

Q: Why did this happen?

A: There has been confusion surrounding the status and location of the right-of-way (ROW) for Pole Hill Road since the Bureau of Reclamation (USBR) began building the Colorado-Big Thompson Project (C-BT). The road was originally created as a 60' wide public road in 1887 through the 'road viewers' process. Apparently, the west end of the road was infrequently used by the time the USBR began improving it for C-BT project purposes. Local landowners objected to the road being improved, leading to an agreement with the County (1939 Agreement) to restrict the public use of the ROW to **"saddle horses or other animals being ridden or herded, ..."** The portion of the road affected by this "change of use" was from the point where the road crossed the N-S centerline of the east half of Section 26 (see star on map), T5N, R71 W, to Sec. 26, T5N, R72W.

The USBR still needed to use the road, especially the east end. Portions of the road were too steep and narrow for safe use, so the USBR entered into contracts with the County, agreeing to acquire new easements and to design, build and transfer to the County a new public highway. This reconstruction of Pole Hill Road ran from the Pole Hill Canal to east of Flatiron Reservoir. Upon completion of the work, the County agreed to accept the roads, but after thorough searches by both USBR and the County, no conveyance document has been found. The improved sections of the road included a portion of road (yellowdashed line on map) that had been subject to the change of use in the 1939 Agreement.

Q: Did the Quitclaim Deed from the US Bureau of Reclamation (USBR), which conveys the right-of-way (ROW) they acquired for CR 18E (Pole Hill Road), extending from east of Flatiron Reservoir to the Lone Elk Rd intersection in the late 1940's, change what parts of CR 18E can be used by the general public?

A: No, the Quitclaim Deed simply conveyed the ROW easement that the USBR previously acquired to Larimer County, as agreed to in various contracts between USBR and Larimer County dating between the late 1940s and early 1950s. There was no new property acquired or "taken" as some of the residents voiced concern over.

Q: Does the conveyance of the ROW mean that the County is going to start maintaining CR 18E from the current terminus at the west end of Pinewood Reservoir to Lone Elk Rd?

A: No, the County will not change its maintenance limits. The western limits will still end at the west end of Pinewood Reservoir.

Q: Will this conveyance of the ROW cause an increase in traffic?

A: The ROW conveyance should have no impact on how much traffic uses CR 18E since nothing is changing except the acceptance of the deed by the County from the USBR. The acceptance of USBR's Quitclaim Deed does not "open up the road" to the public – it has always been a public right-of-way. And now it will be shown that way on the County road layer (GIS) and managed that way, especially in terms of signs and maintenance permits.

Q: Are traffic volumes increasing on CR 18E west of Pinewood Reservoir? There is a perception that there is a lot of traffic that does not “belong” in the area.

A: The County performs traffic counts on a two-year cycle on almost every County mainline road. Based on our most recent counts on CR 18E at the west end of Pinewood Reservoir, the traffic volumes have stayed relatively consistent since 2016 at around 250 vehicles per day. The 2022 counts actually dipped to around 230 vehicles per day.

Considering that there are over 90 parcels in the area west of Pinewood Reservoir, it is County Engineering’s professional judgement that the vast majority of the traffic is being generated by the residents who live in the area. This is because typically, a home site generates around 10 vehicle trips per day. This can include residents of the home going to and from work, running errands, school bus traffic to pick up school kids, trash trucks, mail delivery, other deliveries (Amazon, UPS, Fed Ex) and other miscellaneous trips. Using these “typical” trip counts in the area west of Pinewood Reservoir, traffic volumes could be 900 or more vehicles per day. However, for rural areas such as this one, the 10 vehicle trips per day is often a high estimate, and it would make sense that the majority of the approximately 250 vehicle trips per day can be attributed to the residents, the USBR traffic, or Western Area Power Authority (WAPA) traffic. Additionally, not all the 90 parcels have occupied structures.

Q: Did the County accept this deed because they are trying to make a connection to the public land to the west and eventually, Estes Park.

A: No, the County is simply clearing up an existing ROW easement that has been in limbo for 70+ years. As previously stated, no new ROW was acquired or “taken” and there are no plans to expand current public access and the County has no interest in acquiring private property adjacent to the Forest Service.

Q: Since the County accepted the deed from the USBR, will the County require changes in the signing, in particular the privately installed sign at the west end of Pinewood Reservoir?

A: Before making any changes to the signage west of Pinewood Reservoir, the County agreed to meet with a group of residents to discuss potential changes and develop a sign plan. Signage indicating that there is no vehicular access to Estes Park or any public land via 18E and advising that there are no turnarounds for large vehicles beyond Pinewood Reservoir / Rattlesnake Dam are being considered.

Q: Can gates be installed on the section of CR 18E between Pinewood Reservoir and Lone Elk Rd.

A: No. Gating of public roadways is not allowed. Individual landowners can choose to install gates on their private driveways (outside of the limits of the public right-of-way).

Q: Can the section of CR 18E between Pinewood Reservoir and Lone Elk Rd be vacated (turned from public ROW to a private road)?

A: Possibly. The residents would need to make a ROW Vacation request through the County’s Planning Department. County staff would consider the pros and cons of the request and make a recommendation to the Board of County Commissioners, who would make the final decision. A

vacation request would seek input from all affected parties, including agencies like the USBR and USFS.

Q: Property taxes are going up significantly and residents have voiced concerns that they pay more than their fair share, and the County should do more road maintenance to reflect the increase.

A: Larimer County receives approximately 25% of the total property tax payment for a property. Of that, the Road & Bridge mill levy is currently 0.506 mills, which means that a property valued at \$800,000 with an assessment rate of 6.765% (set by the State of Colorado) pays \$27.38 annually for maintenance, repair, and improvement of County roads. Thus, the reality is that residents in the Cities, Towns, and County subdivisions subsidize services to remote rural residents. It is much less expensive on a per property basis to maintain roads, supply utilities, and respond to emergencies - to name just a few services - in areas with denser development. A simple example is to consider the cost to plow over 4.5 miles of road in a snowstorm to clear CR 18E from CR 31 to Pinewood Reservoir for around 1,400 vehicles per day (pre-Chimney Hollow dam construction traffic) versus 3.0 miles plowed between Loveland and Fort Collins on CR 19 (Wilson Ave/Taft Hill Road) to serve 13,000 vehicles per day.