in need of that assistance. Let's not slam the doors on our locals by shutting the highway down with an arbitrary closure date.

We also need to extend the allowed highway use, north to Elk Road and south to the CDOT yard. Because so many of OHV operators desire to hose off the road grime they accumulate while traveling the Loop, they cannot drive directly to the car wash. Instead this moves them to travel up and down Ocean Wave, Black Bear and through San Juan Springs roads and then return to 149 via this same route. We get significant OHV traffic on Ocean Wave Drive past the front of our home as a result. Most are well behaved and if on our deck as they pass, we simply wave at them (with all five digits). Some drive too fast, some egregiously but honestly, the greatest number of speeders are folks who actually live on these streets. They and others are largely in passenger type vehicles. They constitute the majority of speeders. In any case, a significant amount of dust is thrown up, even w/mag-chloride application. Allowing traffic to Elk Road affords our residents and visitors renting or owning homes to the north side of town that ability to utilize 149 and would significantly reduce OHV traffic on the aforementioned roads. Whether or not this comes to pass, we will still be welcoming these folks to Lake City/Hinsdale County and pleasantly wave to them as they pass by.

Respectfully.

Ron [REDACTED]
Vice President Alpine Outdoor Association
Lake City, CO





STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Letter from J.L. [REDACTED] ref. CO149 Pilot Program (Transportation Commission)

1 message

03 AM

Transportation Commissioners:

I received the attached letter from J.L. Jones, a seasonal resident and 2nd homeowner in Hinsdale County. Mr. Jones granted me permission to share his letter with you. His letter articulates the frustration that many 2nd homeowners in Hinsdale County feel, and that is a feeling of financial contribution to Lake City and Hinsdale County without having a voice in decisions made by Local and State officials regarding the CO149 Pilot Program. – PDN

Peter,

This letter is regarding the current discussion of OHV's being allowed on Colorado State Highways. According to a recent letter sent out by the Alpine Outdoor (AOA) Association dated October 11, 2020, there is a small and highly but highly vocal group that continues to express displeasure at losing the election for the OHV Pilot project.

The citizens of Lake City defeated the vote for the OHV Pilot project three times. The main basis for the argument for allowing masses of OHV's into a small mountain town such as Lake City has been economics-it supposedly has increased sales tax revenue for the City and contributed to the economy of Hinsdale County. The real economy of Lake City depends on most taxpayers who are 2nd homeowners or who live in the County and cannot vote in City elections. This group of residents pays approximately 80% of the County taxes according to the number of tax assessments sent out of State. This group pays most of the taxes for the School, the health center, and the County Sheriff's Office and Constables. This group supports the Lake City Museum, the Lake City Arts, the businesses in Lake City, and the trades people who live in Lake City. Many of these residents spend thousands of dollars in Lake City every year and I have records that indicate that I have spent an average of \$8,500/year in home maintenance. This group is not a small group and it represents most of the resident owners in Hinsdale CT, but most cannot vote in any election.

The group of residents against OHV travel in LC have been characterized by others, in statements at meetings and the "Silver World" Newspaper, as spoiled retirees and blithering idiots. The group against the pilot program represents many people with various backgrounds and training from many States. Many of us worked 30-40 years to be able to build or purchase a summer residence in the San Juan Mountains. Most of the people in this group would state that they came to the Lake City area for the natural majesty, peacefulness, natural tranquility, and climate. On the two blocks of the street that I live on we have had several new homes being built or completed for approximately \$1,500,000. The residents are from Texas, Oklahoma, Florida, Georgia, and Lake City. My street is 100 yards east of State HWY 149 and all we hear all day is the incessant noise of OHV's. The residents on my street are all against the OHV pilot program but we cannot vote since we live in the County or we are non-residents.

We are not against the summer residents who reside in RV parks (7 in Hinsdale CT) who collectively spend millions of dollars into the local economy and who used to bring and keep OHV's on trailers on site. Normally these OHV's were transported on trailers to designated disembarkation areas. When my Family comes to LC with OHV's, they keep them on trailers and drive to the staging areas. The Family uses licensed vehicles to travel in LC.

If a person examines historical quarterly tax revenues for LC, it will be noticed that on occasion the winter quarter post the highest tax revenue for the year. The 2020 year has been an unusual year due to the COVID outbreak. The highways have shown more traffic than I have encountered in my 25 years of travel across three States. This situation resulted in the most traffic I have seen in LC since 1995. The daily visit by OHV's into Hinsdale CT and LC probably has increased over all quarterly tax revenue. How many OHV's purchasing lunch, drinks and filling 5-gallon gas tanks would it take to equal the \$12,000 I poured into the economy? There are several shop keepers who want to produce a large income in three months which equates to their voting for any program that will increase income for themselves.

Most resident owners and taxpayers worked all their lives 40+hr/week in order to purchase or build a home to get away from all the big city traffic and to live in a peaceful small mountain village. Do the people who live in Grand Junction, Denver, Durango, or other towns in Colorado desire to have OHV's traveling down their streets at all times during the day?

I spend \$3,000 a year in LC for taxes and fees. How many of the daily OHV tourist pay this amount into Hinsdale CT? The Group against the CO 149 Pilot Program have provided their capital and many years of their lives devoted to preserving the culture, peace and solitude of the LC area and Colorado. Do the interest and requirements of a group of mechanized people traveling through LC for one day deserve the same degree of consideration from COOT?

The AOA members own OHV's on private property and must use CO HWY 149 to go into LC and take care of personal business. How do you think I feel when I drive my licensed legal vehicle (which cost me \$80 to register and pay to the County and State) to the Post Office and an OHV parks next to me that is not street legal or licensed? The AOA group wishes to be able to drive their OHV's anywhere in town 24 hours a day 365 days a year, and they are of the opinion they have the legal right to do so. Their request really has nothing to do with the Alpine Loop CO 149 Pilot Program.

OHV's are off-highway vehicles that are not certified for use on highways, paved roads or hard pack surfaces. Not one OHV is certified by the Federal Government to comply with crash test standards. All the OHV trade groups and manufacturers state the same in their literature.

There have been numerous observations by people in the field such as professional hiking guides who have reported destruction of the native tundra/vegetation by OHV's in restricted areas. The excess travel and presence of OHV's has been a big factor in the deterioration of CT roads 20 and 30. The roads are in the worst condition I have experienced in 20 years. The County Commissioners claim there is not the budget to maintain the roads. This is a critical situation in the entire State of Colorado and the Forest Service, BLM, the State, and the Counties must come up with some type of overall plan.

A previous Hinsdale County Sherriff stated that the CT does not have the resources to enforce all the guidelines and State regulations involving the increased OHV traffic on CO HWY 149 and the CT roads involved in the Alpine Loop. All that an OHV owner must do is to obtain a State tag at designated sporting goods stores to be able to travel in Federal Forest/National Parks. No one examines the OHV's for equipment that meets or satisfies the guidelines or State regulations for an OHV.

Many of my neighbors, colleagues, and lifetime LC residents travel to Creed, Alamosa, Gunnison, and Montrose and we all have observed OHV's north and south of LC on HWY 149 even as far south as the Continental Divide. We have not observed the presence of CSP or Hinsdale CT Sherriff Constables except in a few cases. Every day I have observed speeding OHV's driving down CO HWY149 in Wades Edition.

Our Group is basically attempting to preserve the culture and all the basic reasons why anyone would wish to own a residence in LC. We are certainly not devoted to building a mecca for a population of people who are devoted to some type of mechanical vehicle.

Respectfully yours,

J. L. 



October 16, 2020

Ms. Sidney Zink
Transportation Commission Commissioner for District 8
Via email: commissioner.hall@state.co.us

Re: Hinsdale County OHV Pilot Program
Highway 149 in Lake City, Colorado

Dear Commissioner Zink:

I am writing to provide my input into my experiences into the above referenced OHV Pilot Program in Lake City, Colorado. Having lived in Lake City, Colorado as a full-time resident and business owner for more than a decade, I know the town and surrounding high country very well. My wife and I own a house in Wades Addition, and also own an 8-acre parcel of land located at 11005 County Road 30 near the Sherman Townsite on the Alpine Loop. I am an avid hiker, climber, runner, skier, and ATV owner, and was initially open to the idea of increasing OHV access in certain parts of town to see how increased OHV access impacted the town economy. Unfortunately, I have become convinced over the past two years that no amount of improved economic conditions in town due to expanded OHV access on Highway 149 are worth the negative impacts that come with more OHV access.

I have observed the following negative impacts with increased OHV access on Highway 149:

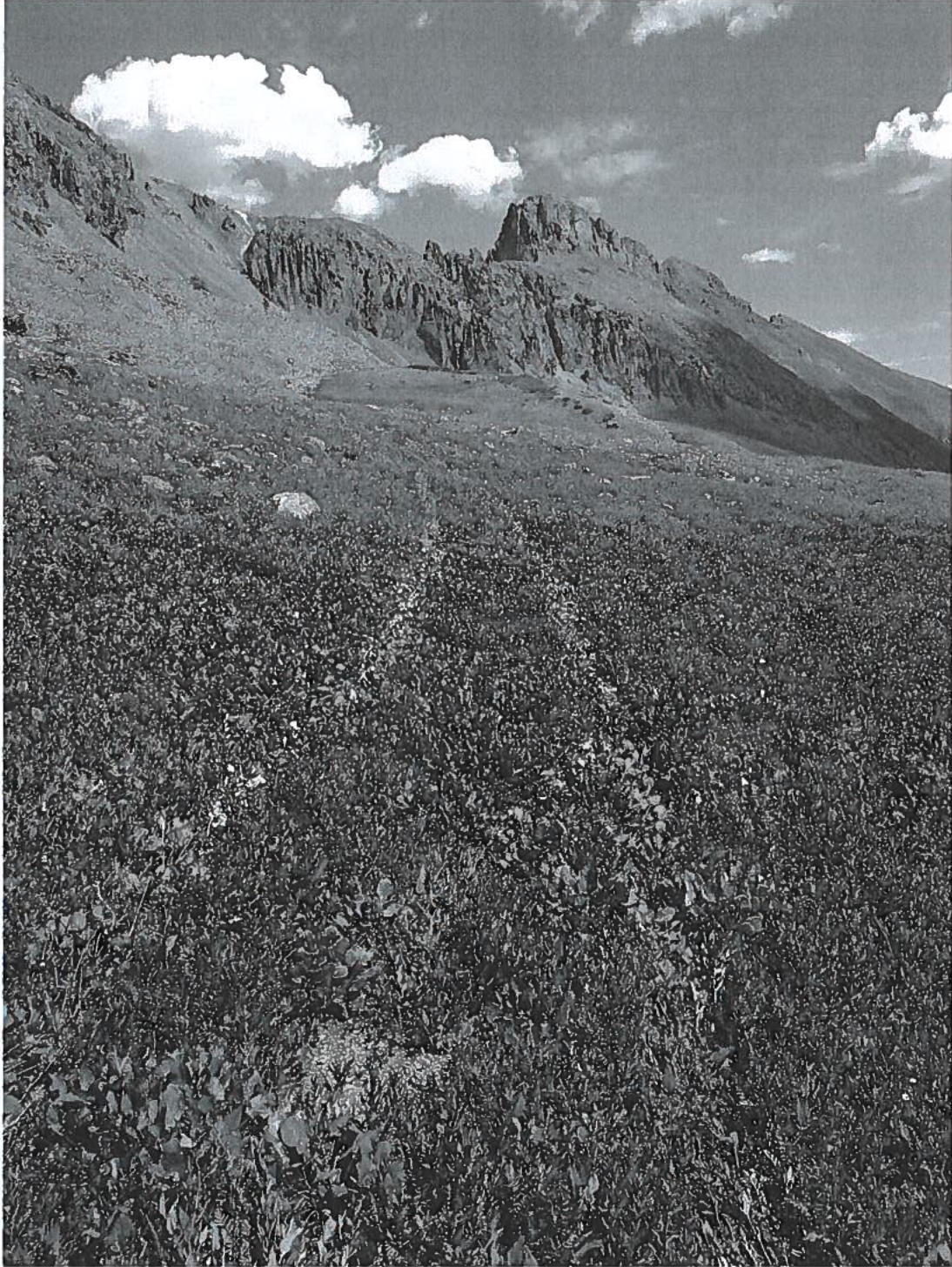
- 1) Significant increases in the town noise levels. While nearly all vehicles make some noise while in operation, OHVs are on average significantly louder than muffled automobiles. Further, many OHVs, particularly side-by-sides, are outfitted with loud sound systems upon which the operator can play music. The incessant flow of OHV traffic down Highway 149 through Wades Addition is easy to hear inside our house, while typical automobile traffic cannot be heard inside our home. Loud music from speakers that are not contained inside the vehicle's interior only exacerbates the noise problem.
- 2) Significant increases in littering along the Alpine Loop, and Highway 149 corridor. As a runner (ultramarathon runner), I have spent literally months of my life running along Highway 149 and the Alpine Loop training over the past ten years. One thing that I particularly valued about Lake City and its surrounding high country, was that historically the area was not inundated with litter. I would find an occasional piece of trash on one of my runs, and would pick it up and put it in my pocket so that it could be properly thrown away when I returned home. However, since the OHV Pilot Program began, the number of plastic water bottles, beer cans, candy/energy bar wrappers, chip bags, human waste, tampons, and discarded used toilet paper that I find along Highway 149 and the Alpine Loop have increased significantly. Such disrespect for the pristine high country should not be tolerated, and shows that the typical OHV user does not value the natural resources in the area in the same way as the historical visitors. While not all trash found can be

attributed to an OHV user, the sheer increase in trash that has occurred over the past two years surely must have a connection with the increased OHV usage. I have not observed increased levels of litter/trash on fourteeners, along fishing rivers, or in hiking areas where OHVs are not allowed during this same two year period.

- 3) Off Road abuse of the high country and alpine tundra. One of the most horrific developments to come of the OHV Pilot Program is the illegal operation of OHVs off designated roads and pathways in the high country. As I'm sure you know, the tundra is extremely fragile, and damage caused by OHVs can take years to recover. I truly wish that OHVs were outlawed on the Alpine Loop for this reason alone. I have hiked the 100 highest peaks in Colorado, and have climbing more than 350 peaks over 13,000 feet. Never have I seen such blatant disregard for the tundra as I have over the past two years.





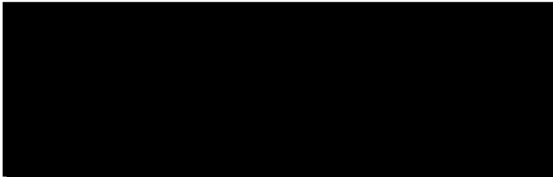


- 4) Harassment of wildlife. I have seen people in OHVs chase moose and deer in their OHVs. This is simply unacceptable.

In summary, there are very few places left in Colorado like Lake City and its surrounding high country. Lake City is special because it is much more wild and pristine than most areas in Colorado. I hope that you will consider the negative impacts that the OHV pilot program has

had on the area as seen by someone that loves it and knows it as well as I do. I implore you to deny and prohibit OHV access to Highway 149. As I said in the beginning of this letter, I was initially open to the idea, but now am no longer a supporter due to the damage to the back country, the litter, and the noise pollution that it brings to the area. Please help us keep the few remaining magical areas in Colorado wild and safe, and thank you for your time.

Best wishes,



May 11, 2019

Colorado Department of Transportation
Colorado Transportation Commission
Denver, CO

via email

Re: Resolution to Amend Resolution 8-07-17 – OHV Use/Pilot Program

Dear Commissioners,

My name is Michelle [REDACTED] and I have lived in Lake City since September of 1984. I worked for the Town of Lake City for nearly 28 years and retired from my position as town manager in 2012. I have served on numerous boards and commissions and currently serve as Hinsdale County's representative to, and board president of, the Upper Gunnison River Water Conservancy District. I fully appreciate the challenges and difficulties that arise from time to time during your terms in office.

Though I've already communicated some of my concerns to you, I wanted to take some time to provide you with additional information regarding the lack of an appropriate and transparent public process for the establishment of the OHV Pilot Program and the 16 Trails in 2016 project that led to it. Had these processes taken place, you would have had the benefit of all of the concerns that have been expressed to you over the past few weeks prior to your adoption of the original resolution in July of 2018.

With this in mind, I've developed the following timeline regarding the order of events leading up to the proposed Pilot Program and have attached several associated documents.

1. June, 2015. Governor Hickenlooper launched his Colorado the Beautiful Initiative for the 16 Trails in 2016 Project.
2. August 25, 2015. Great Outdoors Colorado (GoCo) and the Colorado Department of Natural Resources (DNR) announce the schedule of outreach sessions for the 16 Trails in 2016 Project (see attached). Note that the closest meetings were 160 miles away in Grand Junction on September 3, 2015 and Bayfield on September 24, 2015. It is not known who from Lake City or Hinsdale County attended.
3. December 7, 2015. A hastily and poorly prepared application for the inclusion of the Alpine Loop Backcountry Byway in the 16 Trails in 2016 was submitted to the Department of Natural Resources (see attached). Though one of the Hinsdale County Commissioners was copied with the transmitting email, a search of meeting agendas reveals that this matter was never brought up during a public meeting of either the Lake City Board of Trustees or the Hinsdale County Board of Commissioners.
4. January 20, 2016. Governor Hickenlooper announces the 16 highest priority trail projects (see attached). The ill-prepared application for the Alpine Loop Backcountry Byway was

chosen from a field of 200 submissions. No public announcement of the success of this application was made in our local newspaper or in any public meeting in our community.

There is reason to believe that the Department of Natural Resources did not follow its own protocol for appropriate public outreach during the 16 Trails in 2016 selection process.

5. July 19, 2018 (more than two years later). The Colorado Transportation Commission adopts a resolution instructing the Colorado Department of Transportation (CDOT) regions on permitting of off-highway vehicles for travel on state highways (see attached.) Note the language stating that CDOT Transportation Region 3 has worked with our local governments. The Lake City town manager has been adamant about the fact that neither she nor the trustees knew anything about this. There's no evidence that the Hinsdale County Commissioners met with them either – at least not publicly.
6. August 1, 2018. The Hinsdale County Commissioners meeting. This was the first time that the public was made aware of the proposed Pilot Project. The meeting agenda item was vague (attached – see item 10), however, many folks appeared at the meeting to comment on the OHV issue in general (see article in 8-10-2018 issue of the Silver World, attached).

This article brings up a number of points:

- a. In spite of more than one CORA request for specific information about the Pilot Program, the email from Zane Znamenacek that Hinsdale County Commissioner Dozier refers to in paragraph 5 has not been produced.
 - b. Note that Hinsdale County Sheriff Ron Bruce informs those present that this process was “top down”.
 - c. Note that Mr. Znamenacek states that citizen comments at the meeting had nothing to do with the Pilot Program.
 - d. Note the last sentence of the article where Hinsdale County Commissioner Thompson states that this meeting was for public input on the Pilot Program process. This is contrary to the way the agenda reads and contrary to Mr. Znamenacek's previous statement.
 - e. Note that Hinsdale County Commissioner Thompson claims that there have been regular public meetings in both spring and fall to discuss ongoing OHV issues. A search of the Commissioners' meeting agendas reveals that there was no public discussion prior to the August 2018 meeting about the Pilot Project.
 - f. Note that commissioner candidate Kristie Borchers specifically asks about a public scoping process.
7. September 19, 2018. Hinsdale County Commissioners Meeting. More input from the community on the Pilot Program (see attached article in October 12, 2018 issue of the Silver World).

8. April 3, 2019. Hinsdale County Commissioners Meeting. More input from the community on the Pilot Program (see attached article in April 19, 2019 issue of the Silver World).

I hope you find the above information helpful in understanding the confusion and frustration that have been expressed to you by many in our community in recent weeks.

Please revoke, or suspend, all authority you have given to proceed with the Hinsdale County Highway 149 Pilot Program until properly noticed and conducted public meetings are held in Lake City, the only municipality in Hinsdale County. These meetings are necessary for all interested parties to have an opportunity to participate in the process and present their concerns about the Pilot Program to you for your consideration. Thank you very much for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle", followed by a horizontal line.

Michelle [REDACTED]

[REDACTED]
Lake City, CO 81235



COLORADO
Department of Natural Resources

August 25, 2015

Contacts

Jake Houston, GOCO, 303-733-1234

Aaron Serna, DNR, 303-733-1234

Outreach sessions set for Colorado the Beautiful, 16 Trails in 2016 Project, and GOCO Connect Initiative

DENVER --Staff from Great Outdoors Colorado (GOCO) and the Department of Natural Resources (DNR) will be visiting communities throughout the state to engage in discussions on Colorado the Beautiful and the 16 Trails in 2016 Project.

Gov. John Hickenlooper outlined the next steps for the Colorado the Beautiful Initiative in June 2015 at GOCO's Outdoors Summit in Denver. He announced the state would build a comprehensive outdoor recreation map to include all trails, open spaces, parks and protected lands, with publication planned in 2016.

Gov. Hickenlooper also announced DNR, in coordination with GOCO, nonprofit organizations and state agencies, would identify 16 important trail gaps, missing trail segments and unbuilt trails across the state and elevate them to priority projects by 2016. The governor outlined efforts to encourage Coloradans, particularly children, teens and minority youth, to develop deeper connections with the natural environment that sets Colorado apart as a special place.

These public meetings will give Coloradans an opportunity to learn more about the Colorado the Beautiful initiative and offer input on the 16 Trails in 2016 Project.

GOCO also announced at June's Outdoors Summit a new five-year strategic plan which includes a \$25 million Inspire Initiative to encourage more Colorado children to get outdoors more often and develop lifelong appreciation for nature. Dozens of communities are presently competing to become pilots for the initiative and earn \$1 million to \$5 million grants to create or expand outdoor recreation sites and bolster youth programs.

The strategic plan also includes the new Connect Initiative, which will focus on connecting local and regional trails and create more access to parks and open spaces, and the Protect Initiative, which will aim to preserve more priority landscapes, waterways and urban open spaces around the state. For more information, visit goco.org/strategicplan.

Meeting Schedule 2015 (each meeting will last approximately 1 hour):

Aug. 31 st	Fort Morgan - 81 Beaver Ave. Training Room	12 pm
Sept. 1 st	Granby - 0 Jasper Ave.	12 pm
Sept. 3 rd	Grand Junction - 1307 North Ave.	12 pm
Sept. 22 nd	La Junta - 601 Colorado Ave.	3 pm
Sept. 24 th	Bayfield - Senior Center or Town Hall	12 pm
Sept. 29 th	Denver – REI, 1416 Platte St.	11:30am

A GOCO workshop on its local government grant programs will start two hours before each session in the same location. Details at goco.org/workshops.

###

Public23

Agency/ Organization: Lake City/Hinsdale County Marketing and Tourism

Name: Angela P. Hollingsworth Email: aph@aphcreativdesign.com Contact: 9705963057

Trail name, number:

Alpine Loop Backcountry Byway

Trail location:

CR 30 to CR 20 - Located off Hwy 149 in Hinsdale County

Connection segment:

1.5 miles of Hwy 149 separate the two ends of this trail in Hinsdale. Unlicensed OHVs can not complete the Loop

Trail type:

scenic byway

Trail surface type:

Natural Surface

Trail uses:

Multiple-use

Landowners:

Hinsdale County

Challenges to construction:

right-away access, acquiring funding, public input/ approval

Why is this connection important?

Our economy is 100% reliant on tourism for 3-4 months of year and 4WD is our primary attraction

Has this trail segment been included in a formally adopted trail, park, or open space plan?

Unsure

What entity will/ is responsible to maintain the trail?

Hinsdale County or CDOT

Additional information:

12/7/2015

State.co.us Executive Branch Mail - Fwd: Alpine Loop Backcountry Byway



STATE OF COLORADO

Laughlin - DNR, Amy <amy.laughlin@state.co.us>

Fwd: Alpine Loop Backcountry Byway

Mon, Dec 7, 2015 at 2:06 PM

Madeleine [redacted] DNR <madeleine.west@state.co.us>
To: Amy Laughlin - DNR <amy.laughlin@state.co.us>

Can I forward all these responses to you to track?

Sent from my iPhone. Please excuse typos!

Begin forwarded message:

From: Angela Hollingsworth <aph@aphcrealivedesign.com>
To: "Madeleine.west@state.co.us" <Madeleine.west@state.co.us>
Cc: Cindy Dozier <cindydozier@gmail.com>
Subject: Alpine Loop Backcountry Byway

Madeleine -

Attached you will find the maps and other details you need for the Alpine Loop.

1) Provide an overview of the geographic scope of your proposed project including start and end points, miles of trail, and surface type(s). Please provide maps showing the proposed segment(s) as well as a map providing context in relation to other trail systems and outdoor recreation opportunities. If you have shapefiles, please send.

The Alpine Loop is approx 64 mile loop that contacts Silverton and Ouray via mostly 4WD drive roads. The Loop begins and/or ends on Hwy 149 at CR 30 on a paved road to the end of Lake San Cristobal where the road becomes a 2WD dirt road that goes to the Sherman historic site where it then turns to 4WD. The 4WD access then goes over Cinnamon Pass over to Animas Forks, to Engineer Pass to Capital City where it road then turns back into a 2WD access road into the backside of historic downtown Lake City. The altitude map is the one we include on our free vacation planner showing most historic sites, hiking trails, 14ers, and other OHV trails as well as fishing and wildlife locations.

2) What are the next steps to advance your project? What immediate assistance do you require? What can likely be accomplished in 2016? What is your anticipated time of completion for the project?

The Alpine Loop is in need of updated way finding, interpretation and mapping. Lake City is also in need of a solution for handling OHV (ATV) traffic with unlicensed vehicles, the 2 mile connection on HWY 149 is a real problem for us and attacking visitors using unlicensed OHVs. The Lake City Marketing Committee is currently working on a Alpine Loop mobile app we could use GIS and data for as well. Please contact our County Commission Cindy Dozier for additional input on what is needed.

3) What is the most significant benefit of this project? How will this project solve an important trail need that currently exists?

The access of all types of OHVs needs to be addressed, we have a huge demand but current Town and County laws are in direct opposition at this time. There is a huge demand for OHV use in this area as well as our other trail systems, we are losing lots of sales tax dollars but not being able to accommodate these drivers. We could also use assistance in creating regulations and

12/7/2015

Stevens Executive Branch Mail - Fair Alarm Loop Backcountry Byway

policy pertaining to OHV and reaction use around the Loop, possibly expand some of the closed access areas.

4) Is the proposed project or specific segments of the proposed project shovel ready? Have right-of-ways, easements, etc. been acquired? Approximately what percentage of the trail corridor has been acquired, and what is outstanding? Mention all applicable land owner/managers that will need to be engaged.

Not sure about any of this - I do know building a shoulder access is not really a possibility for us on Hwy 149, nor would an alternate route help since it would cut off our community from the Loop.

5) How will inclusion as a 16 in 16 priority trail benefit your project? Being part of this project would help draw attention to our remote area (most remote county in lower 48), assist in attracting more reaction based tourism and hopefully increase our very short and limited tourism season (May-Sept). Our economy is literally only 4 months long - we are a truly tourism reliant economy.

2 attachments

 noname.html
1K

 2015_LCHCVP_Map_PRINT1.pdf
2288K

Lake City Visitor Map

Routes

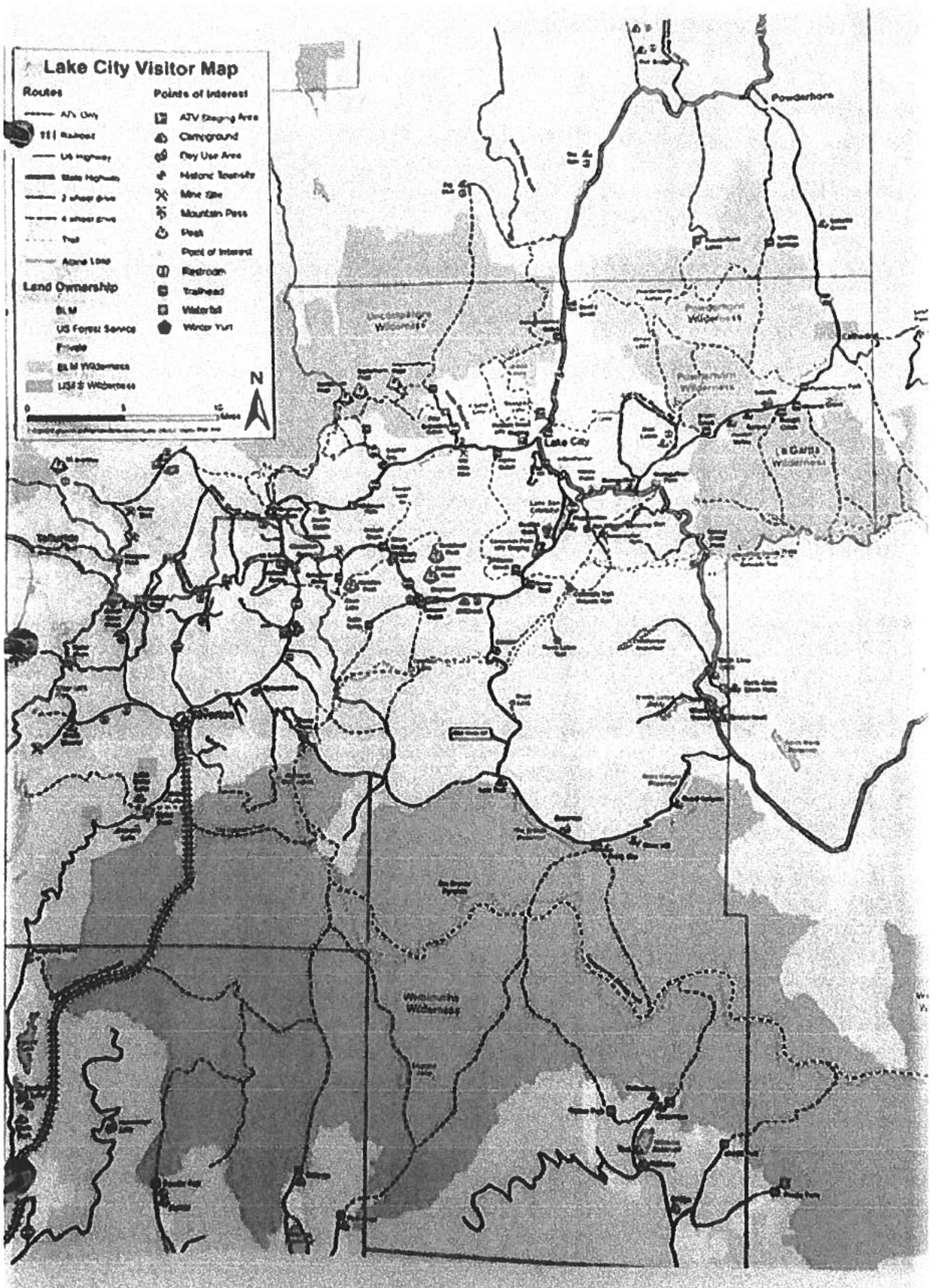
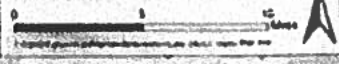
- ATV Only
- Railroad
- US Highway
- State Highway
- 2 wheel drive
- 4 wheel drive
- Trail
- Alpine Loop

Points of Interest

- ATV Staging Area
- Campground
- Day Use Area
- Historic Locality
- Mine Site
- Mountain Pass
- Forest
- Point of Interest
- Restroom
- Trailhead
- Waterfall
- Winter Yurt

Land Ownership

- BLM
- US Forest Service
- Private
- BLM Wilderness
- USFS Wilderness





COLORADO

Gov. John Hickenlooper

FOR IMMEDIATE RELEASE

Office of Gov. John Hickenlooper

Kathy Green
Todd Hartma

Gov. Hickenlooper announces 16 highest priority trail projects

DENVER – Wednesday, Jan. 20, 2016 – Gov. John Hickenlooper today announced the state's highest priority trail projects as part of Colorado the Beautiful's "16 in 2016" initiative highlighted in his State of the State address last week.

The projects represent the state's 16 most important trail gaps, missing trail segments and unbuilt trails, and reach from the Front Range to southwestern Colorado. Identification of these 16 trails is designed to build upon strong existing support and partnerships to push them to completion. "We've identified projects that will help us fulfill the vision of Colorado the Beautiful, and create the kinds of connections that link us to the natural splendor that sets our state apart," Hickenlooper said. "We need the kind of outdoor access that more easily brings all of us - especially our young people - into the fresh air and away from indoor distractions. Getting more Coloradans outdoors more often is good for our health and a refreshing reminder of how fortunate we are to live in Colorado."

The "16 in 2016" initiative was created to start a more focused, coordinated conversation to support trails and promote outdoor recreation across Colorado. Moving these projects forward means a better connected network of trails statewide, improved links to expanded outdoor recreational opportunities, safe alternative transportation routes and economic development opportunities for adjacent communities.

The initiative is a key component of Colorado the Beautiful's broader goal to ensure, within a generation, every Coloradan will live within 10 minutes of a park, trail or vibrant green space. Projects were selected based on several criteria, including their economic development potential, their proximity to underserved communities, the need for new paved and natural surface multi-use trails, the potential for greater partnerships across all levels of government, nonprofits and the private sector, and the project's ability to support environmental stewardship. Most of the selected projects have been under development for years and already benefit from local support and partnerships. Some trail projects are larger and will need significant additional investment; others are more localized and need a push to get over the finish line. The "16 in 2016" initiative is intended to focus attention and resources on those projects.

In order to support the advancement of these 16 priority projects, Hickenlooper will create an interagency council comprised of relevant state agencies and offices. This Council will ensure appropriate coordination occurs across state government to promote trail projects and outdoor recreation, and work closely with the newly formed Office of Outdoor Recreation Industry and the Colorado Pedals Project.

The initiative is only the first step in a public process to develop a statewide plan for trails. Colorado Parks and Wildlife (CPW) is undertaking a strategic planning effort for their Trails Program that will set values and goals for expanding and maintaining recreational trails across Colorado. Additionally, CPW will publish a statewide trail map this spring, making it easier for Coloradans to plan and experience an outdoor recreational activity.

While no new state dollars are tied to these projects, Great Outdoors Colorado (GOCO) is investing \$30 million in trails over the next four years as part of its Connect Initiative that will improve walkable and bikeable paths and trails for projects across the state. This special initiative is part of GOCO's new five-year strategic plan to protect land for people and wildlife, connect people to trails and other outdoor opportunities, and inspire kids to get outside more often. GOCO has dedicated the first \$10 million of funding for Connect in 2016; these 16 priority projects, along with other qualifying projects, are eligible to apply for funding. Additional trails funding is available to eligible entities through other competitive sources, including Colorado Parks and Wildlife, the Department of Local Affairs and Colorado Department of Transportation.

A list of the 16 trail projects identified in the "16 in 2016" initiative is available on the [Colorado the Beautiful page](#) of the Colorado Department of Natural Resources website. The list includes a brief summary of each proposal and a map locating each project.

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www.colorado.gov/governor



COLORADO

Department of Transportation

Region 3 Director

MEMORANDUM

DATE: July 19, 2018
TO: Transportation Commission
FROM: David Eller, Kathy Young, Andy Karsian
SUBJECT: Regional Off Highway Vehicle Pilot Project

Purpose

To hear about Region 3's ongoing efforts at finding a way to allow OHVs to travel on some state highways while maintain public safety. The pilot project will allow CDOT, State Patrol and local governments to promote OHV use in southwest Colorado and gather data that could impact future policy or legislative actions.

Action

Approve resolution outlining the parameters of the pilot project in Region 3 and possible future projects in other regions.

Background

There has been uncertainty about OHVs travelling on state highways for many years and multiple attempts at clarifying the policies and statutes have resulted in a variety of solutions, but none solving the underlying problem: how do OHVs get to connecting trailheads when a state highway separates the trail by miles.

Region 3 has worked with the local governments in southwest Colorado and using language included in recent legislation feel that there may be an opportunity to allow OHVs to travel on a state highway using a special permit developed through a pilot program for that specific area.

Next Steps

If approved, the region will work with State Patrol and the regional local governments to install specific parameters for OHVs to use while travelling on this state highway.

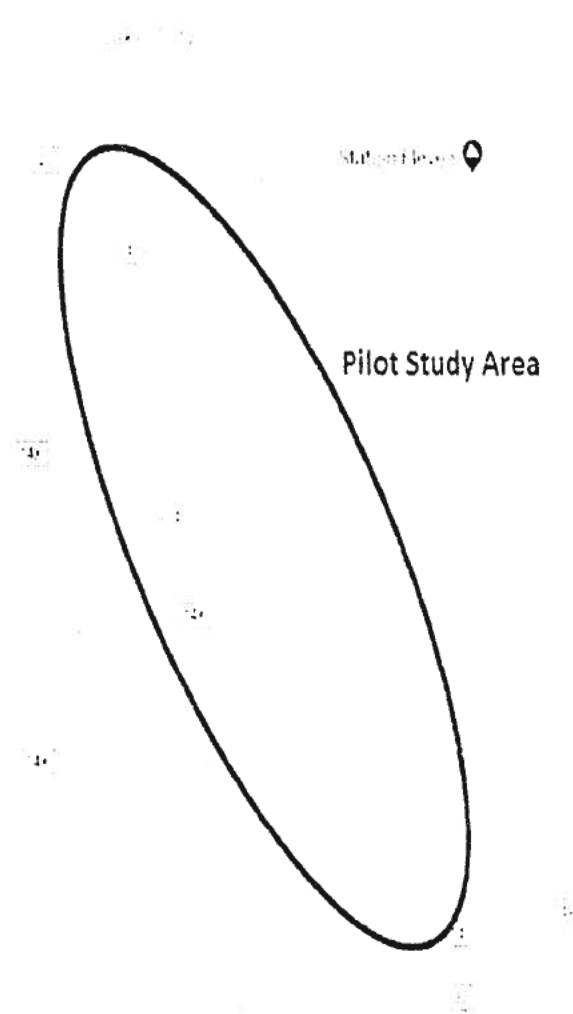
The region and the local governments will monitor the program and collect data on how the travelling public is impacted by the OHVs on the state highway and what, if any, safety factors come into play resulting from the OHVs using the road.

This information will help other regions work with local governments in developing other permits to allow OHVs to travel on other state highways using the criteria and outcomes from the pilot program.

Attachments:

Map of Region 3 pilot program area
Transportation Committee Resolution





Resolution #TC 18-07-xx

Instructing the Colorado Department of Transportation Regions on Permitting of Off-Highway Vehicles for Travel on State Highways.

Approved by the Transportation Commission on July 19, 2018.

WHEREAS, off-highway vehicle tourism provides millions of dollars to the State of Colorado and local economies; and

WHEREAS, the State must balance the promotion of tourism dollars and public safety; and

WHEREAS, the Colorado Department of Transportation (CDOT) regions know best what safety issues and concerns confront particular regions and have a working relationship with the local governments and local law enforcement in the region; and

WHEREAS, the CDOT regions have struggled for years to provide adequate direction to local governments on how off-highway vehicles could travel on state highways; and

WHEREAS, the General Assembly passed legislation over the last two years that provides a structure for local governments to work with their CDOT regions on providing safe travel for off-highway vehicles on state highways; and

WHEREAS, State statute, specifically Section 33-14.5-108(a), C.R.S., stipulates that the State may designate a road or highway open to off-highway vehicles; and

WHEREAS, CDOT regions have worked and will continue to work with the Colorado State Patrol and local governments to develop a process for designating certain roads open to off-highway vehicles; and

WHEREAS, CDOT regions wish to begin a pilot program, to last for the rest of 2018 and through 2019, for off-highway vehicles to travel on some state highways; and

NOW THEREFORE BE IT RESOLVED, the Colorado Transportation Commission approves the regions ability to enter into agreements with the State Patrol and local governments to declare open and allow off-highway vehicles to travel on some state highways, under circumstances that could include but not be limited to:

- Outside CDOT right-of-way
- Outside of highway clear zone
- Off of the maintained highway surface
- On the highway shoulder
- On through lanes in single file rules of the road.

NOW THEREFORE BE IT FURTHER RESOLVED, the Commission believes that these pilot projects could offer an opportunity to gather data to direct future policy discussions,

provide additional resources for the safety of the travelling public, and make available other opportunities in other regions for state and local collaboration.

NOW THEREFORE BE IT FURTHER RESOLVED, the Commission instructs CDOT staff to bring this issue back to the Commission no later than September 2019 for a report on the pilot project and possible further action.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Hinsdale



**AGENDA
HINSDALE COUNTY
BOARD OF COUNTY COMMISSIONERS WORKSHOP & MEETING
COURSEY ANNEX, 311 N. HENSON
LAKE CITY, COLORADO 81235**

Wednesday, August 1st, 2018

8:00 AM OPEN DISCUSSION

30 Mile/Ute Funds

8:15 AM WORKSHOP

1. Discuss Gunnison County Electric Association Contract
2. Discuss Setting County Board of Equalization Date
3. Discuss EMS/EM Planning (Jerry Gray)
4. Discuss CORA Request regarding executive sessions
5. Discuss Colorado Wilderness Act Response Letter
6. Weed Control Update—Alice Curry
7. Discuss Pagosa District Vegetation Management (Tri-State/GCEA will be present and available for comment)

9:00 AM

8. **Guest Speaker**--Angie Krall (Rio Grande NF): 30 Mile Discussion Colorado's Most Endangered Places

9:15 AM

9. **Guest Speaker**—Chad Stewart—District Supervisor--MOU Grand Mesa, Uncompahgre, Gunnison National Forest Coop (GMUG)

9:45 AM

- ✱✱ 10. **Guest Speakers**--Zane Znamenacek (CDOT), Mike Honn (CDPS), Major G.A. Dingfelder (CSP), Sheriff Ron Bruce, Call-in Alex Dean: Discuss ATVs on Alpine Loop via Hwy.149

11. Review Agenda Items
12. Other Items Not Requiring a Decision

CLOSE COMMISSIONER WORKSHOP

10:15 AM OPEN COMMISSIONER'S REGULAR MEETING

Pledge of Allegiance

Modifications to the Agenda

Approval of the Agenda

Approval of the Minutes

CITIZENS COMMENTS FROM THE FLOOR

REGULAR AGENDA

- 1. Consider** Gunnison County Electric Association Contract
- 2. Consider** Setting County Board of Equalization Date
- 3. Consider** EMS/EM Planning
- 4. Consider** CORA Request regarding executive sessions

ANY UNSCHEDULED BUSINESS

Presentation of Bills to be Paid

REPORTS

Commissioner Reports
Attorney's Report
Administrator's Report
Building Official Report
Road and Bridge Report
Public Health
EMS
Sheriff

Adjourn

Times stated are approximate and the agenda may be modified as necessary at the discretion of the Board.

The next Commissioner's meeting is a combined Hinsdale County and Rio Grande/Mineral County B.O.C.C. meeting scheduled for **Wednesday, August 15th, 2018, at Freeman's General Store located at 39354 Highway 149 in Creede, CO**. The combined meeting will begin at 10:00 am.

1:00 PM WORKSHOP

Hill 71 Update and Discussion
Citizens for Hinsdale County Broadband

County, Broadband Advocates Face Off at August 1 Meeting

by Sally Scott Moore

Hinsdale County Commissioners hosted what proved to be a feisty and fascinating special afternoon meeting last Wednesday, August 1, to hear conclusions of the Citizens for Hinsdale County Broadband (CHCB).

Commissioner Stan Whinery participated via telephone conference. Commissioners Susan Thompson and Cindy Dozier were present, along with Hinsdale County Attorney Michael O'Loughlin.

This committee has made quick progress since learning that the broadband fiber optic component was bumped over the winter from the Hill 71 electric line installation plan. Following their intensive

continued page 3

Stinger Band's 'Music Potpourri' Featured Aug. 19

by Mike Pearce

On August 17, 18, and 19, Lake City Stinger Community Band welcomes musicians from throughout the region to join local performers for the annual Concert Weekend.

A series of rehearsals begins Friday evening, August 17, continues on Saturday and Sunday mornings, August 18 and 19, culminating with a free concert entitled "Potpourri of World Music" which takes place in the Armory starting 3 p.m. on Sunday, August 19.

Visiting musicians taking part in the music weekend represent diverse communities, such as Santa Fe, New Mexico, Springfield and Salem, Ohio, and far-flung Colorado communities including Montrose, Grand Junction, Denver, Pagosa Springs, Parachute, Cedaredge, Lakewood, Arvada, Aurora, Glendale, Winter Park, Gunnison, Golden, Meeker, Ouray, Ridgway, Littleton, and Delta. Visiting

continued page 11

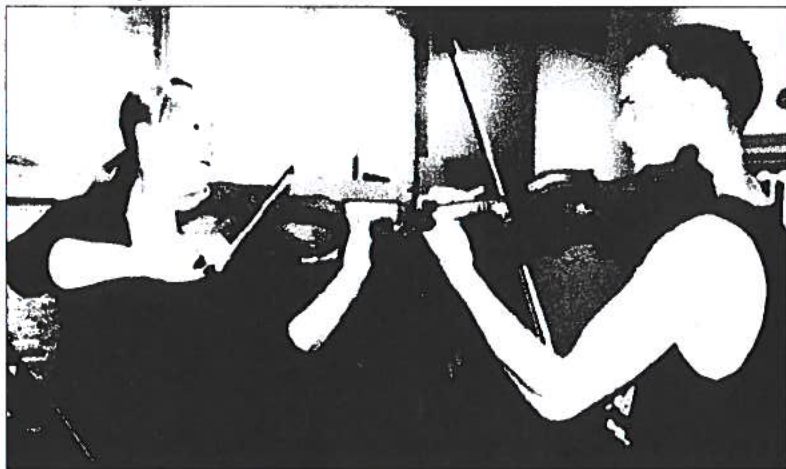
Jack Moseley, Noted Philanthropist, Dies in Calif., Age 91

Well known Lake City seasonal resident and noted philanthropist John "Jack" Moseley has died at his home in Santa Barbara, California, after a prolonged battle with Alzheimer's Disease.

Moseley, who was 91 years old, died at home holding the hand of his wife, Kathy Moseley, on Thursday, August 2.

The Moseleys had owned a Weems Malter Placer home beside the Lake Fork River above Lake City since 1990 and were known for their 4-wheeling, golfing, model sail boat, Stinger Band, and glass

Making Melodic Music...



Lake City Arts' annual melodious and instructional String Academy is underway with a flourish this week as seven exceptional violinists under the tutelage of Annie Chalex Boyle take part in a series of classroom instruction and public presentations. The musical week culminates on Saturday, August 11, with a Grand Finale Concert in Mary Stigall Theater.

Above, instructor Boyle shares perfect pitch with student Nathan Southwick during a violin lesson in Anthony Gallery on Tuesday morning.

See page 6 for photos of all seven violin musicians perfecting their skills during private practice sessions in a variety of Lake City locations.

County, Public Weigh in on Trial OHV Highway 149 Access

On what proved to be a long day of complex meetings, Hinsdale County Board of Commissioners hosted a public meeting with guest speakers Zane Znamenacek of Colorado Department of Transportation (CDOT), Mike Honn of Colorado Department Public Safety (CDPS), Colorado State Patrol (CPS) Major G.A. Dingfelder, as well as Hinsdale County Sheriff Ron Bruce, to discuss Highway 149 access to the Alpine Loop by off-highway and all-terrain vehicles.

Prior to the 9:45 agenda item, members of the public began to stream into Coursey Annex wishing

to participate in the dialogue.

Commissioner Susan Thompson greeted special guests, noting they had come to discuss how to make the Alpine loop more accessible. Znamenacek announced that a proposal had been approved in recent weeks by CDOT for a specific 2.3 mile section of Highway 149 to be used by ATVs and OHVs to complete or connect both sides of the Alpine Loop from the mouth of Henson Creek to the Lake San Cristobal road. Znamenacek called the development, "A major milestone to have the ability to do this. Our focus has been to complete the loop."

Znamenacek described the pilot program as "pretty exciting," noting he is now working out the details on implementation. The novel, pilot program was approved by CDOT on July 19 this year and will run through September, 2020.

Sheriff Bruce noted that with legal approval now in hand, overview is now progressing. He added that since the implementation of more restrictive OHV ordinances this year, "crashes on the loop have been cut in half."

Commissioner Cindy Dozier queried Znamenacek, "Has anything changed from your email?" which summarizes the 2.3-mile stretch of Highway 149 and the 35-mile per hour speed limit. Also cited as impetus for the special, pilot dispensation are the lack of alternative OHV routes to access the loop and seasonal reasons to add the short stretch of Highway 149.

Znamenacek agreed, "This effort is unique to Lake City."

Colorado State Patrol's Dingfelder added, "Other parts of the state face similar issues but they have alternative routes. You don't. We want to be careful in the approach so it doesn't open flood gates in other areas."

continued page 4

blowing interests.

The Moseley name is recalled in a number of Lake City area organizations, key of which are the Moseley Health Care Complex on Henson Street and Moseley Arts Center in downtown Lake City.

He and Kathy were generous contributors to a majority of Lake City area non-profit organizations during their near-three-decade residence.

In addition to his wife, Kathleen Moseley, Jack Moseley is survived by a son and daughter, Mark Moseley and Linda Moseley-Story, from his first marriage. He is also survived by three grandchildren.

An extended obituary is planned for next week's SILVER WORLD.

Per Jack's request, no public memorial will be held. In lieu of flowers, the family asks friends to remember the medical center, arts center, Lake Fork Land Conservatory or favorite Lake City organizations.

OHVs on 149,

continued from page 1

Discussion proceeded on the plan for signing to share the road with OHVs along the specific 2.3-mile specific span of state highway extending from Lake City up valley to Highway 149's juncture with County Road 30 to Lake San Cristobal.

Recommendations were made to update maps and brochures. A report at the end of the CDOT Pilot Program will cite success, or lack thereof, of the program.

Colorado Department of Public Safety representative Mike Horn recognized the success of the Hinsdale County ordinances and noted it will be important to mark the beginning and ending of the OHV route.

Thompson replied, "We so appreciate you looking at this for us and our guests."

When the floor was opened to public comments, it quickly became apparent that those assembled in the audience had come expecting a very different forum on the topic of OHVs. Not addressing the specifics of the proposed Pilot Project, local contractor Henry Woods noted the contrast between unlicensed OHVs and "lots of motorcycles [which are] licensed as motor vehicles" Woods objected to the addition of more liberal travel on the roads by the unlicensed recreational vehicles. "Hinsdale County has already put too many eggs in the fossil fuel burning basket," Woods noted.

J.L. Jones, a Henson Street resident in Town of Lake City, asked, "Who is responsible for checking on the licensing and regulation of these vehicles?"

Sheriff Bruce replied, "The Sheriff's Office is responsible. We are spread thin with few officers and an Alpine Ranger. We aren't going to set up road blocks to check people's credentials. That isn't going to happen." In response to questions, Sheriff Bruce noted that Hinsdale County maintains its portion of the high mountain Alpine Loop in conjunction with BLM and neighboring counties.

Viva Ashcroft, a 20-year homeowner and seasonal resident focused on her distaste of ATVs, "I am disturbed to see changes in the community in relation to ATVs. Their fees are nothing compared to my property taxes. I am strongly opposed to ATVs and OHVs and object to further encouragement of ATV usage."

Ashcroft repeated her recent story, lately scribed in a letter to the editor, in which Lake City is described

as "ATV Hell."

Hinsdale County resident Richard Dunham has lived on Highway 149 at the edge of Wades Addition since 1973. He described his extreme unhappiness with recent reports on the extent of OHV "destruction in the high country," citing recent accounts of Alpine tundra damage by careless tourists. "My biggest problem is lack of regulation." He reported an eyewitness account of ATVs off road above Carson. "I reported the incident immediately to the appropriate entities and they claimed it was not worth their time. They claimed the fees were not sufficient for their time."

Dunham gruffly added, "A \$50 dollar fine won't cut it. It needs to really sting to have an impact."

Kristie Borchers asked the commissioners and panel, "Is there a public scoping process for this decision? Or is this it?"

Sheriff Bruce noted, "There has been a top to bottom process that has brought us here."

In reference to pilot OHV use on a portion of Highway 149, County Attorney Michael O'Loughlin interjected, "It's a State Highway. It's a State deal."

Sheriff Bruce added, "My perception is that people who are happy stay home. The people who disagree come in force and shout down anyone who disagrees with them. I'm a property owner here, too. I tolerate ATVs because they benefit the good of the entire town."

Shiela Zipse, a Wade's Addition resident since 1978, stated, "I enjoyed fun years here. I live right there where the speed limit goes from 25 to 35 and I get the big rev's as people speed up."

Znamenacek referenced his view that citizen comments at the meeting had nothing to do with the proposed Pilot Project. "We have permission to do a pilot project," he repeated, noting that the other issues were really not in his purview.

Wade's Addition resident Marian Truitt introduced herself as a registered voter, noting that OHV acceleration "is louder than the Harley's." In addition to her in-town home, Truitt stated that she also owns a cabin on the flanks of Engineer Pass. She stated her view that wildlife has abandoned her yards in both places. She suggested required mufflers as a viable remedy for the growing issue. Additional signage was also suggested.

Truitt joined others to report eyewitness accounts of children driving OHVs on the state highway. Reports of children with no helmets, mirrors, speeding, with no eye protection and no permits visible were added to highlight the need for more oversight.

"We've got to figure out some other ideas to lower the impact to our community," Truitt concluded.

From a Lake City Heights perspective, Annie Barrie, reported following an out-of-state plated ATV all the way to Deer Lakes. She asked for clarification on regulations regarding in-state and out-of-state licensing.

The pilot 2.3-mile stretch of Highway 149, she was informed, only applies to unlicensed recreational vehicles from Colorado. According to Sheriff Bruce, Colorado vehicles are only required to have state park stickers. Other states, such as Montana, are allotted a constitutional state's rights clause as licensed vehicles.

From the audience, Henry Woods noted, "I'm not mad, and I realize this is just a pilot project. I think there should be widened shoulders or a lane for all alternative vehicles." He cautioned Commissioners, "Keep in mind you are discouraging other tourism and environmentally-friendly activities in favor of this ATV hell."

Mark Zipse asked, "At the end of the pilot project in 2020, will there be public input on how the community feels about the pilot project?" Zipse added, "I really appreciate the job that Ron Bruce does. He's the best sheriff we've had in the 40 years I've been coming here."

Building Inspector Richard Kimball noted, "It is totally possible to institute noise restrictions, like you see in areas around hospitals or "No Jake-Brake" signage as truck traffic enters a residential area." Kimball stated his view that ATV and OHV owners need to respect residents.

Donna Hewitt, who lives in Aspen Grove Subdivision on the upper Lake Fork, concurred. "County Road 30 where we live is not being paved due to lack of finances. It is horrendous and it has gotten worse due to this increase in traffic."

Referring to County Road 30's condition, she summed up, "it is awful."

She suggested the implementation of a \$50 permit fee to offset the road destruction. "\$50 times 2,000 tourists on the loop would equate to \$100,000 every season to maintain the roads."

O'Loughlin acknowledged the originality of Hewitt's idea while acknowledging, "It's illegal, and we don't have permitting authority."

Richard Dunham suggested a mandatory \$5 loop pass as a reasonable alternative. "Is it possible for state or federal agencies to go along? We have all these people and no control," he lamented.


O'Loughlin responded, "I don't know the answer off the top of my head."

Following continued inquiries for follow-up meetings on the ATV topic, Commissioner Thompson responded there have been regular public meetings in both spring and fall to discuss ongoing OHV issues.

More comments were exchanged between the panel and local citizens attending the meeting.

At length, citing the need to return to the regular meeting, Susan Thompson thanked all in attendance for their participation. She reminded those in attendance, "a vote was taken on the OHVs. This meeting was for public input on the pilot project process."

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Citizens Question OHV Pilot Program, Prompting October 4 Special Meeting

by Sally Scott Moore

Although not on the Hinsdale Commissioners' agenda, some 20 community members opposing OHVs and the proposed Colorado Department of Transportation (CDOT) pilot project filled Coursey Annex to vociferously express themselves during the "Citizen comments from the floor" portion of the meeting.

The Wednesday, September 19, commissioners' meeting had completed an open discussion and a lengthy workshop dealing with a broad spectrum of county business when citizens began to appear mid-morning just prior to the start of the regular meeting. Commissioner Whinnery attended by telephone.

The pilot project was proposed by CDOT to acquire usage data on a small, specific stretch of Highway 149 needed to enable unlicensed OHVs to access the route connecting Cinnamon Pass and Engineer Pass, commonly called the Alpine Loop. SILVER WORLD has previously reported on various research efforts by the commissioners and state agencies to identify off-road trails or other options for Off Highway Vehicles to access the loop without traveling on the highway.

On August 10 it was reported that the county board hosted guest speaker Zane Znamenacek of CDOT, Hinsdale Sheriff Bruce and representatives from both CTS, CDPS to discuss ways to make the Alpine Loop more accessible.

Calling the project "unique to Lake City," Znamenacek announced that CDOT had approved access for OHV usage on the 2.3 miles of Highway 149 connecting the loop due to the fact no alternative routes for OHV traffic could be found linking the Alpine Loop traffic. CDOT's pilot project collecting OHV data, it was stated, would end September, 2020.

During the August meeting opposition was voiced regarding noise, dust and general unhappiness over current law enforcement of the new OHV regulations. Also at issue is some OHV drivers' disregard for the natural beauty and fragile alpine tundra on the Loop.

Former Lake City mayor Larry Iiams spoke first, citing evidence of his recent Colorado Open Records Act (CORA) request regarding the CDOT Pilot Project.

"We were trying to find out where this Pilot Project was coming from. No one in town had heard of it until then." No evidence of such process in any board of commissioners' documentation brought an inference by Iiams that perhaps the county board was participating in non-transparent activities regarding the proposed pilot project.

Iiams noted, "It seems to have been a joint effort between CDOT, State Patrol and the Hinsdale County Sheriff's office."

Iiams also recounted a recent communication with the CDOT official, Zane Znamenacek, who told him the pilot project, "was not to be implemented until he hears from the town and county." According to Iiams, The CDOT official said that an environmental impact study was also necessary prior to implementations of the pilot project. Quoting Znamenacek, Iiams added, "He believed all of this to have been in public view and, apparently, it was not."

Iiams handed out copies of a December 7, 2015, email inquiry sent to the State of Colorado's Department of Natural Resources (DNR) representative Madeleine West. Written by Angela Hollingsworth in her then capacity on the marketing and tourism board, the subject line on this email bore the title "Alpine Loop Backcountry Byway" and was at the time copied to Hinsdale Commissioner Dozier.

The email copy on DNR letterhead was from the marketing director and appears to represent a very preliminary inquiry by Hollingsworth on possible Alpine Loop expansion, together with development and mapping ideas in regard to the 64-mile byway. Much of the 2015 email is now moot due to ordinance changes by both the town of Lake City and Hinsdale County. Hollingsworth's comprehensive inquisitive inquiry covered a lot of ground and cited possible linkage with Highway 149.

"This really concerns me," Iiams said, "when did this all start?"

Commission Chair Thompson said she had never heard of nor had knowledge of a need for an environmental impact study. Responding to his initial statement, Thompson stated, "Your CORA request asked only about the CDOT Pilot Project. We didn't know about the Pilot Project until that meeting

(August 1), when it was presented. That is why there is no mention of any pilot project until early August in the paperwork you received. This is your opinion, and we respect that. But, there are also other opinions."

Restating his objective "to stop the pilot project," Iiams addressed the commissioners, stating "I promise to do everything within my power to regain power in this town and in this county."

Members of the anti-OHV faction indicated general opposition to the new OHV regulations. Commissioners pointed out that elections had been held on the topic, that they have heard from their constituents and, most immediately, pro-OHV members had not known of the impromptu discussion at the morning meeting and thus were not present to defend the positive aspects of the proposed pilot project, nor increased Hinsdale County OHV activity.

Thompson stated authoritatively, "The topic of how to address greater access to the Alpine Loop" for all unlicensed OHV recreation has been a regular, published topic on commissioner agendas for several years. All regular meetings of the county board, she reminded them, are open to the public and a matter of public record. All interested parties are welcome to attend." She described efforts exploring alternative routes that would keep traffic off of state highway but that local terrain proved prohibitive.

Another point of confusion was Iiams' declaration that it was Sheriff Bruce who was applying for the permit to initiate the CDOT pilot project. Iiams contended that both town and county officials must apply for such a permit. Commissioners replied that the sheriff would have oversight of paperwork and CDOT permitting requests, just as he had jurisdiction to cite people on the roads and was working with their approval and agreement of Colorado Dept. of Transportation and other state agencies on oversight of this project.

Throughout the meeting, it was reiterated this was only a data-gathering pilot project of one season; a "trial balloon" to see if it would work, and that the commissioners and all participating agencies had agreed on this linkage believing it would aid those OHVs who did not have out-of-state licensing or establishing the LLC out-of-state allowing Colorado residents to ride locally.

It was stated that State of Colorado may change its licensing of ATVs to mirror regulations from other states. Such a legislative change would make all OHVs licensed and thus allow legal highway access to all.

John Coy cited the Colorado Governor's "16 in 16" trails program which he contended launched OHV problems. Coy stated Governor Hickenlooper's trails initiative was specifically geared toward hiking, biking and healthy living.

Referencing OHVs in Hinsdale County, Coy said "these are all county roads, not trails."

Commissioner Dozier objected, "the 16 in 16 initiative was also about OHVs, not just hiking trails. That's why CDOT, CHP were involved in the program." She noted that jeeps, motorcycles and out-of-state vehicles of all sorts are already permissible on the highway.

"The only ones who can't use Highway 149 are in-state OHVs. Our goal was to connect the loop for those unlicensed and in-state OHVs."

Coy disagreed with the commissioner's assessment of the initiative, stating, "16 in 16 was for hiking,

biking and healthy activities." Noting there was nothing healthy regarding OHV activities, he requested, "I am asking them to re-address this."

Numerous attendees were invited to speak in turn and proceeded to voice their concerns regarding noise, dust, Alpine Loop damage and traffic congestion. Additional discontent was expressed regarding health concerns, as well as the need to lower speed limits and overall lack of enforcement of current speed limits and ordinances.

From the audience, Kristie Borchers observed, "Public process is key. I think throughout the pilot project, it is important to have public input."

Initially silent as he listened on the phone to the discourse, Commissioner Whinnery eventually brought the public debate to an end.

"One of the issues is public process. All these folks have great ideas." He proposed a public hearing which legally requires two-week, advertised notice with a joint meeting with town and county officials, CDOT and the sheriff's office. He cited the importance of a dedicated meeting on the issue with nothing competing on the agenda, where participants of both sides of the issue could present their views. The result was scheduling of last Thursday's October 4 hearing, an account of which is published separately in this week's issue.

Season closing date:

October 17

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Community Presbyterian: 9:30 am · Worship Services, 10:30 am · Fellowship

St. James Episcopal: Sunday Service, 9 am

First Baptist: 9:00 am Sunday School,

10:30 Worship Service · 401 Bluff St.

Grace Fellowship: 9:30 am Worship & Children's Sunday School · Alpine Gateway Center

St. Rose of Lima Catholic: Communion Service

· 10 a.m. Sunday · Silver Street above Henson Creek

RV Park

Church of Christ: 1111 San Juan Drive · Sunday

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LAKE CITY
SILVER WORLD

Vol. 42, No. 2 Friday, April 19, 2019 Lake City, Hinsdale County, Colorado 81235 U.S.P.S. No. 436-630



Hinsdale County Road & Bridge crew is working its way toward Capitol City as they cut through a succession of snowslides with heavy tree debris covering portions of County Road 20. Pre-snowmobile accident, JoAllen Blowers took above photo showing snow and debris in excess of 30' deep at the Fanny Fern snowslide a short distance up Henson Creek canyon from Lake City. Further up Henson Creek above the Ute-Ullay Mine, the road crew has now cleared portions of the Modoc and Klondike snowslides, photo at right illustrating the needle and tree residue being revealed as the snow recedes.

As of Monday evening this week, the barricade gate on County Road 30 at Wager Gulch on the upper Lake Fork has been opened, allowing public access as far as the Sherman townsite. Asked at the commissioners' meeting Wednesday morning this week about snowshoe, snowmobile and pedestrian access above the closed gates, Commissioner Whinnery responded, "Go at your own risk."



'Tremendous Volunteerism' Praised at April 9 Celebration

Lake City celebrated the best of the best last Tuesday evening, April 9, as Lake City DIRT, Lake City/Hinsdale County Chamber of Commerce, and Lake City Arts hosted the annual 'Celebrate Lake City!' honoring volunteers who contribute untold

thousands of hours to town and county organizations.

Convening in Lake City Arts' Anthony Gallery in the Moseley Arts Center, celebration master of ceremonies Phil Virden enthusiastically welcomed attendees to what he termed a "special evening which follows a long, historic winter."

"It's so good to see everyone... we survived," Virden said.

Virden said that in terms of heartfelt volunteerism, he would match Lake City per capita with the number of volunteers in any community in the United States. "It's tremendous!"

Celebrate Lake City was catered by Patty Crotwell, packed audience members multi-tasking as they visited, grazed the gourmet meal, and repeatedly

continued page 7



'Celebrate Lake City!' Master of Ceremonies Phil Virden posed with Becky Beedy on April 9 after presenting posthumous Special Award and Citizen of the Year Award to Scott Beedy on behalf of Lake Fork Health Service District and Hinsdale Chamber of Commerce, respectively.

Commissioners Sign Letter of Intent Moving Forward with OHV Pilot Program

— by Sally Scott Moore

Public interest was high Wednesday, April 3 as Hinsdale County rescinded by resolution the recent Avalanche Disaster Emergency Declaration and took up Letter of Intent to apply for the proposed Colorado Department of Transportation (CDOT) Highway 149 OHV Pilot Project both of which topped the busy agenda. Stan Whinnery, Susan Thompson and Kristi Borchers were on hand for the meeting to discuss the parameters of the application project. According to Commissioner Thompson, "We need to sit down with CDOT and the Town and the County and determine what we are trying to do and what are we trying to accomplish."

Last summer CDOT representatives surprised Commissioners in a roundtable meeting by suggesting a pilot program for a specific test period of one season to determine if connecting the Alpine Loop access for OHV traffic with Highway 149 access was feasible. The CDOT move came on the heels of Hinsdale County penning new OHV ordinances.

A committee was formed to seek improvements and compromise during which Turn Around Lake City filed a petition to eradicate OHV traffic from town.

Although it had to jump some clerical hurdles, the 'Turn Around Lake City' petition finally met the State standard and is now headed for a town ballot

initiative on July 23. The move, which will cost the Town an estimated \$8,000 to conduct the special *continued page 9*

Goal Ball...

Refereed by Veterans' Service Officer Erin Cavit, pictured right, a rousing game of goal ball was played in the Armory on Saturday, April 13 by locals of all ages. Goal ball is played wearing blindfolds, elegantly modeled by Harvey DuChene, below, as players attempt to score goals on the opposing team without the benefit of sight. For more information about upcoming goal ball events, contact Cavit at 944-0191.



Commissioners,

continued from page 1

election, sharply divided segments of the town's population, including tourist-based business owners and employees and others who passionately value the serene beauty of the Lake City and the surrounding area.

At issue at the Commissioners' meeting was approval of a letter of intent regarding the application. Commissioner Whinnery noted that CDOT has communicated to him, "It hangs on the election. They have indicated that they won't go with the Pilot Project if this doesn't pass." Noting Town of Lake City had the special election on their agenda at their Wednesday evening, April 4, meeting, Whinnery said he hoped more information would be forthcoming.

Borchers acknowledged the upcoming town meeting and suggested Commissioners fill the application out and have it ready.

"It is time to provide our law enforcement with cover, so that they can continue within the community. This is a stop gap until we go through the election and see. No matter what occurs, we still will need to address parking, dust, routes and the like."

Former Mayor Larry Iiams, a major proponent in the Turn Around Lake City petition drive, was present in the audience. In past meetings he has raised the issue of an environmental analysis (EA) which is contained in the verbiage of the CDOT application as required by the Department of Natural Resources.

Before he could raise the issue in this meeting, Commissioner Whinnery took on the issue and specifically addressed his comments to Iiams. "The EA is a deal from the '16-by-16" program [a state program advocating development of 16 public trails in 2016]. It was the catalyst. They really thought when they launched this program that they were going to create new trails which would require new Environmental Analysis."

Whinnery gave a bit more background information on Governor Hickenlooper's 16-by-16 trails initiative, adding, "Here we are talking about existing roads; existing state roads. OHVs are staying on the existing road which is linking the Alpine Loop. This is a categorical exemption. We already have that. This is not where we are. We are beyond the 16-by-16 initiative. The proponents thought that all these new trails would connect to a maintained State Road. We are well beyond that 16-by-16 plan."

Continuing, Whinnery added, "The previous sheriff made a huge mistake by allowing unlicensed OHVs to drive all over the place. But here we are. What do we do between now and the election in Town on July 23?"

Whinnery went on to explain some of the back story between Judge Patrick's ruling in which Hinsdale County is a named defendant which stated that since Colorado has a reciprocity agreement with other states, those OHVs which are legally plated are free to drive on the state highways while those that are not licensed cannot. He also outlined a different ruling by an Ouray judge which has further "muddied the waters."

Thompson reiterated, "The Sheriff's office needs an enforcement tool."

Hinsdale County Attorney Michael O'Loughlin noted that what is called for is a declarative judgement from Judge Patrick to clarify the muddled legal matter. "This is a common mechanism to clear up the confusion."

Ultimately, after further lengthy discussion, it was decided that Hinsdale County would contact Ouray County to see if they had an interest in joining Hinsdale County in seeking a declarative judgement, Hinsdale Commissioners directing their attorney to make those inquiries.

"Do we have a position?" asked O'Loughlin. Thompson responded, "No, we just want a clarification." Whinnery concurred, "At least it will get decided and we'll have an answer for law enforcement. It has really been confusing for them. We need to get a decision on this. They made a muddle. They can clear it up."

In his statement to the county board, Iiams referred to the Environmental Analysis which has been a recurrent theme to potentially halt the CDOT Pilot Project. "I hear what you are saying on the EA, and I don't disagree. But the language is in there in the document from the Department of Natural Resources as a requirement. You need to have it taken out. You should reach out to them."

Hinsdale County Administrator Jami Scroggins replied, "I've been trying to contact them and they have not responded."

Later in the meeting, Susan Thompson made the motion to sign the letter of Application to CDOT to initiate the process for the Pilot Project. Borchers seconded the motion with a friendly amendment that the letter should include language stating the EA clause be addressed. The matter passed unanimously.

Commission Chair Whinnery summarized, "This is just to get the questions clarified with CDOT, and they want the letter of intent and we can withdraw at any time. This is really for them to give us quantification. Then we can see how the vote goes this summer; see where that lands and get the court things sorted out. It is possible that an extension may be needed at the rate this is moving. There are lots of moving parts. There is interest. We just don't know where it's going but we are interested. We need the letter of intent on this application to get there."

Borchers made a motion to approve Resolution 5-2019 to remove the Emergency Declaration which was instated during the recent avalanches within Hinsdale County. Thompson seconded the motion and it passed unanimously.

It was emphasized repeatedly that although the Emergency Declaration had been rescinded, the closures on specific roads and neighborhoods and trails were still closed and announcements would be made as the situation allowed. Commissioner Whinnery noted that it would be prudent to go by helicopter with the avalanche expert to assess the situation in some of the inaccessible areas.

Later in the meeting Borchers submitted a list of possible next recovery steps post-avalanche season to address and assess the economic impact and options for future mitigation. The conversation points for discussion included long-and-short-term impacts ranging from better community messaging to increased monitoring, technical planning strategies and items such as temporary Doppler radar in the constricted Lake Fork Valley, and United States Geological Survey assistance.

In other business, Hinsdale Commissioners unanimously passed the agreement for the purchase of power from the San Luis Valley Electric Company at the 30-Mile Resort on the Upper Rio Grande. As negotiated with Tom Malecek of the Rio Grande Forest Service, the county will pay \$5,000 toward running underground electric to the cabins at the remote historic fishing camp, together with a \$3,345 commitment from the county for its portion of the installation. Hinsdale County Accountant Lynn McNitt reminded the board that this was a budgeted expense. "Yes, we put the money for this aside for the 30-Mile project."

A guest speaker from the audience was Bob Getz, who described his residence as being in the hinterlands of Hinsdale County. He referred to himself as the "High Altitude Water Shed Observer." Getz is the county's representative to the Rio Grande Water Roundtable and his appearance at the April 4 county meeting was to apprise Commissioners on recent activities.

"The drought of 2017-2018 has really impacted the watershed," he told Commissioners, adding, "People are so excited by all the snow, but we are definitely not out of the woods in one year."

"We did have a good snow year," Getz admitted, "but that equates to water content of only 750 acre feet in the river, even though it is 150 percent over normal."

In response to the river acre feet statement, Commissioner Whinnery stated grimly, "We used to have more than double that."

Getz agreed. "The average changes. It has been 20 years since we've had the really big numbers of acre feet that was the normal 30 years ago. Still, we have to do everything we can to make good use of every drop."

Like Mike Murphy's previous report on Gunnison Water Roundtable, Getz bemoaned the loss of basin funding. "We are down to \$47,000 in basin funding and it is up in the air as far as I know if we are going to get any more money."

Discussion then moved to the pervasive issues affecting the Western Slope and the San Luis Valley which have their water shipped to the Front Range in greater quantities. "They are using old data showing that all that water can be replenished. New data says that just isn't true. They (municipalities) are buying people out for the water rights now."

Whinnery nodded, "That's where this is going now," his frustration clear. "Buying and Drying."

In a related topic, former Road and Bridge Supervisor Robert Hurd was on hand at the meeting to express his concerns regarding spring snow melt. Saying that everything depends on the temperatures at high altitude now through May. "My fears are up on Slum, the snow course reads 156. If we don't get rid of snow early (through natural melting), I'm concerned." Hurd outlined conditions in several of the big snow seasons he had experienced over the decades he was at the helm of Hinsdale County Road

and Bridge Department. "In 1984, we lost two bridges out at Rock Creek and Sherman, and some 70 culverts were lost. It could be a big deal this year." He continued, "I've been through six big winters and '84 was the worst in my tenure."

Hurd described run-off conditions when there is no early spring melt and it all comes at once late in the season as temps warm both high and low. "Our water has power, rocks rolling. Debris flow is going to cause a huge issue and the power of that water is incredible."

He described past pre-drilling and blasting actions, as well as strategic rock placements, to prevent flooding issues. Particular points of concern he mentioned included the Lake Fork River and Henson Creek. "The [Henson Creek] headgate is a big invitation. It is the weakest link to water coming into Lake City. It can breach that thing and it needs watching. We may need to block it with a big rock, the excavator can remove it later." He mentioned the confluence where Henson Creek meets the Lake Fork.

"There are houses closer now than they used to be. He outlined issues in the past with the former Hall home on Henson Street, the Medical Center and the Hollingsworth house had been in jeopardy in past bad seasons. Other problem areas from 1984 he cited were Little Wager Creek, Wades Addition and Cathedral. "That was the year we had all those huge cotton wood trees falling down. Big ones in Wades and the Ball Flats."

Hurd repeatedly emphasized the need for advance rock work. "Rocks, work and days. We need to prep all we can ahead of time. I'd rather we all be worried and nothing happen." Hurd emphasized the seriousness of the issue and his hopes that the temps would rise early, with cold nights to regulate the high mountain snow melt.

Whinnery agreed, adding, "It has been warming up in the days lately. 1984 was the year that it didn't warm up."

Hurd concluded his remarks on a very serious, if rhetorical note, "If you don't respect the power in the water, you are an idiot!"

While no decisions were made on the matter, the Commissioners agreed with Hurd's assessment of the seasonal issue. Discussion ensued on the need to hire out the blasting work, areas for best rock placement, and debris issues. Thompson said that the suggested rock work was expensive, "but it would be much more expensive not to do anything."



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Wee Care Day Care Center:

Mon - Fri 7:30 am - 4:30 pm

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8:30-11:30 am & Noon-4:30 pm,

Sat. 11-1



STATE OF COLORADO

Transp_Comm - CDOT, DOT_ <dot_transp_comm@state.co.us>

Please, We Urge You to Oppose Increasing Road Access to OHVs and ATVs in Lake City and Hinsdale County

1 message

Ray [REDACTED] Fri, Oct 30, 2020 at 9:52 AM
To: "Governorpoli@state.co.us" <Governorpoli@state.co.us>, "district1@hinsdalecountycolorado.us" <district1@hinsdalecountycolorado.us>, "district2@hinsdalecountycolorado.us" <district2@hinsdalecountycolorado.us>, "district3@hinsdalecountycolorado.us" <district3@hinsdalecountycolorado.us>, "brucevierheller@townoflakecity.co" <brucevierheller@townoflakecity.co>, "michellemartin@townoflakecity.co" <michellemartin@townoflakecity.co>, "daveroberts@townoflakecity.co" <daveroberts@townoflakecity.co>, "doughamel@townoflakecity.co" <doughamel@townoflakecity.co>, "judhollingsworth@townoflakecity.co" <judhollingsworth@townoflakecity.co>, "jessekendall@townoflakecity.co" <jessekendall@townoflakecity.co>
Cc: Rachel Weintraub <rweintraub@consumerfed.org>

Colorado Department of Transportation

October 30, 2020

2829 W. Howard Pl.

Denver, Colorado 80204

Dear Governor Polli, Hinsdale County Board of Commissioners, and Town of Lake City Trustees:

As individuals and organizations dedicated to reducing deaths and injuries caused by off-highway vehicles (OHVs), we are writing to urge you to reject any proposal that would increase OHV access to the roads of Lake City, Colorado and Hinsdale County, Colorado.

Tragically, we have identified 57 OHV-related deaths in Colorado from January 2013 to October 2020. Of these deaths, 22 (39%) occurred on-road, 31 (54%) occurred off-road, and four (7%) occurred in an unknown location. Additionally, 13 (23%) of the deaths were children age 16 or younger. Unfortunately, these numbers may continue to rise as we gather more data.

As the COVID pandemic has impacted the nation, public health officials have documented an increase in OHV deaths and injuries likely tied to school closures and stay-at-home orders. Through media reports, CFA has identified that eleven states are reporting increases in OHV deaths and injuries, including Colorado.^[1]^[2]

Allowing OHVs to use public roads suggests to the public that roadway riding is a safe and responsible use of OHVs when in fact, industry, regulators, and consumer and public health and safety advocates, all agree that OHVs are not safe on public roads.

We write to communicate the dangers of allowing OHVs on roads and hope that this information will help inform any policy decision you make.

Off-Highway Vehicles

There are two main categories of OHVs—neither of which are designed for roadway use and should not be allowed on public roads.

- **All-Terrain Vehicles (ATVs):** ATVs are “off-road, motorized vehicles having three or four low-pressure tires, a straddle seat for the operator, and handlebars for steering control.”[3]
- **Recreational Off-Highway Vehicles (ROVs):** ROVs have “four or more wheels with low pressure tires; bench or bucket seating for two or more occupants; automotive-type controls for steering, throttle, and braking; rollover protective structures (ROPS); occupant restraint; and maximum speed capability greater than 30 mph.”[4]



More ATV and ROV Deaths Occur On Roadways than Off-Road

While there is federal ATV fatality data, there is a lack of ROV fatality data. To fill this need, our coalition has started collecting data on ROVs to give decision makers a better sense of the dangers posed by OHVs besides ATVs. See our data and analysis on our OHV webpage here.

- **ATV Roadway Crashes:** ATV crashes on the road account for over 60% of ATV-related deaths and over 30% of serious ATV injuries.[5] Roadway crashes are more likely to involve multiple fatalities, collisions and head injuries. Victims in roadway crashes were less likely to be wearing protective gear such as helmets and were more likely to be carrying passengers, both things that are risk factors for ATV-related fatalities and injuries. From 1998-2007, roadway fatalities increased twice as fast as those off-road.[6] The National Highway Traffic Safety Administration released ATV-related fatality statistics for public roads showing that there were 3,411 deaths from 2004-2013, with 323 in 2013 alone.[7]
- **ROV Roadway Crashes:** There is much less data on the number and nature of ROV crashes in comparison to ATVs, but from 2013-2020 our coalition identified 811 ROV fatalities. The crash site could be identified in 784 of the 811 deaths. Of those 811 fatalities, 464 (57%) occurred on-road and 320 (39%) occurred off-road. As our coalition continues to gather more data, these figures may rise.

OHV Design Contributes to Roadway Deaths and Injuries

Ultimately, OHVs are not safe on roads because they were not designed for roadway use.

- **OHVs[8] have a relatively narrow track and high-center of gravity:** These design features allow for riding in wooded areas and between obstacles, and provide high ground clearance for rough terrain. However, these features put OHVs at a higher risk for rollovers,[9] and require “that the vehicle takes wider turns than are found in standard road design.”[10]
- **OHVs have low-pressure, deep tread tires designed for off-road use:** Automobile tires have relatively shallow tread and are designed to continually grip and release roadway surfaces. In contrast, OHV tires are made to grab off-road terrain and can act unpredictably on roadway surfaces especially with increasing speed. The operator can easily lose control of the vehicle, potentially endangering the OHV rider, occupants of other vehicles, pedestrians, and bicyclists.[11]
- **Most ATVs lack a rear differential:** Most ATVs have a solid rear axle or locked rear differential which means that both the inside and outside wheels rotate at the same speed, unlike motor vehicles designed for roadways. This often requires that the OHV “take wider turns than are found in standard road design,”[12] and makes it more difficult for OHVs to negotiate roadway curves, especially at the speeds often traveled on roads.

Industry Associations Warn Against OHV Use on Public Roads and Paved Surfaces

Both ATV and ROV trade associations warn against riding OHVs on roadways. The Specialty Vehicle Institute of America (SVIA), a not-for-profit association representing ATV manufacturers and dealers, has a strong policy statement against the use of ATVs on public roads. A training manual for ATV riders from the ATV Safety Institute, a division of SVIA, states:

Remember, ATVs are intended for off-road use only. Never operate an ATV on public roads, and always avoid paved surfaces. ATVs are not designed for use on public roads and other motorists may not see you. ATVs are not designed to be used on paved surfaces because pavement may seriously affect handling and control.”[13]

Further, the SVIA makes clear that:

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards.[14]

The Recreational Off-Highway Vehicle Association (ROHVA) also directs riders to “avoid paved surfaces. ROVs are designed to be operated off-highway.”[15] These statements show that the manufactures of these vehicles, those who know the vehicles better than anyone, know that they should not be operated on roads. In addition to these statements from OHV trade associations, ATVs and ROVs are also required to have labels indicating that they should not be operated on paved roads or on public roads.

Unpaved and Rural Roads are Not Safe for OHV Use

Many of the warnings against riding OHVs on roadways specifically mention the hazards of paved roads. While these warnings are accurate they are not sufficient and could incorrectly imply that unpaved roads are safe for OHV use.

A 2015 study of national ATV-related fatalities occurring from 1985-2012, found that in twenty-three states half or more of ATV roadway deaths occurred on unpaved road surfaces and that 42% of all ATV roadway deaths during this time period (6,625) took place on unpaved roads. In addition, more than two-thirds of all roadway ATV fatalities (paved and unpaved) did not involve another motor vehicle. This means that low traffic volume on rural roads does not necessarily translate into fewer deaths and injuries. In fact, riders in serious roadway crashes that occur on more remote roads may be at increased risk of death because of longer distances to trauma centers. While there is not yet similar data available for ROVs, given that ROVs are also designed for off-road use with similar design elements, there is no evidence supporting the idea that they would be safe on unpaved roads.

Additional Information

The latest research about OHVs on roadways and OHV death and injuries, as well as a list of members of a national coalition formed to address this public health crisis and the advocacy efforts undertaken by this coalition are available [here](#).

We urge you to oppose any proposal to allow OHV use on public roads because doing so places the public, including OHV operators, pedestrians, bicyclists, and all motor vehicle drivers and their passengers at unnecessary risk.

We hope that you will consider these comments, and if we can be of any further assistance, please feel free to contact Nick Roper at Consumer Federation of America at rproper@consumerfed.org or (202) 939-1000.

Sincerely,

Rachel Weintraub
Legislative Director and
General Counsel
Consumer Federation of America

Charles Jennissen, MD
Emergency Medicine
University of Iowa
Iowa ATV Injury Prevention
Task Force

Dr. Aitken, MD MPH
Chair, Department of Pediatrics at McGovern
Medical School
The University of Texas Health Science Center at
Houston
Physician-in-Chief, Children's Memorial Hermann
Hospital

Katie Kearney
Concerned Families
for ATV safety Member
Sean's Law
Massachusetts Safety Advocate

Carolyn Anderson
Co-Founder
Concerned Families for ATV Safety

Ben Kelley
Director, Injury Control Policy
The Trauma Foundation
San Francisco General Hospital
San Francisco, CA

Nick Roper
Administrative & Advocacy Associate
Consumer Federation of America

Robin D. Schier, DNP, APRN,
CPNP AC/PC
Pediatric Emergency Medicine
Texas Children's Hospital
Houston, Texas

Sue DeLoretto-Rabe
Co-Founder

Gary A. Smith, MD, DrPH
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Prevention Alliance

Gerene Denning, PhD
Emergency Medicine
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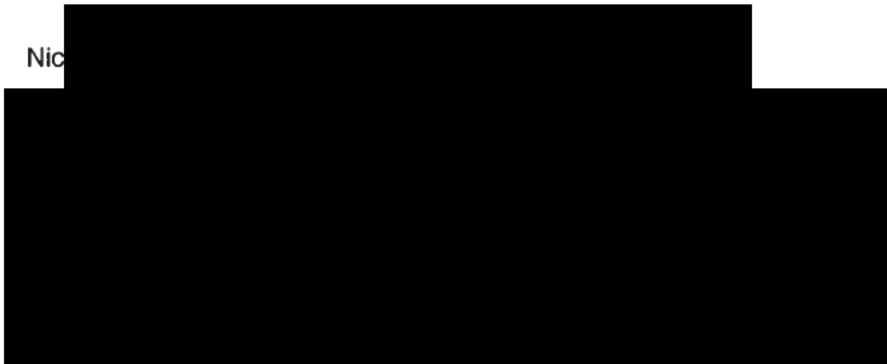
Gordon S. Smith, MD (MB.ChB, Otago), MPH
Professor, Department of Epidemiology & Public Health
University of Maryland School of Medicine Charles
"McC" Mathias National Study Center for Trauma
and EMSShock, Trauma and Anesthesiology
Research – Organized Research Center

Benjamin Hoffman MD FAAP
Professor of Pediatrics
Medical Director, Doernbecher
Children's Safety Center
Portland, OR

Serap Gorucu, PhD
Department of Agricultural & Biological Engineering
University of Florida

CC: CDOT Region 3 Manager, CDOT CO149 Pilot Program Project Manager, Colorado State Patrol District 5 Commander, Colorado State Senator Donovan, Colorado State Representative McLachlan, District 8 Commissioner, District 7 Commissioner, Transportation Commission Secretary, Transportation Commission Liaison, Hinsdale County Sheriff, Hinsdale County Administrator, and Lake City Town Manager.

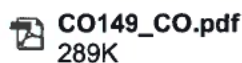
Nic





Truth will ultimately prevail where pains is taken to bring it to light."
-George Washington (1794)

-
- [1] Dawldowicz, C. (2020, June 02). Doctors see an early start to 'Trauma Season' this year. Retrieved October 30, 2020, from <https://www.fox21news.com/digital-now/doctors-see-an-early-start-to-trauma-season-this-year/>.
- [2] Cronin, I. (2020, June 05). Your Healthy Family: Trauma visits up at Children's in Colorado Springs. Retrieved October 30, 2020, from <https://www.koaa.com/community/your-healthy-family/your-healthy-family-er-visits-up-at-childrens-in-colorado-springs>.
- [3] CPSC, 2013 Annual Report of ATV-Related Deaths and Injuries, February 2015. <http://www.cpsc.gov/Global/Research-and-Statistics/Injury-Statistics/Sports-and-Recreation/ATVs/2013-ATV-Annual-Rpt-of-ATV-Related-Deaths--Injuries.pdf>
- [4] CPSC Briefing Package. Pg. 91. www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf
- [5] Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>
- [6] Id
- [7] NHTSA, Fatalities in Traffic Crashes Involving All-Terrain Vehicles. <http://www-nrd.nhtsa.dot.gov/Pubs/812193.pdf>
- [8] The Denning paper cited below deals with ATVs but the CPSC Briefing Package on the Proposed ROV Rule, Pg. 518, notes that ROVs are designed with narrow track widths and high ground clearance for use on off-road trails which results in a high risk of rollovers. www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf
- [9] Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>
- [10] Id.
- [11] Id. Discussing ATV tires. The CPSC Briefing Package. Pg. 410. Also defines ROVs as having low pressure tires. This allows one to infer that both categories of OHVs discussed here will have tires that are not suitable for on-road use and will have similar problems when used on-road as those described for ATVs in the 2012 report cited above. www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf
- [12] Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>
- [13] Tips and Practice Guide for the All-Terrain Vehicle Rider, ATV Safety Institute. http://atvsafety.org/downloads/ATV_Riding_Tips.pdf
- [14] Specialty Vehicle Institute of America, Position in Opposition to On-Road Operation of ATVs. <http://www.svia.org/Downloads/PositionPaperOpposingOn-RoadUse.pdf>
- [15] ROV Safety Rules. <http://www.rohva.org/>



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>

Thu, Nov 5, 2020, 2:11 PM

to sara [REDACTED]

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Sara, thanks for the feedback.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



P 970.683.6275
zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Thu, Nov 5, 2020 at 9:43 AM sara [REDACTED]

Hello, I am writing you today in support of the Hinsdale County Pilot Program for OHVs on HWY 149. My family has been vacationing in Lake City, CO for years. We have enjoyed being able to use our OHV on HWY 149 traveling from the Alpine Loop, and around town to all of the wonderful restaurants and shops.

Sara [REDACTED]

Sent from my iPhone

Subject: Re: Ohv expansion in Lake City



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>

Thu, Nov 5, 2020, 2:19 PM

to Dianne [REDACTED]

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Dianne, thank you for your input.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org

222 South 6th Street, Room 100 Grand Junction, CO 81501

On Thu, Nov 5, 2020 at 11:24 AM Dianne [REDACTED] wrote:

We are summer guest at Woodlake Park in Lake City, Co. We are asking for your help in the extension of the pilot program for another 3-5 years. We love the flexibility to get into our ohv to ride to town and to view your lovely State without having to loaded it up everytime. I am sure you can understand our reason for our request. Thanks you so much for your consideration in this matter.

Sincerely

Mickey and Dianne [REDACTED]

I am writing this letter to you as stewards of our public lands to express my concerns regarding the OHV Pilot Program on Highway 149.

I have lived in Lake City full time since 1976. I am the director of the public library located on a corner of the Alpine Loop going through town. For the past two years or so and especially this past summer there were many days when the cacophony cause by the huge volume of OHV traffic in our narrow valley was extremely nerve racking.

The parking around the library up and down the streets on this corner is almost totally taken up by OHVs and trucks with large trailers. I watch OHVs run the stop sign on the corner frequently.

This issue for our small community is much bigger than the economic value that some see. It seems as though our quiet, peaceful town has been invaded by what I refer to as "clown cars". There are several groups in town marching onward with blatant disregard toward those who have legitimate concerns, seeing only dollar signs.

Many residents and property owners heavily impacted by the OHV traffic have had no voice, never having been allowed to vote on this issue.

The damage to nearly every county road caused by the small wheel base, aggressive tires and speed of the OHVs has compromised the concept of "multi-use" which in the past has been an important concept and vision in backcountry recreation. There is little likelihood of Hinsdale County having anywhere near the funding needed to repair the damage that has been done. Soon backcountry visitors will no longer want or be able to travel these roads by car or other personal vehicle.

Another particularly disturbing problem that has come to by attention is the amount of toilet paper etc. that can be found on the side of most roads including Highway 149. When stopped at a pullout on 149 this summer I counted 13+ piles.

My friends and family spend nearly every weekend in the high country and continue to marvel at the devastation that has been caused and which I fear will only continue due to lack of enforcement. As we travel to trail heads behind a convoy of OHVs, the dust, the lack of mirrors or turn signals is extremely annoying.

I realize there is little chance of putting the "genie back in the bottle". That being said we must come to some sort of compromise that includes regulation and enforcement. For the sake of this precious resource we call home and Hinsdale County we must all sit down at the table. Allowing OHVs to complete the Alpine Loop comes at far too high a cost to our community and the way of life.

I do not support continuing the Pilot Program on 149 or increasing the use of the state highway.

Thank you for your consideration.

Elaine [REDACTED]

2/2/2021

Re: Hwy 149 Pilot program in Lake City, CO - jennifer.uebelher@state.co.us

On Fri, Oct 30, 2020 at 3:51 PM [REDACTED] wrote:

To Zane Znamenacek, [REDACTED]

Attached is a letter from us in support of extending the Pilot program which allows ATVs and other off road vehicles to drive on Hwy. 149 in Lake City, CO.

Please use the attached letter for feedback and surveys from drivers in Lake City.

Thank you,

Laura and Joe [REDACTED]

2/2/2021

Re: OHV's - jennifer.uebelher@state.co.us

On Fri, Oct 30, 2020 at 5:57 PM Lisa [REDACTED] wrote:

Dear Sirs:

We are managers at the Lake Fork Ranches with 30 plus second homeowners. We have welcomed the flexibility to drive on Hwy 149 that was approved by the State's Pilot Program for OHV's. We are requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South side and to the car wash or Elk Road on the North side of Lake City. These extensions help keep down the need for owners to purchase, own or rent and store trailers. This industry has kept our town going in a major way even during a Pandemic. Seems only the right thing to do to keep the business here with OHV's. There are good information programs being done to inform all the riders. There was only 1 accident involving an OHV to our knowledge this whole summer. OHV's are needed in Lake City to keep our town alive and headed in the right direction.

Thank you for your time.

Lisa and Jim [REDACTED]

n Sat, Oct 31, 2020 at 10:42 AM Brian [REDACTED] wrote:

Elected officials:

My name is Brian [REDACTED] and I am a Texas resident and visitor to Lake City, Colorado. We went for the first time this summer with our family of six and plan to return every year with other families every summer.

We also own OHVs and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program. We are requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end.

These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to use and store trailers. We loved the flexibility of being able to travel into town from the Castle Lakes campground in our OHV.

Without this program in effect, we, along with the families we travel with, would have to reconsider our summer trip location going forward. Thank you in advance for your consideration on this request.

Brian [REDACTED]
[REDACTED]

2/2/2021

Re: Support for Pilot 149 OHV Project - jennifer.uebelher@state.co.us

On Sat, Oct 31, 2020 at 8:36 AM Rodney [REDACTED] wrote:

Mr. Zane Znamenacek

Thank you for your 20 plus years of public service in Colorado State Government. Being a retired Federal Service worker myself, I have a soft spot in my DNA for public service employees. At times the work is thankless, but dedicated and professional people can always find genuine fulfillment and gratification in their profession. Thank you!

As a resident of Oklahoma, we have had four generations of our family visiting Lake City. My first trip into the area was with my Dad and Mother in 1963 when Slumgullion Pass was a dirt road. We have watched Lake City slowly progress over the years and the newest improvement of allowing OHVs in town is most refreshing. After years of jeeping, we started trailering OHVs into the area in 1996, but the allowance of being able to operate in town and parts of Highway 149 is a Godsend. Thanks for your innovative input to simplify OHV travel in Lake City and the voters of Lake City for the welcomed adjustment.

As regular summer visitor to the area, in fact we spent a week there in Sept this year, I would like to suggest that the Pilot 149 for OHVs continue in the out-years. Your successful innovative approach to allow OHVs to respectfully travel between the scenic points on both sides of Lake City is what allows me as an aging visitor to continue my visits to the area. Without the untethered travel between Pleasant View Resort, eating establishments in Lake City, County Road 30 and County Road 20 my travel days as a visitor would be discontinued. At 70 years young, loading and unloading OHVs every day is not something I am able to continue.

The restrictive OHV travel process seems to work well from my observations the past two years. The town seemed to be full of visitors and business owners seemed to welcome each guest. I observed 99% of the OHVs observing all rules and regulations. The law enforcement was doing a great job in their duty and I think more education is planned for visitors on the trails for next year.

Thanks for listening to me! Plus, thanks for your input to innovative solutions and inspiration in solving complex problems in the beautiful state of Colorado. I am available if additional information is desired.

V/R

Rodney [REDACTED]
[REDACTED]

Subject: Re: OHV and ATVs on HWY 149



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Joyce Stapleton

Mon, Nov 2, 2020, 8:00 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Joyce, thank you for your feedback.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Sat, Oct 31, 2020 at 11:56 AM Joyce [REDACTED] wrote:

Dear Zane Zyamenacek,

My husband and I are primary home owners in Hinsdale Country. We own and use OHV's and appreciate the flexibility to use HWY 149 that has been available through the State's Pilot Program. We are requesting a 3-5 year extension of this program and hope it would include Elk Road on the north to Woodlake Park on the South.

This allows locals and visitors access to both sides of the Alpine loop, as well as the car wash.

The locals and visitors shop and eat at local businesses. This income is critical for our local businesses and tax dollars income.

A very few individuals are complaining about the noise and inconvenience. However, many of the dirt bikes, motorcycles and 4 wheel drive vehicles are also noisy.

Please do not allow a few naysayers to ruin this Pilot Program.

Thank you for listening to our concerns and hopefully extending this wonderful Pilot Program.

Yours In good Faith,

Joyce [REDACTED]

[REDACTED]
Lake City, CO 81235

Sent from my iPhone

Subject: OHV**Jess**
to zane.znamenacek

Mon, Nov 2, 2020, 7:55 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

I am a 23year resident of Lake City, Colorado. We also own or use OHV's and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program. I/we are requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own,use and store trailers.

Thank your in advance for your consideration on this request

Subject: Re: HWY149 Pilot program extension



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Traci [REDACTED]

Mon, Nov 2, 2020, 7:51 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Traci, thank you for your feedback.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Mon, Nov 2, 2020 at 5:52 AM Traci [REDACTED]

I am a visitor in Lake City, Colorado. I own and rent locally OHV's and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program. I am requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop and use and store trailers.

Shane [REDACTED]

Thank your in advance for your consideration on this request

Subject: Re: Support for Pilot 149 OHV Project

Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Rodney [REDACTED]

Mon, Nov 2, 2020, 8:04 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Rodney,

Thank you for the kind words and feedback on this issue. If you have not already, please be sure to provide feedback to the local officials of Lake City and Hinsdale County as well.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Sat, Oct 31, 2020 at 8:36 AM Rodney [REDACTED]

Mr. Zane Znamenacek

Thank you for your 20 plus years of public service in Colorado State Government. Being a retired Federal Service worker myself, I have a soft spot in my DNA for public service employees. At times the work is thankless, but dedicated and professional people can always find genuine fulfillment and gratification in their profession. Thank you!

As a resident of Oklahoma, we have had four generations of our family visiting Lake City. My first trip into the area was with my Dad and Mother in 1963 when Slumgullion Pass was a dirt road. We have watched Lake City slowly progress over the years and the newest improvement of allowing OHVs in town is most refreshing. After years of jeeping, we started trailering OHVs into the area in 1996, but the allowance of being able to operate in town and parts of Highway 149 is a Godsend. Thanks for your innovative input to simplify OHV travel in Lake City and the voters of Lake City for the welcomed adjustment.

As regular summer visitor to the area, in fact we spent a week there in Sept this year, I would like to suggest that the Pilot 149 for OHVs continue in the out-years. Your successful innovative approach to allow OHVs to respectfully travel between the scenic points on both sides of Lake City is what allows me as an aging visitor to continue my visits to the area. Without the untethered travel between Pleasant View Resort, eating establishments in Lake City, County Road 30 and County Road 20 my

Subject: Opposition to OHV Pilot Expansion



Patrice [REDACTED]

Mon, Nov 2, 2020, 9:09 AM

to michael.goolsby, zane.znamenacek, Commissioner.Hall, Commissioner.Zink, district1, Kristie Bor

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

To all concerned,

I'm writing to voice my opposition to the expansion of the pilot program.

While we all love the extra commerce in town, it does come at a very high price.

This last summer was out of control, and it's just a sneak peek of things to come.

I love to walk my dog in the town of Lake City. I walk daily and enjoy all the nice walking trails along the way, saying hello to friends and visitors.

Unfortunately this summer was horrible for walking. The noise, dust and OHV traffic as I had to cross neighborhood streets was so bad and unpleasant that I stopped walking in town altogether. The loud vehicles would completely scare my dog to the point of pulling me in the ditch a few times. Anyone who knows my dog knows he is a well behaved dog on a leash.

Hinsdale County does not have funds to hire officers to enforce rules and regulations, just patrolling both ends of Hwy 149 would mean 2 new full times jobs. Our officers are doing the best they can. I've seen them working hard.

Noise on hwy 149 echos up the canyons and disrupts homes and hikers and wildlife. In the months of June, July and Aug the noise is non-stop. There is no respect for the people who live here.

There are some solutions, one of which is a permitted system for the loop itself, and two: noise control or suppression for traveling through town. Many towns have ordinances against noise, be it car stereos, harley's, big trucks "rolling coal". ***We can get ahead of this giant if we work on it at the town level, but Hwy 149 is no place for OHV's.***

The permit fees could go into a fund for town road repairs, and the noise suppression is a win win for all.

I'm tired of being a silent resident about this issue. Most of the users of OHV's are quite respectful and they're just enjoying our beautiful area, but then there are those who come to simply see how fast they can complete the loop, while hooting and hollering through town as fast and as often as they can. It's those people who a permit system will discourage from coming.

Again, I'm against any form of allowing OHVs on HWY 149:

ATV and ROV Deaths Occur On Roadways than Off-Road
OHVs have a relatively narrow track and high-center of gravity
OHVs have low-pressure, deep tread tires designed for off-road use
Most ATVs lack a rear differential

OHV= Off Highway Vehicle

-Patrice [REDACTED]

Year round resident, active volunteer and concerned citizen.

Subject: Re: OHV use on HWY 149/Lake City

Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Frank [REDACTED]

Mon, Nov 2, 2020, 9:49 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Frank, thank you for the input.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Mon, Nov 2, 2020 at 9:38 AM Frank [REDACTED]

Zane, I hope the State of Co. can keep the Pilot program open for HWY 149. We travel to Lake City twice a year on our ATV's with family and friends and our ATV club. We enjoy the Alpine Loop and eating lunch in Lake City. Thanks for your help. Frank Hollendonner

cc.

Susan

Thompson, Kristine Borchers, Sara Gutterman, Lake City Chamber of Commerce, Mayor: Bruce Vierheller, Judson Hollingsworth, Jesse Kendall, Dave Roberts, Michelle Martin and Doug Hamel

Subject: Re: Lake City OHV Program



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to RUDY [REDACTED]

Mon, Nov 2, 2020, 1:04 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Rudy, thank you for your input. Also, please be sure to let the local officials know your thoughts as well.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Mon, Nov 2, 2020 at 12:59 PM RUDY [REDACTED]

My name is Rudy [REDACTED] I'd like to ask for Hinsdale County to continue to support the OHV high pilot program. My self and my family specifically stay in Lake City for that reason. As Colorado residents, we can ride many places, we chose Lake City for the convenience, safety concerns and road maintenance that trailers introduce into the OHV experience. While I certainly don't hear all the new, I do know I've not heard of any material reasons the Lake City OHV program to be terminated, other that preferences expressed by certain folks who would like all out OHV bans.

Thank you for your consideration.

Rudy [REDACTED]

Subject: Pilot Program for Highway 149 in Lake City, CO for UTV's



Michelle [REDACTED]

Mon, Nov 2, 2020, 2:28 PM

to zane.znamenacek@state.co.us, district1@hinsdalecountycolorado.us, district2@hinsdalecountyc

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

I am a full time resident and home owner in Lake City, CO. When I moved to Lake City, CO in 1998 I accepted that Lake City survives off tourism. I chose to bring my children to this town and raise them. I chose this town because of the quality of education that was offered here. I knew that Lake City was a small town and I was going to lose the benefits of a metropolitan area. When my children became full time school students I then focused on the Chamber of Commerce and joined the board there. One focus was on, how can we increase revenue in this town during the summer and off seasons to help increase tax revenue. I want to remind you I have been here for 22 years and I chose to work, live, enjoy, and raise my children in a tourist community. When you move to Lake City and become a primary homeowner, a secondary homeowner, a business owner, or a visitor, you are accepting the fact that tourism is the way Lake City, CO survives.

Since 1914 Lake City, CO has been servicing the outdoor enthusiast. That consists of jeeping, hiking, biking, motocross riding, horseback riding, rock climbing, snowmobiling, camping, ice-climbing, fishing, beer tasting, sledding, skiing, hunting, painting, photography, and Yes UTVing and ATVing. In the recent years the outdoor enthusiast has spent their hard earned money on UTV's and ATVs.

UTVing has allowed a more diversified group of individuals and families to participate in experiencing what Lake City has to offer, GODS country! This activity allows all ages to benefit. It especially allows the tourist in our town enjoy the Alpine Loop and other trails.

I own UTV's and my family and visitors have rented UTV's to enjoy the area around Lake City. Our family and visitors have been visiting us for over 20 years. We have educated them on the use of UTV's, the safety of UTV's, where it is legal to ride and not legal to ride so all rules are respected. People visiting us have benefited from the use of the pilot program. They can complete the Alpine Loop via the pilot provided and not have to stage trailers or figure out to get from one end to the other end of town. When they have access through the town keep in mind they have access to all the businesses and can choose to visit our visitors office, gift stores, restaurants, gas stations, grocery stores, RV parks, rental businesses, realty companies, bank, post office, ice cream parlor, movie theater and more.

The UTV pilot has been in place for two years. In the last two years we have had only one accident. I believe it is safer for a UTV to be in front of a car or behind a car on the highway and not on the side streets trying to figure out what road they can ride on and cross over. All parties benefit from the transportation going the same direction on the highway. I feel this program should be extended. It serves its purpose allowing an UTV user a safe way to travel through town and allowing access to the towns assets. Assets being a financial benefit to the Town of Lake City. I also believe the Pilot program should be extended to Car Wash going north on Highway 149 and Wood Lake Campground going South on Highway 149. They are businesses in town that exist because of tourism.

Subject: Hwy 149 Pilot Program



James [REDACTED]
to zane.znamenacek

Thu, Nov 12, 2020, 3:29 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

November 12, 2020

To Whom it May Concern,

We are summer guests of Woodlake Park in Lake City. We own an OHV and have enjoyed the flexibility to drive on Hwy 149. However, we are asking for your consideration of the Pilot Program for another 3-5 years with possible expansion to include Hwy 149 to Woodlake Park on the south and the Toy Wash or Elk Road on the north end of town. This would allow residents and visitors to access both entry points to the Alpine Loop, as well as tour, shop, and enjoy the restaurants in Lake City without having to trailer their OHV. We travel to Lake City in a motor home, pulling our OHV on a trailer. We do not normally bring another vehicle. Therefore, we are dependent on others to trailer us to the trail heads. To be able to ride our OHV from Woodlake Park would enhance our visits to Lake City greatly.

Thank you for your thoughtful consideration of this request,

Mike and Linda [REDACTED]
Sumner, Texas

Subject: CO149 Pilot Program for OHVs



natascia [REDACTED]

Mon, Nov 2, 2020, 11:19 AM

to district1@hinsdalecountycolorado.us, district2@hinsdalecountycolorado.us, district3@hinsdaleco

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Dear County Commissioners and Town Trustees,

I'm writing in regard to the CO149 Pilot Program for OHVs.

I urge you to please recommend that the CO149 Pilot Program be CANCELED until:

1. We have public input from more of those impacted.
2. We have a plan for law enforcement given the increase in workload.
3. We have a plan to manage the increased strain on our public land and natural resources.
4. We have a plan to manage noise reduction in and out of town

While I appreciate that OHVs are a valuable tourist group I do question our willingness to seek special accommodations for them at the expense of other tourist types and Lake City residents.

If we continue to prioritize high-impact forms of tourism like OHVs over all else, we fail to maximize the benefit of our limited resources, for the good of the community in favor of a few.

Here is what my family and I have observed so far:

- greatly increased noise level: from early in the morning to late in the evening.
- greatly increased dust levels all around town
- driving on the shoulder obstructing cyclists and hikers.
- randomly stopping in the roadway and waving other vehicles around.
- turning without signaling.
- driven by underage drivers.
- driven by impaired drivers under the influence of alcohol.
- without required safety equipment.

As a resident, I've seen the negative impact that the CO149 Pilot Program has had on quality of life for our community. Since the introduction of the CO149 Pilot Program, we've seen an influx of OHV tourism that has put enormous stress on our local law enforcement. It's obvious to any visitor that OHV laws are not being enforced; whether it's running through stop signs, speeding through alleys, or literally racing other OHVs down CO149. We've also seen an unprecedented strain on our backcountry resources with the increase in motorized tourism. Our public lands and natural resources are the heart of our value as a tourist destination and they are currently being damaged by overuse; increased litter, human waste, and destruction of alpine tundra have all been heavily documented.

While the CO149 Pilot Program is not solely to blame, the ease-of access it provides OHVs is certainly a contributor that needs to be considered.

Lastly, you'll often hear proponents claim that residents overwhelmingly voted for OHV use on town streets as a proxy for support of the CO149 Pilot Program. That's not entirely accurate. The vote was 186 for and 119 against which is roughly a 60/40 split, but voting was limited to Town of Lake City voters and did not include the voice of many county residents that live in areas of high impact such as Wade's Addition just south of town. If we use Region 10's population data for Hinsdale County (pop. 820) and Lake City (pop. 374) then only 23% of county residents expressly voted in favor. The majority of county residents were either against, abstained, or were never included in the conversation.

Subject: Lake City OHV Program



Tracy [REDACTED]

Tue, Nov 3, 2020, 11:13 AM

You are viewing an attached message.

State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Good afternoon,

Our family has loved being part of Lake City since we bought property and built a home here in 1965. Over the years we have been pleased to watch the town grow and thrive as people have been able lately to come in and out of town on OHVs on their way to and from the trails. The pilot program has been a big help to those that have a house within the the reaches of the program by enabling them to stop in town on the way to/from the beautiful back country. Whether it be to grab some groceries, pick up a few things in town, or stop and have a great meal at the end of the day or a break for lunch. What a boost for our local businesses!

Our home is on Elk Road, so unfortunately we still have to load our RZR's that we keep at the house (which are street legal and licensed) onto trailers and drive through town to get to the trails to ride. By the time we load them up and strap everything down, we end up going to a staging area to unload and start our day. When we are done and load back up, we just head on back to the house as it is inconvenient and usually difficult to find parking for the trailers to make stops in town.

We ask that the OHV's be allowed to be on 149 North of town to Elk Rd. That would enable all of our neighborhood in San Juan Hills to more often frequent the businesses in town and support the local economy and our local friends that we have grown to know and love over the many years.

Thank you for your consideration,

Tracy [REDACTED]

As each has received a gift, use it to serve one another, as good stewards of God's varied grace." 1 Peter 4:1

Subject: OHV situation



Renee

Fri, Oct 30, 2020, 9:08 PM

to district1@hinsdalecountycolorado.us, district2@hinsdalecountycolorado.us, district3@hinsdalecount

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

To those this email is addressed to:

We are visitors each year to Lake City, Co. We, as a group, also use OHVs while visiting as it's one of the events that everyone in the family as well as friends that we bring love to do. It never gets tiring to see the beautiful area in and around Lake City, including the Alpine Loop. We love the flexibility to drive the OHVs on HWY 149. We learned that this isn't a permanent option but rather has been provided by the State's Pilot Program. I am respectfully asking you to extend the pilot program for another 5 years. I am even asking you to give strong consideration to expand this extension to include use of Hwy 149 to Woodlake Park on the South side and to the car wash or Elk Road on the North end. These extensions will allow residents and visitors of Lake City to get to both access points of the Alpine Loop without having to own, use, rent, and store trailers. If every OHV user, residents and visitors alike, are forced to own, use, and/or rent trailers, this creates an unsafe condition as we try to unload the OHVs, reload the OHVs, and find locations to park while navigating the Alpine Loop as well as staying at the places that we have rented for our time in Lake City. Additionally, it adds an unnecessary cost to OHV users. For those that decide to forego renting OHVs, it will hurt businesses that rent them and if one of the primary reasons that visitors come to Lake City is for the OHV fun, it could reduce Lake City tourism a bit. OHV people take their OHV fun very seriously but if the hassle is greater than the fun, visitors could go to locations that are OHV friendly.

Thank you for your consideration of this request.

Warm regards,

Renee

2/2/2021

Re: Pilot Program for 149 OHV use - jennifer.uebelher@state.co.us

On Thu, Oct 29, 2020 at 6:55 PM Jeff [REDACTED] wrote:

I, Jeff [REDACTED] a year round voting citizen of the town of Lake City would like to ask the State of Colorado to extend the Pilot Program of Hwy 149 and another 3-5 years with the possible expansion of the route to extend north to Elk Road and south to the Woodlake RV park. With all new programs or projects, there are growing pains. Here in Lake City, we are no different. Some folks complain about the noise, dust and speed of OHVs. We all know that all vehicles can be noisy, will kick up dust and the drivers will speed from time to time. Just this past summer, a group of citizens set up road stops on both County Road 20 and County Road 30 to educate all drivers entering into our beautiful mountain town. And, our sheriff's department has worked tirelessly to monitor all roads in our county.

I do not own an OHV but the economic benefit of the additional tourist flow is a life line to the survival of Lake City and Hinsdale County! With the uncertainty created by the pandemic, Lake City needs the economic boost.

Thank you,
Jeff [REDACTED]

Subject: Fwd: UTV Support



Margie [REDACTED]

Sat, Oct 31, 2020, 8:30 AM

to zane.znamenacek@state.co.us, district1@hinsdalecountycolorado.us, district2@hinsdalecountyc

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Dear Honorable Elected officials,

I am writing each of you to encourage you to please support the continuation and extension of the pilot program for an additional three to five year period. Furthermore, I ask your consideration and support to extend the program to include being able to use State Highway 149 for UTV use to and from Woodlake Camp ground and to the car wash on the north end of Lake City. I have had the blessing's of traveling to Lake City for over 50 years starting with my Grandparents when I was a child, when they camped each year at the Henson Creek Campground. My family and I camped at WoodLake for many years and like most we love Ms. Smith and the other regular campers, however due to having to trailer our UTV's we stopped camping there and now for the last 6 years we rent a home in town which is more expensive but we believe is worth the cost because of the benefits of the pilot program.

Some of my fondest memories include the experiences I shared with my grandparents on the alpine loop and now as a father and grandfather, we continue the legacy of travelling to Lake City with our own UTV's with our family and friends. We have previously owned property in Lake City, and for the last 20 years, we have owned (all purchased in Lake City) and operated our UTV's in the utmost safe and responsible manner. Prior to the approval of the pilot program we experienced the inconvenience and having to trailer our UTV's before the decision was made by elected officials to allow what I consider and appreciate a valid and reasonable accommodation that provides a practical and measured solution to the challenge of access to and from the Alpine Loop access points via UTV's.

My family and friends which include approximately 15-20 persons each year return to Lake City not withstanding the beauty, simply because of the convenience of being able to enjoy the benefits of your decision to grant approval of the pilot program.

To be sure, without this convenience and prior to it's approval our family and friends were contemplating a very difficult and uncomfortable thought of ending our tradition of yearly adventures and memories in Lake City and the surrounding area.

In conclusion, it with the utmost respect I encourage you to continue to grant the opportunity for the pilot program to continue and perhaps expand the entrance points slightly and in cases where persons do not adhere to the rules and regulations as set forth, please hold individuals accountable for their actions and not those of us who love, respect, and appreciate the opportunity to experience the San Juan's, while supporting the residents and businesses of Lake City.

Thank you in advance for your time and consideration in this matter.

Respectfully submitted,

Ken [REDACTED]

Subject: Fwd: UTV Support



Margie [REDACTED]

Sat, Oct 31, 2020, 8:30 AM

to zane.znamenacek@state.co.us, district1@hinsdalecountycolorado.us, district2@hinsdalecountyc

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Dear Honorable Elected officials,

I am writing each of you to encourage you to please support the continuation and extension of the pilot program for an additional three to five year period. Furthermore, I ask your consideration and support to extend the program to include being able to use State Highway 149 for UTV use to and from Woodlake Camp ground and to the car wash on the north end of Lake City. I have had the blessing's of traveling to Lake City for over 50 years starting with my Grandparents when I was a child, when they camped each year at the Henson Creek Campground. My family and I camped at WoodLake for many years and like most we love Ms. Smith and the other regular campers, however due to having to trailer our UTV's we stopped camping there and now for the last 6 years we rent a home in town which is more expensive but we believe is worth the cost because of the benefits of the pilot program.

Some of my fondest memories include the experiences I shared with my grandparents on the alpine loop and now as a father and grandfather, we continue the legacy of travelling to Lake City with our own UTV's with our family and friends. We have previously owned property in Lake City, and for the last 20 years, we have owned (all purchased in Lake City) and operated our UTV's in the utmost safe and responsible manner. Prior to the approval of the pilot program we experienced the inconvenience and having to trailer our UTV's before the decision was made by elected officials to allow what I consider and appreciate a valid and reasonable accommodation that provides a practical and measured solution to the challenge of access to and from the Alpine Loop access points via UTV's.

My family and friends which include approximately 15-20 persons each year return to Lake City not withstanding the beauty, simply because of the convenience of being able to enjoy the benefits of your decision to grant approval of the pilot program.

To be sure, without this convenience and prior to it's approval our family and friends were contemplating a very difficult and uncomfortable thought of ending our tradition of yearly adventures and memories in Lake City and the surrounding area.

In conclusion, it with the utmost respect I encourage you to continue to grant the opportunity for the pilot program to continue and perhaps expand the entrance points slightly and in cases where persons do not adhere to the rules and regulations as set forth, please hold individuals accountable for their actions and not those of us who love, respect, and appreciate the opportunity to experience the San Juan's, while supporting the residents and businesses of Lake City.

Thank you in advance for your time and consideration in this matter.

Respectfully submitted,

Ker [REDACTED]

Subject: FW: OHV Pilot Program Letter version 2



[Redacted]

Fri, Oct 30, 2020, 11:06 PM

to zane.znameracek, district2, district1, district3, brucevierheller, judhollingsworth, jessekendall2187, d

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

[Redacted]

To my State and community officials,

I, Michael Moody, am a secondary homeowner in Lake City, CO. I also own the Wagon Wheel resort in Lake City, and many of my clients own and/or use Off Highway Vehicles (OHVs). The flexibility to drive OHVs on Highway 149 has been a welcomed benefit for my clients, and therefore my business.

The State's Pilot Program is bringing in more tourism and therefore more revenue. The more our businesses thrive the more our City will thrive. I am requesting the extension of the Pilot Program for another three to five years with possible expansion to include the use of Highway 149 to Woodlake Park on the South side and to the car wash or Elk Road on the North end. These extensions allow residents and visitors of Lake City to utilize both access points to the Alpine Loop without having to own, use and store trailers.

Respectfully,

Michael [Redacted]

2/2/2021

EXTENSION OF PILOT FOR USE OF OHVs ON HWY 149 - jennifer.uebelher@state.co.us

Bill [REDACTED] Sat, Oct 31, 2020, 3:49 PM
to zane.znamenacek, Susan Thompson, Kristine Borchers, Sara Gutterman, Lake City Chamber of Con

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Good afternoon to you all,

As a visitor to Lake City on my ATV, I write to urge an extension to the subject pilot program, which has enabled ATV riders the flexibility to drive on Highway 149 in order to access both Engineer Pass and Cinnamon Pass while also enjoying meals and fuel availability in Lake City.

As a member of the Uncompahgre Valley Trail Riders, I join others in urging an extension of the pilot program for another 3-5 years, with possible expansion to include the use of Hwy 149 to Woodlake Park on the South side and to the car wash on the North side of Lake City.

Thank you for your consideration of this request.

Bill [REDACTED]
Montrose, CO

Hector [REDACTED]

Sun, Nov 1, 2020, 4:36 PM

to Zane Znamenacek - CDOT, Susan Thompson, Sara Gutterman, Jesse Kendall, Kristine Borchers, Dr

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Hello, I'm Hector [REDACTED] and my wife Pam own three properties in Hinsdale county and are Full Time residents and love living in GODs country. We would like to inform you all that we support the pilot program and wish it to be extended. We have OHVs and use them for work transportation, snow removal, of our properties and for travel to our second home in the San Juan mountains. Without the pilot program we are very restricted on our use of our OHVs. We would wish it would be extended with in the city and surrounding subdivisions from Oct 1 to April 30. The people living year round need to have ability to use there OHVs. Thank you for your time.

Sent from Yahoo Mail on Android

Subject: Lake City Pilot Project



James [REDACTED]
to zane.znamenacek

Sun, Nov 1, 2020, 6:07 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Although I reside in Texas, Lake City is one of my favorite places to visit in Colorado. I try to get there with my family yearly, usually in early fall. One of our favorite activities is to see the beauty of the Alpine Loop via OHV.

I am requesting that the Lake City pilot program for Hwy 149 through Lake City be extended for several more years, and preferably expanded on both the north and south borders. I do not own any OHVs or trailer, but instead rent our OHVs from local businesses in Lake City. It would be quite cumbersome (and disappointing) to not have the ease of access to the off-road trails that the pilot program now provides. When I have visited Lake City, what I have observed is people riding responsibly through town, obeying posted speed limits and riding safely and legally.

Thank you for your consideration of this request.

Jim [REDACTED]
Aledo, TX

2/2/2021

Returned mail: see transcript for details - jennifer.uebelher@state.co.us

On Fri, May 17, 2019, 8:24 PM Schuyler [REDACTED] wrote:

Dear Director Goolsby and Commissioners:

I have to retract my thank you letter (below), having just found out that Zane Znamenacek appears intent on implementing the pilot program under color of last year's resolution, despite the current route being both more dangerous - it requires the OHV's to stop on the highway, cross to a short dirt county road and then reenter the state highway on a hill - and longer. If this was the intent of the Commission in tabling the new resolution, then shame on the group for allowing a known more hazardous option to prevail; if this was not your intent, can you act to correct the situation?

Sincerely,
Schuyler [REDACTED]

Subject: Opposition to OHV use on Highway 149



Quiet Use Coalition [REDACTED]

Mon, Jan 18, 6:55 AM

to CDOT Director Shoshana Lew, CDOT Region 3 Manager Michael Goolsby, CDOT Engineer Jaso

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Colorado Department of Transportation and Others;

We are writing to express serious concerns with the potential exception to permit unlicensed Off-Highway Vehicles (OHVs) such as ATVs, dirt motorcycles, UTVs, etc. to travel on a segment of Colorado State Highway 149 near Lake City, Colorado.

We are writing to express our opposition to the potential renewal of a program that temporarily allowed this use.

Allowing OHVs on Highway 149 compromises the safety of *all* highway users. OHVs are very different from regular highway licensed cars and trucks. They are not designed, nor are they intended to be used for, travel on an improved paved road surface at any type of speed. The tire and other design of these vehicles limits their ability to safely corner, maneuver, or stop on improved road surfaces.

Many of the manufacturers of these vehicles specifically warn users not to operate these vehicles on paved roads. This information is contained in owner's manuals and also on decals on the vehicles themselves.

Numerous organizations state that OHVs should never be ridden on paved public roads, including the Consumer Product Safety Commission.

Many OHVs lack basic functional safety equipment and thus it is not possible to operate these vehicles safely on paved roads. Many OHVs lack a rear differential, rear view mirrors, speedometers, a horn, tires approved for road use, functioning brake and turn signal lights, and/or a reverse gear.

Most of these vehicles lack safety equipment to be crash worthy, such as seat belts. These vehicles have not undergone any type of testing, nor do they meet standards, for safety in the event of a crash.

OHV operators may not know or fully understand the additional risk they are being exposed to when an exception is made to allow them to ride on a State Highway.

Allowing vehicles that are not crash worthy on a State Highway exposes regular licensed vehicle operators to additional risks, problems, and potential mental anguish if they are involved in an accident with an unlicensed OHV. The presence of these vehicles on a State Highway is a distraction for other highway users.

The lack of any type of required operator training course or required OHV operator certification in Colorado permits untrained, unknowledgeable, and unskilled OHV operators to share this Highway with other users. OHVs are very different from regular licensed cars or trucks, and the skills required to safely operate an OHV are not the same as the skills required to operate a licensed vehicle. People with no previous experience with an OHV can rent one in Lake City and within a minute or so be traveling at high speed on Highway 149.

We have concerns with the additional pollution put out by OHVs. OHV engines are not subject to the same strict emission standards that regular licensed cars and trucks are subject to. The EPA allows OHV engines to emit up to eight times the amount of certain noxious exhaust particulates than regular licensed car and truck engines. These extra emissions contribute to overall and localized air pollution.

We do not believe that State government should be taking actions that facilitate and increase air pollution, especially for a recreational activity. The Alpine Loop and State Highway 149 are already open

Subject: Fwd: Lake City Area concerns

**Kerry**

Sun, Jan 17, 3:05 PM

to Cc: Michael Goolsby, Zane Znamenacek, Governor Jared Polis, Sen. Kerry Donovan, Barbara Mc

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Date: Sun, Jan 17, 2021 at 3:04 PM

Subject: Lake City Area concerns

To: <shoshana.Lew@state.co.us>

Director Lew,

I write to you today with great concern for the safety of my community and the protection of Colorado backcountry wilderness areas in Hinsdale, San Juan and Ouray Counties. These counties are connected via the *Alpine Loop*, which resides within the *Alpine Triangle*.

The CDOT CO149 Pilot Project ignores Colorado State law and allows OHVs to operate on the only State Highway that bisects Lake City and Hinsdale County. This CDOT project "connects the loop" and provides OHVs with greater access to our backcountry wilderness areas. This CDOT project also threatens public safety by allowing *off-highway vehicles* to co-mingle with other vehicles on a paved highway surfaces.

As the CDOT director with years of experience with transportation issues, you are certainly aware that OHVs are not legal, nor safe, for highway use. These vehicles are not crash-test certified; they have a propensity for rollover accidents due to their high-center of gravity; they have a known tendency for loss-of-control events due to their off-highway tires that are not legal for use on State Highways; and their locking differentials create unsafe handling characteristics when allowed to operate on paved or hard-packed surfaces.

CDOT and all of the elected officials in Hinsdale County and the Town of Lake City were provided with numerous documents, studies and reports that shine light on the many reasons for not allowing OHVs to operate on Colorado State Highways. Why are you, CDOT managers and other elected officials, ignoring known safety issues by allowing this project to move forward?

While CDOT and our elected officials may have had the best of intentions with the CO149 Pilot Project, the unintended consequences of increased OHV traffic in our community and backcountry wilderness areas has been devastating. County roads are in disrepair; the Alpine Loop saw increased damage; and fragile alpine tundra was damaged last year.

Subject: CO149 Pilot Program



LCA5 [REDACTED]

Wed, Jan 13, 12:52 PM

to CDOT Director Shoshana Lew, CDOT Region 3 Manager Michael Goolsby, Zane Znamenacek, Gove

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Director Lew -

I ask you to please give thoughtful consideration to denying Hinsdale County and Lake City's joint application for the renewal of the CO149 Pilot program. I certainly concur with the concerns addressed by Peter Nesbit in his recent email to you. As the promoter of the Lake City Alpine 50, a high-alpine bike race each August, I am painfully aware of what this program has done to the Town of Lake City. The Pilot program has resulted in an untenable situation in the Town. Lake City simply does not have the basic infrastructure or enforcement means to adequately deal with the influx of OHV traffic that has come to this area. Further expansion of this program will unquestionably result in increased traffic. At a minimum, I would urge you, should you all choose to extend the Program, to only do so for one year so we can have another year to assess the impacts of increased OHV traffic in Lake City. Any attempt to extend the program to additional stretches of CO149 is a dangerous precedent, which will exacerbate the already well-known risks of having OHVs on highway. I plead with you to do what is right here. Thank you.

Michael [REDACTED]
Human Powered Endeavors, LLC



Subject: CO149 Pilot Project in Hinsdale County



John [REDACTED] <johnhollrah@ouraynet.com>

Tue, Jan 12, 9:07 PM

to Shoshana Lew, Michael Goolsby, Zane Znamenacek, Governor Jared Polis, Sen. Kerry Donovan

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Director Lew,

I write to you today with great concern for the safety of my community and the protection of Colorado backcountry wilderness areas in Hinsdale, San Juan and Ouray Counties. These counties are connected via the *Alpine Loop*, which resides within the *Alpine Triangle*.

The CDOT CO149 Pilot Project ignores Colorado State law and allows OHVs to operate on the only State Highway that bisects Lake City and Hinsdale County. This CDOT project "connects the loop" and provides OHVs with greater access to our backcountry wilderness areas. This CDOT project also threatens public safety by allowing *off-highway vehicles* to co-mingle with other vehicles on a paved highway surfaces.

As the CDOT director with years of experience with transportation issues, you are certainly aware that OHVs are not legal, nor safe, for highway use. These vehicles are not crash-test certified; they have a propensity for rollover accidents due to their high-center of gravity; they have a known tendency for loss-of-control events due to their off-highway tires that are not legal for use on State Highways; and their locking differentials create unsafe handling characteristics when allowed to operate on paved or hard-packed surfaces.

CDOT and all of the elected officials in Hinsdale County and the Town of Lake City were provided with numerous documents, studies and reports that shine light on the many reasons for not allowing OHVs to operate on Colorado State Highways. Why are you, CDOT managers and other elected officials, ignoring known safety issues by allowing this project to move forward?

While CDOT and our elected officials may have had the best of intentions with the CO149 Pilot Project, the unintended consequences of increased OHV traffic in our community and backcountry wilderness areas has been devastating. County roads are in disrepair; the *Alpine Loop* saw increased damage; and fragile alpine tundra was damaged was damaged last year.

The Hinsdale County Sheriff is on-record with the fact that his office is unable to manage the increased levels of tourism in Lake City and Hinsdale County. Residents, 2nd-homeowners and non-mechanized tourists documented the adverse impact of dust, noise, traffic, parking and violations of State law throughout our community. The BLM and NFS are on record with their observations of damage to the *Alpine Loop* and adjacent wilderness areas.

I urge you to pull the plug on the CO149 Pilot Project in Lake City and Hinsdale County. The State of Colorado, CDOT and the Transportation Commission need to devise a sustainable economic plan for remote mountain communities that does not involve a destructive and unsafe form of tourism.

Subject: Re: Terminate the CO149 Pilot Program in Hinsdale County (Gov. Polis)



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Peter [REDACTED]

Mon, Jan 4, 12:29 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Peter, I don't even know if there will be a pilot program next year, so I certainly can't comment on what the limits will be. I suspect the governor was simply referring to the original resolution.

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



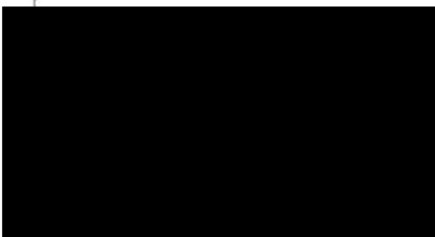
zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Mon, Jan 4, 2021 at 12:22 PM [REDACTED]
Zane,

I'm asking you to respond to the email from the Governor's Office. That email does not jive with with what you, the Town and County, are telling me. That email limits or restricts the length of the Pilot Project and I would like to know if this is going to be the physical length or not.

Please take a look at the email from the Governor's Office and let me know if you can comment on that specific letter.

Thanks,



On Jan 4, 2021, at 8:18 AM, Znamenacek - CDOT, Zane
<zane.znamenacek@state.co.us> wrote:

2/2/2021

Re: The State of Colorado Pilot - jennifer.uebelher@state.co.us

On Fri, Oct 30, 2020 at 8:10 PM Brian [REDACTED] wrote:

Good day.

I am a seasonal visitor in Lake City, Colorado. We also own or use OHV's and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program. I am requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own, use and store trailers. Without the use of these access points we would be less inclined to visit this area and take our seasonal vacations elsewhere.

We truly enjoy coming to this area. Please keep the access open.

Thank you in advance for your consideration on this request.

Brian [REDACTED]
[REDACTED]

2/2/2021

Re: OHV Pilot Program Extension - jennifer.uebelher@state.co.us

On Mon, Oct 26, 2020 at 5:36 PM Brent [REDACTED] wrote:

We are primary home owners here in Lake City, Colorado. We also own and use OHV's and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program. We are requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South Side and to the Car Wash or Elk Road on the North Side. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own, use and store trailers.

Thank you in advance for your consideration on this request.

Sincerely,

Brent and Sherri [REDACTED]

Subject: Re: Pilot Program at Lake City Colorado



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Dennis Wainwright

Wed, Dec 23, 2020, 3:14 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Dennis, thank you for your comments.

Have a great Christmas and New Year.

Zane

On Wed, Dec 23, 2020, 3:11 PM Dennis [REDACTED]

Dear Mr. Znamenacek,

My wife and I are summer guests of Woodland Park in Lake City and have been summer vacationing in Lake City for the past 50 years, and we own an OHV and enjoyed the flexibility to drive on Hwy 149. However, we are asking for your consideration of the Pilot Program for another 3-5 years with possible expansion to include Hwy 149 to Woodland Park on the South and the Tow Wash on Elk Road on the North end of town. This would allow residents and visitors to access both entry points to the Alpine Loop, as well as tour, shop, and enjoy the restaurants in Lake City without having to trailer their OHV.

Thank you for your thoughtful consideration of this request.

Dennis and Mary [REDACTED]

Subject: Re: Highway 149 State Pilot Program Support

Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Wes [REDACTED]

Mon, Nov 9, 2020, 8:07 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Wes, thank you for your input. I would also encourage you to share your thoughts with the local officials, if you have not already done so.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Sat, Nov 7, 2020 at 8:07 PM Wes [REDACTED] wrote:

November, 7, 2020

Dear Zane,

I am a resident and home owner in Lake City Colorado. My family and I love the area and enjoy being able to explore the areas within our county and neighboring counties. We are OHV owners and we are grateful for the accessibility to drive on Highway 149 that has been provided by the State's Pilot Program. We are requesting the extension of the Pilot Program for additional years with the hope of the accessibility becoming a permanent feature at some point in the future. I have heard from others, and I would support, an expansion of the Pilot Program to include use of Highway 149 to Woodlake Park on the South and to the Car Wash or Elk Road on the North which would be beneficial to other residents and visitors to our area. These extensions would allow residents and visitors of Lake City to access both entry points of the Alpine Loop without having to own, use and store a trailer for hauling their OHV.

Sincerely

Wes [REDACTED]

<herman.stockinger@state.co.us>, Michael Goolsby <michael.goolsby@state.co.us>, Zane Znamenacek <zane.znamenacek@state.co.us>

Director Lew,

Please see the attached letter from FHA Colorado Division Manager John M. Cater. His letter responds to a complaint submitted to the Department of Transportation (DOT) Federal Highway Administration (FHA) Colorado Division. My complaint alleged inappropriate use of funds and grant money by CDOT associated with the CO149 Pilot Program in Lake City and Hinsdale County.

Mr. Cater commends those of us who seek to reduce the number of deaths caused by OHVs. In his letter, Cater states that "Safety is FHWA's number one priority."

Mr. Cater also writes, "FHWA provides federal funding to the states with the provision that new or reconstructed roads and highways meet certain standards."

Please provide me with answers to the following questions:

1. Does the future CDOT reconstruction (paving) project on CO149 in Hinsdale County comply with FHA provisions to enhance safety and reduce deaths on a Colorado State Highway?
2. Are Federal funds being used to plan or prepare for the future reconstruction project?
3. Will Federal funds be used to purchase equipment, materials or pay employees or contractors for the future reconstruction project?
4. If Federal funds are received by CDOT, is CDOT and/or the Transportation Commission authorized to implement the CO149 Pilot Program?
5. Can a Pilot Program exist on any Colorado State Highway if CDOT and the Transportation Commission are reducing the level of highway safety in our State?

Previous communication with CDOT officials inform me the Pilot Program is a "local issue", but Mr. Cater clearly states "the TC will make the determination to either extend or end the pilot program."

Thank you in advance for answering the above questions.

Sincerely,

Pete



Subject: Re: Hinsdale County OHV extention



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>
to Brad Hall

Mon, Nov 9, 2020, 7:49 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Brad, thank you for the input.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Sun, Nov 8, 2020 at 5:39 PM Brad [REDACTED]

To whom it concerns.

I personally grew up in Lake City from 1976 to 1988 and my family has owned vacation homes in the area ever since. Our family cherishes Lake City as our second home and we spend a great deal of time every year there.

We respectfully request you continue to renew the OHV extention policy. Lake City is more fun and more accessible, and safer when OHV's can use the highway rather than trailers, and OHV are much safer than vehicles on dangerous 4wd roads.

Please renew the extention for us all to enjoy our town, in our own ways. Those opposed lose nothing. Those for retain freedom and safety.

Best regards,
Brad and Trin [REDACTED]



Subject: OHV Pilot Program for Hinsdale County and the City of Lake City, Colorado



[REDACTED]
to Zane Znamenacek, Susan Thompson, Kristine Borchers, Sara Gutterman

Mon, Nov 9, 2020, 6:57 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

I am a homeowner and resident of Lake City, Colorado, and also own two OHVs. The State's Pilot Program allowing OHVs to be driven on portions of HWY 149 for the past two years was greatly appreciated, and I believe an extension of this program for another 3-5 years is beneficial to the city of Lake City and to its residents. The extension will allow both residents and visitors of Lake City access to the entire Alpine Loop without the need to own, operate and store utility trailers. Without the extension Lake City businesses will see a reduction in revenue, and the city of Lake City will experience a reduction in sales tax revenues.

I just turned 72 on November 4, love the great outdoors, am respectful of God's creation and unfortunately my knees no longer afford me the privilege of hiking the mountains as I once did.

Thank you for your consideration of my request.

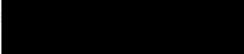
Ted [REDACTED]
[REDACTED]

Subject: Re: OHV pilot program: Good morning Zane, my name is Gabe [redacted] and I've lived in Lake City, Colorado since 1985. My family has ties with Lake City since the 40's. My Father was one of the men who widened the 4 wheel drive roads in the 60's through out the state for the influx of Jeep's and tourist heading this way in the summer. My mother's sister is Beverly Vickers so I've been around for awhile. I'm pro OHV but a half a million just on our pass alone this summer turns into 3/4 of a million in the coming summers. I'm seeing more and more now heading up slumgullion pass to go up sawmill park which puts them on 149 south bound pass the County rd 30 turn off. No blinkers is tough at night. Early morning and late night noise down Main Street gets a bit much at times. Daily drivers to church makes me question are we just ok with making the loop connection or are we good with OHV's just riding all over town no matter the motive? The lack of education in the high country



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>

Tue, Nov 3, 2020, 7:44 AM



You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Gabe, thank you for your input.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501



Subject: HWY 149 Pilot Program

**Jake**[REDACTED]
to zane.znamenacek@state.co.us, district2@hinsdalecountycolorado.us, district1@hinsdalecountycolor

Mon, Nov 2, 2020, 4:22 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

To Whom It May Concern,

I have been a visitor of Lake City, Colorado, Silverton, Colorado and the surrounding Alpine Loop for the past 20 years. I travel to the area at least twice a year, and have brought several friends that have also started visiting the area on a regular basis.

Several years ago a pilot program started which made the trip much easier, logistically, by not having to worry about how to make the full loop. I own OHV's and have welcomed the flexibility to drive on HWY 149 since the State's Pilot Program began. Before this program was provided, I didn't spend as much time in Lake City due to the logistics of not being able to ride the complete loop. So, before the pilot program was established, I spent the majority of time in Silverton, due to expanded access to the loop. With that said, I am requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own or use and store trailers.

Thank you in advance for your consideration on this request.

Respectfully,

Jake [REDACTED]

Subject: State's Pilot Program

**Missy**

to zane.znamenacek@state.co.us

Tue, Nov 3, 2020, 10:39 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

To Whom It May Concern:

I am a secondary homeowner in Lake City, Colorado. We also own OHV's and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program. I am requesting the extension of the pilot program for another 3-5 years with possible expansion to include the use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own, use and store trailers.

Thank you for your consideration on this request.

Missy

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3

[Redacted]

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Tue, Nov 3, 2020 at 7:17 AM Danny [Redacted]

Dear Sir,

Attached is a letter expressing my support and requesting your favorable support to extend a Pilot Program in Lake City, Hinsdale County, Colorado affecting Highway 149 and OHV approved travel on this section of roadway.

This program is vital in maintaining and promoting tourism in Lake City.

Your support would be greatly appreciated.

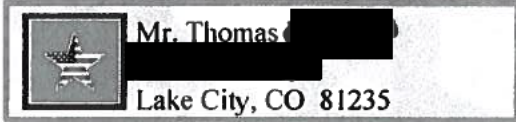
Danny [Redacted]
Executive Vice President

[Redacted]



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This transmission may contain information which is confidential, proprietary and privileged. If you are not the individual or entity to which it is addressed, note that any review, disclosure, copying, retransmission or other use is strictly prohibited. If you received this transmission in error, please notify the sender immediately and delete the material from your system.



10-28-2020

Sirs:

I am a primary homeowner in Lake City, Colorado. I own and use an OHV and have really enjoyed the flexibility to drive on Highway 149 which has been provided by the recent State Pilot Program.

I am requesting an extension of the pilot program for another 3-5 years with possible expansion to include use of highway 149 to Woodlake RV Park on the south end and to the car wash or Elk Road on the north end of town. These extensions allow residents and visitors of Lake City to safely access both points to the Alpine Loop without having to keep a trailer to use for this purpose.

Thank you so much for your timely consideration on this subject.

Sincerely,

Thomas [redacted]

Subject: ATVs



Fri, Nov 13, 2020, 1:59 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Lake City is a town that makes all of its Revenue in 4 months for its year round citizens. The tourism business comes to town based on summer activities. Especially the ATV activities over the different passes. The following businesses will be hurt if this becomes prohibited.

Restaurants

Food stores.

Fly fishing stores

Hunting

Antique stores

Real estate values.

Construction

All of the above is the sole tax base

For lake city.

Let's keep those ATVs rolling, so lake city can survive.

John [REDACTED]

A summer resident

Sent from my iPhone

2/2/2021

Re: OHV Program - jennifer.uebelher@state.co.us

On Sat, Oct 31, 2020 at 8:45 AM Tony [REDACTED] wrote:

Mr. Namenacek,

Please consider our request to extend the current OHV regulations for residents and visitors. We love Lake City visit several times yearly, everyone has been courteous riding and have never seen any type of problems. Denying riders on the streets will highly diminish income for all the wonderful private owned businesses. Please extend current regulations.

Tony & Sherri [REDACTED]

El Reno, Ok.

Sent from my iPhone

On Fri, Oct 30, 2020 at 11:58 AM Chuck [REDACTED] wrote:

Zane.

We had been visiting Lake City for over 20 summers. We are in favor of the State of Colorado extending the OHV-ATV program in Lake City, Colorado. We have watched this program from the first year it began and have enjoyed being able to access the Alpine Loop and other trails with our ATV. This program we think has been successful for OHV owners and a great economic benefit to the business community. As a native of Colorado we must continue to embrace all forms of economic development for these cities in Colorado which depend on tourism.

This year Covid-19 has crippled sales tax revenues for the state and many communities in Colorado. Lake City needs to have the OHV program extended for 3 to 5 years.

I have served as President of the Pueblo Economic Development Corporation a few years ago and I understand the need for Lake City and its residents to have OHV program to support local tourism.

Sincerely Charles [REDACTED]

2/2/2021

Re: Extension of pilot program - jennifer.uebelher@state.co.us

On Wed, Oct 28, 2020 at 3:03 PM Karen [REDACTED]

In regards to the extension of the pilot program:

We are secondary homeowners in Golden Estates. Our family uses our cabin mostly May through October. We also own OHV's and have welcomed the flexibility to drive on Hwy 149 that has been provided for the State's Pilot Program.

We would like to be one of many that request the extension of the pilot program for another 3-5 years, with a possible extension to include use of Hwy 149 to Woodlake park on the S. side and to the car wash, or Elk Rd. on the N. end. This would allow us as part-time residents and visitors of Lake City to use both access points to the Alpine Loop without having to own or store trailers. As an "almost local", we have been coming to Lake City with our parents Milt & Gwen Wilkinson who have now passed, since the early 1960's and would like to promote a continuation of adoration for Lake City as we will always have for those visitors to come.

We appreciate your consideration in this matter.

Kindest Regards

Karen [REDACTED]
[REDACTED]

2/2/2021

Re: State OHV Pilot Program Lake City Colorado - jennifer.uebelher@state.co.us

On Wed, Oct 28, 2020 at 2:27 PM Carl [REDACTED] wrote:

We are previous homeowners in Lake City, Colorado. We are now full time visitors for the entire Summer. We also own OHV's and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program.

Since this program benefits the entire county, not just the Town of Lake City, we are requesting the extension of the pilot program with expansion to include use of HWY 149 to Woodlake Park on the South Side and to the car wash on Elk Road on the North end. These extensions are only common sense changes to include additional local businesses and allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own, use and store trailers.

Any complaints arising from the previous program or any potential expansion can easily be addressed with local enforcement of the rules. Based on my personal observations, tourist compliance with the rules and regulations is actually greater than by some of the "Locals." **All traffic laws, speed limits and noise abatement rules should be strictly and fairly enforced.**

Thank your in advance for your consideration on this request.

Carl & Deana [REDACTED]

2/2/2021

OHV pilot program extension - jennifer.uebelher@state.co.us

Sun, Nov 1, 2020, 9:19 PM

[REDACTED]
to zane.znamenacek, district1, chamber, judhollingsworth

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

I am a secondary homeowner in Lake City. Our family has been in Lake City since the early 1970s. Our home is across Hwy 149 from the Vickers Ranch. We own an OHV and request an extension for 3-5 years of the pilot program enabling OHVs access to Hwy 149 without having to trailer the vehicle.

Thank you for your time and consideration.

Sincerely, Valrie [REDACTED]

Sent from my iPhone

On Fri, Oct 30, 2020 at 3:08 PM Shari [REDACTED]

I am a year-round resident of Lake City and I own Chillin' Coffee Shop. Currently, I do not own an ATV but many of our friends and almost all of our summer customers own an OHV or rent one during their vacation. Tourists, summer residents and year round residents enjoy the Alpine Loop as well as other trails in our area. They enjoy the ability to ride their vehicle straight from their residence/cabin/campsite to County Roads 20 or 30 to access the Alpine Loop.

Our business, as do others, relies heavily on these summer tourists and residents. Many of these tourists stop in for breakfast before their ride and many others coming from Ouray and Silverton stop in for lunch. Being able to ride their machines into town along HWY 149, makes our town available for shopping and without a ski resort nearby, summer income is necessary for the survival of this town.

I am asking that you extend the Pilot Program for OHVs in Lake City for an additional 3 to 5 years and that you extend the boundaries, north to the Toy Wash, which will enable folks to clean their machine after a day of riding and south to the CDOT compound on 149, which will enable the campers at Woodlake RV Park to access the Alpine Loop.

To assist OHV riders in education using the trails, many volunteers gathered at the entrance to Engineer Pass and Cinnamon Pass where they spoke with riders about understanding the rules and expectations along the Alpine Loop.

Again, I encourage you to consider extending the Pilot Program as it is vital to the economic survival of Lake City.

Thank You,

Shari [REDACTED] owner
Chillin' Coffee Shop

2/2/2021

Re: Pilot Program for Hwy 149 for OHV use - jennifer.uebelher@state.co.us

On Fri, Oct 30, 2020 at 3:03 PM Michael [REDACTED]

I am a year round resident of Lake City and work at a small cafe here. I love this community and I would someday like to own my own business in here. I recognize that my job depends on the tourists coming to Lake City. Lake City's economy depends on summer residents and tourists who ride OHVs to explore/enjoy riding the Alpine Loop and the various trails in our area. We see summer residents and tourists based in Ouray and Silverton who come over the pass from Ouray and Silverton. All of these people spend time and money in Lake City. Lake City has a very limited winter tourist draw. We have no ski resort. Our town relies on a healthy summer season to encourage people to come and enjoy our beautiful mountains. Considering the noise complaint of OHVs, diesel pickups are much louder. Dust would be cut down if OHVs could ride on 149 rather than along our residential streets which are dirt. And regarding the final complaint of speed, I have watched vehicles of all kinds speed along 149 and town streets. Our sheriff's office will continue to patrol and enforce traffic laws. I am asking you to please approve the Pilot Program for another 3-5 years and to extend the limits north to the Toy Wash and south to Woodlake RV Park.

Thank you,
Michael [REDACTED]

forward.
Zane

Zane Znamenacek, PE
CDOT Region 3 Traffic and Safety Program Manager

On Mon, Sep 28, 2020 at 4:59 PM John [REDACTED]

Dear Mr. Znamenacek,

My family and I have owned property in Hinsdale County since 2003. Our property is located on County Road 30. Over the last several years we have seen a steady increase in the volume of traffic on the road, especially with OHVs. Most recently, it was reported that BLM is now measuring over 450,000 visitors per year on or around this county road. This increase is correlated with the decision by CDOT to grant access to CO149 through the town of Lake City.

In addition to the increased traffic, there seems to be a change that has happened in the last few years with a subset of drivers. This subset appears to not share the values that I believe are shared by the residents and property owners of Hinsdale County and Colorado. Instead, their priority is to use and abuse the roads. They do this by bringing souped-up vehicles onto the delicate dirt roads and using these vehicles to travel at speeds that would qualify them for a Baja 1000 event. By having access to a State highway, these types of vehicles can easily make a race track out of the entire Alpine Loop scenic area. I don't think this was ever the intention of CDOT.

The damage to the environment and the County's budget is growing from the encouragement of this type of activity. The environmental damage can be seen in the dirt runoff into streams, the tundra damage and the noise pollution that scares wild animals and discourages hikers and campers from enjoying the wilderness. The budget damage is from the need to repair the roads due to this type of abusive behavior. CDOT's actions are contributing to this growing budget and environmental problem.

Excessive speed and highway law violations are also creating substantial safety issues. County Road 30 is traversed by outdoor enthusiasts, such as hikers, runners, and mountain bikers. There are many blind curves where a vehicle traveling in excess of the posted speed limit could easily strike one of these users. These vehicles are also violating road laws. Many vehicles have unrestrained children without helmets. CDOT's actions are requiring enhanced law enforcement which currently doesn't exist.

From what I can gather, the opening of CO 149 to OHV's was a temporary program that is set to end on September 30th, 2020. Given this program is coming to an end, I have the following questions:

- I would like to understand what are CDOT's intentions with this program?
- What happens next, is there an opportunity for community input?
- Will the program be discontinued or continued?
- Is this decision based upon a process that CDOT will go through and if so, what is that process?
- How does law enforcement on the State highway get factored into the decision?
- Will any environmental impact studies be required?
- Does the program require any Federal approvals given the impact on Federal lands?

Thank you for your time and I look forward to hearing from you.

Sincerely,

John [REDACTED]

On Tue, Oct 27, 2020 at 3:42 PM [REDACTED]

Mr. Znamenacek, [REDACTED]

I am a secondary homeowner in Lake City, Colorado. We also own OHV's and have welcomed the flexibility to drive on HWY 149 that has been provided by the State's Pilot Program. I am requesting the extension of the pilot program for another 3-5 years with possible expansion to include the use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own, use and store trailers.

Thank you in advance for your consideration on this request.

Tannah [REDACTED]
[REDACTED]

On Wed, May 15, 2019 at 8:26 AM Doug [REDACTED]

Lenore C. Bates

May 15, 2019

Colorado Byways Program Manager
Bicycle, Pedestrian & Byways Section

Save Lake City from the OHVs! Are you kidding me? Save Lake City from the Anti OHV forum!!!

Lenore, as a full time Lake City Resident and a Business owner in Lake City, I would like to go on record that I support the OHV Pilot Program that will allow OHVs to complete the Alpine Loop. I would also like to let you know that Debra Goodman "Matterhorn Hotel" does not reflect the feelings of all of our community. The facts presented in her e-mail are grossly biased and absolutely false in many cases. For example the vast majority of the 4WD vehicles on the Alpine Loop are not ATVs. They are predominately 4WD Jeeps/Trucks and OHVs which are defined as vehicles with steering wheels. They clearly are safe because they are being licensed for general use on public streets in many states. In fact there was **only one OHV accident in Hinsdale County in 2018**...sounds pretty safe to me.

Colorado Western University's 2018 traffic study of the Alpine Loop shows that Lake City is the main entry point for the Alpine Loop and that **333,000** tourists experienced the Alpine Loop Last year, see attachment 1. This is by far the largest Tourist Group that visits Lake City. Many of those tourists frequent Lake City's lodging, restaurants, and shops. We now have data, see attachment 2, showing a **23.5%** increase in sales tax from 2015 to 2018 as compared to only 2.9% from 2006-2015. That equates to increases in business revenue of **\$2,345,000** and **\$68,000** in taxes. The only thing that has changed to cause this increase is the OHV ordinance allowing OHVs in town. We must preserve Lake City's fragile economy.

I have no problem seeking ways to reduce the noise and dust impact of OHVs on the town but I'm very concerned that closing our streets to OHVs will result in the loss of business and will adversely impact Lake City, Hinsdale County; Town and County employees whose salaries depend on taxes. Obviously this would also affect their ability to provide services to the community.

We should not be chasing off any OHV business particularly this year where we have already been impacted by 26 Avalanches and the possibility that the Alpine Loop may not be open until Mid-July. There is no question that 4WD tourists have a huge impact on Lake City's economy. I ask you to support the Pilot Program Request from **the Hinsdale County Commissioners and Lake City's Town Council** who represents all of us.

Attachments: 1. Alpine Loop Traffic Study
2. Lake City Sale Tax Analysis
3. OHV Letter

Respectfully,

[REDACTED] Owner Blue Spruce Building Materials
[REDACTED]
[REDACTED]

2/2/2021

Returned mail: see transcript for details - jennifer.uebelher@state.co.us

On Fri, May 17, 2019, 8:24 PM Schuyle [REDACTED]

Dear Director Goolsby and Commissioners:

I have to retract my thank you letter (below), having just found out that Zane Znamenacek appears intent on implementing the pilot program under color of last year's resolution, despite the current route being both more dangerous - it requires the OHV's to stop on the highway, cross to a short dirt county road and then reenter the state highway on a hill - and longer. If this was the intent of the Commission in tabling the new resolution, then shame on the group for allowing a known more hazardous option to prevail; if this was not your intent, can you act to correct the situation?

Sincerely,
Schuyle [REDACTED]

2/2/2021

Re: extension of pilot program - jennifer.uebelher@state.co.us

On Wed, Oct 28, 2020 at 11:30 AM

In regards to the extension of the pilot program:

We are secondary homeowners in Golden Estates. Our family uses our cabin mostly May through October. We also own OHV's and have welcomed the flexibility to drive on Hwy 149 that has been provided for the State's Pilot Program. We would like to be one of many that request the extension of the pilot program for another 3-5 years, with a possible extension to include use of Hwy 149 to Woodlake park on the S. side and to the car wash, or Elk Rd. on the N. end.

This would allow us as part-time residents and visitors of Lake City to use both access points to the Alpine Loop without having to own or store trailers. As an "almost local", we have been coming to Lake City with our parents Milt & Gwen Wilkinson who have now passed, since the early 1960's and would like to promote a continuation of adoration for Lake City as we will always have for those visitors to come.

We appreciate your consideration in this matter.

Kindest Regards

Julia

Wilkinson Family Cabin

Subject: Pilot Program for 149 OHV Use

Wed, Oct 28, 2020, 6:57 PM



[REDACTED]
to To: "zane.znamenacek@state.co.us", Susan, "Kristine Dugan - Shuman Mulcahy Group Realty (Busi

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

We here at Chillin Internet Coffee Shop and Restaurant (located at 205 Hwy 149) would like for the State of Colorado to consider the extension of the Pilot Program in Lake City for the next 3-5 years. The influx of additional tourists, in our mountain tourist town, has been a godsend in a year of uncertainty with the whole world dealing with the COVID-19 pandemic. I have talked to several close friends who own businesses here and Lake City and ALL are experiencing an increase in sales and income this summer. Our Chillin Coffee Shop have seen our income increase by 40%! Our business is on Hwy 149 in Lake City and we see the flow of OHVs, cars trucks etc. Very few of these vehicles cause a problem! As with any trafficked area, some of these vehicles speed but they are dealt with by our dedicated sheriff and staff. Regarding traffic accidents here, there have been more incidents with cars, trucks and motorcycles than OHVs.

I ask you please allow the Pilot Program for Hwy 149 in Lake City to continue.

Thank you for your consideration of this request.

Jeff and Sha [REDACTED] owners
DBA: Chillin Internet Coffee Shop

On Thu, Oct 22, 2020 at 7:33 PM [REDACTED]

I'm writing to you today out of concern that the proposal to extend the CO 149 Pilot Program is not being made public. I personally just heard about it. Although Alpine Outdoor Association would have you believe everyone in our community wants this that is not true. It does not speak for everyone in Lake City and Hinsdale County. Its members now ask us to expand highway usage, in part to keep the OHV's off their own streets. There are people opposed to OHV's in town who can't make their voices heard due to their jobs or businesses for fear of losing them. Many voices in our community have not been heard. Please consider allowing more public input on this matter. I would like to see more transparency in this process with a hearing so that the community has a voice. I've personally suffered a loss of quality of life from the noise and dust brought by these vehicles. My husband and I use to enjoy hiking in the backcountry in the summer, but that has changed with the influx of so many machines. When we moved to Lake City fifteen years ago we found it to be a friendly, beautiful, quiet oasis. We enjoyed hiking our beautiful trails, fishing at Lake San Cristobal and along Henson Creek and the Lake Fork of the Gunnison River. When friends came to visit it was fun to take them on outings in our Scout around the Alpine loop. As the years past we've watched as an influx of tourist wanting to drive the Alpine Loop bring more machines and noise tearing up the road, driving on the delicate tundra where signs are clearly posted asking the public to stay off and a need for law enforcement that can't be met. Voters were duped in to believing that their support for OHV's was needed to save Lake City's economy, which would benefit our town as a whole. It's easy to point to percent increases in sales tax, but some of that increase came during the off-season and we had no greater increase than those communities not allowing off road vehicles on state roads. What are the actual benefits to our town if any? I would like to see who is really benefiting. Is the loss of quality of life for us worth the so-called gains? Allowing them on State Highway 149 just makes traffic worse.

Sincerely,

Carol [REDACTED]

[REDACTED]

2/2/2021

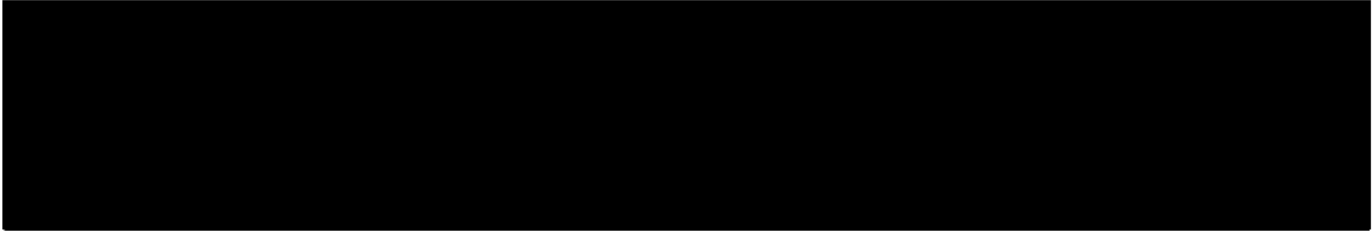
Re: Colorado Pilot for OHV use on 149 - jennifer.uebelher@state.co.us

On Tue, Oct 20, 2020 at 8:14 AM Tom [REDACTED]

To whom it may concern,

Hello, my name is Tom Arthur and I am a resident of LaPlata county here in Colorado. My family and numerous friends regularly travel to Lake City in the summers via Engineer Pass and Cinnamon Pass on various different ATV's,UTV's or Side by Sides and such. We love the great town of Lake City and enjoy all it has to offer. Sometimes we rent a cabin and stay a day or two. When that is the case our ATV's are our only transportation to get around. We have enjoyed the capability of using our SideXSides on HWY 149 provided by the States Pilot agreement Program. That being said, I would like to voice my support for the extension of the pilot program with the possible expansion to include use of HWY 149 to Woodlake Park on the South side and to the car wash or Elk Road on the North End. Being that we travel over from the Silverton side with only our ATV's it would give us options on dining and places to stay on our trips. Thanks for your time and look forward to visiting Lake City next summer.

Tom. [REDACTED]



I am a primary homeowner in Lake City, Colorado. I currently do not own an ATV or OHV, but have in the past. I'm currently trying to sell my home and feel the use of ATVs/OHVs on HWY 149 by prospective buyers is a great selling point. My home is located near the entrance to San Juan Ranch Estates and access from the car wash would make travel on HWY 149 from there possible for ATVs/OHVs, if extended to the car wash by the State's Pilot Program. I am requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the South Side and to the car wash or Elk Road on the North end. These extensions would allow residents and visitors of Lake City to access the entire Alpine Loop without having to own, use and store trailers.

Thank your in advance for your consideration on this request.

Alan L. [REDACTED]

Subject: Re: ATV's lake city



Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>

Tue, Oct 27, 2020, 7:41 AM



You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Skipper, thank you for your input on this issue.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

P 970.683.6275

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org

222 South 6th Street, Room 100 Grand Junction, CO 81501

On Tue, Oct 27, 2020 at 7:01

My name is Skipper Dickson/ I am a second homeowner in Lake City.

One of the reasons I returned to Colorado is the common sense rules found in Hinsdale County.

Using an ATV on the city streets and hwy 149 is sound idea.

Please continue the pilot program and extend the hwy to the car wash and campground to the south.

Thank you for your service and consideration

Skipper

Sent from [Mail](#) for Windows 10

Subject: Re: Pro atv/utv lake city colo**Znamenacek - CDOT, Zane** <zane.znamenacek@state.co.us>

Mon, Jun 24, 2019, 9:02 AM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Mike,

Thank you for your thoughts and comments on this issue. This year, we will not be able to add in the section to Woodlake park. However, if this program continues to next summer, we can look at that.

Zane

*Zane Znamenacek, PE
Region 3 Traffic and Safety Program Manager*

On Thu, Jun 20, 2019 at 12:20 PM [REDACTED]

Hi. My name is Mike [REDACTED] and I'm pro atv/utv s. I have spent the last two summers (4 months each time in lake city) and more than 30 years in the Lake city Creede area. I have traveled these passes in pickups,jeeps and atvs. For CDOT to implement the pilot program in lake city is invaluable to the town. The tax receipts for the last 3 years speaks for itself.

Do we have speeders here sure we do, that is an enforcement problem,if some are to noisy that is an enforcement problem. Harley Davidsons make more noise, listen to 25 or more dirt bikes coming thru town way more noise than atvs. The city ,county, medical center survive because of tax money.

I am staying in Woodlake rv park ,which is 4 tenths of a mile past the hi way 149 and county road 30 turn-off. The park and residents with ohvs would greatly appreciate any help you could extend to us so we could traverse that 4 tenths of a mile legally. Woodlake park is the only business in the lake city area that does not have legal access to the loop and town. We do have the option to trailer the ohvs ,but that is very inconvenient for 4 tenths of a mile ,plus parking in town for vehicle and trailer is limited. Your help is needed and will be appreciated.

Thank you.

Mike [REDACTED]

Sent from my iPad

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Peter:

Thank you for the email. We will pass this onto the Gunnison team. Captain Hadley deserves the recognition for putting this plan into place. Hopefully we will be able to make an impact on safety while being thoughtful of the community's work on coming to a final solution that works for the residents.

I'll be back in a couple weeks and will Visit Lake City as soon as I return. Hopefully we can catch up for coffee.

Major G. A. Dingfelder
District 5 Commander - Southwest Colorado



On May 27, 2019, at 08:51, [REDACTED] wrote:

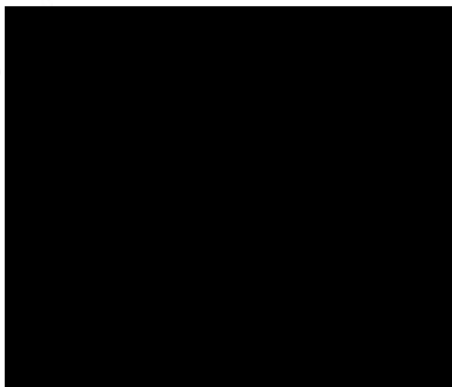
Major Dingfelder and Captain Hadley:

I would like to say "THANK YOU" for providing Lake City and Hinsdale County with a strong CSP presence over the Memorial Day weekend.

My wife and I live directly off of SH149 near the Post Office. The sound of OHVs and ATVs traveling north/south on SH149 has always invaded our home — but not this year! This weekend has been very pleasant and enjoyable. More importantly though, our community is enjoying a greater level of safety now that OHVs and ATVs are not operating on the only State Highway that runs through Lake City and Hinsdale County.

Lake City residents reported seeing CSP Deputies making OHV stops along SH149 over the weekend as part of your *enforcement plan*. I do not know if these stops resulted in verbal or written warnings, or if citations were issued, but your presence in Lake City and Hinsdale County to enforce OHV laws is greatly appreciated.

Thank you,



1/27/2021

State.co.us Executive Branch Mail - Highway 149 Hinsdale County Pilot Program Renewal beginning Spring 2021



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Highway 149 Hinsdale County Pilot Program Renewal beginning Spring 2021

1 message

Sun, Jan 17, 2021 at 10:10 AM

[REDACTED]
to: "jennifer.uebelher@state.co.us" <jennifer.uebelher@state.co.us>

Dear Transportation Commissioners for the State of Colorado,

I am a past business owner in Hinsdale County for many years prior to 2020. I was able to observe first hand the effect of steadily increasing OHV traffic upon not just the environment but also the business climate. With literally one exception, my clients were highly critical of the OHV traffic (quantity and quality) and it seemed that business was less robust for my higher priced goods as the number of OHVs in operation increased. My clients often reported inappropriate and illegal operation of OHVs in addition to expressing their concerns for the flora and fauna.

Please do not renew the above referenced Pilot Program.

Sincerely,

Thomas [REDACTED]
[REDACTED]

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

COOT resolution # TC-2019-08-09 □

1 message

Anne [REDACTED] Sun, Aug 11, 2019 at 7:14 PM
To: "Jennifer.Uebelher@state.co.us" <Jennifer.Uebelher@state.co.us>, "herman.stockinger@state.co.us" <herman.stockinger@state.co.us>

Dear Colorado Transportation Commission,

Please do not approve Resolution # TC-2019-08-09. While it may be simply a pilot program, it is significant in that it may lead to many more places where OHV dominate the area. When that happens, a place changes from a quiet community to one filled with noise and air pollution. This may not be the way a community chooses to live.

I have been to Silverton, Colorado, which embraced ATVs and it has changed that town. OHVs are everywhere now. There are drones on main street, and lines of vehicles groan up the dirt roads around town.

Please listen to the people of Lake City when you make the decision whether to approve Resolution # TC-2019-08-09. And think of the other small towns in Colorado that might not want an abundance of OHV traffic brought on by the opening of state highway rights of way to Off road vehicles.

Sincerely,

Anne [REDACTED]
Bayfield, Colorado

"When the true sage rules, good things are accomplished, and the people all say, 'We did it ourselves.'" - Lao Tsu

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Pilot for OHV's in Lake City, Co.

1 message

David [REDACTED] Tue, Oct 27, 2020 at 10:22 AM

To: Herman <herman.stockinger@state.co.us>, "Cc: Michael Goolsby - CDOT" <Michael.Goolsby@state.co.us>, zane.zanamenacek@state.co.us, commissioner.dangelo@state.co.us, commissioner.connell@state.co.us, commissioner.stuart@state.co.us, commissioner.hall@state.co.us, commissioner.thiebaut@state.co.us, commissioner.gifford@state.co.us, commissioner.peterson@state.co.us, commissioner.zink@state.co.us, commissioner.hofmeister@state.co.us, commissioner.gilland@state.co.us, commissioner.scott@stae.co.us, jennifer.uebelher@state.co.us, kerry.donovan.senate@state.co.us, barbara.mclachlan.house@state.co.us, kathy.young@coag.gov, andy.karsian@state.co.us

I am a secondary homeowner in Lake City, Colorado, but also live there 4 months of the year.. My family and I own a OHV and have welcomed the flexibility to drive on HWY 149, (which is where my home is located) that has been provided by the State's Pilot Program. We are requesting the extension of the pilot program for another 3-5 years with possible expansion to include use of HWY 149 to Woodlake Park on the south side and to the car wash or Elk road on the north end. These extensions allow residents and visitors of Lake City to access both access points to the Alpine Loop without having to own, use and store trailers.

We also feel this is a very vital part to the continued tourism of Lake City.

Thank you in advance for your consideration on this request.

David [REDACTED] and family

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy 149 Pilot Program

1 message

Tue, Oct 27, 2020 at 1:54 PM

To: Commissioner.Hall@state.co.us

Dear Commissioner Hall,

Re: OHV Pilot Program Lake City/Hinsdale County Renewal

I am writing to express concerns about the CO149 OHV Pilot Program. I am a longtime volunteer steward for the Colorado Natural Areas Program and a resident who has experienced the effects of the OHV Pilot Program.

I have continuously owned homes in Hinsdale County and Lake City from 1990 to the present, and was a full time Lake City resident until 2012, now parttime. Until my retirement after 15+ years as a Volunteer Steward for the Colorado Natural Areas Program I monitored the Slumgullion Earthflow Natural Area, and helped start the all-volunteer Trails for Lake City organization that built the walking trails in town to connect with backcountry trails.

We moved to Lake City because of the quiet, the clean air, the natural beauty, the strong sense of community, and the respect for nature that permeates the ethics of so many Colorado residents.

When the CO149 OHV program ended on September 30th, quiet returned to Lake City. Within a few days, OHVs and the giant trailers and pickups that haul them vacated our streets. Dust settled down significantly. One could actually carry on a conversation with friends when sitting on our decks. And I could take my morning walk without wearing ear plugs.

This is to say, the change to our community by the influx of OHVs has had a profound negative impact on our lives.

Now to the Slumgullion Earthflow Natural Area: As volunteer steward for the Slumgullion Earthflow, I documented the impacts on this protected Natural Area. Many years ago, BLM put up log barriers to prevent pickups from entering to "mud" in the playas in the spring runoff, destroying vegetation that grows exceedingly slowly in the hydro-volcanic soil. However, OHVs can and do drive around these barriers to do the same thing. So far this problem has been limited because OHVs were prohibited on CO149. If the OHV Pilot is not only renewed, but EXTENDED south to the CDOT yard, there is easy access to Slumgullion Earthflow NA via the road into Woodlake RV Park. The increase in OHVs made possible by the CO149 Pilot Program has resulted in increased damage to other fragile alpine environments in the county, so there is no reason to think that they will not do the same to Slum.

I would like to say as a property owner, tax payer, former full-time resident, all-around volunteer and booster for Lake City, that I would like to see the OHV program ended. These vehicles are not certified for highway driving. If they are OK for Hwy 149 here, why has the State not approved them elsewhere? A few business owners have benefitted from their presence, but the rest of us are forced to endure endless noise from spring to fall, dust, streets parked full with pickups and trailers, bad roads and environmental damage to the backcountry.

As the former Steward for Slumgullion Earthflow Natural Area, I would like to emphasize that extending access to the CDOT yard could be a disaster for the Natural Area.

Sincerely,

Janet [REDACTED]
[REDACTED]

2/2/2021

Re: Request for Middle Ground OHV Solution in Lake City - jennifer.uebelher@state.co.us

[REDACTED]
Date: Tue, Sep 29, 2020 at 10:50 PM

Subject: Request for Middle Ground OHV Solution in Lake City
[REDACTED]

Good morning!

Since the second OHV pilot program for Lake City Colorado reaches the end I feel the need to raise awareness about the traffic situation in Lake City. A busy summer created very difficult and dangerous OHV traffic conditions. At this point the question is not anymore if something will happen, the question is **WHEN**.

This is not about to discriminate a certain type of vehicle, this is about safety, restrictions and enforcement to create a traffic environment which is suited for everyone. Please take all of this in consideration when making a decision about continuing a pilot program for Lake City Colorado.

Please find attached a Letter regarding a OHV middle ground solution in Lake City Colorado and signatures in support of the letter.

65 Signatures total

64 Signatures are Lake City residents

1 Signature is a Denver resident

7 Signatures are from Lake City down town Business owners/managers

3 Signatures are electronic

Best regards,
Nicole [REDACTED]

October 27, 2020

Good morning Commissioner Zink,

I will keep this short as I appreciate your time and I am sure you are receiving an incredible amount of correspondence pertaining to the OHV issue.

I have been a resident of Hinsdale county for almost 38 years. I have just retired as Clerk of Hinsdale Combined Court after 33 years with Colorado State Judicial. My husband who has resided in this county for 40 plus years and I own a business. We have raised two children here who are now grown. We have volunteered and served on many committees and boards in our county. From search & rescue, EMT, town trustee, fire fighter, commissioner, school board, Cub Scout and Brownie leader, youth group, Friends of the Library and the list goes on.

We believe full heartedly that we are stewards of this incredible paradise which is Hinsdale county and we need to respect and protect it. The CO 149 Pilot Program has not worked for the well being of our Town, County or backcountry wilderness. The concerns I bring forth are known and documented.

This program was started without careful consideration of the impact to our community. The peace, tranquility and solitude in our county has been lost. There is excessive noise and dust. Wildlife is negatively being impacted. Our roads are in great disrepair and our fragile alpine tundra in the backcountry is being destroyed. People are camping and driving where it is prohibited. Human waste and litter are profoundly increased. Our law enforcement officers are overwhelmed as they do not have the manpower to enforce the OHV ordinance and Pilot Program. Pedestrians and bicyclists are at risk due to increased OHV traffic. Under age children are operating OHV or riding in them without helmets or seatbelts. Our beautiful downtown was overwhelmed by OHV trailers. OHVs DO NOT belong on our highways. They are not certified for highway use! I could continue but I'm sure you understand the detrimental impact this Pilot Program has had on our community. Thank you for your time in considering my extensive concerns.

This program may have had a financial benefit for business owners but at what price??

Sincerely,

Joanie



Sent: Saturday, October 31, 2020, 01:08:15 PM CDT
Subject: OHV HWY 149 PILOT PROGRAM FOR LAKE CITY

SATURDAY OCT 31,2020 AT 1:05 PM

ALL:

My wife and I just purchased a cabin in Lake City Colorado. My family has been coming to Lake City since the 1960's. We bought the cabin to enjoy the beauty of the surrounding area and travel the many trails and of course the Alpine Loop.

Closing or stopping the use of Hwy 149 to OHV's would surely dampen the use of the OHV's . There would be more trailers, more dust and just think of the parking problem having trailers all over town and the staging areas.

We respectfully request that the OHV pilot program be extended or hopefully be made permanent. I wish it would include north of town to the Toy Wash.

Please don't let the few "Rotten Apples" (speeders, intentional noise makers or the selfless individuals) spoil it for the majority of us that love this place/area.

Thank you in advance and we appreciate your consideration.



Sandy Hines

From:
Sent:
To:

Patrice [REDACTED]

Cc:

Subject:

To all concerned,

I'm writing to voice my opposition to the expansion of the pilot program. While we all love the extra commerce in town, it does come at a very high price. This last summer was out of control, and it's just a sneak peek of things to come. I love to walk my dog in the town of Lake City. I walk daily and enjoy all the nice walking trails along the way, saying hello to friends and visitors.

Unfortunately this summer was horrible for walking. The noise, dust and OHV traffic as I had to cross neighborhood streets was so bad and unpleasant that I stopped walking in town altogether. The loud vehicles would completely scare my dog to the point of pulling me in the ditch a few times. Anyone who knows my dog knows he is a well behaved dog on a leash.

Hinsdale County does not have funds to hire officers to enforce rules and regulations, just patrolling both ends of Hwy 149 would mean 2 new full time jobs. Our officers are doing the best they can. I've seen them working hard. Noise on hwy 149 echos up the canyons and disrupts homes and hikers and wildlife. In the months of June, July and Aug the noise is non-stop. There is no respect for the people who live here.

There are some solutions, one of which is a permitted system for the loop itself, and two: noise control or suppression for traveling through town. Many towns have ordinances against noise, be it car stereos, harley's, big trucks "rolling coal". ***We can get ahead of this giant if we work on it at the town level, but Hwy 149 is no place for OHV's.***

The permit fees could go into a fund for town road repairs, and the noise suppression is a win win for all.

I'm tired of being a silent resident about this issue. Most of the users of OHV's are quite respectful and they're just enjoying our beautiful area, but then there are those who come to simply see how fast they can complete the loop, while hooting and hollering through town as fast and as often as they can. It's those people who a permit system will discourage from coming.

Again, I'm against any form of allowing OHVs on HWY 149:

ATV and ROV Deaths Occur On Roadways than Off-Road
OHVs have a relatively narrow track and high-center of gravity
OHVs have low-pressure, deep tread tires designed for off-road use
Most ATVs lack a rear differential

OHV= Off Highway Vehicle

Page 2

fun" ...at the taxpayers' expense. In other words, they have no skin in the game! On another occasion, I was hiking in a wilderness area south of Lake City near Cottonwood Falls when two ATVs were doing "wheelies" in the tundra. Since this was near the 10,000 ft elevation, it will take nearly 100 years for the damage they left behind to revegetate. Also, while on that hike we noticed that the elk population was significantly diminished. We spoke with a Ranger about this and he said that the ATV/OHV and dirt bikes groups, through their noise pollution and constant pressure, have prevented the elk population from migrating through that area as they normally would do.

I want to ask you to please delete the CO149 test program for ATVs, OHVs, and dirt bikes, and allow our little piece of heaven to return to its beauty and tranquility once again.

Most respectfully,

Charles 

----- Forwarded message -----

From: Steve [REDACTED]
Date: Mon, Oct 26, 2020 at 3:33 PM
Subject: Letter of concern
To: <Lenore.Bates@state.co.us>

Thank you for taking the time to read my attached letter of concern.



Virus-free. www.avg.com



STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

OHV's on State Highway 149

3 messages



Thu, Oct 22, 2020 at 4:21 PM

To: "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>, "zane.znamenacek@state.co.us" <zane.znamenacek@state.co.us>, "Commissioner.Zink@state.co.us" <Commissioner.Zink@state.co.us>, "Commissioner.Hall@state.co.us" <Commissioner.Hall@state.co.us>

Scan.pdfLake City OHV.pdf
553K

Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>

Fri, Oct 23, 2020 at 9:35 AM

To:
Cc: "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>, "Commissioner.Zink@state.co.us" <Commissioner.Zink@state.co.us>, "Commissioner.Hall@state.co.us" <Commissioner.Hall@state.co.us>

James,

Thank you for your input on the OHV issue in Lake City.

Zame

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Thu, Oct 22, 2020 at 4:26 PM James Baker, DDS <james.baker@omsp.com> wrote:



Fri, Oct 23, 2020 at 9:39 AM

To: "Znamenacek - CDOT, Zane" <zane.znamenacek@state.co.us>
Cc: "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>, "Commissioner.Zink@state.co.us" <Commissioner.Zink@state.co.us>, "Commissioner.Hall@state.co.us" <Commissioner.Hall@state.co.us>

I appreciate your taking the time to read it. I built my house in 1986 and care deeply about our community.
Jim

Sent from my iPad

On Oct 23, 2020, at 8:36 AM, Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us> wrote:

[Quoted text hidden]

I am writing concerning the OHV Pilot Program that has been conducted on Highway 149 just south of Lake City. Those who are in favor of this program do not live along the impacted section. Those of us who do live there have not had any opportunity to vote or have our concerns heard as the program has destroyed our peaceful quality of life. We are tax paying residents of Hinsdale County, not Lake City, and there has never been a county wide vote on this issue. I built my home in 1986 and have paid a lot of money into this county over the years. I have also owned a rental cabin business in downtown Lake City for several years and am very aware of the trials in owning a business in a very seasonal economy. Our valley is a narrow one and sound waves are amplified, not reduced, as they travel across and up the walls. As the number of OHV's has increased we now have a steady flow from sunrise until well after dark, commonly well past 10pm. This constant flow of noise amplifies one upon the other until we cannot carry on a conversation on our porch even though we are a half mile from the highway. The problems in dealing with vehicles with no rear view mirrors, turn signals, or brake lights have surely come up in your deliberations. The hazards of getting along this section of highway are a constant topic of discussion among those of us impacted. As one would expect given human nature, now that the program has officially ended, the OHV traffic has not stopped. These drivers are used to driving on the highway now and simply ignore the fact that it is now illegal. They are habituated to using the highway, and our local law enforcement does not have the resources to permanently police the highway to get it stopped.

To turn to the topic of the increased tax income to the town and county, it is minimal to the costs involved to repair the road damage the OHV's have caused. I have been driving the paved and unpaved roads of this county since 1975. The destruction of the roads from small tires turning rapidly with aggressive treads is beyond anything I would have imagined. Repairs to any one of these roads far exceeds any amount of revenue that has been realized, much less trying to repair all of the damage to just the main roads used by our residents on a daily basis. Again, the success of this program in concentrating the number of OHV users to our valley from surrounding counties was surely not anticipated.

The program has concentrated the OHV traffic from Southwest Colorado in our county in a way that was not anticipated. The number of OHV's on our roads has become unsustainable in a very short period of time. The damage to our roads, our backcountry lands, and the noise pollution are incompatible with a county that is very large geographically, but lacking in the needed resources to manage the influx. Now that you have opened the gates word is apparently out in the OHV community. Come to Lake City and enjoy the wild west of OHVing with no restrictions. The damage to our backcountry lands is something I have personally observed. This damage to our protected lands is caused by a small, but consistent percent of drivers. Now that the overall number of vehicles in the area has increased exponentially this percent, even when small, constitutes a very large number of drivers disregarding basic backcountry protection that even extends to irreparable harm to our Alpine Tundra and lands in general. Again, the area involved is so large that there is no practical way to police the impacted backcountry.

To those of us impacted this program is a success in only one way, and it is a failure in all other ways. It has proven that the State of Colorado is correct to keep these vehicles off of our highways. Those of us impacted are uniformly opposed to extending this program for even one more day. As it is, it will take years of tedious law enforcement efforts to get this stopped even when it is again in compliance with the laws of this state. Being able to complete the Alpine Loop on an OHV is not a reason to degrade our quality of life.

Frequently quoted these days is the Supreme Court Justice who years ago observed that "The right to swing your first ends at the tip of my nose". I would encourage you to talk to the people impacted. We are not a radical bunch of extremists. We are tax paying, law abiding residents who have had our peaceful quality of life unlawfully taken away from us. I would be happy to discuss this issue in person if any opportunity is created to allow that.

James

8/30/2020



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy 149 Pilot Program--More Economic Analysis

1 message

Mon, Dec 28, 2020 at 11:41 AM

[REDACTED] <[REDACTED]@state.co.us>, CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>, "CDOT Engineer Jason C. Smith" <jasonc.smith@state.co.us>, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>

Cc: Colorado Governor Jared Polis <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liaison Jennifer Uebelher <jennifer.uebelher@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Please see the attached letter sent to the local Lake City newspaper and published a few weeks ago. This is a different analysis of the lack of economic benefit since the Pilot Program began.

David [REDACTED]

 **SW Letter.pdf**
18K



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Please cancel the CO149 Pilot Program

Tue, Nov 3, 2020 at 7:04 PM

[REDACTED]
to: commissioner.nan@state.co.us

Cc: district1@hinsdalecountycolorado.us, district2@hinsdalecountycolorado.us, district3@hinsdalecountycolorado.us, administrator@hinsdalecountycolorado.us, brucevierheller@townoflakecity.co, michellemartin@townoflakecity.co, richardmoore@townoflakecity.co, daveroberts@townoflakecity.co, doughamel@townoflakecity.co, judhollingsworth@townoflakecity.co, jessekendall@townoflakecity.co, carolinemitchell@townoflakecity.co

Commissioner Hall,

I am concerned with the CO149 Pilot Program in Lake City and Hinsdale County. I live in Ouray County but I have visited and stayed and hiked in Hinsdale County many times.

The CO149 Pilot Program program should not be renewed. Hugely increased OHV traffic this past summer has led to problems in Lake City as well as overuse and damage to the backcountry in Hinsdale County. This damage can take years and years to be repaired (if it can be repaired at all) - it cannot be allowed to continue.

I would like to see the CO149 Pilot Program cancelled. OHVs destroy the community and wilderness areas - the backcountry damage is irreparable, and the community damage is lasting. At the very least please hold public meetings so that people can express their concerns with this program.

Thank-you,
Jennifer [REDACTED]



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Hwy 149 OHV Pilot Program, Hinsdale County

1 message

Thu, Oct 29, 2020 at 10:04 AM

To: "jesseekendall@townoflakecity.co" <jesseekendall@townoflakecity.co>, "judhollingsworth@townoflakecity.co" <judhollingsworth@townoflakecity.co>, "doughamel@townoflakecity.co" <doughamel@townoflakecity.co>, "daveroberts@townoflakecity.co" <daveroberts@townoflakecity.co>, "michellemartin@townoflakecity.co" <michellemartin@townoflakecity.co>, "brucevierheller@townoflakecity.co" <brucevierheller@townoflakecity.co>, "district3@hinsdalecountycolorado.us" <district3@hinsdalecountycolorado.us>, "district2@hinsdalecountycolorado.us" <district2@hinsdalecountycolorado.us>, "district1@hinsdalecountycolorado.us" <district1@hinsdalecountycolorado.us>, "ckambish@hinsdalecountysheriff.com" <ckambish@hinsdalecountysheriff.com>, "rob.marone@state.co.us" <rob.marone@state.co.us>, "jennifer.uebelher@state.co.us" <jennifer.uebelher@state.co.us>, "herman.stockinger@state.co.us" <herman.stockinger@state.co.us>, "barbara.mclachlan.house@state.co.us" <barbara.mclachlan.house@state.co.us>, Caroline Mitchell <carolinemitchell@townoflakecity.co>, Sandy Hines <administrator@hinsdalecountycolorado.us>
Cc: "zane.znamenacek@state.co.us" <zane.znamenacek@state.co.us>, "commissioner.zink@state.co.us" <commissioner.zink@state.co.us>, "commissioner.hall@state.co.us" <commissioner.hall@state.co.us>, "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>

October 29, 2020

Dear Lake City Town Trustees and Hinsdale County Commissioners;

I am writing to request the CO149 Pilot Program in Hinsdale County be terminated for following reasons:

First: Every credible safety organization has documented that OHV's are not safe for use on public highways. Their very name, *Off-Highway Vehicle*, indicates that they are not designed or certified for use on paved or hard-packed surfaces.

Safety stickers on my OHV warn that the vehicle is not to be operated on highways or pavement because of the inherent unsafe handling characteristics. Why would the Transportation Commission, whose job it is to ensure safety on Colorado's highways, ignore these warnings and endanger public safety?

Second: There is a questionable backstory as to how the Pilot Program got started. Originally the idea started when a Town of Lake City Chamber of Commerce employee and Hinsdale County Commissioner, both of whom are no longer in their positions, applied to the Colorado Department of Natural Resources for inclusion into the Colorado the Beautiful Trails Program Initiative. The following is from the DNR website;

*At the June 11 Outdoor Summit, Governor Hickenlooper directed the Department of Natural Resources (DNR) to lead this initiative by first identifying 16 priority trails, trail segments, and trail gaps in 2016. **Alpine Loop Backcountry Byway***

The Alpine Loop Backcountry Byway needs to fill a 1.5-mile gap near Lake City in order to complete the 64-mile natural surface trail between scenic Silverton and

historical tourism are being driven away by the excessive OHV use. We have the opportunity to remain a quality mountain community but with the current chaos, I recommend CDOT and the Transportation Commission terminate the Pilot Program until the Town and County can catch up and find solutions to the host of issues raised.

As a third generation Colorado native, I ask CDOT and the Transportation Commission to assess the issues stated above and not renew or expand the expired Pilot Program.

Respectfully,

John 



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

extending the CO149 Pilot Program

1 message

Doug [REDACTED]

Tue, Oct 27, 2020 at 1:47 PM

To: Co [REDACTED]

Dear Ms. Hall,

I wanted to send you a short email to express how happy I am with the CO149 Pilot Program. I have seen the great successes that it has provided Lake City and Hinsdale County. The program, since it was put into effect in 2018, has been nothing short of phenomenal.

It has grown tourism over the past 3 years and has really helped our businesses survive in this small mountain town. In fact, this year tourism is at an all-time high and our businesses have achieved record sales. It has also helped tax revenues hit record highs. Even with the COVID-19, Hinsdale County and Lake City have had a great 2020.

This growth has come with a few pains, but our wonderful County Commissioners and the Lake City Board of Trustees are aware of these growing pains and are planning to help ease them.

As a second home owner and a Family that loves Lake City, I urge you to please extend the CO149 Pilot Program for 3 more years and for it to be year round.

Thank you for reading my email and my concern for the businesses and tourism of Lake City and Hinsdale County.

Best Regards,

Doug [REDACTED]

[REDACTED]



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Program Feedback

Mon, Oct 19, 2020 at 1:52 PM

To: michael.goolsby@state.co.us, zane.znamenacek@state.co.us, Commissioner.Hall@state.co.us, Commissioner.Zink@state.co.us

Hi all,

I am writing to express my concern with the CO149 Pilot Program in Lake City and Hinsdale County. I am a year-round resident and business owner who works and lives just one block off CO149, in our town's historic district. I am part of, not merely a small minority as some claim, but rather the nearly 40% of town residents who voted against allowing OHVs to operate on Lake City town streets in the special ballot initiative of 2019. I am also one of many town citizens who felt misled by our very own town and county officials due to a lack of transparency in 2018, when the CDOT Pilot Program was developed and implemented.

This 2020 summer season, our town experienced increased tourism and countless problems with OHVs. Commonly witnessed issues included speeding, rolling through stop signs, u-turns, unexpected stops on roadways, and driving on the shoulder. This was in addition to open alcohol containers, underage drivers, children riding without helmets, etc. The issues were so rampant that the Alpine Outdoor Association (AOA) was created to organize volunteers to help make sure OHV riders stopped at checkpoints on county roads where they were given information about conduct, ordinances, and even loaned helmets to children for safety compliance. It was a much needed band-aid for the chaos, and by all accounts the AOA presence helped fill a gap that addressed safety and education.

Paradoxically, it now seems that representatives from that same group are claiming the Pilot Program was a huge success and are advocating for expanding it. Yet, the widespread problems the AOA worked hard to combat were also occurring on town roads and CO149. The need to create the AOA group only further points to our lack of law enforcement resources necessary to adequately enforce the OHV ordinance and Pilot Program provisions.

I ask that before you make a decision on the CO149 Pilot Program, to consider holding public meetings in Lake City so the community may come forward and share their concerns. After the chaos and safety issues of the summer season, the majority of local residents may not be in support of the CO149 Pilot Program continuing.

Secondly, I ask that you please request and scrutinize a practical plan for enforcement given our limited resources. I urge you to appreciate the challenges of enforcement with OHVs not being certified for highway use and commonly lacking, among other things, an easily visible identifier such as a license plate. Supporting a continuation or expansion of the pilot program, upon reflection of the summer season, would seem to put safety needs of the public below the wishes of those wanting to push the boundaries of OHVs for personal convenience and the promise of monetary gain. A promise that in its singular focus rings hollow for the long-term sustainable economic growth of our community.

Thank you for your time and consideration on this matter. As a registered voter, business owner and current property owner one block off CO149 in the heart of Lake City, my request is to see the Pilot Program cancelled.

Sincerely,

Anne [REDACTED]

historical tourism are being driven away by the excessive OHV use. We have the opportunity to remain a quality mountain community but with the current chaos, I recommend CDOT and the Transportation Commission terminate the Pilot Program until the Town and County can catch up and find solutions to the host of issues raised.

As a third generation Colorado native, I ask CDOT and the Transportation Commission to assess the issues stated above and not renew or expand the expired Pilot Program.

Respectfully,

Johr 

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Lake City OHV Pilot Program Citizen Comment

1 message

Lori [REDACTED] Mon, Dec 21, 2020 at 9:36 AM
To: jasonc.smith@state.co.us, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>
Cc: "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidny Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>, "Transportation Commission Secretary Herman Stockinger Governopolis@state.co.us" <herman.stockinger@state.co.us>

Dec. 21, 2020

To Whom It May Concern,

I am a full-time resident of Lake City, Colorado. I have lived and worked here since 2005. I realize that our town relies, in part, on tourist revenue. I was initially optimistic that the OHV Pilot Program would be successful for our community. I feel it has been a success for a handful of seasonal businessmen, but a real detriment to the quality of living in our community.

I have always been proud that our community honored the unique natural environment here in the Lake City area. I felt that we had a respect for our tenuous hold on one of the largest and most wild areas of public land in Colorado. The tourists we attracted, in turn, respected the wilderness and our town community's values... reduced noise, reduced trash, reduced impact.

I feel that we have forgotten that mission. Since the onset of the OHV pilot program, our town has been overwhelmed with people who do not respect the wilderness or our town. They come to ride increasingly high powered OHV's with increasingly loud motors. Our wilderness has become a raceway for motorheads escaping the concrete and heat of their homes. This past summer we were inundated with many tourists who had a blatant disregard for our COVID restrictions, traffic safety laws, and the wilderness setting in which we live.

The unfortunate thing is that these people in turn exploit our home. We are left to pick up the trash, expand our police force to manage the increased traffic, close our windows to the noise, abandon our dog walks up Henson Creek, watch our properties turn into VRBOs. Our roadways are beaten to a pulp and they are under-patrolled.

Some people feel that "Progress is good and dissent is archaic." I'm not sure that this instance of so-called "progress" is advantageous when taking the long view. The town of Ouray realized they needed to modify their downtown access to OHVs in order to preserve the nature of their community. As stewards of this unique mountain community, I think that we need to rethink this OHV Pilot Program.

Sincerely,

Lori [REDACTED]



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Project

1 message

Sun, Dec 20, 2020 at 6:22 PM

To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>, "CDOT Engineer Jason C. Smith" <jasonc.smith@state.co.us>, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>

Cc: Colorado Governor Jared Polis <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Dear Colorado Department of Transportation and elected leaders:

I am writing both in my personal capacity as long-time summer resident in Lake City (both my parents and my in-law have a house in Lake City) and as a promoter of the Lake City Alpine 50, a 50-mile, high-alpine endurance bike race held on the Alpine Loop at the end of August each year.

It is my understanding that the CO149 Pilot Program is up for renewal. It is my understanding that the Town of Lake City and Hinsdale County favor an extension of the Pilot Program.

According to the BLM, traffic on the Alpine Loop doubled this year. While the pandemic was certainly a contributing factor to the traffic growth on the Loop, the CO149 Pilot Project has most certainly been a major factor as well.

I am writing to voice my very real concern that the small town of Lake City simply cannot handle the influx of OHVs that will continue to grow so long as the CO149 Pilot Project continues in its current form.

My primary concern is for the safety of pedestrians and bicyclists in Lake City. One of the most attractive aspects of living and visiting Lake City is that it is a truly a town you can walk and ride your bike in. With the onslaught of OHVs this past summer came some pretty dangerous encounters. Indeed, my wife was quite purposefully cut off by an OHV right at the intersection of CO149 and Second Street. It is only a question of time before a bicyclist, pedestrian, or another motor vehicle is struck by an OHV (which are not even designed to travel on the highway). The Sheriff's Department does not have the staff or the resources to enforce and ensure the safety of those visiting and living in Lake City.

While there are a host of other issues associated with the increase in OHV use in Lake City (noise, dust, parking, illegal off-road use, and trash), there are very real safety issues that cannot be overlooked. If CDOT cannot ensure the safety of those who use CO149 for its intended use, it should not permit the Pilot Program to continue absent measures to ensure such safety.

It is my view that the CO149 Pilot Program should not be renewed. Thank you.

Michael [REDACTED]
Human Powered Endeavors, LLC
Lake City Alpine 50
[REDACTED]

STATE OF
COLORADO

Transp_Comm - CDOT, DOT_ <dot_transp_comm@state.co.us>

Lake City - CO149 Pilot Program

1 message

Wed, Oct 28, 2020 at 12:54 PM

To: michael.goolsby@state.co.us, zane.znamenacek@state.co.us, Commissioner.Hall@state.co.us, Commissioner.Zink@state.co.us, Caroline Mitchell <carolinemitchell@townoflakecity.co>, jessekendall@townoflakecity.co, judhollingsworth@townoflakecity.co, doughamel@townoflakecity.co, daveroberts@townoflakecity.co, richardmoore@townoflakecity.co, michellemartin@townoflakecity.co, brucevierheller@townoflakecity.co, Sandy Hines <administrator@hinsdalecountycolorado.us>, district3@hinsdalecountycolorado.us, district2@hinsdalecountycolorado.us, district1@hinsdalecountycolorado.us, ckambish@hinsdalecountysheriff.com, rob.marone@state.co.us, jennifer.uebelher@state.co.us, herman.stockinger@state.co.us, barbara.mclachlan.house@state.co.us, John <coloradonative53@yahoo.com>, Peter Nesbitt <peter_nesbitt@icloud.com>

Dear Representatives and interested parties:

Our company, Human Powered Endeavors, is the promoter of the Lake City Alpine 50. We hold 50-mile, high-alpine endurance bike race on the Alpine Loop at the end of August each year. Given our limited field, we were able to successfully hold our Second Annual Race, which featured some of the top-flight mountain bike racers in the country.

I am writing both in my personal capacity as summer resident in Lake City (both my parents have a house in Lake City and my in-laws) and as a promoter of an event in Lake City.

It is my understanding that the CO149 Pilot Program is up renewal. It is my understanding that the Town of Lake City and Hinsdale County will provide a report to both CDOT and the Transportation Commission.

There is no question that the pandemic created a completely new dynamic in Lake City this past summer. Lake City clearly saw unparalleled growth in the amount of OHV traffic due to the pandemic. Even if this increase was directly attributable to the unique circumstances of the pandemic, such growth highlighted some very serious problems going forward.

According to the BLM, traffic on the Alpine Loop doubled this year. While a large majority of OHVs respect the laws and the unique environment they are visiting, the sheer increase in numbers means that there are going to be those that simply do not respect the land and the towns they visit. The increased traffic is something Lake City simply cannot handle. The number of large trucks with large trailers coming into Lake City has resulted in clogged streets.

Regarding the impacts to the fragile alpine environment along the Alpine Loop, we have seen notable impacts, including: increased dust, increased noise, increased erosion, a general degradation of the Alpine Loop road, increased garbage strewn across the roads and tundra, illegal parking and most troubling of all - an increased disregard for the fragile alpine tundra. Allowing OHVs to use the 149 is allowing more and more people to come to Lake City, which has produced a wonderful summer economy but it is unsustainable long-term.

We need to find a way to limit the use of the Alpine Loop. I would strongly ask all interested parties to consider a permitting system that would at least allow the various agencies to do education campaigns, pay for patrolling, build staging areas for trailer, build parking for trailers, reduce overall noise in the backcountry. At the end of the day, Lake City was overrun. One morning I counted twenty OHVs leaving in a massive loud caravan in front of our summer property. Families did not move to Lake City and build in Lake City to listen the constant droning of OHVs driving throughout town.

I urge you to please hold public meetings in Lake City so the community may come forward and share their concerns with you, and to include all affected parties, including event promoters and second property owners.

It is my view that the CO149 Pilot Program should not be renewed. Thank you.

Michael [REDACTED]
Human Powered Endeavors, LLC
Lake City Alpine 50

Subject: CO 149 Pilot Program

**Diane**[REDACTED]
to Shoshana.Lew, michael.goolsby

Sun, Jan 17, 7:07 PM (10 days ago)

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

I am writing to voice my concern over the continuance of the controversial expanded CO 149 Pilot Program in Hinsdale County and Lake City in 2021. Members of the public and individual business owners opposed to this program have been given very little voice in discovering how or why this program is viable or even legal. Many of us have expressed our concern over the safety of these OHV's, but no one in control seems to even acknowledge the facts. It all seems to be a matter of profits instead of the safety of our citizens and summer visitors. Anyone who even looks at the definition of this type of vehicle immediately sees the words " OFF HIGHWAY VEHICLE ". Why would anyone think these vehicles were even remotely safe on our highways? What on earth will it take for someone to realize how dangerous and destructive OHV's can be? If you drive on 149 through Lake City you will see unsafe speeds and reckless behavior all through town and out the highway to Lake San Cristobal. Some of the speeds are quite terrifying if you have children and pets playing outside. Does someone have to die to realize that there is something very wrong here? Please apply the law to this problem and prevent the Pilot Program from continuing.

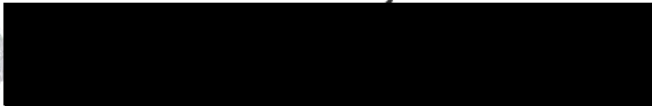
Sincerely,

Diane [REDACTED]

Lake City

Sent from my iPad

Subject: OHV pilot program



Fri, Jan 15, 11:08 AM (12 days ago)

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

To whom it may concern:

My husband and I are home owners and business owners in the county of Hinsdale. Our business is located in the town of Lake City.

We have watched the OHV's unsafely and unlawfully driving through this little town and beyond the Pilot Program approved area, not abiding traffic regulations, disrespecting speed limits, with underage people operating the OHV's, and most importantly, for us, the environment that we love so much being damaged. Our beautiful Alpine Loop was overrun with OHV traffic, with OHV vehicles leaving the County roads of the Loop going on to the Tundra. The tundra areas damaged last Summer will take years to recover.

The main reason we came to build in Lake City/Hinsdale County, was the quality of life we found in Lake City.....it is being diminished. While our town elected officials, with best intentions, thought the Pilot Project would be a good idea for commerce, it has been destructive to our way of life. The OHV's are dusty, noisy and with frequently disrespectful drivers, but as a home owner, who has 6 young grandchildren visit during the summer months, we now worry about letting them roam on the roads at our ranch without concern. We now have renters on the lower ranch and even some of our neighborhood home owners, who speed around on their OHV's headed out to 149 and the loop or town. We have observed some of these operators are young, non licensed and probably uninsured operators.

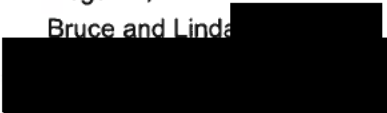
Our Hinsdale County Sheriff is on-record with the fact that his office is unable to manage enforcement of traffic laws because of increased levels of OHV activity. We are not locals, but one of us has been coming to Lake City area since 4 years of age.....this summer was almost unbearable with the amount of OHV activity.

Tourism is a good thing and not all tourist are the ones who have negatively impacted the area with excessive dust, noise, traffic and consume parking. As a business owner, we have been interested in the economic impact studies for the county during the Pilot Program timeline. What we have seen does not show a positive impact to the county.

We understand that this pilot program was a study. We have not seen any results of that study.

Please consider, not only our concerns, but the concerns of other residents, summer residents and business owners.

Regards,
Bruce and Linda





STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

OHV Lake City , Colorado....Hinsdale County

1 message

Wed, Oct 28, 2020 at 2:41 PM

To: Michael Goolsby CDOT Region 3 Manager <michael.goolsby@state.co.us>, Zane Znamenacek CDOT CO149 Pilot Program Project Manager <zane.znamenacek@state.co.us>, "Commissioner Sidney Zink <Commissioner.Zink@state.co.us> and Transportation Commission District 8 Commissioner" <sidnyzink@gmail.com>, Commissioner Kathy Hall Transportation Commission District 7 Commissioner <Commissioner.Hall@state.co.us>, Commissioner Susan Thompson <district1@hinsdalecountycolorado.us>, Commissioner Kristie Borchers <district2@hinsdalecountycolorado.us>, Commissioner Sara Gutterman <district3@hinsdalecountycolorado.us>, Hinsdale County Administrator <administrator@hinsdalecountycolorado.us>, Mayor Bruce Vierheller <brucevierheller@townoflakecity.co>, Trustee Michelle Martin <michellemartin@townoflakecity.co>, Trustee Richard Moore <richardmoore@townoflakecity.co>, Trustee Dave Roberts <daveroberts@townoflakecity.co>, Trustee Doug Hamel <doughamel@townoflakecity.co>, Trustee Jud Hollingsworth <judhollingsworth@townoflakecity.co>, Trustee Jesse Kendall <jessekendall@townoflakecity.co>, Town Manager Caroline Mitchell <carolinemitchell@townoflakecity.co>

To whom it may concern:

As I return to Dallas from our seasonal home in Lake City, the days have returned to somewhat of the movie days of the movie Groundhog Day. So, especially with the rainy, cold days, I've been watching quite a bit of Rick Steves. If some of you aren't acquainted with him, let me explain. He does a series of places to visit abroad...ie, England country side, French and Austrian areas, etc. It seems most places he visits, he does emphasis the peace and quiet one gets from their visit. I see visitors walk, hiking, riding bikes, shopping in the quaint villages. Which makes me think of why my husband and I chose Lake City where we would build our "dream" cabin, and call it home during the summer/fall months.

The summer of 2019, with the new pilot program, I thought I could tolerate this new idea thrust upon us; however, after this summer, I am compelled to write and ask so many questions:

- 1)why? Why disturb this lovely place with so many OHVs, and so many who don't know our quiet town or respect it values?
- 2)Why not compromise with this lovely community....at least serve citations when deserved? Why not have a fee to help with roads, parking for trailers, etc.
- 3)Is there no way we can prevent so many in so little time? How about a tag and make it like hunters....a tag for a certain time, minimize days...
- 4)What happens to all those, who I know do not live there year round, but do give in so many ways to the community? So many are leaving because of the OHV's and so many more will!!!

Ok, now on to the business side of things. I, too, own a business in Lake City. Oh, yes, you would think that I would be all over the business that they bring!! Well, if you sell food, gas, snacks, souvenir tshirts/cups or stickers perhaps one would be thrilled. But what I see is dust, noise and lots of people who don't shop for other items. My business in on Hwy 149 Last year I could have my customers stay and visit out on the porch, sit for a while and just enjoy a minute with me and some of my other customers. Not this year....we could hardly sit out due to the noise from the OHVs, and the dust as they past by, usually speeding. Which I truly do not understand.....why is there a sheriff's department not ticketing those OHVs that are blatantly speeding? And if the state of Colorado is going to do this pilot program again, will they send more assistants to our Sheriff's department to help provide with making sure these visitors of our follows the rules!

Oh, I could go on and on as to why we should not allow this pilot program again. It makes me sad that so many come, there is no peace and quiet in the mountains anymore. They camp where they should not, they drop trash where they should not, they race over the loop without enjoying the beauty, but just to see how fast they can go. Why should we, those who have come here for the beauty, quiet and friendship, love the OHVs or want this program to continue. PLEASE give me a better reason than for economic growth.

Your truly,
Linda [REDACTED]
Home owner
[REDACTED]



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Program

1 message

Fri, Oct 16, 2020 at 12:12 PM

Commissioner Hall,

We are writing you today to urge you to discontinue the CO149 Pilot Program in Lake City and Hinsdale County. This program has had a profoundly negative impact on our community and backcountry every year since the pilot program was begun.

The Increased OHV traffic is not only destroying our fragile eco-system; but the County Roads are in hazardous disrepair. Erosion and runoff are impacting the water in our streams. The effects of the brazen misuse and abuse of the pristine land around us is everywhere. Noise impacts every corner of our town. Dust and traffic have created an unsafe environment for the many pedestrians and bicyclists who used to traverse our streets and roads. Now it is impossible to do so for reasons of safety and sanity.

Whatever the financial gain might be for a few business, that cannot possibly be worth destroying the very best qualities of Lake City, Hinsdale County, and the great wilderness areas that surround us. Once gone, they will not come back. The town will be ruined for all but the OHVers.

We built a log home almost 40 years ago on County Road 30. We were attracted to Lake City by the high quality of life, the strong sense of community, the arts center, the clean air and clear water. Like many others, we were attracted to the natural beauty and the peaceful, restful quiet that is almost non-existent elsewhere. We have been active in all that is going on, and we support everything in the community. But if the future offers the same chaos, dust and noise as the past few summers, people like us will leave and never come back. Everyone we know in Lake City feels the same way we do.

This OHV issue is not a political issue. It is not a case of us vs. them. This is the most basic issue of all...a quality of life issue. We beg you. We urge you. Please do not let a few bucks for a few businesses ruin the last best place to live, irreparably and forever.

Thank you for your consideration,

Richard and Gwe

November 10, 2020

To Whom It May Concern:

In all honesty, I do not believe OHV's should have ever been allowed on State Highway 149. The suspension of an OHV is not designed for highway travel. Most do not have turn signals either. The town is a mess because of being overrun with these vehicles. I believe they should be trailered through town and unloaded at public parking areas out of town, as they were before the pilot program started.

If OHV's remain on the highway, steps should be taken to keep them out of residential areas, as much as possible. Noise, dust, and disregard for the community they are in are the primary reasons I am not in favor of their continued use in town or on the highway. If the pilot program were to continue, it should be expanded to Elk Road and to the Alfred Packer Massacre Site, to help keep them out of the neighborhoods.

Much stricter enforcement must be a priority in the backcountry to keep them on designated trails. I saw a lot of tundra damage this year. This is simply unacceptable. Heavy fines must be implemented, even so far as vehicle confiscation and a fine. We need more control and education to teach respect of the community and our public lands.

Sincerely,

William



Subject: CO149 Pilot Project in Hinsdale County



You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Director Lew,

I write to you today with great concern for the safety of my community and the protection of Colorado backcountry wilderness areas in Hinsdale, San Juan and Ouray Counties. These counties are connected via the *Alpine Loop*, which resides within the *Alpine Triangle*.

The CDOT CO149 Pilot Project ignores Colorado State law and allows OHVs to operate on the only State Highway that bisects Lake City and Hinsdale County. This CDOT project "connects the loop" and provides OHVs with greater access to our backcountry wilderness areas. This CDOT project also threatens public safety by allowing *off-highway vehicles* to co-mingle with other vehicles on a paved highway surfaces.

As the CDOT director with years of experience with transportation issues, you are certainly aware that OHVs are not legal, nor safe, for highway use. These vehicles are not crash-test certified; they have a propensity for rollover accidents due to their high-center of gravity; they have a known tendency for loss-of-control events due to their off-highway tires that are not legal for use on State Highways; and their locking differentials create unsafe handling characteristics when allowed to operate on paved or hard-packed surfaces.

CDOT and all of the elected officials in Hinsdale County and the Town of Lake City were provided with numerous documents, studies and reports that shine light on the many reasons for not allowing OHVs to operate on Colorado State Highways. Why are you, CDOT managers and other elected officials, ignoring known safety issues by allowing this project to move forward?

While CDOT and our elected officials may have had the best of intentions with the CO149 Pilot Project, the unintended consequences of increased OHV traffic in our community and backcountry wilderness areas has been devastating. County roads are in disrepair; the Alpine Loop saw increased damage; and fragile alpine tundra was damaged last year.

The Hinsdale County Sheriff is on-record with the fact that his office is unable to manage the increased levels of tourism in Lake City and Hinsdale County. Residents, 2nd-homeowners and non-mechanized tourists documented the adverse impact of dust, noise, traffic, parking and violations of State law throughout our community. The BLM and NFS are on record with their observations of damage to the Alpine Loop and adjacent wilderness areas.

I urge you to pull the plug on the CO149 Pilot Project in Lake City and Hinsdale County. The State of Colorado, CDOT and the Transportation Commission need to devise a sustainable economic plan for remote mountain communities that does not involve a destructive and unsafe form of tourism.



STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Please do not renew the CO149 Pilot Project.

1 message

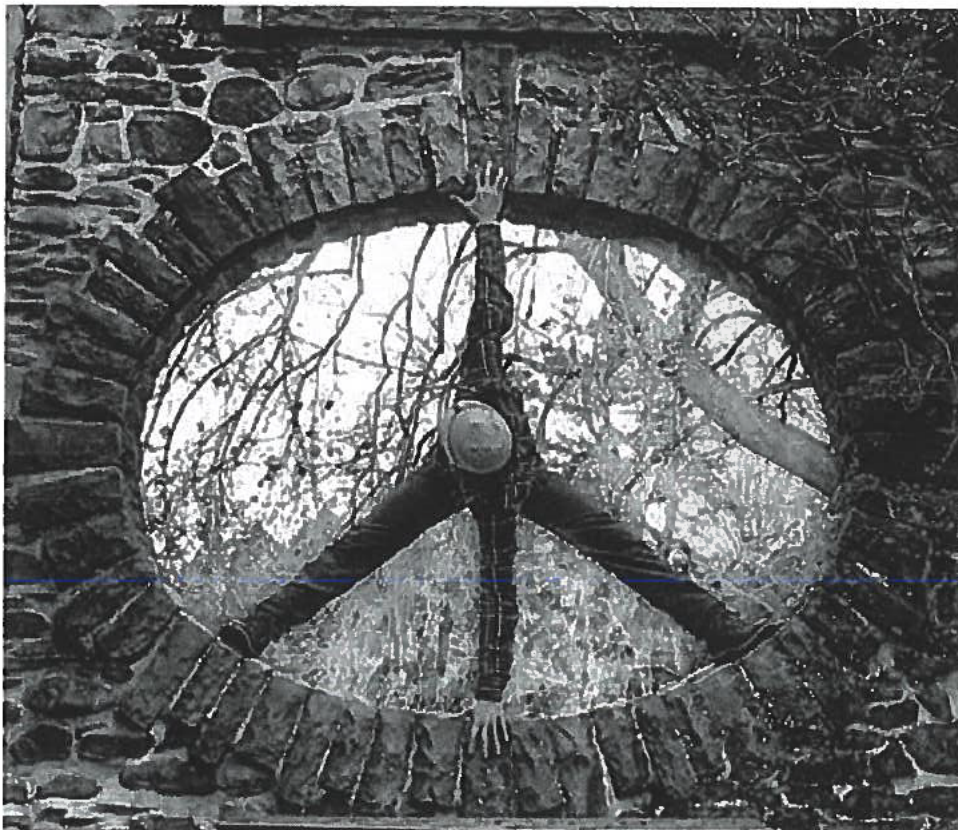
Sun, Dec 20, 2020 at 10:48 PM

To: CDOT Director Shoshana Lew <Shoshana.Lew@state.co.us>, CDOT Region 3 Manager Michael Goolsby <michael.goolsby@state.co.us>, "CDOT Engineer Jason C. Smith" <jasonc.smith@state.co.us>, CDOT Program Manager Zane Znamenacek <zane.znamenacek@state.co.us>

Cc: Colorado Governor Jared Polis <Governorpolis@state.co.us>, "Colorado State Sen. Kerry Donovan" <kerry.donovan.senate@state.co.us>, "Colorado State Rep. Barbara McLachlan" <barbara.mclachlan.house@state.co.us>, Transportation Commissioner Sidny Zink <Commissioner.Zink@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>

Dear Trustees and Commissioners,
I urge you to reject the CO 149 Pilot Project. OHV's are just not safe.
Thank you.
Ulli

Ulli



24 October 2020

Commissioner Sidney Zink
Commissioner, Transportation District 8

I am writing to you to express my concerns with the CO149 Pilot Program in Hinsdale County, more specifically, in Lake City, Colorado. I first visited Lake City in 1957 and my family has owned property there since 1969. My wife and I became "Seasonal Residents" following our retirement in 2007 and were spending up to five months in Lake City for several years. My grandkids will be the fourth generation to enjoy the mountains and streams of our little piece of heaven in Lake City, and it is for them that I wish to state my opinion of this Pilot Program.

I read the "Statement of Support" submitted by the local Alpine Outdoor Association which no doubt has support from lobbying groups within the ATV/OHV families, but their statement of being a "huge success" is hardly a fact. As a property owner in Hinsdale County, I am confident that the overwhelming support goes to those of us that would like the program completely discontinued. You know who the property owners are I am sure. We are the silent majority that pay (with our property taxes) for the County Officers and employees, the Roads, and Bridges, the Health Services, The Schools, the Library, the Water Conservation District, and the list goes on. Many of us also have vehicles permanently licensed in Colorado and pay even more taxes on those.

In effect this is a clash between the small business owners (who see a seasonal jump in sales revenue) versus the property owners that own far more real estate and pay far more taxes than all small businesses combined, and pay those taxes throughout the year. And we taxpayers are not a happy group right now! The additional traffic created by the ATV/OHV and dirt bike crowd has polluted our recreation areas with heavy traffic, noise pollution, visual pollution, and safety issues that we never had prior to this Pilot Program. And when accidents occur our taxes pay for the support of their emergencies.

Last summer as I was entering Lake City from the south on Hwy 149, I was passed by 12 dirt bikes, all of them passing in a "no passing" zone. These are people that have no investment in our community. It is a place to go "let loose and have

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Fwd: CO149 OHV Pilot Program Lake City & Hinsdale County

1 message

Thu, Jan 14, 2021 at 12:46 PM

[REDACTED]
to: jennifer.uebelher@state.co.us

Sent from my iPad

Begin forwarded message:

[REDACTED]
Date: January 14, 2021 at 12:40:31 PM MST
To: Tom & Barb McLaughlin <tmacbb23@yahoo.com>
Subject: Fwd: CO149 OHV Pilot Program Lake City & Hinsdale County

Sent from my iPad

Begin forwarded message:

[REDACTED]
Date: January 14, 2021 at 12:33:45 PM MST
To: Shoshana.Lew@state.co.us
Subject: CO149 OHV Pilot Program Lake City & Hinsdale County

We are writing to voice our concerns on the Lake City-Hinsdale County OHV Pilot Program renewal application. It is a program, that for the most part has negatively impacted Lake City, Hinsdale County and the entire Scenic By-Way. Prior to the inception of this program Lake City was a walkable, bicycle friendly town. It exemplified the "Peak Experience": Family Heritage, Community, Scenic-By Ways, Solitude, Tranquility and Friendship. Today, it reminds us of the 1982 Mel Gibson movie "Road Warrior". We believe this program violates existing state law: 1. Allowing OHV operation on State Highway 149 presents a real safety issue for all using the highway 2.The Colorado Clean Air Act Title IV as it pertains to Noise and Dust Pollution, studies show direct correlation between noise, dust and health.

The dust and incessant, extremely loud noise from dawn to well after nightfall have driven the elk herds from the valley, moose from the willows at Lake San Cristobal and townspeople inside.

There is a general disregard for posted speed limits throughout the area, trash discarded at will, and well documented destruction of the tundra. We respectfully request CDOT to put the brakes on this program. Thank You,

Tom & Barb
[REDACTED]

Sent from my iPad

RE: OHV's in Lake City, Colorado

My husband and I have been coming to Lake City for years to see the back country. We have retired and bought a second home just on the edge of town. We have OHV's that we use to poke around the loop, deer lakes, and any other trails we can find. We purposely chose a home that was close enough to town so that we could drive our OHV from our home to our favorite rides. We hope that this will not change for us , and so many more people that we see around town enjoying this beautiful area. I hear the complaints about OHV's and I am surprised, because we have traveled these backroads for years and have always experienced people just like us that respect the land, and other riders. There are always the few that don't obey the rules for OHV's, and probably do the same in their automobiles. Most of us are retired, responsible people just enjoying what God created. Please keep Lake City OHV friendly.

Rick and Janene 



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Lake City Colorado Pilot Program concerns

2 messages

Fri, Oct 23, 2020 at 9:36 AM

To: "Michael.goolsby@state.co.us" <Michael.goolsby@state.co.us>, "zane.znamenacek@state.co.us" <zane.znamenacek@state.co.us>, "commissioner.zink@state.co.us" <commissioner.zink@state.co.us>, "commissioner.hall@state.co.us" <commissioner.hall@state.co.us>, "Lenore.bates@state.co.us" <Lenore.bates@state.co.us>, "rob.marone@state.co.us" <rob.marone@state.co.us>

To whom it may concern:

My name is Evan Milski and I am currently a full-time resident of Lake City, Co. I have many family ties to this area as well as being raised in the beautiful town until I was ten years old. My family and I moved back to Lake City in early 2015.

Recently the town has been in a heated debate whether allowing OHVs on the highway and in town should be allowed. While I have had a lot of experiences in Lake City that keep me from getting involved in town politics, I believe this is one subject I cannot keep my mouth shut on.

My biggest concern with allowing OHVs on any highway is safety. I am a volunteer firefighter here in Lake City and in no way am I representing the departments views, but I will be one of the volunteers picking up a child's body off of the street after a bad accident happens. It is not a matter of if but when something terrible happens. In the heat of the summer I can drive down the highway and occasionally see CHILDREN driving OHVs with no seatbelt, no helmet, and their parent sitting in the passenger seat with a beer in their hand. I do believe that Lake City has a reputation right now as an adult Disney Land where you can come and bring your little machine and do whatever your heart desires (speeding, driving anywhere in the wilderness, littering, etc...). This is no doubt an enforcement issue, which in itself is another problem we face as a small town. It is well known that the town as well as the alpine loop do not have adequate enforcement in the summer. I do believe that this is mostly due to an understaffed department, but there are obviously several other factors that need to be addressed.

Continuing or expanding the pilot program that has taken place the past two years in my opinion is not in the best interest of Lake City or its full-time residents. Right now, the world is in the grips of a worldwide pandemic that is causing what seems to be an exodus from very populated areas to more rural areas like Lake City. Large companies are realizing that people can and will work remotely which I believe is causing a huge boost to the local real estate market. I think with better internet and cell service Lake City will grow significantly, especially in the winter. It is obvious that the craziness happening here in the summer is driving other types of tourists to other places because they not want to deal with the noise, pollution, and the blatant disrespect that comes with some of the OHV crowd. Why would Lake City put all their eggs in one basket that is clearly making the area a less desirable destination for other tourists and possibly future residents?

Please consider my concerns as decisions are being made about allowing OHVs on the highway in Lake City.

Thank you,
Evan [REDACTED]

Znamenacek - CDOT, Zane <zane.znamenacek@state.co.us>

Fri, Oct 23, 2020 at 9:38 AM

To: [REDACTED]
Cc: "Michael.goolsby@state.co.us" <Michael.goolsby@state.co.us>, "commissioner.zink@state.co.us" <commissioner.zink@state.co.us>, "commissioner.hall@state.co.us" <commissioner.hall@state.co.us>, "Lenore.bates@state.co.us" <Lenore.bates@state.co.us>, "rob.marone@state.co.us" <rob.marone@state.co.us>

Evan, thank you for sharing your views on the OHV program.

Zane

Zane Znamenacek, PE
Traffic and Safety Program Manager, CDOT Region 3



COLORADO
Department of Transportation

zane.znamenacek@state.co.us | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

[Quoted text hidden]



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

CO149 Pilot Program

1 message

Sun, Jan 17, 2021 at 6:01 PM

To: Transportation Commissioner Kathleen Bracke <kbrackeTCdistrict5@gmail.com>, Transportation Commissioner Shannon Gifford <Commissioner.Gifford@state.co.us>, Transportation Commissioner Kathy Hall <Commissioner.Hall@state.co.us>, Transportation Commissioner Don Stanton <dot_transp_comm@state.co.us>, Transportation Commissioner Karen Stuart <Commissioner.Stuart@state.co.us>, Transportation Commissioner Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Transportation Commissioner Barbara Vasquez <vasqueztcdistrict6@gmail.com>, Transportation Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, Transportation Commission Secretary Herman Stockinger <herman.stockinger@state.co.us>, Transportation Commission Liason Jennifer Uebelher <jennifer.uebelher@state.co.us>

I am writing today, again, to respectfully request that this Pilot Program, allowing OHVs to operate on State Highway 149, not be continued. In 2015 the Colorado State Police presented an opinion that these vehicles are for many reasons NOT SAFE for use on paved roads, and one would think that that would be plenty of reason to cancel this Pilot Program. My husband and I drove out to Lake San Cristobal today along this road, and were really depressed to see the condition of the pavement. Our county can not afford to keep the road in safe driving condition, and a few days ago one resident died in an accident when his vehicle left the road and crashed over 100 feet down to end in the river. This is not a 'playground' for OHV adventures! In the summer this road is heavily traveled by cars and trucks, motorcycles and bikes which are certified safe for paved roads, and to add OHVs to this mix is inviting disaster!

Our quiet historic town does not need the increased traffic, noise, dust and pollution that we experienced last summer., largely as a result of the campaign to lure OHV riders to 'ride the loop' right through our quiet town. Local elected officials have 'railroaded' this Pilot Program through, in spite of lack of evidence of any real benefit to the community, and the ecology of this once-pristine area has been under harsh assault as increased traffic and lack of personnel to enforce good back-country practices have destroyed fragile tundra, littered and left trash and human feces spread over the countryside. The huge increase in traffic in the past year, caused by the surge in OHV traffic, has caused irreparable damage. Before this Pilot Program was begun, staging areas were provided out of town so that OHV access to 149 was not needed. Owners could still have access to the town of Lake City and drive their OHVs on the county dirt roads. This would seem to be a fair and much less dangerous compromise and I would so love to see this situation returned!

Thank you so much for your time and consideration of this matter.

Sincerely,

Julie [REDACTED]

STATE OF
COLORADO

Transp_Comm - CDOT, DOT_ <dot_transp_comm@state.co.us>

CO149 Pilot Project

Arleen [REDACTED]

Fri, Jan 1, 2021 at 7:45 PM

To: Shoshana.Lew@state.co.us, michael.goolsby@state.co.us, jasonc.smith@state.co.us, zane.znamenacek@state.co.us
Cc: Governorpolis@state.co.us, erry.donovan.senate@state.co.us, barbara.mclachlan.house@state.co.us,
Commissioner.Zink@state.co.us, jennifer.uebelher@state.co.us, herman.stockinger@state.co.us

Dear Sirs:

As a State entity, CDOT is charged with keeping our public roads safe. You also serve an economic role to keep people, goods and commerce moving throughout Colorado. As with any government entity, *safety* often becomes compromised when *profit* is on the front burner. This is the situation with CDOT – you are putting convenience, access and perceived profit over *public safety*.

My, and everyone's quality of life has been impacted with increased OHV tourism; The dust, noise, traffic, parking, violations, environmental impact, but mainly it's *public safety that I'm concerned about*.

It's obvious that these vehicles should not be allowed on the roads because: their tires are not certified for highway use; manufacturers warn against operating OHVs on paved roads; OHV rider safety schools warn against operating OHVs on paved roads, hard-packed surfaces and highway environments; they have an inherent tendency to *rollover* due to a high center-of-gravity; have an inherent instability on paved surfaces due to their drivetrain and locking rear-differential, and they have not been crash-test certified.

I am a citizen of Colorado and ask you Please Do not allow this plan to proceed.

Thank you,
Arleen [REDACTED]

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STATE OF
COLORADO

Transp_Comm - CDOT, DOT_ <dot_transp_comm@state.co.us>

OHV Pilot Program Hwy 149, Lake City, Co.

1 message

Betty [REDACTED] Sun, Oct 25, 2020 at 1:39 PM

To: "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>, CDOT Region 3 Manager Zane Znamenacek <zane.znamenacek@state.co.us>, CDOT CO149 Pilot Program Project Manager Commissioner Sidney Zink <Commissioner.Zink@state.co.us>, and <sidnyzink@gmail.com>, Transportation Commission District 8 Commissioner Commissioner Kathy Hall <Commissioner.Hall@state.co.us>, Transportation Commission District 7 Commissioner Commissioner Susan Thompson <district1@hinsdalecountycolorado.us>, Commissioner Kristie Borchers <district2@hinsdalecountycolorado.us>, Commissioner Sara Gutterman <district3@hinsdalecountycolorado.us>, Hinsdale County Administrator <administrator@hinsdalecountycolorado.us>, Mayor Bruce Vierheller <brucevierheller@townoflakecity.co>, Trustee Michelle Martin <michellemartin@townoflakecity.co>, Trustee Richard Moore <richardmoore@townoflakecity.co>, Trustee Dave Roberts <daveroberts@townoflakecity.co>, Trustee Doug Hamel <doughamel@townoflakecity.co>, Trustee Jud Hollingsworth <judhollingsworth@townoflakecity.co>, Trustee Jesse Kendall <jessekendall@townoflakecity.co>, Town Manager Caroline Mitchell <carolinemitchell@townoflakecity.co>

Dear Mr. Goolsby,

We are not in favor of OHV's traveling south of Lake City on Hwy 149 to the Lake Cristobal exit or extending travel to the CDOT shop south of town.

We do not see a need to make Hwy 149 open year round for OHV's

We have had a home at Vickers Ranch for 20 years. What was once a peaceful environment in the mountains has become a noise nightmare.

We are awoken at 5:30 - 6:00 am in the summer to the roar of 10, 15, 20, OHV's going down Hwy 149 to the Lake San Cristobal exit. I have counted them.

In the evening, sitting out on our deck is no longer an enjoyment because all of the OHV's coming back to town.

I understand there is a 9:00 pm curfew for OHV's being on the highway, but they have traveled up to 10:30 at night.

The proponents of continuing and extending travel on Hwy 149 say, " Well, it was the same thing when jeeps started traveling on the highway and the Alpine Loop." No it wasn't. Viewing the Alpine Loop in a jeep going 5-10 mph and stopping to let others by was the norm.

With OHV's, it is how fast they can make it around the Loop. They ride your bumper and start waving at you to let them by, leaving you covered with dust and grit.

The noise and speed of OHV's in town is another nuisance.

Lake City is a small town with limited law enforcement for its size. The town is being overwhelmed by OHV's and cannot keep up with the demand of enforcement of speed, lack of wearing helmets, seat belts, and safety seats for small children.

I have seen babies being held by their mother while riding over rough terrain. I am concerned about Shaken Baby Syndrome.

We are concerned for our community,
Betty and Tony [REDACTED]

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Stop the CO 149 Pilot Program

1 message

Miriam [REDACTED]

Tue, Oct 20, 2020 at 10:59 AM

To: Sidney Zink <Commissioner.Zink@state.co.us>

Dear Commissioner Zink,

Contrary to Mr. Ron Bruce's declaration that those of us opposed to the CO149 Pilot Program are screaming with indignation is not true. I am speaking reasonably and with clarity. I am a 44-year resident of Lake City and Hinsdale County. I currently own two properties that are affected by the use of OHV's. I do not wish to see the program extended, I want to see it eliminated all together.

My first reason is the noise factor, while Mr. Bruce does not live anywhere close to CO149, therefore his life is not disrupted by the constant noise these vehicles put out. I have one property a half a block from CO149 and the noise from these machines has caused many conversations to stop and re-continue due to a pack of 10 to 20 OHV's revving up their engines to get up Crooks Hill. I can only imagine how nerve-racking it must be to those who actually live on CO149. Aside from the noise that those of us who live close enough to hear this deafening have to endure, there is the wildlife. The noise from these machines has changed the migration and habits of the local wildlife. I used to have an abundance of wildlife at my cabin on Engineer Pass, since the advent and increase of OHV traffic I no longer have any wildlife in my meadow. That's a sad change after more than 20 years of enjoying the peace and solitude of the high country.

Contrary to Mr. Bruce and The Alpine Outdoor Association I have never been given the opportunity to vote on this matter. I live in the county and the vote they had was only for OHV use in the town limits of Lake City. No one has asked any of us that are actually affected by these OHV's to vote. So they have actually misrepresented us as a community in total. In actuality their group is in the minority. Also as for financial benefit, I have seen more business close since the inception of the Pilot Program, and I have a 44-year history to compare it to. I am not by any means benefiting by any great increase in my health, wealth and happiness from the CO149 Pilot Program.

Please listen to those of us who actually have to endure and live with the consequences of the constant droning of OHV's screaming by our home, with little to no law enforcement. Which is another reason to stop the CO149 Pilot Program all together. We do not have the economic resources to patrol and control the increased traffic to our community. Since we are constantly being told we may not charge any fees for these unlicensed vehicles to speed by our homes and tear up our roads because laws prevent us from doing so. So we locals get stuck paying the bills and we just can't afford it. We are just a small community with limited money.

Please do not extend the CO149 Pilot Program, PLEASE stop it all together.

Thank you for your unbiased ear.

Sincerely,
Miriam [REDACTED]

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Highway 149 Pilot Project

1 message

Morton [REDACTED]

Mon, Dec 21, 2020 at 11:47 AM

To: "Shoshana.Lew@state.co.us" <Shoshana.Lew@state.co.us>, "michael.goolsby@state.co.us" <michael.goolsby@state.co.us>, "jasonc.smith@state.co.us" <jasonc.smith@state.co.us>, "zane.znamenacek@state.co.us" <zane.znamenacek@state.co.us>
Cc: "kerry.donovan.senate@state.co.us" <kerry.donovan.senate@state.co.us>, "barbara.mclachlan@state.co.us" <barbara.mclachlan@state.co.us>, "commissioner.zink@state.co.us" <commissioner.zink@state.co.us>, "herman.stockinger@state.co.us" <herman.stockinger@state.co.us>, "Governorpolis@state.co.us" <Governorpolis@state.co.us>, "jennifer.uebelher@state.co.us" <jennifer.uebelher@state.co.us>

Dear CDOT Administrators,

I understand that local Lake City and county officials are preparing to request that the Pilot Project allowing OHVs to travel on a portion of Highway 149 be continued and indeed expanded. From a safety perspective this is a very bad idea and I ask that you look unfavorably on this request when it occurs.

I am a seasonal resident of Lake City, having lived there during the summer for the past 26 years. I know the portion of 149 in question very well, for I travel a part of it nearly every day when I am in residence. I understand there has been only one reported accident between a motor vehicle and an OHV during the Pilot Project but I can tell you from personal observation that this is simply a matter of very good luck. OHVs tend to travel more slowly than auto traffic and there are many bends and hills on this route. It is only a matter of time before a serious accident occurs and the resulting injury or even death will cause many to ask "Why was this OHV on a highway at all?" And the answer, of course, will be "To increase the profits of local merchants and to respond favorably to the OHV lobby."

OHV manufacturers -- all of them, I believe -- recommend that they not be driven on paved surfaces, on which they are unstable and dangerous and become more so as their speed increases. I have witnessed some who travel below the speed limit on that stretch, but many who go much faster. Those going too slow risk being hit from behind while those speeding risk rollovers or other accidents. So going too slow or too fast result in a dangerous situation. The only sensible solution is for them to be prohibited from traveling on a state highway.

To make matters worse, the local sheriff's department is understaffed and cannot even begin to patrol that area reliably. That means that OHV drivers can (and do) disobey traffic rules with impunity. Our local elected officials are aware of this and have discussed increasing patrols but there is no money to do so. In addition, many of those elected officials are local business people who are favorable toward OHV traffic for obvious reasons and appear to be ignoring the safety warnings that are communicated to them.

Sincerely,

Morton [REDACTED]

Subject: CO149 OHV Pilot Program safety concerns

**Piep**

to Susan Thompson, Kristie Borchers, Sara Gutterman, Shoshana Lew - CDOT, Stockinger, Hermar

Tue, Nov 3, 2020, 2:30 PM

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Dear Commissioners,

We are writing today to ask you not to pursue a continuation of the CO149 OHV Pilot Program that allows OHV's on a stretch of State Highway bisecting Lake City in Hinsdale County.

As you may know Bicycle Colorado is the state's nonprofit bicycle advocacy organization. We have more than 10,000 members statewide, and a nearly 30 year history advocating for safe and accessible conditions for people who bicycle in Colorado.

Bicycle Colorado members in the area tell us the OHV pilot program has led to some very unsafe conditions for bicyclists in the pilot area and well beyond it. They cite a dramatic rise in wrong-way traffic OHV operation, OHV trailer parking and "pull-outs" on the road and shoulders that create a hazard, and frequent unsafe passing maneuvers that create a hostile road environment for recreationists who bicycle. One member even reported direct threats he received from OHV operators to "get off the road." The largely unmonitored and unenforced pilot area also suffers from a lack of paved roadway shoulder areas or bike lane markings, and this exacerbates the OHV-related safety issues that are impacting people driving and biking on CO149.

Key safety concerns include:

- OHV's are not designed for safe roadway operation
- OHV drivers aren't driving or parking safely, and they are creating hazardous conditions for all road users, including bicyclists
- There is a significant uptick in traffic, dust, noise, and threatening OHV driver behavior
- Thin County and State resources means there is little enforcement
- The lack of a paved shoulder area or marked bike lanes make bicyclists even more vulnerable when OHV operators cause conflict

Please take action to restore safe road conditions for people bicycling in Lake City and Hinsdale County by moving not to renew the OHV pilot project.

Sincerely,

--

Piep [REDACTED]
Director of Government Relations, Bicycle Colorado
Pronouns: she/her/hers

October 20, 2020

To Whom It May Concern:

I would like to express my concerns about the Pilot Program for OHVs on Colorado State Highway 149 in Hinsdale County.

I have lived in Lake City for 45 years and have experienced our ups and downs. This summer we were overwhelmed by OHVs on our town, county, state and high mountain roads.

OHVs have become a dividing issue in Lake City, but I feel there must be some middle ground. Our problems and possible solutions could be:

1. Sheer numbers: Can we license OHVs for a one day pass over the Alpine Loop?
2. Enforcement: With income from the one day pass can we hire an Alpine Loop Ranger, in conjunction with San Miguel County?
3. Noise: Part of the requirements for a one day pass could be a muffler on OHVs and dirt bikes.
4. Disregard for high mountain areas: Can we increase signage on the Alpine Loop and add more outhouses?

We have many unresolved issues with the institution of the Pilot Program as mentioned above. I would suggest we do not renew or expand this program until we have more community input and more guidelines in place for more enforcement. Our Sheriff's Department is simply too small to handle our city, county, and back country. We would like to see more support from the Forest Service and BLM as well.

As divisive as this issue is, I do believe we can come to some common consensus to balance a thriving business community and the reason we all moved here in the first place.

Thank you,

Carolyn [REDACTED]

Phillip H. Virden
[REDACTED]
Lake City, CO 81235

October 21, 2020

Colorado Department of Transportation
Hinsdale County Commissioners
Town of Lake City

RE: Colorado Highway 149 Pilot Program

To Whom It May Concern:

I would like to comment on the Colorado Highway 149 pilot program allowing OHV traffic in and south of Lake City. I have lived in Lake City for 47 years and am a businessowner and homeowner.

Here is what I have witnessed this last summer with the increased OHV traffic along Highway 149:

- A substantial increase in OHV visitors to Lake City.
- A substantial increase in visitors to Lake City from all types of vehicles.
- An increase in noise from the increased volume of traffic.
- An increase in speeding by vehicles (of all types) on Highway 149 from Lake City south to the turnoff to Lake San Cristobal.
- An increase in speeding by vehicles (of all types) on Lake City's residential streets.
- An increase in parking problems due to the increased number of trailers transporting OHV vehicles.
- From my business located at 811 Gunnison Avenue, I have regularly witnessed an increase in speeding vehicles from Highway 149 on 8th Street to Bluff Street.
- From my business location, I have regularly witnessed an increase in vehicles running the stop sign located at 8th Street and Silver Street.

Besides the increase of vehicular traffic, I see more congestion as well from people walking and biking along this section of Highway 149. As you know, this stretch of Highway 149 is already narrow and this increased traffic dramatically increases congestion here, especially from late May through September.

I am in hopes CDOT and our local governmental entities can address these concerns. I would think immediate increased signage and presence of regular law enforcement on this stretch of highway would be the first things necessary to intelligently address the matter of speeding violations. The matter of increased parking congestion, noise, the narrow aspect of Highway 149, etc. needs strategic planning for effective solutions.

I know that our local government entities are woefully lacking in financial resources to address all the matters concerning Highway 149 so I would hope CDOT will be an active partner to direct more resources to help out with these situations. Naturally, please contact me if you have any questions; otherwise, I thank you for listening to my concerns and hope that you will participate in bringing solutions to the situation at hand.

Sincerely, Phillip [REDACTED]

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

OHV Pilot Project

1 message

Sat, Oct 17, 2020 at 10:47 AM

To: "Commissioner.Hall@state.co.us" <Commissioner.Hall@state.co.us>

Dear Commissioner Hall,

We understand that the Highway 149 OHV Pilot Program will soon be up for re-authorization and we write to ask that you terminate or reduce significantly that program which allows OHVs to travel on several miles of that highway near and in Lake City, Colorado. We have been summer residents of Lake City for 26 years. We built there because of the quiet beauty of the town, our ability to drive or hike in the back country, and the excellent fishing nearby. We also have enjoyed shopping in the town, frequenting restaurants, and walking the trail system.

All of that has changed because of the infestation of OHVs, created by the Pilot Project. We no longer go into town unless we must. We shop elsewhere when we can. We have tried driving our Jeep on the Alpine Loop, but the noise and dust from speeding OHVs is so bad that we no longer make that drive.

We attended an outdoor meeting next to the library, regarding the planning for a charitable project that will cater to young children's reading. The OHV noise was so loud and frequent that we had to practically shout to be heard.

There is strong evidence that the tremendous increase in OHV traffic is contributing significantly to the deterioration of both county roads 20 and 30. In our one attempt at the loop this summer we noticed that county road 30 was as bad as we have ever seen it (we turned back and returned home). And we have seen photos of serious damage to the tundra in the high country.

OHVs have no place on a paved highway; their name makes that clear – Off - Highway Vehicles. They constitute a dangerous situation and it is fortunate that there has not been a serious OHV- auto accident. It will happen. It's only a matter of when.

In short, Lake City is no longer the place we decided to spend our summers. The Pilot Program has ruined it. I am sure that some merchants are happy, but not all merchants have benefited. Lake City has become a burger, trinket and t-shirt town. The OHV lobby must be ecstatic. But the cost to the area is incalculable. You might want to visit Lake City in July or August to see and hear what we mean. But please don't bring your OHV.

Sincerely,

Cecelia and Morton

Subject: Lake City Area concerns

**Kerry**

to shoshana.Lew

Sun, Jan 17, 3:04 PM (10 days ago)

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Director Lew,

I write to you today with great concern for the safety of my community and the protection of Colorado backcountry wilderness areas in Hinsdale, San Juan and Ouray Counties. These counties are connected via the *Alpine Loop*, which resides within the *Alpine Triangle*.

The CDOT CO149 Pilot Project ignores Colorado State law and allows OHVs to operate on the only State Highway that bisects Lake City and Hinsdale County. This CDOT project "connects the loop" and provides OHVs with greater access to our backcountry wilderness areas. This CDOT project also threatens public safety by allowing *off-highway vehicles* to co-mingle with other vehicles on a paved highway surfaces.

As the CDOT director with years of experience with transportation issues, you are certainly aware that OHVs are not legal, nor safe, for highway use. These vehicles are not crash-test certified; they have a propensity for rollover accidents due to their high-center of gravity; they have a known tendency for loss-of-control events due to their off-highway tires that are not legal for use on State Highways; and their locking differentials create unsafe handling characteristics when allowed to operate on paved or hard-packed surfaces.

CDOT and all of the elected officials in Hinsdale County and the Town of Lake City were provided with numerous documents, studies and reports that shine light on the many reasons for not allowing OHVs to operate on Colorado State Highways. Why are you, CDOT managers and other elected officials, ignoring known safety issues by allowing this project to move forward?

While CDOT and our elected officials may have had the best of intentions with the CO149 Pilot Project, the unintended consequences of increased OHV traffic in our community and backcountry wilderness areas has been devastating. County roads are in disrepair; the Alpine Loop saw increased damage; and fragile alpine tundra was damaged last year.

The Hinsdale County Sheriff is on-record with the fact that his office is unable to manage the increased levels of tourism in Lake City and Hinsdale County. Residents, 2nd-homeowners and non-mechanized tourists documented the adverse impact of dust, noise, traffic, parking and violations of State law throughout our community. The BLM and NFS are on record with their observations of damage to the Alpine Loop and adjacent wilderness areas.

Furthermore, while Hinsdale County and the Town Trustees have been in communication with CDOT over modifications to the CO149 OHV Pilot Program, the entire process has completely lacked any kind of reasonable or acceptable transparency. The process has been driven by backroom discussions and plagued by decisions that benefit special interests. The general public has not been satisfactorily involved with or informed of the process and has not been afforded the opportunity to offer comment on changes that have been made to the Pilot Program.

While this is anecdotal, there is one more very personal point that I'd like to share. I am a long-distance runner and regularly run on the roads and highways around Lake City. I can tell you, without any doubt whatsoever, from firsthand experience that OHV drivers are much more reckless than regular vehicle drivers, driving at higher speeds and with an irresponsible abandon that is bewildering. In fact, I have feared for my life MANY times when OHVs have come around blind curves at speeds that are 30-40 miles over the speed limit. This is simply not acceptable, and the problem will surely be exacerbated by the implementation of the proposed Pilot Program.

Finally, as a native of Colorado, I ask you to reject TC-19-06-XX, which instructs the Colorado Department of Transportation Regions on Permitting Off-Highway Vehicles for Travel on State Highways to allow for the expansion of OHV pilot programs throughout the state of Colorado. There is no reason whatsoever to allow OHVs on public roads, highways, and streets. They are simply not intended or manufactured for this use, and it would be wholly irresponsible to make a decision that would encourage such use. I beseech you to keep the safety of Colorado residents in mind.

Sincerely,

Sara 

Green Builder wins Best Residential Trade Magazine for the SIXTH consecutive year from NAREE!

STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Position of the Chamber of Commerce

1 message

Sun, May 12, 2019 at 2:28 PM

To: michael.goolsby@state.co.us

Cc: Luella D'Angelo <Commissioner.Dangelo@state.co.us>, Kathy Connell <Commissioner.Connell@state.co.us>, Karen Stuart <Commissioner.Stuart@state.co.us>, Kathy Hall <Commissioner.Hall@state.co.us>, Bill Thiebaut <Commissioner.Thiebaut@state.co.us>, Shannon Gifford <Commissioner.Gifford@state.co.us>, Edward Peterson <Commissioner.Peterson@state.co.us>, Sidny Zink <Commissioner.Zink@state.co.us>, Steven Hofmeister <Commissioner.Hofmeister@state.co.us>, Kathy Gilliland <Commissioner.Gilliland@state.co.us>, Rocky Scott <Commissioner.Scott@state.co.us>, Herman Stockinger <herman.stockinger@state.co.us>, Jennifer Uebelher <jennifer.uebelher@state.co.us>

Transportation Commission:

Below is the representation made about the Chamber of Commerce position on OHVs. This in light of the main driver for promoting the pilot program has been stated as economic improvement. Yet the C of C is "neutral". See below, highlighting mine.

I would urge you to NOT pass the CO149 OHV Pilot Program.

In the meantime we are seeing quite number of signs popping up around town that say..."When in Town, Throttle Down" which to some of us sounds like an admission that noise of the OHV traffic is problematic. I for one have assuredly, purposely spent way less money in the area because I think my property investment is damaged due to the lack of peace and quiet. At any rate, here is what the C of C has to say:

The Board has received your correspondence and thanks you for the information. Please understand that the Chamber is not for or against OHVs. We remain neutral. We do not have our heels dug in or promote only OHVs. We are for the economic stability of Lake City and Hinsdale County as a whole and that which promotes tourism. In addition to our one event in September that involves OHVs we also have Packer Adventure Days, Gold Member Open Houses, Chamber BBQ/Open House, Bingo, 4th of July, Ducky Derby, Stick Horse Show, Stinger Band, Side Yard Art, Octoberfest, Pond Hockey, Brewski, and Christmas in Lake City. We are also involved with many different entities throughout the year; for example the Ice Climb wall and Winterfest. The events listed and more promote tourism of both Lake City and Hinsdale County. I hope this helps give some clarification. The Chamber is definitely not fighting for unrestricted access of OHVs.

Please feel free to contact me to discuss anything further. The Board meets on the third Tuesday of the month. If you would like to be added to the agenda please contact Kat at the Visitor's Center 970-944-2527.

Sincerely, Jacqu [REDACTED]

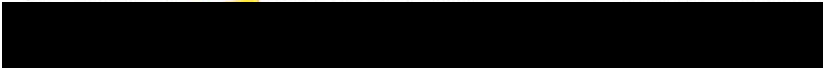
Thank you for your thoughtful consideration of this matter.



STATE OF COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

to CTC, regarding TC #2019-08-09



Mon, Aug 12, 2019 at 8:20 AM

To: Jennifer.Uebelher@state.co.us

Dear Colorado Transportation Commission

It is with dismay I see there is another resolution (TC# 2019-08-09) to continue a pilot program that currently involves Lake City/Hinsdale County Highway 149. Any expansion of off highway vehicles on to state highways is a dangerous path. While I believe it is true that this area has experienced no accidents within the current pilot program route, there have been accidents and washouts that created hazards. The high number of vehicles that this pilot program is encouraging is only going to exacerbate the issues and dangers.

In addition to the danger of additional OHV traffic and associated risk locally, how can the transportation commission deny state highway access in other communities if this community has them? It would be interesting for the Transportation Commission to review also the traffic counts (have any been done on the highway? What is the real impact of the OHV traffic to the highway) and call logs of Gunnison Dispatch. Do we have adequate enforcement for the amount of traffic?

I know you are not usually concerned with quality of life issues but think in terms of this....many of us residing in the Lake City community are within a few blocks of the state highway. The OHV traffic has the effect of a few hundred to maybe even several hundreds of OHVs which sound like lawnmowers going through our neighborhood on a daily basis throughout the summer months. The sound is unfortunately enhanced by the geography of rocky canyon walls. It appears that the extended access to the highway has the result of benefiting a couple of local businesses and it is true that many of us resent the sacrifice to our lifestyle for the preferential treatment that it appears you are giving to a very limited number of businesses.

Lastly, you are responsible for safety. Virtually all the OHV literature cautions about using those vehicles on paved roads, and that literature is very clear that they are not safe on pavement. This coupled with the idea that our county has one small clinic with one doctor and an all-volunteer(and limited) EMS staff seems a risk that appears nonsensical on its face.

Please do not approve the above referenced resolution.

Viva



Subject: Transportation Story in Lake City and Hinsdale County (print media)



[REDACTED] Fri, Jan 15, 2:19 PM (12 days ago)
to Aspen Daily News, Aspen Times, dperry@sentinelcolorado.com, Paige Blankenbuehler, Boulder

You are viewing an attached message. State.co.us Executive Branch Mail can't verify the authenticity of attached messages.

Dear Editors,

I want to bring your attention to a story developing in Lake City and Hinsdale County. My community is on the Western Slope and we tend to be ignored or pushed-around depending on the issue.

The issue is the *CDOT CO149 Pilot Project*.

This CDOT program allows illegal and unsafe off-highway vehicles (OHVs) to operate on the only State Highway that bisects Lake City and Hinsdale County.

OHVs are not certified for use on paved or hard-packed surfaces. They are not crash-test certified. They are prone to roll-over and loss of control events that cause serious injury and death. Many OHVs are not equipped with headlights or signaling devices. OHV tires are not certified for highway use. OHV manufacturers warn against operating OHVs on highway environments, and OHV training institutions warn that OHVs should never be operated on a highway except to cross at a ninety-degree angle if approved by the local municipality.

The Consumer Product Safety Commission (CPSC), the Consumer Federation of American (CFA), the ATV Safety Institute (ATVSI), and Recreational Off-Highway Vehicle Association (ROHVA) all warn of the dangers associated with operating OHVs on paved surfaces and highway environments. Numerous reports and studies clearly indicate that OHVs should not operate on paved roads or highways.

Yet, the CDOT and Transportation Commission continue to entertain the idea of allowing the *CO149 Pilot Project* to renew for the 2021 tourist season. Our State and local leaders are willing to jeopardize public safety in an attempt to promote mechanized tourism in my rural community.

OHVs have a devastating impact in my community and backcountry wilderness areas. OHV trailers line our community during the summer and consume valuable parking space. OHVs create dust and noise that destroy the once-peaceful atmosphere of our small mountain town. OHVs tour our neighborhoods and alleyways and we have no sense of peace or tranquility. The Hinsdale County Sheriff is on-record as stating his office is unable to handle the influx of OHV traffic in the Town and County.

The *CO149 Pilot Project* is a test project by CDOT and the Transportation Commission. This project was created to ignore known studies and reports regarding OHV safety. If deemed "successful" by CDOT and the Transportation Commission, other rural mountain communities will see this type of project come their way. CDOT is trying to normalize OHVs on State Highways, and this presents a known and significant risk to the public.

February 8, 2021

Governor Polis:

I sent to you a letter regarding the CO HWY 149 OHV Pilot Project on November 12, 2020. Your Office sent a response on December 30, 2020 and described the above project which is exactly what I am protesting about and requesting that the CDOT not approve. The final statement in the Governor's Office instructed me to contact Jennifer Uebelher at the CDOT if I had any questions. I had forwarded a copy of my original letter on November 20th and I have never received any comment back....

The Board of County Commissioners of Hinsdale County and the Board of Trustees of Lake City have filed a Resolution NO 1 Series 2021 on January 6, 2021 declaring participation in the CDOT's Off-Highway Vehicle (OHV) Program. This Program will come before the CDOT for approval in February 2021.

According to the Mission, Vision and Values of the CDOT as posted on their website it is their objective and mission to "enhance the quality of life and the environment of the citizens of Colorado by creating an integrated transportation system that focuses on safely moving people and goods by offering convenient linkages among model choices."

The mission of CDOT is "To provide the best multimodal transportation system for Colorado that most effectively and safely moves people, goods and information."

On safety the CDOT states "Our goal is improving the safety of Colorado roads to get everyone home safely."

There are many statements from consumer groups, OHV owner manuals, safety groups, and manufacturers regarding the safety of OHVs on paved roads such as: "FAILURE TO FOLLOW THE WARNINGS IN THIS MANUAL CAN RESULT IN SERIOUS INJURY OR DEATH"

“Allowing OHV’s to use public roads suggest to the public that roadway riding is a safe and responsible use of OHVs when in fact industry regulators, and consumer, public health, and safety advocates, all agree that OHVs are not safe on public roads” Consumer Federation of America (CFA).

“This off-highway vehicle handles and maneuvers differently than an ordinary passenger car. Sharp, high speed turns or abrupt maneuvers can cause this vehicle to roll over or go out of control” Kawasaki TERYX4 Owner’s Manual.

“Operating this vehicle on public streets, roads or highways could result in a collision with another vehicle. Never operate this vehicle on any public street, road or highway, including dirt or gravel roads (unless designated for off-highway use)” Polaris Ace, 2019 Owner’s Manual.

ATV fatalities occurring on public roads comprise a significant portion of total ATV related fatalities, as reported by the Consumer Product Safety Commission. If ATVs could be kept off public roads as urged by SVIA and as contained in our Model State ATV Legislation, a large percentage of ATV related injuries and deaths would be prevented” Specialty Vehicle Institute of America (SVIA).

“Given that ATVs are not designed to be driven on roads, that industry, the CPSC and consumer and safety advocates agree that ATVs should not be operated on roads and that most ATV deaths take place on roads. States should be working to restrict ATV access to public roads” Consumer Federation of America (CFA).

OHVs have a “relatively narrow track and high-center of gravity. These features put OHVs at a higher risk for rollovers and require “that the vehicle takes a wider turn that is found in standard road design”.

OHVs have low pressure, deep tread tires designed for off-road use. OHV tires are made to grab off-road terrain and can act unpredictably on roadway surfaces, especially at high speed. The operator can easily lose control of the vehicle endangering the OHV driver, occupants, and other vehicle drivers and occupants.

Most ATVs lack a rear differential and have a solid rear axle or locked rear differential which means that both the inside and outside wheels rotate at the

same speed which requires that the OHV take wider turns than are found in standard road design which makes for difficult roadway negotiation if traveling at speeds in excess of posted speed limits or at speeds simply too high for curve travel.

I would also point out that most states do not allow any OHV/ATV travel on paved roads-and in my state it is understood by most citizens and it is enforced by the DPS, local police, county constables, and game wardens. There are other states that have far more off-road dealerships and more individuals that own ATV/OHV for personal use on ranches, roads, and hunting leases. The use of off-road vehicles is strictly enforced according to the regulations and follows common sense. The states will not license off-road vehicles because they have been labeled as un-safe to drive on paved roads and they cannot pass safety crash tests.

Many people in Lake City have written letters that listed various studies and facts that illustrate that OHVs should not be driven on paved roads. They have also requested that the PILOT PROGRAM not be approved. For some reason, the State of Colorado CDOT, and their personnel in District 3, Zane Znamenacek CDOT Program Manager and Michael Goolsby Region 3 Manager, do not take seriously the ethics, goals, and mission as stated on the CDOT web site.

At Lake City town or Hinsdale County meetings, CODT personnel state that they are working with elected town or county officials, and that they are following the protocol for establishing a continuation of the PILOT PROJECT. If all the required paperwork is submitted correctly and on time, local (District 3 in Grand Junction) CDOT personnel will approve OHV travel on a paved public highway (State HWY 149). So much for the State of Colorado being directed and controlled by the CDOT mission statement.

I have been told that if the Hinsdale County Commissioners and the Lake City Board of Trustees represent the people of Lake City and Hinsdale County, and if they present a request to continue the Pilot Program, then the CODT District 3 Office will do everything necessary to obtain approval for the Pilot Program.

Hinsdale County is one of the largest counties in the lower 48 states and has about 750 registered voters in the entire County. If you live in Hinsdale County, you cannot vote in City elections, and if you are a second homeowner who is a

resident of another state you cannot vote in any election. The people of Lake City have voted 3 times against allowing OHVs access into Lake City. Many of the people in Hinsdale County are against unlimited access for OHVs but as they cannot vote, they have no representation. This has been explained to the District 3 Office many times via personal communications at meetings in Lake City over the last 2 years. The District 3 CDOT Office is aware of this as they have received many letters the past 2 years expressing the desire for no open access to OHVs.

There are some local people that are for the Pilot Program because they wish to be able to drive their OHVs anywhere in town at any time 24/7 during the year. There are some business owners who claim that the OHV traffic increases their gross income. A 10-year review of quarterly taxes paid to the City has not always indicated that the summer months produce the greatest tax revenue. This can occur in the winter months in some instances due to real estate construction occurring during that time.

OHVs/ATVs have always been allowed in Lake City if the OHV was transported by trailer and kept on the trailer in town or the county. People would drive the trailer and OHV to designated OHV unloading sites. It was these people who generally stayed a week at various motels and those who spent the entire summer at a RV camp. These are the OHV/ATV owners who really spend money in Lake City. Under the Pilot program, I have observed that most of these people now do not keep their OHV on the trailer in town-they simply drive the OHV to go shopping, the Post Office, or to dine out.

Currently there is no process or program that inspects any OHV/ATV traveling on the Alpine Loop in the National Forest. You only required to pay about \$25 at a local sporting goods business to receive a sticker that allows you to travel through the National Forest. The county roads are in terrible condition, there is no enforcement of speed limits, the Hinsdale County Sheriff' Office does not have the budget or manpower to patrol, inspect, or control the great increase in OHV/ATV traffic on Hwy 149 or County roads. Many of us have seen OHV/ATV traffic on HWY 149 outside of the limitations of the Pilot Program.

According to a credible source, approximately 80% of all tax statements are mailed out of the state. It is the people who have second homes in Lake City and

Hinsdale County who pay the bulk of taxes which supports the school, the medical center, the sheriff's office, the Museum, the arts center, the local construction people and carpenters, the lumber store, and special projects. However, all these people have no representation from the Lake City Board of Trustees or Hinsdale County Commissioners. Most of these people oppose the Alpine Loop and the CDOT Pilot program.

I have been a citizen of Colorado before and worked in downtown Denver and my family and I have owned property in Denver, Evergreen, Breckenridge, and Lake City. I have been spending time in Lake City since 1985 and currently own a home in Hinsdale County. There are 10 homes on my 2-block street located 40 yards off HWY 149 and the amount of taxes and monies that we put into Lake City and Hinsdale County is much greater than any daily visits by OHVs traveling on the Alpine Loop, but we have no representation by the local government which is controlled by a few people who think that they will profit from uncontrolled OHV/ATV traffic.

Most of us have worked for years to save money and purchase or build a residence in the majestic San Juan Mountains where we expected to have peace and quite in a small mountain community where we could hike, fish, photograph, enjoy peace, tranquility, and quiet away from the noise of big city traffic. Evidently, the CDOT is supporting the mechanical force over our well-being and due consideration.

We sincerely request that the approval by the CDOT Pilot Program not be approved. We request that the Governor and the CDOT follow the guidance expressed in the web site statement of mission and vision. None of you living in any community in Colorado would allow mechanical off-road vehicles on their streets at any time of the day. This is a problem that is facing many small towns in Colorado and a threat to the integrity, maintenance, and well-being of the roads and natural flora and fauna in the National Forest.

Sincerely,

J. L. Jones, Geologist



STATE OF
COLORADO

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>

Letter sent to Gov. Polis' Office

Uebelher - CDOT, Jennifer <jennifer.uebelher@state.co.us>
To: "J. L. Jones" <jljones_tx@yahoo.com>

Tue, Feb 9, 2021 at 2:34 PM

Received, thank you. All letters, including the one you previously sent, have been reviewed by me. I am finalizing the packet now to present to the commission at the next meeting. I received over 2000 emails (including over 1400 duplicates sent to numerous recipients) so I was not able to personally respond to each one but each document has been received and recorded. We have heard your concerns and the commission will be reviewing the request from the city. You will be able to access all of the documents on our website: <https://www.codot.gov/about/transportation-commission/meeting-agenda.html> no less than 24 hours prior to the meeting on February 17.

Kind Regards,

Jennifer Uebelher
Transportation Commission Liaison
Office of Policy and Government Relations

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