



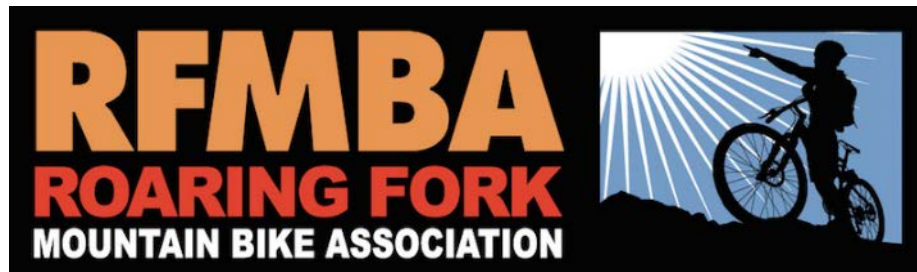
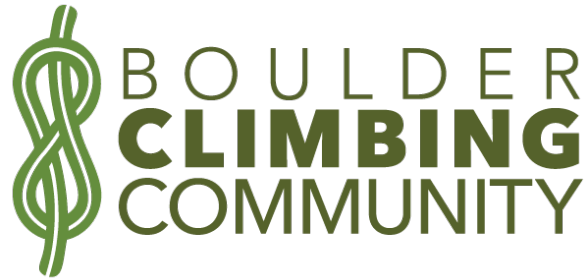
Non-Consumptive Recreation & Access to State Lands

PRESENTED TO THE COLORADO PARKS & WILDLIFE COMMISSION
IN RESPONSE TO THE NEW HUNTING/FISHING LICENSE REQUIREMENT FOR STATE WILDLIFE AREAS
JULY 17, 2020
BY JULIE MACH & STEVE BONOWSKI, COLORADO MOUNTAIN CLUB

Overview

- ▶ Recreation: SWAs and CPW-managed State Trust Lands are regularly used and promoted for hiking, paddling, birdwatching and other recreational uses
- ▶ Community Access: The new license requirements may restrict access to adjacent public lands and waters, as well as create barriers for disadvantaged populations to enjoy the outdoors
- ▶ Feasibility of Implementation & Use of Funding: The new regulation is out of step with strategic and transparent funding mechanisms
- ▶ Lack of Public Involvement: Users and stakeholders did not have a chance to weigh in with creative solutions
- ▶ Recommendations: Halt implementation, complete regulatory analysis & public comment, identify better funding mechanism

Partners



Recreation

- ▶ 20+ State Wildlife Areas popular for hiking and wildlife viewing
 - ▶ Bergen Peak
 - ▶ Dome Rock
 - ▶ Mount Evans
- ▶ 60+ whitewater paddling segments overlap with SWAs & STLs
 - ▶ Buena Vista Whitewater Park
 - ▶ Loma Boat Launch
- ▶ Camping, Biking, Rock Climbing, and Snowshoeing/Crosscountry Skiing popular at several SWAs
- ▶ Promoted in the Colorado State Recreation Lands Brochure



Community Access

- ▶ Connections to adjacent public lands & waters
 - ▶ Community green spaces
 - ▶ Trail connections
- ▶ Fees create barriers for disadvantaged & diverse populations



- ▶ Bergen Peak – Jefferson County Open Space & Denver Mtn Parks
- ▶ Sands Lake & Franz Lake – Walking paths from downtown Salida
- ▶ Perins Peak – Durango, access to USFS
- ▶ Salida to Leadville Stage & Rail Trail (16 in 2016 Trail)

Recommendations:

- ▶ Develop equitable access plan to reduce fees for disadvantaged populations

Implementation

- ▶ Public Education Plan?
- ▶ Enforcement Plan?
- ▶ Boating through an SWA?
- ▶ Impacts/Regs to Outfitters & Guides?
- ▶ Impacts to Education groups?



Recommendations:

- ▶ Consider exemption for through-traffic on trails and rivers that pass through SWAs
- ▶ Assess economic/social impacts to all current users
- ▶ Develop public education and enforcement plans prior to implementation

Funding Mechanism

- ▶ New regulation may not significantly reduce recreation at high-use sites
- ▶ Fees from non-consumptive recreation will not support recreation infrastructure/sustainability
- ▶ General license does not direct fees towards high-use sites
- ▶ No way to track # non-consumptive users

Recommendations:

- ▶ Utilize site-specific fees instead of blanket license requirement
- ▶ Add question on license application about recreation activities
- ▶ Complete annual review of license sales based on recreation type



Lack of Public Involvement

- ▶ No Regulatory Analysis or Public Comment Period
- ▶ Poor communication and messaging regarding the regulation
- ▶ Out of sync with other funding discussions
 - ▶ Not included in 2018 Future Funding Study
 - ▶ Frustrating for groups involved in years-long discussion on recreation funding & fees

Recommendations:

- ▶ Halt implementation and implement review period with public comment
- ▶ Complete regulatory analysis as outlined in Colorado Revised Statutes 24.4.103(4) and (4.5)

Regulatory Analysis 24.4.103(4.5)(a)

Upon request of any person, at least fifteen days prior to the hearing, the agency shall issue a regulatory analysis of a proposed rule. The regulatory analysis shall contain:

- ▶ (I) A **description of the classes of persons who will be affected** by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;
- ▶ (II) To the extent practicable, a description of the probable **quantitative and qualitative impact of the proposed rule**, economic or otherwise, upon affected classes of persons;
- ▶ (III) The probable **costs to the agency** and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues;
- ▶ (IV) A comparison of the probable **costs and benefits** of the proposed rule to the probable costs and benefits of inaction;
- ▶ (V) A determination of whether there are **less costly methods or less intrusive methods** for achieving the purpose of the proposed rule; and
- ▶ (VI) A description of **any alternative methods** for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule.

Summary of Recommendations

- ▶ Halt implementation and implement review period with public comment
- ▶ Complete regulatory analysis as outlined in Colorado Revised Statutes 24.4.103(4) and (4.5)
- ▶ Allow exemption for through-traffic on trails and rivers that pass through SWAs/STLs
- ▶ Utilize site-specific fees instead of blanket license requirement
- ▶ Develop public education and enforcement plans prior to implementation
- ▶ Develop equitable access plan to reduce fees for disadvantaged populations
- ▶ Add question on license application about recreation activities
- ▶ Complete annual review of license sales based on recreation type