

From: Kristie Borchers
Sent: Wednesday, October 28, 2020 7:07 PM
To: Sandy Hines
Subject: Fw: State Pilot Program of HWY 149 Extension Request

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



From: Katherine Morgan <katandcharlie@hotmail.com>
Sent: Wednesday, October 28, 2020 7:02 PM
To: [REDACTED]; Susan Thompson
 <district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman
 <district3@hinsdalecountycolorado.us>; [REDACTED]
 [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>;
 [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>;
 [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>;
 [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: State Pilot Program of HWY 149 Extension Request

I am a secondary home owner in Lake City, CO, and currently own two OHV's/UHV's. I spend approximately 50 percent of the year at my San Juan Ranch Estates home located in Lake City.

If access is extended to the Toy Wash by the State Pilot Program, access from north of the Toy Wash would make travel on HWY 149 from that point possible for OHV's/UHV's. Currently I must cross HWY 149 at San Juan Ranch Estates and navigate through a residential area in order to access the Post Office and in town activities while utilizing my OHV/UTV.

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 RV Park on the south end of HWY 149 and to the Toy Wash or Elk Road on the north end of HWY 149. These extensions would allow residents and visitors of Lake City to access the entire Alpine Loop without having to own, use and store trailers with an added benefit of minimizing OHV/UHV traffic in the residential area.

Thank you in advance for your consideration concerning this request.

Katherine Morgan
1776 San Juan Dr

Sandy Hines

From: Kristie Borchers
Sent: Thursday, October 29, 2020 4:19 PM
To: Sandy Hines
Subject: Fwd: OHV's on 149

Sent from my iPhone

Begin forwarded message:

From: Tom Mudrak <btmudrak@gmail.com>
Date: October 28, 2020 at 5:02:11 PM MDT
To: "Susan Thompson" <SusanThompson@hinsdalecountycolorado.us>, Susan Thompson <district1@hinsdalecountycolorado.us>, Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: OHV's on 149

I'm a Durango resident so take my opinion for what you will, but I'm opposed to the OHV's, especially the SxS's and do not believe they should be allowed on hwy 149. The BLM's move to allow motorcycles in Minnie Gulch is offensive enough, we don't need to encourage more OHV use, which creates noise, dust, and negative personal interactions when accessing the backcountry between Lake City and Silverton.

It'd be great if SxS's were outright banned from the alpine loop. Just my thoughts.

Thanks,

Tom Mudrak
Head Coach
Fort Lewis College
Men's Lacrosse

706.399.7218
btmudrak@gmail.com
btmudrak@fortlewis.edu



Sandy Hines

From: Kristie Borchers
Sent: Monday, November 2, 2020 9:52 AM
To: Sandy Hines
Subject: Fw: Lake City Pilot Project

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



From: James Moore <frostlip987@gmail.com>
Sent: Sunday, November 1, 2020 6:21 PM
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: Lake City Pilot Project

Ms. Borchers,

Although I reside in Texas, Lake City is one of my favorite places to visit in Colorado. I attempt to get there with my family annually, 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 northern and southern 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 Moore
Aledo, TX

Sandy Hines

From: Kristie Borchers
Sent: Sunday, November 1, 2020 9:41 AM
To: Sandy Hines
Subject: Fwd: OHV Support

Sent from my iPhone

Begin forwarded message:

From: R LeeM <r_leem@hotmail.com>
Date: November 1, 2020 at 9:39:55 AM MST
To: [REDACTED], Kristie Borchers
<district2@hinsdalecountycolorado.us>, Susan Thompson <district1@hinsdalecountycolorado.us>, Sara Gutterman <district3@hinsdalecountycolorado.us>
Cc: " [REDACTED] "
[REDACTED]
[REDACTED]
[REDACTED]
Subject: FW: OHV Support

Sirs;

We have been and are secondary homeowners in Lake City since 1992. Our current residence in Lake City is only a few yards from HWY 149 in south Lake City. We also own and operate an OHV. We support the flexibility of driving on HWY 149.

We encourage you to extend the Pilot Program for another few years. In addition, expansion from Woodlake Park to the car wash on the North end of town would be of great benefit.

We have friends who visit Lake City who have OHVs, but when HWY 149 was closed to OHVs they often went to other venues for their vacations. That deprives Lake City businesses of revenue.

Allowing OHVs on city streets and on HWY 149 between CR 20 and CR 30 draws visitors to town from Silverton and Ouray. It is a benefit to the financial health of the Lake City business community.

Ron and Patty Moulton
Broken Arrow, OK

From: Kristie Borchers
Sent: Tuesday, October 27, 2020 4:08 PM
To: Sandy Hines
Subject: Fw: OHV Pilot Program

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



To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Cc: Susan Thompson <district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman <district3@hinsdalecountycolorado.us>; [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: OHV Pilot Program

My family and I have lived in Lake City full time for over 44 years, we have owned several successful business here including Restaurants, Bakery, Grocery Stores, Guest Resort, Property Management business, Outfitting business and currently a Real Estate business. Being here that many years we have watched our community stay very small and even regress in the decade's past. Currently our little town has two positive factors, one being VRBO's the second is access to existing roads and trails for OHV's.

The bottom line is simple, Lake City/Hinsdale County is 97% publicly owned, of that 82% is designated Wilderness or Wilderness Study area, very little of our county is accessible to anything but horse back or foot. We do not have the annual snow fall to draw the winter sports, i.e. a ski area. We are, no matter how you look at it, a summer tourist community.

As we have lost family after family due to ageing out, i.e. look at the last three decades for building permits, those families that built here in the boom of the 80's and early 90's have aged out of using their summer homes. Their kids and grand kids have found communities that have more to offer, more amenities, active restaurants, entertainment etc. etc. With that loss we have seen summer homes no longer being used, and our resorts have all been subdivided, taking the opportunity for more head on pillows away.

So what's been our big driver in recent years allowing us to keep doors open and even building a few new businesses, OHV's. The technology that has gone into these new machines has allowed an entire extra decade for our older guest to physically enjoy our 4wd back country adventures. I have never understood why we get mad at a guest because of what they drive, literally these new OHV's are over \$30,000.00 (we recently paid \$31,372.00 for a 2021 Polaris Ranger) Many of our guest are driving a \$80,000.00+ truck pulling a \$12,000.00+ trailer with a \$30,000.00+ OHV inside, and we are mad at them for having the audacity to come to our community to spend their hard earned money to recreate in our valley.

Long story short, keeping the 149 access to tie in the Alpine loop and our business community is imperative to our survival. If you want a community with even more limited motorized use (remember we are 82% wilderness area) maybe you should go live elsewhere. Coming to Lake City and being mad because others find our home attractive, their only crime, wanting to enjoy our public lands on active roads with a vehicle that is much more suited to handle the rough terrain, giving them more comfort for many years to come.

Sincerely,

Dan Murphy

Dan Murphy, ALC
Broker/Owner



DEDICATED RANCH BROKERS



MURPHY



970-944-4444 Office

970-209-1514 Cell

www.M4RanchGroup.com

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From: Michelle Murphy <michelle@teammurphyrealty.com>

Sent: Tuesday, October 27, 2020 9:27 AM

Sandy Hines

From: Kristie Borchers
Sent: Wednesday, October 28, 2020 2:28 PM
To: Sandy Hines
Subject: Fw: OHV Pilot Program

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



From: Midge Murphy <midge@teammurphyrealty.com>

Sent: Wednesday, October 28, 2020 2:02 PM

To: [REDACTED]
[REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us;
[REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us;
[REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us;
<district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman
<district3@hinsdalecountycolorado.us>; [REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us;
[REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us;
[REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us; [REDACTED]@townofhindale.us;

Subject: OHV Pilot Program

Having been primary homeowners and business owners in Lake City for 45 years we couldn't help but wonder what the summer of "Covid" 2020 would bring to our remote seasonal community. Thanks to tourism it was an excellent year. Our income producers are County and Federal jobs and Tourism. Small town economic survival in a seasonal community is a struggle. Keeping Hwy 149 OHV access available is imperative to keeping our businesses operating and has allowed people of all ages an opportunity to enjoy our public lands. Please re-instate the Hwy 149 Pilot Program-it has kept our town alive.

Thank you for your time and consideration.

Midge Murphy

Midge Murphy & Team
Broker Associate

Sandy Hines

From: Kristie Borchers
Sent: Tuesday, October 27, 2020 10:00 AM
To: Susan Thompson; Sara Gutterman; Sandy Hines
Subject: Fw: OHV Pilot Program

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



HINSDALE COUNTY
COLORADO

From: Sandy Murphy <sandy@teammurphyrealty.com>
Sent: Tuesday, October 27, 2020 9:27 AM
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Cc: [REDACTED]
Subject: OHV Pilot Program

I'm a full time resident in Lake City and work full time with Team Murphy Realty. I own an ATV and occasionally rent OHV's to enjoy the Alpine loop, and love to be able to ride 149 giving me the ability to ride the whole loop without backtracking or having to stage a trailer at one end. As a realtor I find this is a needed program to keep are tourists happy and coming to Lake city, which my business relies on. We have several homes on the loop that we have sold or that are on the market and our clients want the ability to ride the loop and go into town from County Road 30, it is a question we get frequently when showing homes. So I'm asking personally and for the business I work at to be able to keep this program going. I even feel like it should be extended from the car wash to Woodlake Park so more can enjoy, and you can take your machines to get washed. I feel the program has been successful with very little problems on the Highway, so why should that be taken away? I asking for you to extend the program indefinitely, with possible expansion to include use of Highway 149 to Woodlake Park on the south side to the car wash on the north end. One last note, I feel we have worked really hard to educate the community and our tourists on where they can and cannot ride, so ending the program will send confusion out to everyone, so pulling the program seems nonproductive in my opinion, for we will have to start all over again educating the public where they can ride.

Thank You

Sandy Atkinson Murphy
Broker Associate/Listing Coordinator



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Lake City, CO 81235

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2020 in Lake City has reminded me of the late 70's and early 80's when our little town was booming. The streets were full of happy people, the shops were full, every hand had an ice cream cone and the restaurants were overflowing. Real Estate was selling like Hot Cakes and we had our own carpenters, electricians and plumbers building new homes as fast as possible.

This year has brought back many of those wonderful days and the OHV has been the backbone of that resurgence. The vast majority of our OHV riders are middle aged people with grey on the head and green in the pockets. Many others are young families on rented machines with Mom and Dad in the front and laughing children in the rear creating memories that will last a lifetime. Do we have a few that are creating problems, absolutely! These need to be dealt with severely with fines so absorbent they will never return and tell their friends to never go near Lake City, Colorado. BINGO, that's what we want.

Lake City is on the threshold of a new beginning with the pandemic creating the "Work at home" phenomenon and "Controlled" OHV visitors we can finally accomplish that year round economy that many of us "Old Timers" have hoped for for years.

We need the Alpine Loop and Highway 149 to be open for our OHV visitors.

Tom Murphy

From: Kristie Borchers
Sent: Wednesday, October 28, 2020 1:38 PM
To: Sandy Hines
Subject: Fw: Hwy 149 Pilot Program
Attachments: OHV.pdf



[REDACTED]
[REDACTED]
[REDACTED] 6000
[REDACTED] Susan Thompson
<district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman
<district3@hinsdalecountycolorado.us>; [REDACTED]
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Midge Murphy & Team
Broker Associate



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Midge@teammurphyrealty.com

Steve Milford

1451 Sunshine Peak Drive
P.O. Box 747
Lake City, Colorado 81235

October 29, 2020

To Whom It May Concern:

We are secondary homeowners in Lake City, Colorado. We also own an OHV, and have welcomed and enjoyed the flexibility to drive our OHV on HWY 149, as has been provided by the State's Pilot Program.

We would like to request the extension of the pilot program, pertaining to OHV use, for another 3 to 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 of Lake City. These extensions would allow residents and visitors of Lake City to access both access points to and from the Alpine Loop without having to own, use and store trailers. (Currently, we do not even own a trailer for our RZR, and we keep it in our garage in Lake City.)

We were recently in Gatlinburg, Tennessee, and we discovered that they have approved the use of OHVs for around and in-town use. The integration of those OHVs seemed to be seamless and without conflict in that highly touristed community.

One of the reasons that some of our out-of-state guests like to return to visit us in Lake City is that they truly enjoy the environs in more of an open-air vehicle. They especially prefer going to and from the Silverton area in an OHV. As a result, our Jeep has mostly stayed in the garage ever since the pilot program was implemented.

Incidentally, we also own an Ox Yoke cabin on the river, that we rent out to Lake City guests. Probably half of those guests come with OHVs, these days, and our number of nights rented has significantly increased, since the OHV pilot program was implemented.

We very much appreciate your consideration of this request to extend the OHV pilot program in and around Lake City.

Steve and Heidi Milford

Summer home: 1451 Sunshine Peak Drive in the San Juan Ranch Estates

P.O. Box 747

Lake City, CO 81235

918-625-3828

visionre@earthlink.net

Sandy Hines

From: Kristie Borchers
Sent: Thursday, October 29, 2020 5:30 PM
To: Sandy Hines
Subject: Fw: Lake City OHV Pilot Program
Attachments: LAKE CITY OHV Pilot Program pdf.pdf

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



From: Steve Milford <visionre@earthlink.net>
Sent: Thursday, October 29, 2020 5:28 PM
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: Lake City OHV Pilot Program

Hi Kristie, Please read the attached. Hope you have a great winter. See you about June. Steve and Heidi Milford

Sandy Hines

From: Kent Milski <kentmilski@gmail.com>
Sent: Saturday, October 24, 2020 12:03 PM
To: Sandy Hines; Susan Thompson; Kristie Borchers; Sara Gutterman
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: [REDACTED]
Fwd: [REDACTED]

Commissioner Susan Thompson
Commissioner Kristie Borchers
Commissioner Sara Gutterman
Hinsdale County Administrator

My husband and I opened the Lake City Cafe in 1995 and ran profitable business here for a decade. We moved to Gunnison for our kid's high school years. We continued to own properties here and hoped to build a retirement home.

The onslaught of HOVs has me rethinking this.

We ran a successful business without them.
We were told we could not find reliable help here, but developed a loyal crew of outdoor enthusiasts who returned to work for us each year. We found a public eager for good food and service who supported us through the years. It was a wonderful time for us to work and play in Lake City.

This summer showed me that those days are gone. The back country has been inundated with parades of off road vehicles, many of whom leave unpleasant reminders of their visits. Trash, human waste, decimation of tundra and noise have become common.

This high mountain town has been loved by many of diverse backgrounds and beliefs who choose to coexist with courtesy and care toward one another. The pristine air, mountain wildlife and wonderful silence were why we stayed.

The planet itself is in a critical state, because of us and our actions. We need wilderness not only for our own selfish enjoyment but for the very survival of the remaining wild creatures and their habitats. We must learn to respect

✓ things not human.

● The air

The dirt

The water

All need legal status and protection.

We must awaken to our responsibility to care for them.

Profit and bottom line have become our language.

Respect, care and compassion are in short supply.

I do not approve the pilot program or any public access for HOVs.

I believe the economy can survive by
protection of it's wilderness,
maintaining a diverse community
who appreciate our
unique remoteness,
dark sky
and
silence.

● Sincerely and respectfully yours,

Kent Milski



ReplyForward

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

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 Milski

Sandy Hines

From: Kristie Borchers
Sent: Friday, October 23, 2020 11:20 AM
To: Sara Gutterman; Susan Thompson; Sandy Hines
Subject: Fwd: Lake City Colorado Pilot Program concerns

Sent from my iPhone

Begin forwarded message:

From: "Bates - CDOT, Lenore" <lenore.bates@state.co.us>
Date: October 23, 2020 at 10:05:03 AM MDT
To: Kristie Borchers <district2@hinsdalecountycolorado.us>
Subject: Fwd: Lake City Colorado Pilot Program concerns

FYI.



Lenore C. Bates
Colorado Byways Program Manager



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

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[Colorado Byways 2021 Symposium](#)

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

From: Evan Milski <milski15@hotmail.com>
Date: Fri, Oct 23, 2020 at 9:36 AM
Subject: Lake City Colorado Pilot Program concerns
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>

Sandy Hines

From: peter_nesbitt@icloud.com
Sent: Saturday, October 24, 2020 4:55 PM
To: Susan Thompson; Kristie Borchers; Sara Gutterman
Cc: Sandy Hines
Subject: CFA Letter to Hinsdale County Commissioners
Attachments: CFA -- Letter to Hinsdale County Commissioners.pdf

Commissioners,

Please review that attached email from Consumer Federation of America. This document was transmitted to you prior to implementing the CO149 Pilot Program. I ask you to review this document once again and consider not approving the CO149 Pilot Program for future use in Lake City and Hinsdale County.

Thank you,

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

Hinsdale County Board of County Commissioners
P.O. Box 277
311 Henson Street
Lake City, CO 81235

October 24, 2018

Dear County Commissioner:

As individuals and organizations dedicated to reducing deaths and injuries caused by off-highway vehicles (OHVs), we are writing to urge you to immediately suspend the Regional Off Highway Vehicle Pilot Project due to the increased risk to OHV drivers and passengers and commercial vehicle operators who utilize Colorado State Highway 149 on a daily basis.

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 manufacturers 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. 4

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

Charles Jennissen, MD
Emergency Medicine University of Iowa Iowa ATV Injury Prevention Task Force

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

Michelle Styczynski
Research Advocate
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
Concerned Families for ATV Safety

Gary A. Smith, MD, DrPH

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/>

Lynn McNitt

From: Sandy Hines
Sent: Thursday, November 5, 2020 6:59 AM
To: Lynn McNitt
Subject: Fwd: "Access" to County meetings and resources

Sent from my iPhone

Begin forwarded message:

From: peter_nesbitt@icloud.com
Date: November 4, 2020 at 3:47:11 PM CST
To: Susan Thompson <district1@hinsdalecountycolorado.us>, Kristie Borchers <district2@hinsdalecountycolorado.us>, Sara Gutterman <district3@hinsdalecountycolorado.us>
Cc: Sandy Hines <administrator@hinsdalecountycolorado.us>, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: "Access" to County meetings and resources

Commissioners,

I am writing today to express concern with the manner in which you continue to clamp-down on information, tools, and access to publicly available information and resources. Here are a few of my concerns:

Zoom recording – You do not allow the public to use Zoom to record public meetings. Yes, I can sit at home and use my computer or another recording device to record your meetings, but Zoom is a tool that offers an easy way for meeting participants to store recordings online. Why do you not allow constituents to use Zoom to record a meeting for personal use?

County recording – I notice the red “Record” button in the upper left-hand of my Zoom screen indicating that the BOCC meetings are recorded each week. I notice on the list of participants that our County Administrator records each meeting. Why is the County using Zoom to record a public meeting but the public is not allowed to use Zoom to record the very same meeting?

Recording availability – The County records Zoom meetings for future use, verification, or to fulfill CORA requests. Why are these meetings not available to the public on the Hinsdale County web site? Why should each citizen be forced to submit and pay for a CORA request when the County can simply post the recording on the County website?

Zoom chat availability – You do not allow meeting participants to use the Zoom “Chat” feature because it is “distracting”. Like you, I have been using Zoom since COVID forced us all to attend online meetings. The chat feature is not distracting in any way. In fact, when someone enters a chat, the only “distraction” is a red bubble on the bottom of the screen. Based on your physical movements during meetings, it looks as if you are distracted by many things besides a red button at the bottom of the screen.

If I am attending an in-person public meeting, I have the ability to lean-over to my neighbor to ask a question or make a comment and not "distract" the meeting. Zoom allows each participant the ability to chat privately with another person attending the meeting. Why are you preventing the public from communicating with neighbors during a public meeting?

Our County Administrator is the host of your meetings. If we have a question, need a document or have a concern, we should be able to send her a Zoom chat message.

All of your actions serve to "control" meeting participants and hamper their ability to participate in our Democratic process.

Limiting public comments – I find it offensive to see you so desirous to limit public comment on the CO149 Pilot Program. You are using an arbitrary date as a means to study data and comments. I believe data and comments will continue to pour into your email boxes long after your self-imposed cut-off date.

I think you are using the cut-off date as tool to silence anyone who wishes to offer future comment. Self-imposed dates allow you to limit public participation. This limitation then allows you to submit a report to CDOT with missing comments and concerns from your constituents. You are trying to discourage others from participating in a public process

One of you told us not to submit additional comments if we have already written you. Since when can an elected official tell a citizen when he or she may or may not write an elected representative? I continually find new information about the OHV issue. My goal is to send you bits and pieces of information over a period of time so that you may digest everything.

Release of public correspondence – As I stated at the meeting today, I have never seen a group of people work so hard with their attorney to limit access to public letters submitted on an issue of community concern. To my knowledge, your elected body has never had this level of concern with releasing information at any point in the past. I think one of two things is happening: 1) you are scared to release specific information to the public, or 2) your attorney has you scared in an effort to extract more money from the County coffers.

Additionally, your attorney has had several weeks to provide an answer on the CORA issue. I provided you with contact information to the Colorado Freedom of Information Coalition. Jeffrey Roberts, Director of this non-profit organization, would be more than happy to help you and your attorney with understanding the CORA.

You work for the taxpayers of Hinsdale County. We have a right to know who is communicating with you and what that communication is about. Granted, the CORA defines certain types of work product and attorney-client privilege, but your attempt to hide and redact public correspondence and selected information is disturbing.

Commissioner Packets – When are you going to start releasing Commissioner Packets to the public? Kristie Borchers campaigned on bringing a greater level of transparency to your elected body, yet Commissioner Packets are still not available to the public. It is my guess that each commissioner receives a printed packet and/or a PDF file containing everything needed for your meetings.

Why not send the Commissioner Packet PDF to each constituent on the Sunshine List? Your packets of information, reports, data and correspondence belong to the taxpayers. We should not be forced to submit a CORA request to learn or discover what our Commissioners are doing. We should not be forced to beg, fight or pay for every shred of information.

Where is the transparency?

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

Lynn McNitt

From: Kristie Borchers
nt: Saturday, November 7, 2020 4:39 PM
To: Lynn McNitt
Subject: Fw: Are Federal funds being used for the 2021 repaving of CO149 in Hinsdale County? (Commissioners)
Attachments: Egal.Hanf. SH 149 Hinsdale County OHV Pilot Program (2).pdf

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



From: peter_nesbitt@icloud.com <peter_nesbitt@icloud.com>
nt: Saturday, November 7, 2020 11:04 AM
To: Susan Thompson <district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>; Sara Gutterman <district3@hinsdalecountycolorado.us>
Cc: Sandy Hines <administrator@hinsdalecountycolorado.us>; [REDACTED]
[REDACTED]
[REDACTED]
Subject: Are Federal funds being used for the 2021 repaving of CO149 in Hinsdale County? (Commissioners)

Commissioners:

Please see the attached letter from Federal Highway Administration 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, "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 consider the following as you move forward with deliberations on whether to submit a request to renew the CO149 Pilot Program:

- Does the future reconstruction (repaving) project on CO149 in Hinsdale County comply with FHA provisions to enhance safety and reduce deaths on a Colorado State Highway?
- Are Federal funds being used to plan or prepare for this reconstruction project?
- Will Federal funds be used to purchase equipment, materials, or pay employees or contractors for this reconstruction project?
- If Federal funds are received by CDOT, is CDOT and/or the Transportation Commission authorized to implement the CO149 Pilot Program?
- 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 Cater states "the TC will make the determination to either extend or end the pilot program."

Your elected body may submit a Joint Resolution requesting to renew or implement the Pilot Program, but CDOT and the TC may not authorize the Pilot Program if Federal funds are used for a reconstruction project on CO149 where safety is not enhanced.

The CO149 Pilot Program does not enhance safety.

Thank you,

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



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Division

October 30, 2020

12300 W. Dakota Ave., Suite 180
Lakewood, Colorado 80228
720-963-3000

Mr. Peter D. Nesbitt
P.O. Box 465
825 Gunnison Ave.
Lake City, CO 81235

Subject: Safety Complaint in Lake City, Hinsdale County, Colorado

Dear Mr. Nesbitt:

I commend you and others who are committed to reducing deaths and injuries caused by Off-Highway Vehicles (OHVs). Safety is FHWA's number one priority.

Based on the facts you have provided and what FHWA has learned, the Colorado Transportation Commission (TC) adopted a resolution in 2018 allowing the use of OHVs on a short segment of SH 149 in Hinsdale County, Colorado under a temporary pilot program. It is our understanding that the pilot program is completed and it is now incumbent on local government(s) to decide if they want to request TC continuation of the program after which the TC will make the determination to either extend or end the pilot program.

Under the federal-aid highway program, state and local governments own and operate the roads and highways within their jurisdiction. FHWA provides federal funding to the states with the provision that new or reconstructed roads and highways meet certain standards. Given FHWA's role, and since there is no Federal action under Title 23 United States Code, the Federal Highway Administration has no direct oversight or jurisdictional authority with this pilot program.

This issue is under the jurisdiction of the Colorado Department of Transportation, and I refer you to the following (see next page) Colorado Department of Transportation officials regarding your important safety concerns.

Sincerely yours,

**JOHN M
CATER**

Digitally signed by
JOHN M CATER
Date: 2020.10.30
10:21:02 -06'00'

John M. Cater, P.E
Division Administrator

CDOT Officials

Shoshana Lew
Executive Director
Colorado Department of Transportation
2829 W. Howard Place
Denver, CO 80204

Herman Stockinger
Deputy Director
Colorado Department of Transportation
2829 W. Howard Place
Denver, CO 80204

Michael Goolsby
Region Transportation Director
Colorado Department of Transportation
CDOT Region 3
222 South 6th Street, Room 317
Grand Junction, CO 81501

Zane Znamenacek, PE
Traffic and Safety Program Manager
Colorado Department of Transportation
CDOT Region 3
222 South 6th Street, Room 100
Grand Junction, CO 81501

Lynn McNitt

From: Kristie Borchers
From: Kristie Borchers
To: Friday, November 6, 2020 1:46 PM
To: Sandy Hines; Lynn McNitt
Subject: Fw: CO149 Pilot Program (More Questions than Answers)

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



From: peter_nesbitt@icloud.com <peter_nesbitt@icloud.com>
Sent: Thursday, November 5, 2020 1:31 PM
To: Susan Thompson <district1@hinsdalecountycolorado.us>; Kristie Borchers <district2@hinsdalecountycolorado.us>;
a Gutterman <district3@hinsdalecountycolorado.us>
Cc: Chris Kambish <ckambish@hinsdalecountysheriff.com>; Sandy Hines <administrator@hinsdalecountycolorado.us>;
[REDACTED]
Subject: CO149 Pilot Program (More Questions than Answers)

Hinsdale County Commissioners:

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 determines “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?
- Are there other areas, factors or issues that we should use to calculate “success”?

ECONOMICS

- What was the economic impact of OHV tourism on Lake City and Hinsdale County during the CO149 Pilot Program test period?
- How was the economic impact of OHV tourism measured?
- What was the economic impact of other forms of tourism in Lake City and Hinsdale County during the Pilot Program test period?
- How were these economic impacts measured?
- Have you read the Colorado Parks & Wildlife (CPW) Statewide Comprehensive Outdoor Recreation Plan (SCORP)?
- Where is OHV tourism on the scale of *economic contribution* when compared to other forms of recreational tourism in Colorado?
- Where is OHV tourism on the scale of *recreational interest* in Colorado?
- Should economic contribution ignore adverse impacts on a community or backcountry wilderness areas?
- Does business profit and tax revenue justify damage to our community and backcountry wilderness areas?

ENVIRONMENT

- What was the environmental impact of OHV tourism on Lake City, Hinsdale County and backcountry wilderness areas?

- How was the environmental impact of OHV tourism measured?
- Does OHV tourism protect the environment in Lake City, Hinsdale County or backcountry wilderness areas?
- How did increased OHV tourism impact fragile alpine tundra in the San Juan Mountains during the Pilot Program test period?
- How does OHV tourism impact herd animals such as deer and elk in backcountry wilderness areas?
- How far does OHV engine noise travel in backcountry wilderness areas and what is the impact of this noise on wildlife habitats?
- What impact do OHVs have on streams and other bodies of water in Lake City and Hinsdale County?
- Why are OHVs still operating on fragile lake grass at Lake San Cristobal?
- Do increased OHV emissions have an impact on backcountry wilderness areas?
- Are OHVs responsible for increased invasive weed species in Lake City, Hinsdale County or Colorado?
- If only "a few bad apples" are causing the environmental damage we are witnessing, how might that damage exponentially increase during coming years with growing OHV tourism in our community?
- Should "convenience of travel" override environmental concerns or damage resulting from the Pilot Program?
- What justifies allowing any program to adversely impact the environment or quality of life in our community and backcountry wilderness areas?

SAFETY

- What document, source or study does your governing body use to justify ignoring Consumer Product Safety Commission warnings about OHVs operating on paved roads or highways?
- What document, source or study does your governing body use to justify ignoring OHV manufacturer warnings about OHVs operating on paved roads or highways?
- Has your governing body read or discussed any warnings provided by the Consumer Federation of America regarding the risks associated with OHVs operating on paved roads, highways and hard-packed surfaces?
- Has your governing body communicated with any OHV safety group to ascertain the dangers of operating an OHV on highways or paved surfaces?
- Why is the Alpine Outdoor Association the only known OHV advocacy group pushing for expanded access to CO149?
- If someone in our community desires to engage in an unsafe activity, but that activity generates business profits and tax revenue, is it acceptable to ignore safety concerns and permit an unsafe activity that endanger others?

- The local Hinsdale County Building Officer said there is “zero tolerance” for skimping on safety when it comes to residential homes and commercial property. Why is our community skimping on known OHV safety warnings?
- What have you done to provide the Hinsdale County Sheriff’s Office with financial resources to enforce State Law, Pilot Program provisions and local OHV Ordinances?
- Are OHVs crash-test certified by any State or Federal agency?
- Are OHVs certified for use on highways or paved surfaces?
- Are off-highway tires certified for use on highways or paved surfaces?
- Is there a risk “loss of control” when off-highway tires are used by OHVs on highways or paved surfaces?
- Is there a risk of “loss of control” due to OHV rear-axle or transmission design when OHVs are allowed to operate on highways or paved surfaces?
- Is there a risk of “rollover” accidents when OHVs are allowed to operate on highways or paved surfaces?
- Are all OHVs headlights and signaling equipment certified for highway use?
- How many people were injured in Colorado from OHV-related accidents during 2019-2020?
- How many people were paralyzed in Colorado from OHV-related accidents during 2019-2020?
- How many people died in Colorado from OHV-related injuries during 2019-2020?
- Are OHV operators required to receive any type of training or certification before operating an OHV on public roads?
- Are OHV operators required to receive any type of training or certification before operating an OHV in Lake City, Hinsdale County or backcountry wilderness area?
- Does any OHV manufacturer or OHV safety organization recommend OHVs operate on highways or paved surfaces?
- Is it appropriate to approve a Pilot Program that circumvents State Law and OHV manufacturer safety warnings designed to preserve public safety?
- Should “convenience of travel” override safety warnings associated with OHV use on highways or paved surfaces?

ENFORCEMENT

- How many hours was a Hinsdale County Sheriff’s Deputy present in Lake City, on the Alpine Loop or the Pilot Program route during the 2019-2020 tourist season?
- How many vehicles traveled through Lake City on CO149 *prior* to implementing of the Pilot Program?
- How many vehicles traveled through Lake City on CO149 *after* implementing the Pilot Program?

- How many OHV “contacts” did the Hinsdale County Sheriff’s Office make during the CO149 Pilot Program test period?
- How many verbal warnings did the Hinsdale County Sheriff’s Office issue to OHV tourists during the CO149 Pilot Program test period?
- How many written warnings did the Hinsdale County Sheriff’s Office issue to OHV tourists during the CO149 Pilot Program test period?
- How many citations did the Hinsdale County Sheriff’s Office issue to OHV tourists during the CO149 Pilot Program test period?
- How many OHV tourists were arrested by the Hinsdale County Sheriff’s Office during the CO149 Pilot Program test period?
- How did increased presence of OHVs in Lake City, Hinsdale County and on the Alpine loop impact the Hinsdale County Sheriff’s Office?
- The above questions should be asked of Colorado Parks & Wildlife, Colorado State Patrol, Bureau of Land Management and National Forest Service law enforcement officers.
- Why do so many individuals in our community perceive a lack of enforcement in Lake City, Hinsdale County and backcountry wilderness areas?
- Are you willing to increase fines to the State statutory maximum for violations of State Law, Pilot Program provisions and OHV Ordinance violations?
- Should the community simply throw-in the towel because law enforcement officers are not able to adequately enforce State law, Pilot Program provisions or local OHV ordinances?
- Should the Sheriff’s Office take the blame when elected officials voted to implement the Pilot Program and not provide the Sheriff’s Office with adequate funding to enforce State Law, Pilot Program Provisions and OHV Ordinances?

THE PILOT PROGRAM

- If the Pilot Program was created to “connect the loop”, why are others trying to increase access on CO149 north and south of the current Pilot Program parameters?
- Was the Pilot Program designed as a test program in our community to ultimately increase OHV access to all State Highways in Colorado?
- Did the Pilot Program contribute to increased dust, noise, traffic, parking, social and environmental issues in Lake City, Hinsdale County and backcountry wilderness areas?
- Will increasing the mileage of the Pilot Program provide OHV operators with greater access to public lands in Hinsdale County?
- Will increasing the time-period of the Pilot Program allow OHVs greater opportunity to adversely impact our community and backcountry wilderness areas?

- Does the Pilot Program preserve or protect the historical image of Lake City and Hinsdale County?
- Did the Pilot Program create more problems than it solved?
- What, if any, problems did the Pilot Program actually resolve?

It will amaze me if any of these questions are ever discussed or debated by any of our elected officials, CDOT employees, Transportation Commissioners. Please... prove me wrong and let's ask and answer these questions before renewing the CO149 Pilot Program.

Sincerely,

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