

CITIZEN PETITION FORM

Date: 02/26/2021

Issue: Allow the launching and landing of paragliders within the Radium SWA

Which rule are you seeking to create or revise? Please include a copy of the rule you are proposing to create or change, preferably with the change made in redline format.

I am seeking an area specific exemption to the broad prohibition on the launching and landing of aircraft to restore historical use by paragliders to the Radium State Wildlife Area.

This rule is defined in the State Wildlife Area Access Rules:

Except when specifically authorized, the following activities are PROHIBITED on lands, waters, frozen surfaces of waters, rights-of-way, buildings or devices under CPW control:

21. To launch or land aircraft, including drones.

Why are you seeking to create or revise this rule? Please include a general statement of the reasons for the requested rule or revision and any relevant information related to the request.

The Radium SWA has been frequented by paraglider, hang glider, and remote control aircraft pilots since the early 1990's. Due to its large open slopes and SE aspect, it is an ideal area for morning and midday flying. Pilots were unaware of the prohibition on launching and landing aircraft until being contacted by CPW Officer Sralla in July of 2020.

A paraglider is a lightweight, unpowered, virtually silent aircraft that can be packed into a backpack, quickly set up, and launched and landed on foot in a relatively small area. The pilot is in complete command of the aircraft via a set of control toggles.

Concerns are sometimes expressed that the use of aircraft is noisy, supports illegal hunting activity, or may disturb wildlife. None of these are true of paragliding. The impact of the activity is minimal. Pilots in the Radium SWA both launch and land directly adjacent to existing roadways and at areas already trafficked by campers, cyclists, hunters, and OHV enthusiasts.

Contact with other user groups in the area has been completely positive. People are thrilled to see pilots flying silently overhead.

There is precedent regarding the restoration of SWA access to paraglider pilots. In December of 2017 a citizens petition was submitted seeking to obtain an exemption for pilots flying Smelter Mountain near Durango. The Smelter Mountain launch lies within the Bodo SWA. The petition was granted, and pilots are now able to access and use the launch within the Bodo SWA outside of the already enacted seasonal wildlife closure.

In the Smelter Mountain case, concerns from local law enforcement regarding the possibility of pilots distracting drivers on the highway below were cited. (This possible being the impetus for the broad prohibition being enacted in 2010. I was unable to find records.) However, when contacted in 2017, the agencies were unable to find any records of complaints, incidents, or concerns for public safety regarding paragliders in the past 30 years. Regardless, this is a near non-issue at the Radium SWA, which sees only a fraction of the traffic and use. I believe paragliding can exist conflict free with the other user groups of the area.

Lastly, I would like to recognize that following the new rule instituted in 2020 (and prior to paragliding being halted) stating "everyone age 18 or over MUST have a valid hunting or fishing license to be on ANY PART of a state wildlife area", all pilots visiting the area purchased fishing licenses. At last count the number of pilots that purchased licenses stands at 23. Paraglider pilots, by and large, are a responsible, skillful, and safe user group, supportive of public lands access.

It should be noted that this request is to restore historical access by paragliders to the Radium SWA. All vehicle travel will be on existing roads, and the limited foot travel confined to existing cleared areas. No additional access needs to be granted. I believe that paragliding does not conflict with the primary use of the the Radium SWA and is a reasonable recreational use of the area.

*** I have also submitted a supplemental information document providing further details of the area and activity. Maps and photos, along with additional pertinent information can be found in the document.

Petitioner's name:

Eric S Klammer

CITIZEN PETITION SUPPLEMENTAL INFORMATION

Date: 02/26/2021

ISSUE: Allow launching and landing of paragliders within the Radium State Wildlife Area.



A paraglider launching into the Upper Colorado river valley from Azure.

The Azure paragliding launch lies at the intersection of CO Hw 11 and Forest Road 214¹, near the northern boundary of the Radium SWA. The gentle, unforested, east facing slopes make this area an ideal morning and midday paragliding site. As such, it has been in use since the early 1990's. Since a blanket ban on launching and landing aircraft in SWAs was enacted in 2010², paragliding from this site has been illegal. Pilots were unaware of this rule until being contacted by CPW Officer Sralla in summer 2020.

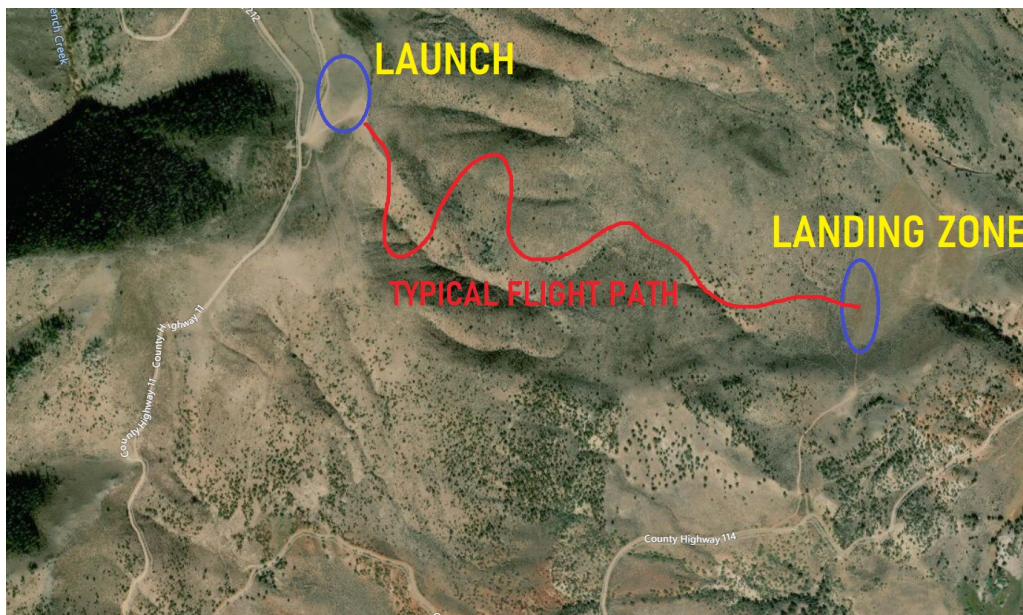
A paraglider is a lightweight, unpowered, virtually silent aircraft that can be packed into a backpack, quickly set up, and launched and landed on foot in a relatively small area. The pilot is suspended below the wing in a supportive harness and has complete command over the aircraft via a set of control toggles. With ideal conditions, a paraglider pilot can soar for hours and travel long distances using thermals, or rising columns of warm air.

1. Azure launch coordinates: 39°59.878', -106°32.423'

2. The prohibition on the launching and landing of aircraft within SWAs was enacted in 2010. This was possibly precipitated by concerns raised by Durango area law enforcement in regards to the Smelter Mountain paragliding launch located within the Bodo SWA near Durango. Following a successful citizens petition submitted in December 2017, the Smelter Mountain site has since been reopened to paragliders.

Access to the Azure launch and landing area is via existing well traveled roads. To reach the launch, pilots drive to the rim of the river valley on CO Hw 11, crossing the river at the town of Radium. To reach the landing zone pilots detour onto CO Hw 114 for approximately 0.6 miles. No travel off of designated routes is necessary. No clearing or building is necessary. The Radium SWA is bordered by national forest land to the north and Bureau of Land Management property to the east. There is a private parcel to the east but this is distant from the typical paraglider operating area. There have been no negative contacts with others recreating in the area. Most are overjoyed to see pilots overhead.

This area sees use from campers, hunters, OHV enthusiasts, and many a bike packer. The river valley below swells with people during the warmer months, intent on fishing and rafting the Upper Colorado River. Paraglider pilots have no more impact than those enjoying other forms of recreation in the area. We believe paragliding does not conflict with the primary use of the Radium SWA and is a reasonable recreational use of the area.



Lastly, the vast majority of paraglider pilots are trained, certified, and insured under the guidelines and regulations of the United States Hang Gliding and Paragliding Association (USHPA). USHPA is a nonprofit organization dedicated to unpowered free flight. Promoting education, safety, and outreach, USHPA is centered on protecting and growing the sport of free flight. This governing body creates a continuity of instruction and participation in the sport that generates a responsible, skillful, and safe user group.

Per the above facts and reasons, we would like to ask for an exception to the prohibition on launching and landing aircraft in the Radium SWA to restore historical use by paragliders.

Eric Klammer

eric.klammer@colorado.edu

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