

ISSUES SUBMITTAL FORM

	Date: Aug 12, 2020
ISSUE:	Should regulation # P-700.4.a.2 be modified to change “capacity fee” to “high-use fee,” and include additional parks that meet the criteria for high use?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>2 CCR 405-7 #700.4.a.2 states an additional fee of \$1.00 per vehicle “capacity fee” will be added to the cost of daily vehicle passes at Cherry Creek, Chatfield, and Boyd Lake State Recreation Areas, and Eldorado Canyon State Parks. This additional fee is warranted based on the high amount of public use on these parks.</p> <p>The existing fee is currently called a “capacity fee.” The term “capacity” implies that the park has an actual capacity number when vehicles are no longer allowed in the park. This is the case for some parks that collect the “capacity fee.” However, there are other parks, such as Lake Pueblo, that are large in size with multiple areas on the park receiving differing levels of use. During high-use, many of the most popular areas of the park (such as ramps, shorelines, etc.) are at capacity, while other areas that are less popular are below capacity. Thus, parks can receive extremely high use in various areas while never reaching overall capacity.</p> <p>The legislative declaration contained in 33-12-100.2, C.R.S., states that “Because the nature and operation of such state parks and recreation areas, the system can be largely self-supporting, and the users of such resources can help to fund the systems operation and maintenance. The general assembly declares and intends that as a matter of state policy the system of state parks and state recreation areas should be financed as much as reasonably possible through revenues derived from the users of such system.” Furthermore, 33-10-107 (1)(h) C.R.S. states, in part, that the Commission has power to “establish by rule the amounts of fees for certificates, permits, licenses, and passes and any other special charges in order to provide for cash revenues necessary for the continuous operation of the state park and recreation system.” However, “the maximum increase in fees that the commission may approve by rule for park passes in any one year is as follows: (I) For a daily park pass, one dollar; and (II) For an annual park pass, including an aspen leaf annual pass and a columbine annual pass, ten dollars,” 33-9-102(4)(c), C.R.S.</p> <p>As an example, Lake Pueblo State Park is the most visited state park in Colorado. In the past few years, the annual visitation has increased significantly and that trend does not appear to be going away anytime soon. In 2017, the fiscal year visitation was 2,085,335. In 2018, it was 2,435,613, and in 2019 it was 2,370,789. FY 2020 just finished with 2,841,036 visitors and the park is on trend to maintain or beat that figure next year. This equates to an increase of 36% over a three-year period. This increased use also creates an extra expense and resource strain on a busy park to cover services such as trash collection, increased resource damage, additional temporary staffing, additional wear and tear on facilities, etc. Lake Pueblo is a year-round park with boat ramps, camping, trail use, river usage, etc. open all seasons. While not as busy as during the summer months, the off-season use is surprisingly high and requires all services and staffing be maintained for 12 months versus 6 months like many other parks.</p> <p>Several parks in the NE Region have also seen an increase in use over the years with similar limitations. The NE region has over 3.9 million residents far more than any other region in the State. With a majority of these people within the Denver Metro area. Each one of these parks is easily accessible from the Metro area. The population has increased over the years and visitation at these parks has increased. A lot of the increase is seen during the shoulder season months October - November in the fall and February – March in the spring. This makes for increased year-round use, which increases operational and maintenance costs. This is in addition to the already busy summer season. More specifically, the following state parks see a large amount of use.</p> <ul style="list-style-type: none"> • Golden Gate Canyon State Park: Not only is Golden Gate Canyon the largest park in the Northeast region, but it is also the fourth most visited park in the State Parks system - only behind 	

Pueblo, Cherry Creek and Chatfield in visitation. Most areas are at capacity during the “high-use” season and this increased usage creates extra expenses regarding operations and maintenance.

- Castlewood Canyon State Park: In the last 5 years (FY ‘16 to ‘20), Castlewood’s visitation has increased from 148k to 217k, a 46.6% increase. The increase represents a demographic largely new to the outdoors, which requires more staff time and management. The increase represents a significantly higher use of our trails, roads and facilities, requiring more maintenance and supplies. The increase also represents more use in spring and fall, requiring earlier hiring of temporary staff and keeping them on later.
- Staunton State Park: Since the first full year Staunton opened to the public in 2014, the visitation has increased 135%. With the close proximity to the Denver area, it allows for quick access for the Front Range population. With the addition of camping at Staunton, along with mild-fall and spring weather, keeps Staunton in high demand during the “shoulder” seasons, requiring temporary staffing earlier and later than typically seen in the past. The park is reaching capacity on weekends and holidays on a regular basis and having lines of vehicles waiting to come in.
- Roxborough State Park: Over the past 5 years Roxborough’s visitation has increased 54%. This has caused the park to go to capacity on weekends and holidays and have high use throughout the week. It has also increased staff time to deal with capacity issues and taking time away from park maintenance and upkeep.

This increased use also creates an extra expense and resource strain on busy parks to cover services such as trash collection, increased resource damage, additional temporary staffing, additional wear and tear on facilities, etc. This increased expense and resource strain is not offset by normal vehicle pass fees. These parks struggle to become self-supporting without the ability for users to help fund the systems operation and maintenance. Thus the creation of 2 CCR 405-7 #700.4.a.2 to charge an additional \$1.00 for “capacity” as a special charge to provide cash revenues necessary for the continuous operation of the park and recreation system.

This issue paper suggests changing the name to “high-use” fee, which is a better descriptor for why the fee exists and is needed at highly visited parks in the system. This issue paper also requests to add Lake Pueblo, Golden Gate Canyon, Staunton, Castlewood Canyon, Roxborough and Highline State Parks to the list of parks authorized to charge the additional fee (Cherry Creek, Chatfield, and Boyd Lake State Recreation Areas, and Eldorado Canyon State Park). Adding Highline Lake, Golden Gate Canyon, Staunton, Castlewood Canyon, Roxborough, and Lake Pueblo to the list of parks that collect the additional \$1.00 for a high-use fee will generate additional revenue that will help to mitigate the extra expenses and resource strain.

STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:

***IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED*.**

ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):

1. ***Preferred Alternative*:**
 4. Daily vehicle passes are as follows:
 - a. A fee of \$9.00 per vehicle for any vehicle except for:
 - (2) A \$1.00 per vehicle **high use** fee will be added to the cost of daily vehicle passes at **Cherry Creek, Chatfield, and Boyd Lake State Recreation Areas, Eldorado Canyon, Highline Lake, Golden Gate Canyon, Staunton, Castlewood Canyon, Roxborough and Lake Pueblo State Parks.**
2. Status Quo

Issue Raised by:	Reg Review Team
Author of the issue paper (if different than person raising the issue):	Travis Black
CC:	
APPROVED FOR FURTHER CONSIDERATION BY:	
REQUIRES NEW SPACE IN THE BROCHURE?	X YES <input type="checkbox"/> NO
ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?	X YES <input type="checkbox"/> NO
REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION	SE, NE Regions
RECOMMENDED FOR CONSENT AGENDA?	<input type="checkbox"/> YES X NO