

Sandy Hines

From: peter_nesbitt@icloud.com
Sent: Wednesday, October 28, 2020 1:52 PM
To: Susan Thompson; Kristie Borchers; Sara Gutterman; Chris Kambish; Bruce Vierheller; Michelle Martin; Doug Hamel; Jud Hollingsworth; Dave Roberts; Jesse Kendall
Cc: Sandy Hines; Caroline Mitchell
Subject: Fwd: Your support for OHVs in Lake City and Hinsdale County

Trustees and Commissioners,

Please include this email in your upcoming meeting packets. My email responds to citizen support previously directed toward your governing bodies. Please include my email in the packet that you provide CDOT and the Transportation Commission regarding the CO149 Pilot Program.

Thank you,

Peter D. Nesbitt
P.O. Box 465
825 Gunnison Ave.
Lake City, CO 81235
970-765-6390 (cell)

Begin forwarded message:

From: peter_nesbitt@icloud.com
Subject: Your support for OHVs in Lake City and Hinsdale County
Date: October 28, 2020 at 1:44:27 PM CST
To: [REDACTED]

Robert,

I am disappointed with your endorsement of the CO149 Pilot Program. It is unfortunate that you endorse a program based solely on your perception that OHVs are helping the local economy to any great extent. While OHVs contribute *something* to the economy, a recent State of Colorado tourism study revealed that OHV tourism ranked 5th in the state – certainly not the panacea that so many believe.

Neither Lake City nor Hinsdale County are able to quantify the financial impact that OHVs provide our community. However, many residents and 2nd homeowners see and experience the destructive impact that OHVs inflict on our Town, County, and backcountry wilderness areas.

Please recall the original intent of the Pilot Program was to only “connect the loop” between CR20 and CR30. In fact, Commissioner Thompson said this was all she wanted. That concept was quickly expanded north and south on CO149. Additional reasoning was based on an old ruling from the 7th Judicial District and embraced by a former County Sheriff. A newer judicial ruling clarified and affirmed that OHVs are not allowed on Colorado State Highways, so that reasoning no longer holds water.

How you and others want to expand the Pilot Program. When will it end? Where is your compromise to the community? Where is your willingness to work with others?

Endorsing the CO149 Pilot Program ignores many of your potential constituents. Instead of addressing all constituent concerns, you seek only to expand the Pilot Program and ignore others who share common objections and concerns. Are your potential constituents OHV *tourists*? Or Hinsdale County residents and 2nd homeowners?

You acknowledge that "additional enforcement of speed and all rules governing this program are helpful," but you do not mention existing State law that prohibits OHVs from operating on State Highways. These laws exist because OHVs are a threat to public safety when allowed to operate on paved or hard-packed surfaces. Not a single government agency or commission approves of OHVs operating on highways, paved or hard-packed surfaces – not even OHV manufacturers.

The Pilot Program is an end-run around State laws (rules in your words) that serve to protect the public.

You mention that our area has "eight months of almost zero economy." As a former business owner, I agree with that statement. But I will ask you: What are your plans to improve the economy during those eight months? What was done in the past to improve the economy during those eight months? Why is our community so dependent on the perceived low-hanging fruit of OHVs during the only viable four months of the year?

Clearly our community has failed to grow shoulder and summer tourism.

What about recruiting permanent residents and families? Recruiting professionals who might work remotely? Or recruiting online, sales or consulting businesses that might operate in Hinsdale County? These three suggestions alone would contribute to our tax base without destroying the quiet solitude of our mountain community with increased OHV tourism.

The Pilot Program saw traffic nearly double on the Alpine Loop this year. BLM reports vehicle numbers are approaching 500,000. Much of that traffic flows into Lake City and through Hinsdale County on CO149. Citizens know that our Sheriff is not able to manage the increased OHV traffic and other demands. Are you willing to increase the Hinsdale County Sheriff's Office budget so that Sheriff Kambish may hire yet another Deputy in 2021?

Our community created the OHV problem and did not give our Sheriff's Office the money to deal with the increased workload.

Residents and 2nd homeowners report that CR20 and CR30 are a mess due to increased traffic by all types of vehicles. Previous Commissioner meetings reveal that Road & Bridge has their own fiscal and staffing issues. Are you willing to increase the Road & Bridge budget so that adequate repairs can be made each year as traffic on the Alpine Loop exponentially increases?

You should have no objection to these budgetary increases if OHVs contribute so much to the tax revenue of Hinsdale County.

OHV supporters of the Pilot Program cite "money" and "economic contribution" as the driving forces for keeping OHVs in our community. I will counter and say that no amount of money pocketed by any local business owner or taxing authority can compensate for the destruction we are witnessing.

I respect you greatly for your previous work at the County and defense of County employees. However, I disagree with you on the subject of OHVs and expanding the CO149 Pilot Program.

Sincerely,

Peter D. Nesbitt
P.O. Box 465
825 Gunnison Ave.
Lake City, CO 81235
970-765-6390 (cell)

Sandy Hines

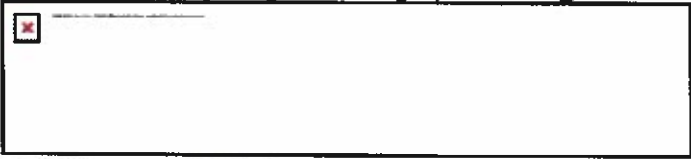
From: Ann McCord
Sent: Monday, October 19, 2020 8:35 AM
To: Sandy Hines
Subject: FW: The silent majority in Lake City

From: Znamenacek - [REDACTED]
Sent: Monday, October 19, 2020 8:23 AM
To: Cionnaith ODubhaigh [REDACTED]
Cc: Michael [REDACTED]; Ann McCord <office@hinsdalecountycolorado.us>; [REDACTED]
Subject: Re: The silent majority in Lake City

Cionnaith,

Thank you for your input on this issue. At this point, the pilot program has already been discontinued. The program was only allowed for a 2-year time stint which ended on Sept 30. In no way will CDOT attempt to coerce the Town and County into either permanently ending or asking for an extension on the program for next year. As you said, this is something the community has to decide for itself, and we fully support that. My only role is to ensure that if this program goes forward again next year (at the request of the local community), that we continue to evolve how it is implemented on Hwy 149 so that we can maintain as safe an operating environment as possible.

Zane

[REDACTED]
Traffic and Safety Program Manager, CDOT Region 3

[REDACTED] | www.codot.gov | www.cotrip.org
222 South 6th Street, Room 100 Grand Junction, CO 81501

On Sat, Oct 17, 2020 at 9:33 PM Cionnaith ODubhaigh <cionnaitnodubhaigh@hotmail.com> wrote:

My name is Cionnaith O'Dubhaigh.
I am writing to you concerning the OHV pilot program on Colorado Highway 149. I am a full time (year round) Lake City resident and have lived and worked in town for the past thirteen years. I am a volunteer with Hinsdale county EMS and a volunteer with Hinsdale county Search and rescue. I own two businesses in Lake City; a tourist based business (lodging) and a construction business. I live at 207 Gunnison Ave which is directly on Highway 149 in the middle of town.
The OHV situation in Lake City is a very divisive issue. Both sides have been incredibly vocal and nasty toward one other. I feel it is important to note that these people, on both sides, are primarily retirees and second homeowners.

Most of the permanent residents, who live and work here year-round (many of whom have kids) don't want to get involved in the drama and nastiness. You could call us the silent majority. I feel like it is now time for us to have our voice; it is time we were heard. Most of us are not anti-OHV but we do not feel like the situation is not heading in a positive direction.

I realize that your only concern is OHV use on the Colorado State highway 149. However, allowing OHVs to drive on the highway creates an atmosphere of lawlessness which spills over onto the town streets and into the back country as well. I'm sure you have heard of the negative impacts the OHVs have had in our protected wilderness areas where they have been driving off trail and destroying fragile mountain habitat.

I personally have witnessed many unlicensed OHVs on the highway as well as some clearly underage operators on the highway. Our sheriff, by his own admission, does not have the resources to regulate the situation.

During the months in which the pilot program was in operation I could not sit on my front porch and have a conversation with someone sitting beside me without being interrupted. I quite literally had to pause and wait while the OHV/convoy of OHVs would pass by before I could resume the conversation. This is not an exaggeration; these are by far the loudest vehicles on the road. I realize that there has been increased revenue by the increased numbers of visitors on OHV's but I fear that it will change the tone of the town and deter our other visitors from coming here. I don't know if you have ever visited Lake City but one of the greatest attractions is the feeling of tranquility. This tranquility has been obliterated for the past two summers.

This is a complex issue, one which needs to be resolved amongst the town for ourselves. Unfortunately, as I said earlier, I feel that the most vocal people do not represent the majority of the town. I urge you to please discontinue this pilot program and allow us to resolve the issue amongst ourselves.

Yours respectfully,

Cionnaith O'Dubhaigh

207 Gunnison Ave (Highway 149) Lake City, CO 81235

Sandy Hines

From: Kristie Borchers
Sent: Thursday, October 29, 2020 4:06 PM
To: Sandy Hines
Subject: Fwd: UTV's - Lake City

Sent from my iPhone

Begin forwarded message:

From: "Oge, Tina" <TinaOge@texashealth.org>
Date: October 29, 2020 at 10:53:24 AM MDT
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: UTV's - Lake City

I went to Lake City in August because a friend of mind. We stayed at Lake City Lodge and it was nice to walk around the town and rent a UTV. I NEVER felt in danger from the UTV's. We rented one ourselves and took the Cinnamon Pass and the other loop. It was quit pretty and everyone was respectful on the trails. In town most of the UTV's were off the road by dusk and never heard any loud nose after 9pm. Like I said, respectful. We were planning a family reunion up there next year, for the purpose of driving UTV's. Please don't take this family time away from us.
Tina Oge'

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Sandy Hines

From: Kristie Borchers
Sent: Friday, October 30, 2020 11:17 AM
To: Sandy Hines
Subject: Fw: Supporting the OHV Pilot Program

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: Steve Ostrom <steveostrom@hotmail.com>
Sent: Friday, October 30, 2020 10:26 AM
To: Susan Thompson <district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman <district3@hinsdalecountycolorado.us>
Subject: Supporting the OHV Pilot Program

To Whom it may concern,

My family and I own a summer lodging business in Lake City, Colorado. We have owned Twin Peaks Rentals for over 21 years and have seen how important the extra business from the OHV pilot program has benefitted us as well as other businesses in Lake City. As a summer lodging business we have many guest that come with their trailers loaded with their own OHVs ready to experience the Alpine Loop and other off road adventures. 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 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.

Steve Ostrom
Twin Peaks Rentals, LLC

Sent from [Mail](#) for Windows 10

Sandy Hines

From: Patrice Palmer <patrice@alpineanimalart.com>
Sent: Monday, November 2, 2020 9:09 AM
To: michael.oolby@state.oregon.gov; zamenacek@state.oregon.gov; Kristie Borchers; Sara Gutterman; Sandy Hines; Chris Kambish;
Cc: herman.steeking@state.oregon.gov
Subject: Opposition to OHV Pilot Expansion

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

-Patrice Palmer

Year round resident, active volunteer and concerned citizen.



Sandy Hines

From: Kristie Borchers
Sent: Tuesday, October 27, 2020 7:49 PM
To: Susan Thompson; Sara Gutterman; Sandy Hines
Subject: Fw: UTV

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: Linda Pavich <pavichkid@yahoo.com>
Sent: Tuesday, October 27, 2020 7:33 PM
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: UTV

Kristi
I'm writing in favor of letting UTV's using Hwy 149 to Woodlake Park and to Elk Rd. This is a main attraction for our summer guests and helps our business more than anything else.

I'm not sure when it is first allowed each summer but May through September would be nice.

Sincerely,
Linda J. Pavich

[Sent from Yahoo Mail for iPhone](#)

Sandy Hines

From: Kristie Borchers
Sent: Tuesday, October 27, 2020 4:24 PM
To: Susan Thompson; Sara Gutterman; Sandy Hines
Subject: Fw: Pilot Program

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: Kristie Borchers <district2@hinsdalecountycolorado.us>
Sent: Tuesday, October 27, 2020 4:22 PM
To: Allan Payne
Subject: Re: Pilot Program

Allan and Linda -
Thank you for the communication. I will make sure these are shared with our boards. I hope you guys are doing well

Respectfully,
Kristie

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: Allan Payne <alpayne50@gmail.com>
Sent: Tuesday, October 27, 2020 3:24 PM

To: Kristie Borchers <district2@hinsdalecountycolorado.us>

Cc: [REDACTED]

Subject: Pilot Program

Kristi

This letter is in reference to the OHV Pilot program in Lake City. We own a Resort and have a secondary home in Lake City. We moved here because it is a Beautiful place and a Unique town. A lot of Colorado communities offer different things for summer and winter activities. The thing Lake City offers for approx. 3 ½ months a year is the ability to complete the Alpine Loop as the route goes through Lake City. Lake City is the only community on the loop. The people here and from Silverton would not be able to complete the loop without the Pilot Program. We have many friends and guests that travel here each year to enjoy being a part of our community. As a business owner I understand the economic impact for the community and as a secondary homeowner I love living in a place that is Unique to Colorado. I also see the full time residents be able to move around in the winter on their OHV and be able to use them to snow plow their drives. I am gracefully asking you to extend the pilot program for another 3 to 5 years.

FYI

My understanding is that all houses in Lake City under \$500,000 sold this year. It also appears to be a record in home sales and we had the largest number of OHV's here. This tells me people are moving here and enjoy the things we have to offer. In many communities all the people don't agree on everything. I see the majority of people living here and moving here would prefer to continue as we are.

Allan and Linda Payne

Sent from Mail for Windows 10

Sandy Hines

From: Kristie Borchers
Sent: Monday, November 2, 2020 9:52 AM
To: Sandy Hines
Subject: Fw: Lake City OHV Pilot Extension
Attachments: OHV Letter for Lake City.pages

i can't open this format either
thank you, sandy

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: Jo Beth Peoples <peoples@hinsdalecountycolorado.us>
Sent: Sunday, November 1, 2020 10:30 PM
To: Susan Thompson <district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman <district3@hinsdalecountycolorado.us>
Subject: Lake City OHV Pilot Extension

Jo Beth Peoples

Sandy Hines

From: Kristie Borchers
Sent: Friday, October 30, 2020 11:16 AM
To: Sandy Hines
Subject: Fw: Lake City OHV'S

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: don_peterson@att.net <don_peterson@att.net>
Sent: Friday, October 30, 2020 10:03 AM
To: [REDACTED] Kristie Borchers
<district2@hinsdalecountycolorado.us>
Subject: Lake City OHV'S

Good morning. As a property and OHV owner in Lake City and visitor over the past 40 summers, I would respectfully request the OHV pilot program be extended for another 3-5 years. It seems that most if not all operators have been adequately trained and abide by the laws of the road.

Obviously, the program not only makes life much more convenient for LC home owners but it also encourages more visitors from Silverton & Ouray, which can only be beneficial to many LC businesses.

Thank you for your consideration and have a wonderful day and weekend.

Don Peterson
817-307-7544

Sandy Hines

From: Kristie Borchers
Sent: Thursday, October 29, 2020 5:26 PM
To: Sandy Hines
Subject: Fw: OHV in Lake City

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: Bre Phares <bam91w@yahoo.com>
Sent: Thursday, October 29, 2020 4:25 PM
To: [REDACTED]; Kristie Borchers
<district2@hinsdalecountycolorado.us>
Subject: OHV in Lake City

My family has been visiting Lake City for years. We enjoy taking our RZR on the Alpine Loop and in town. We heard OHV are in jeopardy of not being allowed in Lake City. This will put our future vacations to your city in question, for this was a huge reason we liked coming to Lake City. Please think of the tourism you will be losing if you take this from the tourists. Locals are not the ones who bring revenue to your town.

Thank you
Bernice Phares

Sandy Hines

From: Powell, Gwendolyn C - (gpowell) <gpowell@arizona.edu>
Sent: Friday, October 16, 2020 12:17 PM
To: Sandy Hines
Subject: CO149 Pilot Program

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 OHVs.

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 Gwen Powell

5601 Co Rd 30

Lake City, CO 81235

Sandy Hines

From: Kristie Borchers
Sent: Tuesday, October 27, 2020 4:04 PM
To: Sandy Hines
Subject: Fw: State of Colorado Pilot for the use of OHV's on HWY 149

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: Jane Powers <waterbabypjp@yahoo.com>
Sent: Tuesday, October 27, 2020 11:08 AM
To: Susan Thompson <district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman <district3@hinsdalecountycolorado.us>
Subject: State of Colorado Pilot for the use of OHV's on HWY 149

Dear Hinsdale County Commissioners -
I am a primary homeowner in San Miguel County, Colorado, and a visitor in Lake City, Colorado. I 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 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.

Thank your in advance for your consideration on this request.

Respectfully,

Jane Powers

Placerville, CO 81430

Hello Lenore,

I am writing to you regarding the Highway 149 OHV Pilot Program in Lake City. I am a full time, year round home owner and resident of Lake City. I am a member of the Lake City Fire Department and Hinsdale County Search & Rescue. Even though I live on Gunnison Ave. (Highway 149) my immediate neighbors and my wife and I were unable to vote on the town election regarding allowing OHVs on town streets because I live one block south of the city limits. All of us would have voted against it. I know this is a very contentious issue and I don't envy being in your position.

When my family moved to Lake City, OHVs were not allowed on Highway 149 except for during the annual OHV rally. The peaceful charm, quiet and solitude of this unique hidden San Juan Mountains gem have been destroyed by the noise of constant OHV traffic. It feels like we live on a race track every minute of every day. We can not even enjoy our yard or new deck because you can't have a conversation due to the noise. I know that some people pushing for the Pilot Program are saying that people like myself are anti OHV and we hate tourists and we want Lake City business to fail. This is simply not true. I am fine with OHV use on the Alpine Loop off Highway 149 as it had been for years. I have also owned a business in Lake City and have several friends that are current business owners and do not want to see them fail. Tourism was strong in Lake City before the Pilot Program and the constant OHV traffic has pushed away many non OHV tourists. OHV manufacturers state in the owner's manuals that they are not meant to be driven on pavement. There have been many close calls with pedestrians and I can't help but be a little afraid every time my 10 year old daughter walks out our gate. The Hinsdale County Sheriff's office has even said that they do not have the resources to provide adequate enforcement.

We have friends that have sold their homes and left Lake City because of the noise and we are considering moving as well. I know this is a divisive issue but please understand that there are many residents that do not want this program. The vote was very close. Many residents could not vote, even though many out of state, second home owners could vote. Please consider ending the pilot program. I don't understand ruining this community for a special interest group, most of whom have come from outside of Colorado. I believe continuing to allow OHV traffic during the OHV Rally is a good compromise.

Mike Ralph
(970) 222-4152

Sandy Hines

From: Kristie Borchers
Sent: Monday, October 26, 2020 9:31 AM
To: Susan Thompson; Sara Gutteman; Sandy Hines
Subject: Fwd: Highway 149 OHV Pilot Program

Sent from my iPhone

Begin forwarded message:

From: "Bates - CDOT, Lenore" <lenore.bates@state.co.us>
Date: October 26, 2020 at 9:29:41 AM MDT
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: Fwd: Highway 149 OHV Pilot Program

FYI.



Colorado Byways Program Manager



Bicycle, Pedestrian & Byways Section
2829 W. Howard Pl. 4th Fl. | Denver CO 80204
P 303.757.9786 | F 303.757.9727
Lenore.Bates@state.co.us | www.codot.gov/travel/scenic-byways | www.cotrip.org

"30+ Years of Scenic Vistas & History One Mile at a Time"

Colorado Byways 2021 Symposium

----- Forwarded message -----
From: Mike Ralph <1mikeralph1@gmail.com>
Date: Fri, Oct 23, 2020 at 1:03 PM
Subject: Highway 149 OHV Pilot Program

Tara Ralph
355 S Gunnison Ave
Lake City, CO 81235
970-222-4445

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 Ralph

Sandy Hines

From: Kristie Borchers
Sent: Monday, October 26, 2020 9:30 AM
To: Susan Thompson; Sara Gutterman; Sandy Hines
Subject: Fwd: Highway 149 OHV Pilot Program Letter
Attachments: Highway149PilotProgramLetter.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Bates - CDOT, Lenore" <lenore.bates@state.co.us>
Date: October 26, 2020 at 9:28:56 AM MDT
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: Fwd: Highway 149 OHV Pilot Program Letter

FYI.



Lenore C. Bates
Colorado Byways Program Manager



COLORADO
Department of Transportation
Division of Transportation Development

Bicycle, Pedestrian & Byways Section
2829 W. Howard Pl. 4th Fl. | Denver CO 80204
P 303.757.9786 | F 303.757.9727

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[Colorado Byways 2021 Symposium](#)

----- Forwarded message -----

From: Tara Ralph <tararalph1@gmail.com>
Date: Fri, Oct 23, 2020 at 12:54 PM

Subject: Highway 149 OHV Pilot Program Letter

To: <[REDACTED]>

Dear Lenore,

I am a resident of Lake City, CO. I have attached a letter containing my experiences and opinions regarding the Highway 149 OHV Pilot Program. I appreciate your attention and concern in this matter that greatly affects our community.

Thank you,

Tara

Sandy Hines

From: Rita Robinson <rita.marie.robinson@gmail.com>
Sent: Sunday, November 1, 2020 5:16 PM
To: Susan Thompson; Kristie Borchers; Sara Gutterman; Sandy Hines; Mayor Bruce Vierheller; Trustee Michelle Martin; Trustee Dave Roberts; Trustee Doug Hamel; Trustee Jud Hollingsworth; Trustee Jesse Kendall; Town Manager Caroline Mitchell
Subject: opposition to CO149 Plot Program

Dear decision-makers,

As a frequent visitor to Silverton and Lake City over the years (I have lived in Ouray County since 2012 and in San Miguel County before that since 1978)--I have witnessed with alarm the increased use of OHVs. And unfortunately, the increased damage caused by their off-road use in the high country. Though only a few "yahoos" are driving off-road, the damage is significant and irreparable.

And no one can deny that the impact of OHV use this year. Yes, Covid was a factor with many folks seeking some kind of relief from shut-downs elsewhere and the need to recreate 'safely' outdoors. But there is no question that the opening of the link between the two high passes (Engineer and Cinnamon) created a substantially higher number of uses this year.

Many have made the argument that it is illegal to run OHVs on the highway, I do not need to say more except to chime in and agree. Let's do the one thing we can to slow down this trend--cancel the program. And perhaps invest some funds in the education and enforcement of behaving with respect in the backcountry.

Thank you for your consideration, Rita Robinson

Rita Marie Robinson, M.A.

729-0885

Sandy Hines

From: Sara Gutterman
Sent: Tuesday, October 20, 2020 11:29 AM
To: Susan Thompson; Kristie Borchers; Sandy Hines
Subject: Fw: OHV Letter from Brenda Rock

Another letter.

Sara Gutterman
Hinsdale County Commissioner
P.O. Box 277
Lake City, CO 81235
970-944-2225



[START]

Mr. Goolsby,

I am writing you because I have major concerns regarding the CO149 Pilot Program in Lake City and Hinsdale County. We live outside of the City limits therefore we were not allowed to vote for the Pilot Program when it was addressed previously. I cannot sit back and let this issue be passed again and furthermore allow it to be extended time wise and distance wise.

We have been coming to Lake City since the early 60's. Our home is on the opposite side of the river directly across from the intersection of Co Road 30 and State Highway 149. We have seen a lot of changes in the 60 some years we have been coming here but this year was the worst ever. Lake City is our legal home. We waited until mid July to arrive here and are still here in Lake City. Our time this summer was cut very short sitting on our deck as we could not hear each other to visit on the deck because the roar of the vehicles-OHV and dirt bikes was deafening.

I continue to read about the damage to the roads over the Alpine Loop ,damage to the tundra ,picnicking in fields of flowers or on the tundra, increased trash in many areas including excrement filled underwear being found, and total ruining of the roads. We did not take a drive to the American Basin this summer because of all of this which is a drive we take

annually.

I have noted the increased traffic in the town as well. I feel for the children that want to ride their bikes in what used to be a very safe community but now have to be very careful for the OHVS and dirt bikes at every corner. I feel for the parents who are trying to give their children a bit of freedom as they grow up in a neat small mountain town. It has become very dangerous for all pedestrians. I would hope that you would be considerate in this regard. Someone will be killed.

Lake City does not have the funds to hire more law enforcement to monitor the number of OHVS/ etc that has invaded our town. In fact I hardly see law enforcement out to monitor and enforce the law. I see folks out in OHVS though without helmets, children without helmets, speeding, driving and parking where it is illegal, and on. I have elected to stay away for the town except for necessities. The community is not getting my money because of the increase negative traffic.

I have just recently read that there is a movement to renew the Pilot Program, extend the distance limits and to make it for the entire year.

I am saying NO to all of this please. The new distance limit is exactly where the road to our cabin is, therefore in addition to the Packer Massacre site that draws 100s of folks there, we will have way more OHV traffic looking for a place to turn around. Our road will be come a dirty, ungraded, pot filled congested road, which we will make us very unhappy as well as other home owners on our road.

My husband and I are registered voters. Please allow us to weigh in on this issue by voting and city hall discussions. Once again this subject has come up when many second home owners have left town. Bring this up in June when many are here to hear our voice. Do not let these vehicles destroy the very reason we are here, for the beauty and the solitude. If money is the important reason, consider the amount of money second home owners like ourselves normally spend in the community. That is drying up as more OHVs are taking over. We personally have loved this community and as I said at the first of this letter, we have been coming many years and are bringing the third and fourth generations here to learn to love it as well. Don't ruin this for us and many others. Please consider thoughtfully all sides to this issue, not just the money made by allowing this to pass.

Thank you in advance for reading this and hopefully acting positively on my issues.

Sincerely,
Brenda Rock
Box 605
2281 Vickers Lane
Lake City, Co 81235
9709017192

[END]

Sandy Hines

From: Steven Rock <slrock@att.net>
Sent: Friday, November 13, 2020 9:31 AM
To: Sandy Hines
Subject: OHV Pilot Program

To: Hinsdale County Commissioners

November 13, 2020

Lake City Town Trustees

Subject: OHV Pilot Program

My name is Steven Rock. I was against the OHV Pilot Program from the start and remain opposed to any continuation. This is primarily due to the tremendous inundation of OHVs and their terrible negative impact on the quality of life in Lake City.

I have been vacationing in Lake City almost every summer for nearly 70 years, having first come here in 1949 with my family at the age of three. My parents, Clayton and Lucille Rock, purchased two cabins in Hinsdale County in the 1960's and I now own two properties south of Lake City on Vickers Lane. After their retirement, my parents resided here as seasonal residents from the end of May until early October for 17 years until their passing in the 1990s. My wife and I have been here for about two months each summer for the past 8-9 years. Therefore, the Rock families have been financially supporting local restaurants, lumberyard, grocery stores, contractors, car repair businesses, gas stations, shops, arts center, movie theater and historical society for many, many decades. And yet it seems as though our opinions and desires along with those of numerous other seasonal residents are ignored in deference to the wishes of OHV owners and local businesses.

I pay about \$2,500 in property taxes each year and yet cannot vote here since I am only a summer resident. I am taxed but my desires on the OHV issue are not represented by the Hinsdale County Commissioners and Lake City Town Trustees. I am simply asking that you listen and take to heart the significant and widespread concerns of summer and seasonal residents concerning OHVs.

I love Lake City for its beauty, tranquility, backcountry peace, and clean air and water. It has been and hopefully will continue to be a second home to me. The recent influx of OHVs has ruined these Hinsdale County qualities that are so important to me. Instead, Lake City and the backcountry have become noisy, dusty, overly congested, destroyed and polluted due to the abundance and negative impact of OHVs and the disregard of their owners for courtesy, speed, wildlife, noise and the alpine environment.

The valley south of town where my homes are located is continually inundated with the noise of OHVs as they travel on CO 149 and CO 30 between town and Lake San Cristobal and beyond. It has reached the point where I am faced with the gut-wrenching decision of whether to continue coming to Lake City each year or instead sell my properties and support a different summer vacation location that is more in keeping with the quality of life I seek and appreciate.

I ask that you not lose sight of the contributions of those of us who have supported the stability, sustainability and yes, growth, of Lake City and Hinsdale County over the long-term for many months each summer for decades instead of bowing to the wishes of short-term visitors here for a week or two.

I request and support the following:

- Prohibiting all OHVs and ATVs from Highway 149, CR 30 around Lake San Cristobal, and all streets and roads in Lake City and the surrounding Hinsdale County residential neighborhoods.
- Termination of the OHV Pilot Program

Sincerely,

Steven Rock

Lynn McNitt

From: Kristie Borchers
nt: Thursday, November 5, 2020 10:44 PM
Io: Lynn McNitt
Subject: Fwd: OHV State Pilot Program in Lake City Colorado

I think I missed forwarding this one, Lynn - my apologies

Sent from my iPhone

Begin forwarded message:

From: Cindy Rodgers <rogersclr@gmail.com>
Date: November 3, 2020 at 3:57:24 PM MST
To: "Susan Thompson" <SusanThompson@hinsdalecountycolorado.us>, Susan Thompson <district1@hinsdalecountycolorado.us>, Kristie Borchers <district2@hinsdalecountycolorado.us>, Sara Gutterman <district3@hinsdalecountycolorado.us>, "Bruceovich, Bruce" <bruceovich@hinsdalecountycolorado.us>, "Cindy Rodgers" <rogersclr@gmail.com>, "Lynn McNitt" <lynncn@hinsdalecountycolorado.us>, "Kristie Borchers" <district2@hinsdalecountycolorado.us>, "Sara Gutterman" <district3@hinsdalecountycolorado.us>, "Susan Thompson" <SusanThompson@hinsdalecountycolorado.us>
Subject: OHV State Pilot Program in Lake City Colorado

To Whom It May Concern,

My family is secondary homeowners in Lake City, Colorado. We also own and use OHV's and very much appreciate the flexibility to drive on Highway 149 that has been provided by the State's Pilot Program.

We are requesting that you extend the pilot program for another 3-5 years and possibly look at expanding the boundary to include Woodlake Park on the South side and Elk Road on the North side.

These extensions will allow residents and visitors of Lake City to access both points of access to the Alpine Loop without having to use, own or store unsightly trailers to haul their OHV's.

Thank you for your consideration .

Respectfully submitted,
Cindy Rodgers

Ann McCord

From: Sandy Hines
nt: Sunday, November 8, 2020 9:49 PM
To: Ann McCord
Subject: FW: ATV pilot program thoughts

Sandy Hines

- County Administrator
- Public Information Officer
970-944-2225



From: Brogan Rodenbaugh <broganwwrodenbaugh@gmail.com>
Sent: Thursday, November 5, 2020 6:55 AM
To: Sandy Hines <administrator@hinsdalecountycolorado.us>
Subject: ATV pilot program thoughts

I grew up in lake city untill 1999.
I live in Missouri but come out every year.
Since the pilot program seems that the town is doing alot better overall.

The down fall is the noise... Some locals (my dad) just dont seem to be able to over look the noise for the economic gains.

Absolutely this needs to be renewed. Lots of friends from across the country now no where lake city is and go there because of this. Drive around lake city on a summer evening and the street parking is filled with side by sides... Take it away and ita going to put a 10+ year rewind on tax levels as well as job market

Best of luck!
Brogan

Sandy Hines

From: Ray Roper [mailto:ray.rop@colorado.gov]
Sent: Friday, October 30, 2020 9:52 AM
To: Governor Polis; Susan Thompson; Kristie Borchers; Sara Gutterman; brucevierheller@townoflakecity.co; [redacted]
[redacted]
[redacted]
Cc: [redacted]
Subject: Please, We Urge You to Oppose Increasing Road Access to OHVs and ATVs in Lake City and Hinsdale County
Attachments: CO149_CO.pdf

Colorado Department of Transportation
2829 W. Howard Pl.
Denver, Colorado 80204

October 30, 2020

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 rroper@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
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Sue DeLoretto-Rabe
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Prevention Alliance

Gerene Denning, PhD
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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

1620 Eye Street, NW Suite 200 | Washington, DC 20006

T: (202) 939-1000

consumerfed.org | roper@consumerfed.org



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/>

Sandy Hines

From: Kristie Borchers
Sent: Tuesday, October 27, 2020 8:39 PM
To: Susan Thompson; Sara Gutterman; Sandy Hines
Subject: Fw:

Kristie Borchers
Hinsdale County Commissioner
PO Box 277
Lake City, CO 81235
district2@hinsdalecountycolorado.us
970-596-9071



From: rosenbuschrea@gmail.com <rosenbuschrea@gmail.com>
Sent: Tuesday, October 27, 2020 8:37 PM
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject:

We, are secondary/primary homeowners/visitors 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/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

Sent from my iPhone