



July 28, 2011

Colorado Department of Natural Resources  
ATTN: Transition Team  
1313 Sherman Team, Room 718  
Denver, CO 80203  
[DPWPublic.Input@state.co.us](mailto:DPWPublic.Input@state.co.us)

**RE: Access Fund Comments to Colorado Agency Consolidation Creating Division of Parks and Wildlife**

Dear Transition Team and Parks and Wildlife Board:

The Access Fund appreciates this opportunity to provide comments regarding the on-going development of the recently created Division of Parks and Wildlife (DPW). For twenty years, the Access Fund has worked with federal, state, and private entities in Colorado and across the country to promote climbing access while protecting and preserving sensitive resources for future generations. DPW faces several challenges in successfully fulfilling its new multi-use mission of conserving natural resources, providing outdoor recreation opportunities, and increasing economic efficiency.<sup>1</sup> Colorado is our largest member state, and the Access Fund has the interest, experience, and resources necessary to help the new DPW Board chart an appropriate path forward as a multi-use agency.

**The Access Fund**

The Access Fund is a Boulder, Colorado-based national non-profit advocacy organization keeping climbing areas open and conserving the climbing environment. We represent over 2.3 million climbers with five core programs performed on the national and local levels: climbing management policy; stewardship and conservation; local support and mobilization; land acquisition/protection; and education. The Access Fund supports managing climber access when necessary to protect sensitive natural and cultural resources, including wildlife.

Indeed, we manage and publish the largest list of wildlife-related climbing closures in the country. We've worked with federal, state, and private land managers to develop and implement climbing management plans that are currently in use across the country,<sup>2</sup> and have organized and hosted several national climbing management conferences, attended by hundreds of land managers from across the country.<sup>3</sup> In many cases, climbers actively assist<sup>4</sup> by maintaining trails, removing trash,<sup>5</sup> and helping locate, monitor, and report on species of concern.<sup>6</sup> The Access Fund currently holds memoranda of understanding concerning climbing management/resource conservation with the National Park Service,<sup>7</sup> the Bureau of

Land Management,<sup>8</sup> and the United States Forest Service.<sup>9</sup> To learn more about the Access Fund, see [www.accessfund.org](http://www.accessfund.org).

## COMMENTS

The Access Fund's response to the DPW Transition Team's Request for Input follows:

### **How would you define the agency's mission?**

The legislative intent of Senate Bill 11-208 is clear.<sup>10</sup> The merger of the two agencies is primarily a cost-savings measure and "preserving the missions of the [former] division of wildlife and the [former] division of parks and outdoor recreation is a priority."<sup>11</sup> As directed by law, Colorado's new Division of Parks and Wildlife must strive to find the appropriate balance between wildlife management and enhancing all forms of low-impact recreation. Conservation, stewardship, and responsible use are foundational elements to both former missions<sup>12</sup> and must be at the heart of DPW's new mission and management policies.

Although not completely analogous, the United States Forest Service (USFS) is an agency tasked with duties and obligations akin to the new multi-use mission of DPW. The USFS multiple-use mission and resource management policies can serve as useful models for balancing the goals of conservation, stewardship, and low-impact recreation.<sup>13</sup> Furthermore, the USFS's "Framework for Sustainable Recreation"<sup>14</sup> is a good recreation management model for the Board to consult when developing the management policies for the new Division of Parks and Wildlife.

The Access Fund's suggested mission statement for DPW:

The mission of the Division of Parks and Wildlife is to conserve, protect and enhance Colorado's natural and recreation resources for the use, benefit, and enjoyment of present and future generations.

### **How would you define the composition of the unified Parks and Wildlife Board?**

As a result of the merger, the new DPW Board is composed of sixteen members: eleven Wildlife Commissioners and five Parks and Outdoor Recreation Board Members.<sup>15</sup> This Board composition presents at least four potential problems:

1) *Wildlife Commissioners Can Dominate Board Action*: On the new DPW Board, former Wildlife Commissioners more than double former Parks Board members. Our concern is that the current Board structure greatly favors hunters/anglers and wildlife protection over all other forms of low impact non-wildlife oriented recreation. As a result of the DPW Board's current imbalance, the former Wildlife Commissioners' overly restrictive recreation management practices may dominate DPW direction. The Board's composition should represent all recreation user groups more evenly, and the interested public should have an opportunity to participate in decisions regarding DPW Board member appointments.

2) *Large Number of Board Members May Decrease Efficiency and May Increase Costs*: The merger's primary goal is to achieve greater cost-savings through increased efficiencies.<sup>16</sup> Reducing the number of Board members would likely reduce decisional costs and operational expenses. Care must be taken to ensure Board members possess the necessary experience,

education, and interest to be effect leaders willing to represent the entire outdoor recreation community.

3) *Academic and/or Scientific Knowledge Not Required*: Scholars and scientists are critical to developing, understanding and implementing best management practices<sup>17</sup> which are critical for effective natural resource conservation, stewardship, and recreation management. A minimum number of Board members should be academics, scientists, and/or professionals with expertise specifically related to a wide range of land management protocols and practices. The Access Fund has several contacts in Colorado and elsewhere with experience in best management practices that may qualify for Board appointment.

4) *No Board Member Required From Non-Hunter/Angler Recreation Community*: No representatives from the recreation community other than hunters/anglers are currently required to be on the Board. The Board needs representatives from the non-hunting/angler recreation community. A Board member from a non-profit recreation organization would also help balance the Board's direction and the Access Fund can similarly assist with references for such qualified individuals. For example, the Outdoor Alliance coalition is comprised of a wide range of local grassroots organizations dedicated to human powered recreation, any of which could help DPW diversify its Board membership. For more information, see [www.outdooralliance.net](http://www.outdooralliance.net).

**Are there any other comments/suggestions you would like to share with the Transition Team and the parks and Wildlife Board that will assist them with the work ahead?**

Former Wildlife Commission policies clearly favored “Wildlife Oriented Recreation” over “Non-wildlife Oriented Recreation.”<sup>18</sup> Two examples of this institutional bias against “Non-wildlife Oriented Recreation” are found at Dome Rock State Wildlife Area and Rifle Falls State Fish Unit. Rock-climbing is, and has been, completely banned at both locations for several years without justification.<sup>19</sup> The Access Fund has been working with locals on re-opening both areas to climbing.

Dome Rock and Rifle Falls are problematic examples<sup>20</sup> of the former Wildlife Commission's bias favoring “Wildlife Oriented Recreation” over all other forms of low impact recreation such as climbing. The former Division of Wildlife's legislative authority<sup>21</sup> may have supported favoring “Wildlife Oriented Recreation.” However, such bias is counterproductive and contrary to the DPW's new legislative mandate.<sup>22</sup> To successfully fulfill its multi-use mission, the new Division of Parks and Wildlife must recognize, protect, and enhance all forms of low impact recreation and avoid the unnecessary closures like those found at Dome Rock and Rifle Falls.

**Conclusion**

The Division of Parks and Wildlife's enabling statute is straightforward in its directive to preserve the missions of both former agencies while cutting costs and improving programs and services. To succeed, the new DPW must broaden its management focus to permit more forms of low-impact recreation than allowed historically by the Colorado Division of Wildlife.

Thank you for the opportunity to comment on this significant government initiative. Please contact me via telephone (303-545-6772 x113) or email ([rd@accessfund.org](mailto:rd@accessfund.org)) with any

questions or concerns raised in this letter. The Access Fund looks forward to participating in the formation of the Division of Parks and Wildlife.

Best Regards,



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The Access Fund

Cc Brady Robinson, Access Fund Executive Director

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<sup>1</sup> See Colorado Senate Bill 11-208, Ch. 293 § 1 (a)-(h).

<sup>2</sup> See generally <http://www.climbingmanagement.org>

<sup>3</sup> *Id.*

<sup>4</sup> The Access Fund sponsors approximately 130 Adopt a Crag events annually across the country, including 15-20 in Colorado. Adopt a Crag is the Access Fund's signature stewardship program. It exists to unite local climbing communities in partnerships with land managers to conserve local climbing areas. Adopt-a-Crag events typically include activities such as litter clean-ups, trail construction and restoration, erosion control, and invasive weed removal.

See <http://www.accessfund.org/site/c.tmL5KhNWLrH/b.5000889/k.166C/AdoptaCrag.htm>

<sup>5</sup> In July 2011, the Access Fund launched a new Conservation Team that will spend ten (10) months a year traveling the country addressing conservation issues.

See <http://www.accessfund.org/site/apps/nlnet/content2.aspx?c=tmL5KhNWLrH&b=5000939&ct=11053041>

<sup>6</sup> Examples include: Luther Rock, Lake Tahoe, CA; Pinnacles National Monument, CA; Eldorado Canyon State Park, CO; Jefferson County Open Space, CO; Acker Rock, OR.

<sup>7</sup> <http://www.accessfund.org/atf/cf/%7B1F5726D5-6646-4050-AA6E-C275DF6CA8E3%7D/AF%20NPS%20MOU.pdf>

<sup>8</sup> <http://www.accessfund.org/atf/cf/%7B1F5726D5-6646-4050-AA6E-C275DF6CA8E3%7D/AF%20BLM%20MOU.pdf>

<sup>9</sup> <http://www.accessfund.org/atf/cf/%7B1F5726D5-6646-4050-AA6E-C275DF6CA8E3%7D/2009%20USFS%20MOU.pdf>

<sup>10</sup> Senate Bill 11-208, Ch. 293 § 1 (a)-(g) (*emphasis added*). New Division of Parks and Wildlife Legislative Declaration: "The general assembly hereby finds, determines, and declares that: (a) The people of Colorado value and seek to preserve the state's unique park, wildlife, and outdoor recreation heritage; (b) Maintenance of a healthy outdoor recreation program is vital to local, regional, and state economies; ... (g) Preserving the missions of the division of wildlife and division of parks and outdoor recreation is a priority, as is transparency of the process for combining functions, streamlining processes, and reducing costs;..."

<sup>11</sup> *Id.*

<sup>12</sup> *Division of Wildlife's Mission* - "The mission of the Colorado Division of Wildlife is to perpetuate the wildlife resources of this state and provide people the opportunity to enjoy them."

*Division of Parks and Outdoor Recreation's Mission* - "To be leaders in providing outdoor recreation through the stewardship of Colorado's natural resources for the enjoyment, education and inspiration of present and future generations."

<sup>13</sup> <http://www.fs.fed.us/aboutus/mission.shtml> - USFS Mission Statement: "The mission of the USDA Forest Service is to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations."

<sup>14</sup> See [http://www.agnewbeck.com/friends/outdoorsitka/pdf/Framework\\_Final\\_062510.pdf](http://www.agnewbeck.com/friends/outdoorsitka/pdf/Framework_Final_062510.pdf)

<sup>15</sup> C.R.S. § 33-09-101 (2011)

<sup>16</sup> C.R.S. § 33-9-101 (10)(b)

<sup>17</sup> See [www.climbingmanagement.org](http://www.climbingmanagement.org)

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<sup>18</sup> “*State Wildlife Areas are not acquired, designed or normally managed to provide for non-wildlife oriented recreation...*” *Colorado Wildlife Commission Policy, Use of State Wildlife Areas, October 11, 2007* at pg. 1.

<sup>19</sup> Chapter 9-Division Properties, Article II, #901-Property Specific Regulations at pg. 19 and 22.

<sup>20</sup> With respect to the Rifle Falls issue, the Access Fund commissioned a biological survey with the Rifle Climber’s Coalition of the lower Box Canyon at Rifle Falls. While a temporary/seasonal rock-climbing ban can be justified due to wildlife/natural resource concerns, the current permanent ban is unnecessary and overly broad. In regards to Dome Rock, the former Division of Wildlife has never explained why the permanent rock-climbing ban is necessary.

<sup>21</sup> “It is the policy of the state of Colorado that the wildlife and their environment are to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people of this state and its visitors. It is further declared to be the policy of this state that there shall be provided a comprehensive program designed to offer the greatest possible variety of wildlife-related recreational opportunity to the people of this state and its visitors...” C.R.S. § 33-1-101.

<sup>22</sup> See Senate Bill 11-208, Ch. 293 § 1 (a)-(g)