

**From:** Ryan Seastrom <Ryan.Seastrom@coga.org>  
**Sent:** Wednesday, October 07, 2020 3:28 PM  
**To:** Jeff Baker; Kathleen Conti; Nancy Sharpe; Bill L. Holen; Nancy Jackson; Chuck Haskins; Bryan Weimer  
**Cc:** Rich Coolidge; Julia Rhine; Mark Mathews  
**Subject:** Arapahoe County Impact Fee - COGA Further Comment  
**Attachments:** Colorado Road Impact Authority.pdf

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Good afternoon Arapahoe County Commissioners and staff,

COGA would like to provide further input on the county's proposed traffic impact fee and clarify some items that we believe were misrepresented during the study session last week. The fees assessed on industry must conform to state statute and be established "at a level no greater than necessary to defray such impacts directly related to the proposed development." § 29-20-104.5(2), C.R.S. As designed, the traffic impact fee study and its conclusion is "greater than necessary to defray such impacts directly related to the proposed development" because the study is based off a series of unreasonable averages and assumptions, not on specific industry impacts.

The study prepared by Felsburg Holt & Ullevig (FHU) is thorough, but it makes several assumptions that make the fee unequitable and unreasonable. First, the study assumes that the county's entire network of roads will be used by oil and gas traffic. Companies use specific haul-routes for their developments, taking many different factors into account, and it is unlikely every road included in this study will be used by oil and gas development traffic. COGA believes it would be more appropriate for the county to calculate impacts by considering haul routes or traffic plans actually used, proposed to be used, or likely to be used, instead of all county roads. FHU also assumes that the county will be completely developed within a decade. Within this ten-year period, FHU has assumed that 128 well-pads will be constructed within the county. Given market and regulatory uncertainties (e.g. COGCC rulemakings, COVID-19) over this time period, it is highly unlikely the 128 pad assumption will prove to be correct. Most likely it will be less, eliminating hundreds to thousands of truck trips from the study, and decreasing the fee.

As previously mentioned, the study prepared by FHU is based off assumptions, not actual impacts from real development in Arapahoe County. Industry wants to ensure that the county's roads are maintained, and has shown through previous development its willingness to share the cost. COGA asks the county to reconsider this draft impact fee and strongly encourages the commissioners and staff to reach out to COGA and industry to continue the conversation and find a more equitable solution that aligns with the county's statutory authority.

Sincerely,

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