



May 9, 2020

Colorado Trails Program Funding Rescission

Sent via email to:

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Senator Rachel Zenzinger
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Dear Senators and Representatives:

The Trails Preservation Alliance (TPA) is providing this letter to express our vigorous opposition to any possible rescission of funds from the Colorado Parks and Wildlife (CPW) Trails Program. We understand the possibility of fund rescission is due to ongoing budget issues resulting from the COVID-19 pandemic.

The TPA is a volunteer organization created to be a viable partner to public lands managers, working with the United States Forest Service (USFS) and the Bureau of Land Management (BLM) to preserve the sport of trail riding and multi-use recreation. The TPA acts as an advocate for recreational trail riding and takes the action to ensure that the USFS and BLM allocate a fair and equitable percentage of public lands access to diverse trail multi-use recreational opportunities.

The TPA must strongly object to rescission of funds that have been collected through the “voluntarily” created user fund specifically for the registration of Off-Highway Vehicles (OHV) and snowmobiles and are clearly not general tax revenues.

Governor Polis has repeatedly stated that the COVID-19 response is a statewide issue and that our collective response should be unified across all residents of the State. All Coloradans are equally responding to the COVID-19 challenge together and by asking one community (e.g., the OHV & Snowmobile users) to bear disproportionate costs of recovery, simply because funding from a voluntarily created user fund is available, directly contradicts the unified response that has been professed thus far. As the Governor has repeatedly and consistently stated in his response efforts to the COVID-19 pandemic, this will only work when

the state moves in a unified manner and any proposed rescission of CPW Trails Program funding is in direction contradiction to a unified response.

Records may indicate that funds are residing in the OHV cash fund, however a large portion of this money has already been spent and is awaiting reimbursement or is allocated for operations of the program and overhead. Most trail projects are reimbursed only after work is completed and as a result the many small nonprofit organizations that accomplish this work are unable to cover these costs outside of grant funding. Under federal contracting requirements, even federal agencies can only cover these costs for a short period of time, to allow for the processing of reimbursement paperwork. This creates the appearance that there is more funding available than there actually is as reimbursement is often a very protracted process. Declining this contractually obligated reimbursement will destroy most grant applicants. Failing to provide contractually obligated reimbursements will also put the Program in direct violation of federal, state or local contracting laws. Even if money was returned later to the Program, these violations could not be corrected or remedied.

The TPA must also emphasize that the Trails Program funding is important to the long-term economic recovery in Colorado from the COVID-19 pandemic, as this funding hires more than 400 seasonal employees for trail maintenance projects protecting natural resources, through federal, state and local agencies. The TPA can not envision a more effective manner to provide economic stimulus than this CPW grant program, as these jobs are likely to be critically sought after in these times of unprecedented unemployment throughout our State. Unprecedented unemployment has resulted in many positions receiving multiple applicants. This is a clear indication of the challenges Coloradans are facing in providing basic resources for the sustainment of their well-being. Failing to hire these 400 people would be in addition to the CPW staff salaries reflected in the cash fund balance as these staff would be the first employees within CPW to have experienced any job loss as part of the COVID-19 response. Without these funds, these 400 plus people will not be hired.

This funding provides recreational opportunities for all Coloradans, a priority for protection in the Governors response to COVID-19, and provides protection for natural resources involved in recreation. The Trail Program funds provides over 90% of the monies that maintain trails, provide signage, fund enforcement and mitigate environmental impacts. Federal budgets for recreational trails are nearly nonexistent. Diverting those funds will only exacerbate the backlog, noting that non-motorized recreationists are beneficiaries of the CPW Recreational Trails Committee's; OHV Grant Program considering that all "motorized trails" are open to non-motorized users. Education of all users to avoid impacts to natural resources from trail braiding when users attempt to social distance while recreating is critically time sensitive. Avoiding impacts all together protects critical natural resources and costly restoration efforts at some point in the future.

The TPA strongly urges the JBC to reassess the possible rescission of funding as we believe the proper question must be ***"how do we get the money out to the clubs and agencies faster?"*** rather than "how much do we rescind?". While the Trails Program might appear a valid source of funds to respond to COVID-19, most

of this money has already been encumbered to projects that align well with the recovery. Ensuring the economic recovery from the current pandemic and protecting recreational opportunities are both critical to our states response to the crisis. If funding is rescinded, people who are currently employed will lose their employment because of this decision.

Sincerely,

D. E. Riggle

Director of Operations

Trails Preservation Alliance