



December 2022

CPW Trails Program
Via Email only @ Trails@state.co.us

Re: 2023 LWCF/ Non-motorized Grant applications

Dear Committee Members;

Please accept this correspondence as the comments of the above Organizations regarding the 2023 bundle of non-motorized and LWCF grant applications. Prior to addressing our comments, a summary of the Organizations is needed to provide prospective. The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization of approximately 2,500 members seeking to represent, assist, educate, and empower all OHV recreationists in the protection and promotion of off-highway motorized recreation throughout Colorado. COHVCO is an environmental organization that advocates and promotes the responsible use and conservation of our public lands and natural resources to preserve their aesthetic and recreational qualities for future generations. The Trail Preservation Alliance ("TPA") is an advocacy 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 motorized trail riding and multiple-use recreation. The TPA acts as an advocate for the sport and takes the necessary action to ensure that the USFS and BLM allocate a fair and equitable percentage of public lands access to diverse multiple-use trail recreational opportunities. Colorado Snowmobile Association ("CSA") was founded in 1970 to unite winter motorized recreationists across the state to enjoy their passion. CSA has also become the voice of organized snowmobiling seeking to advance, promote and preserve the sport of snowmobiling through work with Federal and state land management agencies and local, state

and federal legislators telling the truth about our sport. CORE is a motorized action group dedicated to keeping motorized trails open in Central Colorado and the region. Collectively CSA, COHVCO, TPA and CORE will be referred to as “the Organizations” for these comments.

The Organizations partnership with the CPW Trails Program has spanned more than 50 years and every year the voluntary registration programs we have self-taxed to create provide the largest source of funding for the operation of the Trails Program. This funding annually provides three or four times the funding for maintenance when compared to the non-motorized portion of the program, which lacks programmatic match funds such as these. The Organizations are also intimately aware that often the bright line categories used in funding are less clearly defined on the ground as these are funds and programs that provide recreational opportunities for all forms of recreation. As a result of the half century of partnerships and large amounts of funding going through the CPW Trails Program, the Organizations are deeply vested in the success of all phases of the CPW Trails Program.

1. Support for LWCF grant #32 for Vail Pass Rest Area project.

The Organizations would like to reaffirm their support for the Vail Pass Rec Area Project, which is #32 in the LWCF request category. This is probably the most visible project this year and possibly ever for the CPW Trails Program and supports a wide range of recreational interests both summer and winter. It should be noted that the Organizations were heavily engaged with efforts to fully fund the LWCF program as part of the Great American Outdoors Act Legislation that increased funding for the LWCF program. The Vail Pass Rest area was visited several times as an example of the type of project that increasing LWCF funding could assist and support. We are obviously disappointed with recent funding issues for the project but we remain in vigorous support of the effort. There is really no other project like it we are aware of that has been funded by the State Trails Program and this project has huge benefits to all forms of recreation on and around the Vail Pass Area.

While it is not specifically identified in the grant application to CPW, **our members have literally volunteered years of time to support the development of the project** and to get the rest area issues addressed. Parking and access to the surrounding recreational opportunities have been a nightmare with the old rest area layout and we were thrilled when renovations started. This situation was simply unacceptable and has driven our volunteer efforts for years in the area. This support has ranged from site visits with USFS, local clubs, and local government representatives and our volunteer efforts became more focused when public meetings on the I-70 lane expansion project started. Our members continued to attend monthly daylong meetings that covered more than two years to address the I-70 lane expansion project. Capturing this type of support is difficult in terms of direct hours but has been critical in supporting the effort to this point.

The recreational support for Vail Pass rest area restoration would leverage decades of direct funding support from the winter motorized program for snowmobile grooming in the area, including grants to purchase numerous groomers, snowmobiles and some of the largest annual grants to support operation ever provided by the winter grooming program. While this funding recently ceased, we are optimistic that this funding will be restored in the near future. While this area has been heavily supported by the Trails Program historically, this project is also well suited for LWCF funding simply due to the large amount of funds needed to complete the project. As a comparison, the CPW Winter Grooming Program could fund this project, but all other grants in the state would not be funded that year. The Organizations simply cannot think of project that more completely aligns with the LWCF program than the Vail Pass rest area project.

2. Opposition to nonmotorized planning grant #5 entitled “Mapping Trails with Lidar”.

We can support numerous great projects seeking funding in the 2023 LWCF/Nonmotorized Trail grant applications, but there are two grants that we must also express significant concern over. Planning grant #5 from Backcountry Hunters and Anglers seeking funding to have their

staff start to perform Lidar mapping efforts for all trails in the southern portion of the GMUG. We have significant concerns that BCHA has been one of the most vocal and vigorous opponents of all forms of recreational trails for an extended period of time. BCHA has repeatedly provided extensive written and verbal comments to the State Trails Committee that were simply opposed to the existence of trails on public lands or asserting there should not be any new trails being built on public lands.

Not only have these comments been vigorously anti-trails, BCHA displayed a failure to understand the basic authority of the Trails Program. BCHA spent years attacking the Trails Program for what they perceived as a slow release of the Governor's Recreation/Conservation District effort despite the fact the Trails Program had nothing to do with this effort. Further attacks have been directed towards the Trails Program based on BCHA failure to understand the requirements of the Great American Outdoors Act increase in LWCF funding. Given the systemic failure to develop a basic understanding of the Trails Program and recognize trails as having a place on the landscape BCHA is not a group that should be leading any recreational trails project.

The above statements may seem out of context or inflammatory out of context but it is important to note these positions are taken in public meetings and public comment taken with the State Trails committee. Highlighting these comments for the subcommittee is important as even the most vigilant and engaged subcommittee members would not normally be aware of this input. An example of this constant anti-trails position from BCHA is exhibited in their public comment on the LWCF program from December 3, 2020 State Trails meeting, which provides as follows:

“CO BHA has serious concerns about current LWCF funding priorities and we would like to see CPW utilize this opportunity to update current LWCF allocation formulas to ensure that there is no net gain in funding for trails development”

BCHA assertions for a non net gain standard on all trails was again submitted to the State Trails Committee in January 26, 2021. Copies of these written public comments are available from the Program and as such we have not included them here. We have also not attached these comments as we cannot support them in any manner and want to avoid ANY possibility of our inclusion of the comments as our support for them.

Our concerns extend beyond the open hostility being displayed by BCHA towards trails and include the fact that the BCHA grant directly conflicts with public comment they have provided on other project applications. An example of the highly variable standards of performance now being sought is exhibited by the BCHA general comment of December 3, 2020 that other groups should not allow to assume planning responsibility as follows:

“Under this approach we see CPW facilitating recreation user groups such as COPMOBA taking over the federal agencies duties and responsibilities for planning, constructing, and maintaining trails on our public lands in place of NEPA, with one purpose in mind - more trails.”

The concerns of BCHA were exhibited in the written comment of BCHA on the Pioneers Redefined planning grant that was submitted on December 3, 2020 which clearly states as follows:

“Second, we would like those responsible for CPW trails grant oversight to ensure that the contractors hired for any wildlife work with this grant money be impartial and reputable judges of the impacts on wildlife.”

Our concern around this comment would be the fact that BCHA is now adopting exactly the type of position and seeking a grant with this application that they asserted was totally improper only 2 years ago. Not only is this contradictory it is worse as BCHA seeks to perform

the work in house rather than through an independent contractor and without oversight from anyone outside the Organization.

Our concern around grant application #5 is compounded by the fact that many planning grants have extensive public engagement processes identified in their funding stream. Again, this is a position that BCHA has adopted to oppose other grant applications, as exemplified by Pioneers Redefined Comments of December 3, 2020 where the following position is taken:

“Also, it is critical that contractors hired to do NEPA work do not preclude the full involvement of CPW and BLM wildlife officials at every step of the planning process.”

While BCHA has clearly stated the value of public engagement in planning efforts, #5 grant application from BCHA has none of this type of input. That is a major concern which is compounded by the fact that BCHA has been vigorously pursuing their bounty program for motorized and mechanized users throughout the Region.¹ Not only are there better ways to deal with this issue than by issuing third party bounties on other users, the Organizations have to believe the bounty program on motorized and mechanized users will serve as a major barrier for BCHA to engage or collaborate in any way with other users groups on projects such as they are now proposing. It has been our experience that the bounty program has created large amounts of conflicts around legal usages of areas simply due to a person or groups belief the use should not be there or due to poor understanding of current decisions or the scope of the Travel Management Rule and efforts. At some point in the process being proposed, this collaboration will need to happen and it simply will not be able to occur.

Our final concern on grant request #5 is the fact this is a project that will simply become massive in size and resource needs moving forward. Simply understanding what is and is not a

¹https://www.backcountryhunters.org/reward_for_illegal_trail_construction_offered_by_colorado_backcountry_hunters_anglers

recreational route would be a massive undertaking and could encompass massive amounts of routes that are in no way recreational in nature. This challenge became a huge as the Trails Program is intimately familiar with through the site-specific investigations that were undertaken as part of the Law Enforcement Program several years ago. Not only are there better ways to obtain information such as this, there are cheaper and more collaborative manners to obtain better information as well.

3(a) Opposition to non-motorized planning grant #17- further funding for Envision Chaffee County trail plan.

The motorized community has taken an active role in the Recreation/Conservation District efforts throughout the State. Our input and experiences have been vigorously welcomed as motorized users have established relationships and programs working towards protecting resources and recreation. While many interests are working to establish their first maintenance crew, the motorized community has 60 crews in place performing maintenance summer and winter throughout the State. Often these resources are so integrated into management efforts that our efforts appear seamless with other management. The immense amount of volunteer coordination to support these efforts and knowledge that is available from these efforts cannot be overlooked. But there are limits on the availability of these resources as they depend on huge amounts of volunteer support. The value of these resources is exemplified by the recent efforts of Mesa County to expand their non-motorized maintenance efforts on federal lands with application of the motorized good management model to other forms of recreation.²

It is important for the committee to understand why motorized community is not a partner in this grant despite the fact that the County is home to numerous successful and organized motorized partnerships and efforts. While our partnerships with Recreation/Conservation Districts have borne almost immediate benefit for everyone involved, these types of

² A copy of this effort is outlined in grant #6 to the Colorado CO-OP from 2021.

discussion have never occurred with Envision. Conflict between Envision started from day one as Envision representatives failed to even display a desire to understand that decades of work were already in place for management of motorized uses and that the experiences from this decades of effort could be highly relevant to efforts they were undertaking. Rather than attempting to integrate Envision efforts centered more around paid staff into existing volunteer efforts encompassing areas far larger than Chaffee County, Envision continued to assert more volunteer time must be provided to coordinate these volunteer landscape efforts with Envision efforts targeting paid staff in Chaffee County.

Awareness of these volunteer efforts was a concern because Chaffee County had never been involved before and often County lands provided only exceptionally limited opportunity for motorized usage. As our representatives continued in early efforts with Envision, the lack of coordination of efforts was problematic on many levels. Oftentimes assertions from Envision conflicted with commonly available published works on the topic as exemplified by problems with wildlife population counts. Often public surveys were asserted to be the sole basis for management but questions about how surveys were distributed and developed could not be answered. Questions about issues such as awareness of those taking surveys around existing management were not answered. Often relationships around Envision simply lacked transparency making any discussions that much more difficult. It is after significant internal discussion on issues such as this the motorized community has decided to play a far less active role with Envision. It has been our experience that the effort has been a complete failure from a cost/benefit perspective and has created massive amounts of conflict on issues that have been previously resolved and often on landscapes well beyond just Chaffee County.

Motorized recreation has been managed to balance recreation and conservation interests since the issuance of EO 11644 by President Richard Nixon in 1972. EO 11644 explicitly required this as follows:

“Those regulations shall direct that the designation of such areas and trails will be based upon the protection of the resources of the public lands, promotion of the safety of all users of those lands, and minimization of conflicts among the various uses of those lands. The regulations shall further require that the designation of such areas and trails shall be in accordance with the following--

- (1) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.
- (2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.
- (3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.”³

We cannot overlook the fact that Envision has been operating for 4 years but has largely the same goals and objectives for their efforts as have been required for motorized use for 50 years.

The management situation for the motorized community is very different than almost all other recreational interests simply due to the 50 years of management scrutiny that has been applied to them to balance recreation and conservation. One of the foundational differences from this scrutiny when motorized is compared to all other forms of recreation is the fact that NEPA requirements are much higher for motorized projects and really anything beyond maintenance needs at least an Environmental Assessment. These must be performed by the land managers as partners, such as Envision, lack authority to make decisions on federal lands.

³ See §3a of EO 11644.

Management of motorized recreation is also significantly different based on the decades of funding the OHV program has provided for maintenance and management of opportunities on public lands. This has had a profound impact on what management looks like on the ground. As an example, seasonal closures of motorized routes have been a commonplace management tool used for decades on the forests across the country. These management tools are then enforced by staff the motorized community pays for and with gates that we purchase. No other user group can assert this level of involvement in protecting resources. As a result of the more than 50 years of management scrutiny and NEPA analysis, the motorized community may be far less willing to reopen NEPA decisions that have been previously made. Unlike most uses on public lands, motorized interests have already lost 60% or more of opportunities and are in a situation where trails need to be built to support growing populations. It is significant to note that this vision focuses on maintaining areas and possibly adding short connections to complete loops rather than building large new trail networks. In some areas our largest problem is a lack of trails which causes impacts due to overcrowding. Even discussing this situation has been problematic in Envision efforts.

Another difference in our situation compared to other recreational interests is many of our groups have been constantly working with land managers to address a wide range of issues and will continue to do so long after Envision is no longer functioning. These are efforts that are supported by an immense amount of volunteer labor so streamlining meetings and discussions is a high priority for our interests. CCMR has successfully partnered with CPW on motorized grants since 2019 including new trail building and major re-routes of the iconic Rainbow Trail to more sustainable locations in fire impacted areas. CCMR was awarded in the 2023 grant cycle \$85K dedicated to maintaining its 5 adopted trails which now approaches nearly 90 miles with the recent adoption by the organization of the entire Rainbow Trail within the Salida Ranger District. CORE recently partnered with the National Forest Foundation, the Ute Pass Iron Goats and the Gunnison Ranger District to successfully obtain a 2022 OHV grant to begin the construction process to reopen FR # 839 to the Alpine Tunnel. This project was 4 years in the making and was the culmination of many hundreds of volunteer hours, area

trail/road work and supportive partnerships. In addition, CPW OHV Grant money, generated by OHV registration fees, funds the Upper Arkansas Valley Good Management crew at ~\$100K annually.

Statistically speaking the motorized groups in Chaffee County area have more adopted trails, both in mileage and number of trails, than ANY other Ranger District or Field Office in the state of Colorado. Trail Adoptions in Chaffee County alone include: CORE - 11 Trails (48 miles); Ute Pass Iron Goats - Chinaman Gulch (7 miles); Rock Hoppers - Carnage Canyon, Pumpkin Patch (2.5 miles); CCMR - 5 trails (38 miles); High Rocky Riders ATV - Mt. Antero Trail System - 5 routes (20 miles). Considering these existing partnerships with the agencies, other volunteer organizations and the financial resources the motorized community can offer, why are they not part of a strategic trail plan in the same area? The answer is Envision Chaffee County and this is directly contrary to every assertion that has been made in grant applications from the County.

The ongoing efforts between managers and volunteer partners in the Chaffee County region have been nationally recognized for their collaboration. CCMR was just recognized Nationally by the Public Lands Alliance (PLA) who awarded CCMR and the Salida Ranger District their National 2022 Public Lands Partner Award for best practices, leading-edge achievements, and excellence in public land partnership. The PLA states “This award recognizes an exemplary partnership for a stunning achievement to protect and preserve our public lands and enhance the experiences of their visitors and users.” CORE was awarded the “Celebrating Volunteers and Service” Award in 2019 by the Salida FS District and the Royal Gorge Field Office in recognition for exemplary commitment to the stewardship of public lands through volunteer service in the Arkansas Valley.

Another example of why we avoid repetition of efforts and increasing burdens on volunteers extend beyond site specific projects. Larger scale efforts are also a concern and were raised in our early efforts with Envision to create understanding of the decades of effort around the

forest level litigation of travel managements on the Pike/San Isabel NF.⁴ In this litigation, motorized interests have intervened in defense of land managers and their decisions. This litigation was settled in 2017 with a Court approved agreement that the USFS would undertake forest level NEPA analysis of existing planning for the entire forest. As Envision was ramping up, the NEPA analysis for the forest level settlement was reaching its conclusions.

The motorized community was concerned about misguided or inaccurate Envision efforts delaying or reopening these NEPA efforts unnecessarily as these delays could impact the entire forest. By the end of the multi-year NEPA efforts required by the settlement, there was a growing backlog of site-specific projects previously approved in NEPA on the PSI that were also waiting for the approval of the forest level NEPA. Some of these projects outside Chaffee County have been waiting for the completion of the Forest Level NEPA for almost a decade. Meetings opportunities on this issue were again provided to Envision and declined despite some efforts being approved years before Envision was ever even a concept. This assertion made absolutely no sense and would have resulted in a massive repetition of efforts already completed. Our concerns ranged far beyond Chaffee County but could have been impacted by delays due to Envision making recommendations on issues like seasonal closures resolved in Forest level NEPA. The relationship has simply continued to decline from there and gaining any sort of alignment of concerns has been impossible. We are very concerned that the current trail planning effort would be creating conflict with completed NEPA analysis on the forest rather than resolving conflict.

Our concerns on conflict are driven by Envision failure to engage their staff with volunteer efforts. As an example, the motorized users in and around Chaffee County have had a successful relationship of coordination with federal land managers for decades and have strategically addressed a wide range of issues and had strong visions for areas moving

⁴ THE WILDERNESS SOCIETY, QUIET USE COALITION, WILDEARTH GUARDIANS, ROCKY MOUNTAIN WILD, and GREAT OLD BROADS FOR WILDERNESS, Plaintiffs, v. UNITED STATES FOREST SERVICE and JERRI MARR Defendants, and COLORADO OFF HIGHWAY VEHICLE COALITION, TRAILS PRESERVATION ALLIANCE, and THE BLUERIBBON COALITION, Intervenor Defendants. Colorado District Court; Civil Action No. 11-cv-00246-WYD

forward. Chaffee County simply was never involved in these discussions at any level over this time. As an example, the annual public meetings that have been occurring between the Royal Gorge FO, CPW and motorized users to align managers and users on projects, funding requests and priorities moving forward on the FO. These public meetings have been attended by dozens of people for years without the participation of Chaffee County.

Now with the introduction of Envision our volunteers are being asked to attend even more meetings run by Envision Chaffee County to address issues raised in these annual meetings, instead of Envision Chaffee County attending public meetings and discussions that have already been established between our volunteers and agency staff. Considering the long track record of our volunteer work and economic contributions to Chaffee County and beyond we must ask why Envision, if truly interested in collaboration, would not welcome the efforts and long-standing contributions of the motorized community? Our volunteers have limited time to devote to these partnerships and it is clear that time has been effective and well received by the agencies and community. Leveraging these resources would be a huge step forward for everyone. In an effort to avoid volunteer fatigue our volunteers must draw the line somewhere and continue to focus their energy and efforts where it has proven efficient and effective. That simply is no longer the Envision effort.

Envisions ability to create conflict extends far beyond failing to integrate with existing efforts, as exemplified by the Wildlife Support Tools for Recreation Plan for Chaffee County passed in 2021. This is a Recreation Plan that was passed by Envision despite the fact it was not supported by a single recreation group participating. The motorized community was very concerned about statements in the 2021 Wildlife Tools for Recreation plan that seasonal closures should be expanded as follows:

“Additionally, there is interest in considering additional or modified seasonal closures as one method to mitigate recreation impacts on critical habitats.”⁵

This assertion is deeply troubling to the motorized users as the USFS has just completed Forest level NEPA in September of 2020 that clearly identified the goal of the effort as follows:

“The project is needed to designate National Forest System (NFS) roads, trails, and areas as open to wheeled motor vehicle use by the public. This decision includes the following:

- Motor vehicle use designations for roads, trails and areas
- Locations, maintenance levels, seasonal closures, and mitigation or minimization techniques for the roads that will comprise the minimum road system (MRS)”⁶

The ROD outlines the huge amounts of coordination that occurred with CPW on this issue and this ROD continued with an extensive discussion of how some of these efforts had been implemented since 2016. Given that analysis of seasonal closures for every motorized route had been the goal of the 2020 NEPA, we were very concerned that within 6 months Envision was asserting this decision should be reopened. The last thing we wanted to have happen was the results of this decade of analysis and effort being reopened to discuss seasonal closures as this issue was resolved. The fact that Envision did not participate in this NEPA effort does not mean it did not happen. It also does not mitigate our desire to move ahead with implementation of this decision that resulted from almost a decade of effort and our desire to avoid further discussions on seasonal closures for motorized routes. Other recreation groups expressed major concerns that the Wildlife Tools for Recreation Plan showed no location in Chaffee County where trails could be built, despite the fact federal land managers had

⁵ See, Envision Chaffee County Wildlife Decision Support Tools for Recreation; Feb 20, 2021 at pg. 24.

⁶ See, USDA Forest Service; Draft ROD; November 2020 at pg. 1. A complete copy of all documentation for this effort is available here: [Forest Service \(usda.gov\)](https://www.usda.gov)

approved site specific NEPA for several non-motorized trail network expansions in areas Envision now asserted were unsuitable for trails entirely. The fact that an issue like this was not addressed prior to release of the Wildlife Tools for Recreation plan is a major failure of coordination. This Wildlife Tools for Recreation plan will be a major barrier to any NEPA efforts on site specific trail projects moving forward, as issues with factual accuracy of the Wildlife Tools for Recreation Plan were systemic and directly contributed to the conflict of these efforts. We must ask why there would be any expectation of better performance by Envision on the Trails Plan being proposed now?

The fallout of the 2021 Envision Wildlife Tools for Recreation Plan was significant and, in an attempt to minimize the damage and distrust now present, the recreation community was encouraged to develop a trail plan for the planning area as this might be funded through the County Common Grounds effort. This effort was developed to mirror the successful Outside 285 Recreation/Conservation District that has been functioning very effectively in resolving non-motorized conflict with wildlife concerns in areas on Jefferson, Park, Clear Creek and Douglas Counties in partnership with federal land managers. NEPA alignment concerns are minimal in the area as this area is outside the PSI litigation scope and the South Platte Ranger District has not been active in the area. Meetings with Outside 285 representatives were arranged with participation from all Chaffee County recreation groups, Envision, RGFO and South Platte and Salida RD staff. The Chaffee based land managers were astonished to understand the quality of work coming out of Outside 285 efforts and the consensus of diverse interests that had been achieved. This was a stark contrast to Envision efforts to date.

After this meeting local recreation groups sought to mirror the success of the Outside 285 trail planning effort that has been functioning effectively in resolving conflict in areas on Jefferson, Park, Clear Creek and Douglas Counties in partnership with federal land managers and numerous other stakeholders. After much internal debate between the Chaffee County based recreation groups, land agency staff, and strong influence from Envision it was decided to focus this trail plan only within Chaffee County as opposed to the Salida RD or more regional

areas such as the Upper Arkansas Valley. Because the plan was now encompassed by county boundaries it made it possible for the group to seek grant money from the Chaffee County Common Ground grant fund. Common Ground funding is sourced from a Chaffee County sales tax of .25%. This tax was established in 2018 from ballot initiative 1A started by Envision Chaffee County and Cindy Williams, the POC for this grant, is the Chair of the Common Ground Advisory Council that awards Common Ground grants.

This request was denied by the Common Ground grant committee in part because: “There was concern about the qualifications of the applicant to lead county-wide planning.” Considering the long history of both motorized and non-motorized recreation groups in Chaffee County we must ask why Common Ground, a subsidiary of Envision, is so concerned about our capabilities when our agency partners have, and continue to look to our groups for funding, trail maintenance and other efforts. Now Envision states in this application that Common Ground grant money will be used to leverage funding for this application. How can they be so sure? Is it because now they are in control of a plan, instead of being a stakeholder they were at the time of the original application. Now Envision is seeking more funding for trails plan to fix the chaos they have created with previously awarded grant funds asserting conflict would be reduced and trail plans would be developed? This makes no sense.

The failure of Envision to integrate with efforts and resources in place has extended far beyond conceptual concerns, as exemplified by the massive overlap and repetition of efforts for volunteers on specific projects or efforts. The motorized users have worked with a huge number of people to develop the CPW COTREX database for trails and as a result we were intimately aware the COTREX platform had significant data management resources for trail maintenance issues. There is a whole portion of the COTREX platform where trained volunteers can enter maintenance issues they are finding on the ground as they are working. Motorized interests have been piloting this type of collaboration in other portions of the state and can confirm the single public database concept works really well for everyone. This resource is provided to land managers and volunteers free of charge and we have asserted

from day one this was preferred due to the alignment with our planning and maintenance efforts.

The use of this database component of COTREX was the basis of significant conflict with Envision, who have sought to develop their own internal database of management issues in the County. Not only was this database exceptionally expensive to develop and manage, it would result in a huge amount of administrative burden to volunteers who would now have to double enter information into the COTREX database and the Envision database. The barrier this created was immense as our volunteers would now have to be trained twice to enter the same information into two databases. This was far from optimal and was raised as a concern. This concern was dismissed with the assertion no one has ever done this before. Further concerns were raised about the costs of the database and that maybe this funding could be more effectively used for on the ground projects. Again, those types of concerns were never addressed by Envision and now we have two databases operating in the same area seeking to collect the same data. Again, this makes no sense.

The immense conflict and delay that has resulted from Envision efforts is significant and directly undermines the effective meetings between volunteers from the motorized community and federal land managers. In these meetings, multiple projects can be rapidly addressed with managers and all interest groups and repetition of efforts, such as multiple databases functioning in a single area can be avoided. Situations such as local partners recommending a management course of action that had been declined by Federal managers in NEPA less than 6 months before are avoided with meetings like this. This is creating conflict and simply is a horrible use of any of the limited funds for management that are available. These are concerns the subcommittee needs to be aware of as they impact all recreation and really undermine any assertion of resolving conflict and developing coordination of efforts.

3(b) The lack of accurate information as the basis of Envision efforts to date is deeply problematic.

Much of the foundational basis for the Envision effort conflicts with credible research, which is an issue that must be resolved prior to any further efforts being funded. The lack of factual accuracy for much of the Envision planning has been a major concern for many other groups in the community and has been the basis of a huge amount of press coverage for the Envision effort. A sample of several articles on this is attached as an Exhibit to these comments.⁷ Land managers have tried to apply some of the data that has been developed and found it to be of horribly low quality and virtually unusable.⁸ An important component of any community effort is that the role of gatekeeper for concerns and information relied on in planning is meaningfully completed by the Community Organizations leaders. Envision has again failed to fulfill this gatekeeper responsibility in its planning to date as huge amounts of incorrect information are found in Envision documents despite significant funding being provided for this type of gatekeeper role to be performed by them.

The failure of Envision to address this gatekeeper role has resulted in massive factual inaccuracies between Envision and credible science. This is exemplified by the significant conflict between bighorn sheep populations outlined in the Envision wildlife tool and the new sheep management plan from CPW adopted in November of 2022. The Envision wildlife tool provides the following summary of the issue:

“Summary

According to research, 8 of 13 key wildlife populations in Chaffee County — or 65% — are in steady decline. This includes bighorn sheep, down 29% since 2000; mountain goat, down 32% since 2000; and elk, down 11% since 2000.

⁷ [Letter to the Editor: BLM Comment Period Regarding Camping Alternatives Ends Jan 31 - by Community Contributor - Ark Valley Voice](#) ; see also [Letter to the Editor: Chaffee County Draft Recreation Plan - by Community Contributor - Ark Valley Voice](#); see also [Peer Review of Chaffee County Rec Plan Questions Assumptions - by Jan Wondra - Ark Valley Voice](#)

⁸ We have numerous zoom meeting records that can be shared on this issue but these cannot be shared via this platform. Please let us know to get these to you if you desire them.

Detailed data provided by Colorado Parks and Wildlife and USFS biologists on these species is available in the Chaffee Recreation Report.”⁹

The direct conflict with information from CPW November 2022 Sheep management plan for the area is immediately evident agencies which provides the following breakdown of populations since 1986:

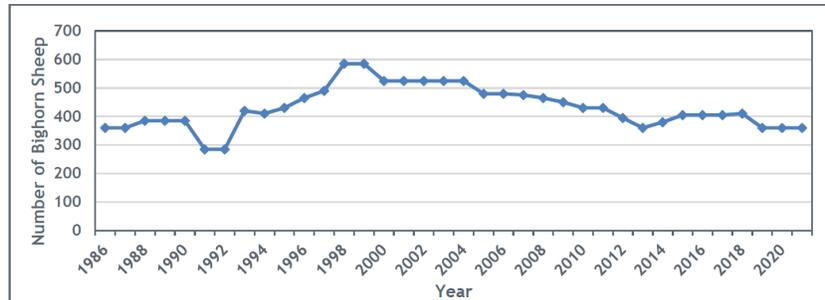


Figure 1. RBS-9 post-hunt population estimates from 1986-2021.

In discussions around the adoption of the November 2022 Sheep management plan, CPW commissioners were informed that the sheep herd is stable, at 1986 levels and the CPW managers for the area recommended no change in management for the area.¹⁰ Candidly, the Organizations have to wonder how this situation was so poorly summarized in the Chaffee County Plan. Poor quality information such as this has significantly contributed to development of recreation plans that find no area suitable for trail expansion in the County.

Similar conflict between the Envision Wildlife Tools for Recreation and CPW data for elk is again immediately apparent as the CPW E22 elk herd plan provides the following population history for the eastern side of Chaffee County: ¹¹

⁹ See, Envision Wildlife Decision Support Tools for Recreation; at pg. 2.

¹⁰ A complete copy of this meeting is available here: [Colorado Parks and Wildlife November Commission Meeting Day 2 - YouTube](#) and the Chaffee County sheep plan is addressed at minute 33 of the meeting.

¹¹ See, CPW Buffalo Peaks Elk Management plan extension E22; June 2018 at pg. 2.

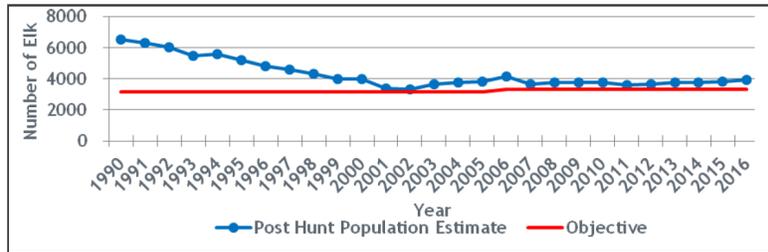


Figure 1. Elk Herd E-22 Post-hunt Population Estimate between 1990 and 2016

The 2020 CPW Elk management plan for unit E27 provides the following population history of elk in the western portions of Chaffee County as follows: ¹²

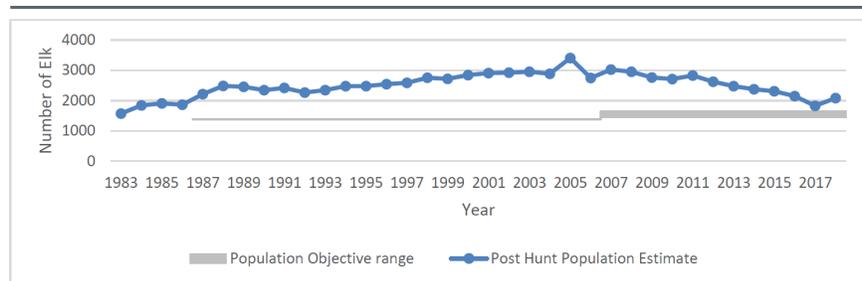


Figure 1. Elk DAU E-27 DAU modeled posthunt population and objective range, 1983-2018.

It is interesting to note that the E27 plan provides a detailed discussion on the reason for the decline in the elk population since the late 2000’s which is:

“Harvest from 1983 to 2018 ranged from a low of 151 in 1983, to a high of 473 elk in 2016 (Figure 12). The population has been over objective since 2007 so we have increased license numbers with a resulting increase in harvest. The number of hunters per year for all seasons between 2007 and 2018 ranged from a low of 2,007 in 2008 to a high of 3,271 in 2018 (Figure 13). However, with the increase in licenses, hunter success rates have declined (Figure 14).”¹³

¹² See, CPW Sangre De Cristo Elk Herd Plan Unit E-27 January 2020 at pg. 2.

¹³ See E-27 at pg. 9.

We are unable to locate anything resembling an 11% decline in elk populations as the E22 population is above its 2000 population level and the E27 herd has been hunted down from its 2005 to levels present in the mid-1990s by CPW as they had concerns about game damage claims for the area. It is interesting to note that recreation is not even a priority issue in the E27 herd plan.

Accuracy of critical pieces of information such as this would be highly relevant to any wildlife tools for Chaffee County and addressing these types of issues are something that should have been fulfilled by the project gatekeeper. The failure of Envision to fulfill their gatekeeper role has resulted in poor quality information coming from the Envision effort outside just wildlife counts. We have participated in a recent dispersed camping plan prepared by BLM managers based on Envision data that has been collected with poor to no oversight. The myriad of problems this has created are astonishing as: Data has oversampled particular portions of the County while ignoring others; failed to understand existing planning and resources; and failed to recognize that many routes proposed to be closed were not just there for camping access but rather for transportation of the public to other portions of the planning area. Coordination of basic information such as this is what Envision has been funded to do and we can't overlook the fact that if Envision had fulfilled its own request for significant funding to clarify how access could be improved, many of these issues could have been resolved prior to this point.

The Envision data provided also failed to recognize that much of what was asserted to be dispersed camping in the area was actually people living on public lands as there were no affordable living opportunities in adjacent communities. This simply is not camping and is an issue the recreational community is POORLY equipped to address and probably are issues that are outside the scope of any CPW Trails program grants. Rather than limiting recreational camping the plan could be displacing people to other locations to live, which is a VERY different challenge. Land managers immediately recognized the Envision information provided needed significant additional work to be used and these resources where resources managers did not have.

Envisions failure to address basic analysis points allows subsequent BLM Proposals to create alternatives that simply will never address problems, such as closing routes to prohibit behavior camping that is already not allowed. This misdirected management effort is something the Organizations are very concerned about as every alternative in the Camping Proposal closes at least 40% of the mileage in the area and Alt B closes 85% of routes. While we are aware that some portion of the closures is made up of spur routes to illegal campsites, far too much of the transportation network is closed for camping issues and has been asserted as necessary to protect rapidly declining wildlife populations. Again, this simply is not true and represents exactly the conflict we would like to avoid moving forward.

The failure of Envision to perform the gatekeeper role for data collection extends beyond misdirected management efforts and repetition of efforts. The problems that Envision has created are immense as Federal NEPA efforts must comply with the Crowdsourcing and Citizen Science Act of 2016.¹⁴ Under the CCSA, the head of each Federal science agency may utilize crowdsourcing and citizen science to conduct projects designed to advance their efforts. Research implementing the CCSA requirements have found that significant problems exist with unsupervised citizen science, as research indicates less than 50% of the time does citizen science align with professionally obtained information.¹⁵ In 2022, the British Ecological Society outlined their concerns around citizen science coming from wildlife advocates as follows:

- “1. Often wildlife conflicts are reflective of other concerns;
2. For instance, in the field of human–wildlife conflicts they are often presented as a struggle between animals and people, and the conflict between different human interest groups is ignored. *The problem of framing is further compounded by the fact that it is often the conservationists who, although not neutral in such settings, are the ones driving the development of management*

¹⁴ See, §402 of PL 3084

¹⁵ See, Eréndira Aceves-Bueno, *The Accuracy of Citizen Science Data: A Quantitative Review*; Bulletin of the Ecological Society of America, 98(4) 2017

strategies. Clearly, they are likely to be biased in seeking outcomes that benefit conservation, and may not be trusted by the other party or parties

3. We know of no example where a wildlife conflict is considered to have been resolved. Indeed, there are very few instances where they have been effectively managed in the long term to reduce conflict, although there have been some short-term, local successes.”¹⁶

The systemic failure of the gatekeeper role in citizen science extends beyond issues with just wildlife and encompasses issues such as systemic bias and prejudice. The systemic problems created by unsupervised or biased citizen scientists can be significant as a recent research effort of more than 1100 projects found that multi-project participants were eight times more likely to be white and five times more likely to hold advanced degrees than the general population.¹⁷ Other researchers have found citizen science often focused on areas easily accessible or areas only identified as problematic.¹⁸ The failure of Envision efforts to reflect the county as a whole, and instead focus on certain areas of the county and often in researchers backyards, would indicate this type of a problem is rampant in the Envision camping efforts. The Organizations would submit that Envision efforts to date have been a poster child for these types of problems and as a result fail to comply with CCSA requirements, making this information largely unusable in parallel NEPA efforts.

With faulty information such as this, Envision has passed a Wildlife Tools to Support Recreation plans that were unable to identify a single location to expand opportunities in the County and asserts there is a need for more seasonal closures in the County. There is no mention of the fact that USFS NEPA analysis was completed less than 6 months before the Envision recommendation was made. When recreational interests raised concerns on the

¹⁶ See, British Ecological Society; Conservation research, policy and Practice; William Sutherland Editor; Cambridge Press, 2022 – generally chapters 12-14

¹⁷ See, Allf et al; *Citizen Science as an Ecosystem of Engagement: Implications for Learning and Broadening Participation*; June 2022 *BioScience* 72(7):651-653

¹⁸ See, Lloyd et al; *Estimating the spatial coverage of citizen science for monitoring threatened species*. a complete copy of this research is available here: <https://doi.org/10.1016/j.gecco.2020.e01048>

plan, it was passed over the objection of every recreational group in the effort. Have motorized users and many others asked questions on issues like this? Yes. None have been answered and those asking questions are simply pushed aside. This is a major reason not to fund this effort until foundational problems are resolved with current funding. We simply have to do better than this.

3(c) Funding for Envision to date has been significant and has funded development of a trail plan.

The Organizations are also forced to address the fact that the Recreation/Conservation District effort has more than \$8 million in dedicated funding available outside the CPW Trails program. This effort administered through the CPW COOP should be the primary source of funding for existing districts such as Envision. The Recreation/Conservation District effort has different goals and objectives that are sought to be aligned and the Trails Program is often not directly involved with these issues.¹⁹ The District goal is to develop a statewide Recreation/Conservation plan for the State by 2025, and as a result aligning resources such as databases and other infrastructure with that effort should be a priority. While these are important goals, they are also outside the scope of the non-motorized trails grants and failing to align efforts can result in Trails Program grants not being effectively used or creating conflict in that effort. Concerns such as multiple databases being used in the same area for the same issue are not issues the reviewers are not going to be privy to.

The non-moto grant program started the Envision effort as it provided significant funding to Envision before CO-OP funding became available. Envision funding has now totaled more than \$300,000. The Organizations must question why more Trails Program funding is thought to be necessary as this exceeds funding available for many portions of the program annually. In 2018, Envision received a Colorado the Beautiful Trails Grant for \$100k from the Trails Program where a deliverable of this funding was as follows:

¹⁹ More information on this effort is available here [The Colorado Outdoor Partnership \(copartnership.org\)](http://The Colorado Outdoor Partnership (copartnership.org))

“4. Finally, a **Balanced Recreation Plan** will provide agencies and local governments with community-supported recommendations for future (10-year horizon) recreational asset development and monitoring. Examples of asset development might include connecting trails to enable all citizens access to recreational opportunities within 10 minutes of their homes, connectors between regional trail systems, and solutions to “pinch points” such as parking availability.”

The development of a plan that identified development areas for trails, regional connectors and parking sites simply has never occurred as the existing plan finds the entire County unsuitable for trail expansion. We are concerned that the Trails Program should not be providing more money for a project they have already funded and failed to get any return on and where the applicant has failed to fulfill the scope of work.

Funding continued in 2020 with a grant from Chaffee County Common Ground for another \$40,000 to develop a recreational plan for the County. In 2021, Envision applied for a grant from the Colorado Department of Natural Resources CO-OP for an additional \$145,000 where representatives asserted plan would be developed to expand recreational access and improve trailhead facilities as follows:

“Sustainability requires change. Rec Report Card data indicate 70% of residents think the benefits of outdoor recreation tourism growth do NOT outweigh negative impacts. Half of residents and a third of visitors indicate the quality of their experiences are declining, due primarily to natural resource degradation, trash and OHV-related concerns. The “keep it clean” and “keep it fun” elements of the Chaffee Rec Plan address concerns. Objectives include: 1) Manage camping to cut impacts in half and slow site growth, 2) expand critical infrastructure, such as restrooms, to manage impact, 3) improve user

behaviors, 4) enable recreation access equity, and 5) increase volunteer impact 4-fold.”

Again, this has not occurred and fails to recognize that part of the issues in Chaffee County are entirely unrelated to recreation but rather are affordable housing issues CPW and the recreational community are poorly suited to address. The fact that in 2021 Envision continued to assert sustainability means change, less than a year after USFS and partners completed a decade of planning to ensure sustainability is problematic. Clearly education of the public as to this huge effort in the County might have been relevant to efforts moving forward. Again, this did not occur.

In 2022, Envision was provided another \$40,000 in grant funding from the CPW COOP to coordinate plans they have yet to develop with Lake and Gunnison Counties. Envision now asserts that another 45k is needed to create the first ½ of trail plan for the County and that still more money is needed to complete this effort. This is the most expensive plan ever. We would encourage committee members to fund other projects as Envision has been funded to create trails plans several times already and simply has chosen not to do so. There are many other better projects that would use every dollar provided in a highly judicious manner and provide immediate benefits on the ground for recreation.

4. Conclusion.

The Organizations thank you for this opportunity to voice our vigorous support for several grants, and we recognize there are many expectational projects in this year’s application pool that we have not addressed directly. It is unfortunate that many of these exceptional projects will not be funded, despite the need and value for the project. Given this situation we are also compelled to provide additional information on projects that need significant revision of their efforts to develop a high-quality deliverable. Providing high quality deliverables is going to be difficult for some applicants simply due to the situations that have resulted from the faulty

efforts of the applicant in the past. As a result, we would also ask that high levels of scrutiny be applied in scoring and we hope that our comments provide insights that the committee may not otherwise have access too to allow reviewers to determine projects that will be highly successful in the long run. Attempting to make decisions without this basic information could result in a catastrophic failure of grant recipients to achieve goals asserted to be present and could easily result in users simply disconnecting from the entire discussion and effort to partner. The Organizations would welcome a discussion of these opportunities and any other challenges that might be facing these areas. Please feel free to contact Scott Jones, Esq. at (518) 281-5810 and his email is scott.jones46@yahoo.com or Chad Hixon at (719)221-8329 and his email is chad@coloradotpa.org

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