

# Hinsdale County/Town of Lake City

## 2023 OHV Program Report

Hinsdale County and the Town of Lake City applied for and were granted a three-year Special Use Permit from CDOT in March, 2021, that would allow Off-Highway Vehicles (OHVs) to travel on a 2.26 mile stretch of SH 149 that runs through Hinsdale County and the Town of Lake City. This permit was the second granted by CDOT to allow this use of State Highway 149, the first being a two-year permit that was granted in 2019.

Discussion between the county, town and CDOT regarding a program to allow OHVs on Hwy 149 came about after a state program in 2016 highlighted 16 trails in the state with gaps or missing segments. The Alpine Loop Scenic Byway, which loops from Lake City through the San Juan Mountains in Hinsdale County, was highlighted as one of these trails.

The Alpine Loop was identified because traveling the entirety of the loop requires using SH 149. After considerable study by Hinsdale County, Town of Lake City and CDOT, it was determined there were no optional routes that would allow OHV riders to travel the entire Alpine Loop without using the highway.

The CDOT Special Use Permit allows OHVs on the SH149 from Memorial Day until September 30 and required special signage on the highway, lowering speed highway speed limits along the highway route, increased education to inform OHV riders of the program, seasonal counts of OHVs on the highway and the ability of the public to provide feedback on the program via the Hinsdale County website.

Following the seasonal end of the OHV program, a report is created for CDOT with comments from program partners on the overall success of the season, along with OHV interaction statistics and comments from the public.

Partners participating in the 2023 after-season meeting on October 5 and providing comments included Hinsdale County Administrator Sandy Hines, Town of Lake City Mayor Dave Roberts, Hinsdale County Sheriff Chris Kambish, and CDOT Traffic and Safety Program Manager Zane Znamenacek. Comments were provided from Colorado Parks and Wildlife Regional Officer Lucas Martin and CDOT Regional Operator RE Hall.

Information from the 2023 season-end meeting are as follows:

Sandy Hines gave an introduction regarding the history of the program that allows OHVs to travel on SH149.

Sheriff Chris Kambish said numbers of all vehicles traveling on the highway to OHVs is 5 to 1. Kambish discussed the statistics regarding OHVs from his office (spreadsheet included in this report). He said that traffic violations with regular vehicles compared to OHVs was 3 to 1, adding that numbers of violations are down from 2022. Kambish contributes part of the decrease of violations in 2023 to staffing issues in his office. Kambish said his office is not able to breakdown violation locations to determine if they occurred on the highway or not. He commented that of all OHV infractions, the number one is underage OHV occupants not wearing a helmet, with the second being violating a traffic law, mostly running stop

signs. He added that OHVs driving on the highway outside of the limits of the route still continues. Drivers still go past the northern limit of the route to get to the car wash and south to get to a campground, but less than they used to, he said, adding that if they go past those areas, his officers probably won't see them. "We very rarely see them going up Slumgullion Pass, but it happens. It's not a lot." Kambish added he believes people who drive OHVs outside of the route know what they are doing. "It's risk vs. reward."

Kambish said he also believes another reason for a decrease in violations is the consistency of expectations of OHV drivers staying the same from the last two years. "When we change rules it makes things more confusing and more difficult. But the rules haven't changed dramatically for a couple of years and I think that is a good thing."

Kambish said there were seven single-vehicle accidents that occurred in the county and town combined, none of which were on the state highway.

Kambish said he has no new concerns regarding the program in 2023. He added that his concerns have always been the same, regarding how safe OHVs are operating on pavement. "They are off-highway vehicles and manufacturers say they should not be operated on pavement. I think there is a reason for that."

Kambish added that OHVs for the most part behave. "It's the same percentage for all vehicles. Five percent of drivers speed or violate traffic laws - it is the same for OHVs." He said the fact that there have been no real tragedies with OHVs on the highway speaks to the efforts of the County and Town to educate OHV drivers and that enforcement of his office has been effective.

"OHVs on the highway is not a concern. I have no more concern for OHVs than other vehicles. Actually, I have more concern for other types of vehicles," Kambish added.

Zane Znamenacek with CDOT has received a few comments regarding the OHV program that were also sent to the town and county. "It's been pretty quiet."

Alpine Outdoor Association (AOA) is a volunteer-based group in Lake City that has provided CDOT's required count of OHVs on the highway during the summer months of the program. In addition to the OHV count, the AOA volunteers provide information on the Lake City area to all interested from their visible booth on the highway. They provide OHV education as well as Stay the Trail information.

The counts are done twice a month during the day with the following numbers for 2023: June 20: 272 OHVs on the highway; June 27: 230; July 11: 385; July 18: 405; Aug 1: 379; Aug 8: 318; Sept 19: 202. Hines stated that these numbers are almost identical to the numbers of OHVs on the highway in 2022. Hector Gomez, head of the AOA communicated ahead of the meeting that it was a good year for OHV program. He said he believes all traffic overall has increased in Lake City There has been an increase in families using OHVs. Gomez also said he believes there is also a 5 to 1 ratio of OHVs to other vehicles, which Sheriff Kambish again agreed with.

Hines reported comments from CDOT Operator RE Hall, who mostly had comments about speed limit signage on the highway. He would like to see an additional 25 mph sign on Hwy 149 south of Lake City in the business district to slow down all vehicles in this area. Hines will work with Znamenacek and CDOT on any additional signage. Hall believes drivers tend to speed up as they leave the town. Sheriff Kambish

agreed that drivers do tend to speed up going south and north as they go up hill out of town. However, he added that most speeding tickets are written on the highway in town. Kambish added that he had also received complaints of vehicles speeding south of town. He spent several days in that area checking speeds with a radar and there were actually very few drivers going above the speed limit.

Dave Roberts commented that trucks and trailers with OHVs park along the highway and along streets in town and the town has received complaints relating to parking. Roberts said he feels it is important to have the highway open to OHVs because it lessens the traffic on side streets and in residential areas.

Roberts suggested that if the OHV program continues that it be extended to Woodlake Campground just to the south of CR 30 and to the car wash just to the north of the OHV route. Currently OHVs have started using a route through residential neighborhoods to get to the car wash and the town has received complaints about that. Roberts said extending the OHV route north to the car wash would also open access to the highway for three different subdivisions. "People have mentioned to me that they live just over the hill from town but they have to trailer their OHVs maybe a third of a mile."

Roberts suggested keeping the 25 mph speed limit on the highway all the way to the car wash for safety concerns. This would have to be brought up separately with CDOT.

Roberts said he believes OHVs are very courteous and keep to the speed limit. He said he hasn't seen major problems with OHVs.

Hines commented that she feels the program went smoothly in 2023 and noticed very little difference from the summer of 2022. Hines added that she didn't feel there was an increase in OHVs due to Silverton banning the vehicles in 2022.

Hines said that Hinsdale County commissioners are discussing conducting a survey of Hinsdale County residents and property owners regarding use of OHVs in Hinsdale County. The idea for the survey was to make sure all residents have their opinions heard regarding OHVs. That process is ongoing at this time, and no decisions have been made as to the look of the survey or the questions that will be asked. The survey process and the results of the survey will be made public. The commissioners have discussed wanting the results of the survey before making a decision regarding a new Special Use Permit application. The town and county will meet in a joint meeting on October 18.

Because of the discussions related to the survey, the county and town have received a great deal of public comments in the past two months. All comments received have been included with this report.

Lucas Martin with Colorado Parks and Wildlife could not attend this meeting but provided comments that are attached to this report. The comments were read during this meeting.

Zane Znamenacek discussed the schedule for submitting a new application for a Special Use Permit with CDOT. A year-end report is required to be submitted to CDOT by the end of the year. He said there is no time limit to apply for a new permit. CDOT will address a new permit at any time, but he advised the application should come in soon after the new year in case there are any changes that need to be made with signage, etc., There need to be time to get those things in place before the program can become active if the goal is to have the program in place by Memorial Day. If a new permit application comes to CDOT, there will need to be a resolution from both the town and county to enter into the permit.

Znamenacek added that there are new members of the CDOT Transportation Commission that will be reviewing the Special Use Permit application since the 2021 application. He added that he believes since the program has been going fine he doesn't believe there is any less chance that a permit will be approved than in the past. In 2021, the Special Use Permit application was submitted in February. Znamenacek said having the application in by the Transportation Commission's February meeting would be good timing.

Znamenacek added that in 2021 there were also discussions about extending the limits of the highway route of the program. "At that time, the sense was that it was probably best not to ask for more. This program was originally created to connect the loop, and anything outside of that was seen as not really meeting the purpose or the need for doing this." Znamenacek cautioned against adding anything to the permit application that is seen as extra.

# 2022

OHV'S	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
ACCIDENT LC													0
ACCIDENT HC						2	3						5
VIOLATOR STOPPED LC					5	9	9	10	13	2			48
VIOLATOR STOPPED HC					2	7	14	10	8	9			50
CITATION LC						3	2	6	2				13
CITATION HC					2	2	3	5		3			15
WARNING LC					2	4	3	3	8	0			20
WARNING HC						4	7	3	10	8			32

MOTOR VEHICLE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
ACCIDENT LC	1						5		1				7
ACCIDENT HC					2	1	3		1				7
VIOLATOR STOPPED LC	2	16	5	14	24	57	52	57	63	8			298
VIOLATOR STOPPED HC	7	2	3	14	9	22	56	65	47	17			242
CITATION LC		3	1	4		11	17	26	14	1			77
CITATION HC	3	1	1	2	1	2	14	20	24	1			69
WARNING LC	2	13	3	10	26	38	41	28	33	6			200
WARNING HC	3		2	5	9	24	31	55	49	12			190

# 2023

OHV'S	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
ACCIDENT LC							1						1
ACCIDENT HC							3	1	2				6
VIOLATOR STOPPED LC	1	1		2	1	1	8	8	2				24
VIOLATOR STOPPED HC					1	9	24	9	9				52
CITATION LC	1				1	1	6	5	1				15
CITATION HC					1	4	7	5	5				22
WARNING LC		1				1	4	2					8
WARNING HC					1	6	14	1	1				23

MOTOR VEHICLE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
ACCIDENT LC		3			1		1	2					7
ACCIDENT HC			2		1			1	2				6
VIOLATOR STOPPED LC		7	6	3	8	19	20	18	9				90
VIOLATOR STOPPED HC			1	3	21	24	39	43	25				156
CITATION LC		5	4	1	3	2	9	12	3				39
CITATION HC			1	1	11	3	15	22	6				59
WARNING LC			1	1	6	7	3	7	12				37
WARNING HC					1	7	13	2	7				30

I, Wildlife Officer Lucas Martin, appreciate this opportunity to provide input in reference to the "Pilot Program" that was initiated by the Town of Lake City and the Hinsdale County Board of County Commissioners. The main feedback metric I have provided in the past has been the, "number of citations" related to OHV/ATV state level infractions. Typically, in the "Pilot Program" stretch of Colorado State Highway 149, I don't write any citations except when the "Pilot Program" is suspended for the year. However, outside the "Pilot Program" area, I continue to cite individuals illegally operating on the state highway under Colorado Revised Statute Title 33.

Monitoring OHV's on the state highway is not a primary task that I dedicate much time to. This reality is based on all my other job duties that take precedent. When I witness a violation, typically operation of an OHV outside the "Pilot Program" area/boundaries, I will cite the individual/individuals. However, I certainly **do not** feel that citations are a good or representative metric for determining anything valuable about the "Pilot Program."

However, I think a different, more holistic approach as it relates to the "Pilot Program" is necessary to have a productive dialogue and evaluation about OHV's using a 3.26 mile stretch of highway. To look at the 3.26 mile stretch as wholly separate from the loop system is not capturing the full breath of impacts, both positive and negative.

I think it is important to realize that the initial goal of the "Pilot Program" was to facilitate the connection of the Alpine Loop. Dovetail that with the Town of Lake City allowing OHV's/ATV's on all town streets and alleys, access to the Alpine Loop, for the majority of OHV users within the town limits and along the 3.26 mile stretch of highway 149, is wide open.

I want to mention a few concerns I have been stewing on for several years that have a direct nexus with the "Pilot Program."

The first concern I feel obligated to articulate, not in a professional context, but more based on personal opinion and observation. This opinion is directly tied to the level of noise produced by OHV's/ATV on the state highway. As a resident of Lake City for almost 20 years, I can certainly detect additional tire noise as well as high decibel engine noise (90 decibel's or greater) even as machines leave the town limits and head toward Hinsdale County Road 30 or into the Oceanwave area of town to the north. I have talked to dozens of year round and seasonal residents that live along highway 149, and many, not all, are very upset with the significant level of OHV noise along the highway corridor. Thanks for indulging my opinion.

My second concern is tied directly to being a Wildlife Officer for Colorado Parks and Wildlife in Lake City. I think the addition of the "pilot program" section of the loop has certainly had a significant impact on the adjacent public land and wildlife. With the addition of the "Pilot Program" 3.26 highway section, the "Alpine Loop" is functioning like an intersection roundabout in a busy city. As you know, roundabouts are specifically designed to promote a continuous flow of traffic, so an intersection can handle more traffic volume in the same amount of time. Granted, a true urban roundabout has one way traffic and yield signs associated with it, but the functionality is essentially the same.

By facilitating a much higher volume of traffic, our county roads are being severely degraded and destroyed. OHV's and ATV's engage the road bed in a very different fashion than traditional 4X4 vehicles. Typically the tires, torque, and speed of OHV's contribute to the rapid erosion of the road,

displacing rock at an accelerated pace. This advent in modern motorized technology is very different than the roads being historically used by jeeps, trucks, SUV's and other 4X4's. Also, the magnitude is quite different as well, as many people ride in large groups, quite often only having one occupant per OHV.

Additionally, the "Pilot Program" stretch directly changed how people access the Roundtop Mountain Complex of roads. Historically, people had to trailer their OHV's/ATV's to access the Roundtop Mountain road. Now they have a direct conduit off of highway 149. The added level of noise and traffic going up Roundtop Mountain is much greater than it has ever been. Certainly this change in disturbance and use is a direct result of the "Pilot Program" removing the step of having to trailer to the Roundtop Road. CPW has been historically able to identify a series of migratory paths from the Upper Lake Fork of the Gunnison River that our native Rocky Mountain Bighorn Sheep (BHS) herd use around the perimeter of Roundtop Mountain to access upper Henson Creek. The added level of motorized disturbance may sever or degrade the use of these migratory paths in the future.

As roads continue to degrade, many visitors to Hinsdale County can no longer get to sections of the CDT, 14er trailheads, or even the destination locations of Engineer and Cinnamon Pass without being in or on an OHV or ATV. For countless years, hunters and anglers were able to travel up the Wager Gulch Road, the Nellie Creek Road, and the Cottonwood Creek Road, just to name a few. Now many of these roads are very difficult to navigate, if at all, in a normal 4x4 SUV, Jeep or truck. There are many locations I used to patrol with regularity in my patrol truck that I can no longer patrol due to road conditions, thus making access limited to being on or in an OHV or ATV. This reality also rings true for EMS, Search and Rescue, and Sheriff's Office personnel when an actual 4X4 vehicle is the needed equipment.

Think of the "Pilot Program" as a turbocharger on a combustion engine. Turbos can provide efficiency, power, and added thrills. However, there are also a whole theater of problems associated with the implementation of turbos as well.

I have spoken.....