



February 19, 2024

Members of the Senate Agriculture & Natural Resources Committee  
Via Email Only

Re: Concerns regarding CPW Commissioner Confirmations

Dear Committee Members:

Please accept this correspondence as the statement of the significant concerns of the above Organizations regarding the upcoming confirmation of the Governor’s nominees for Commissioners on the Colorado Parks and Wildlife Commission (CPW). The above Organizations have partnered with CPW for more than 50 years through the voluntarily created Off Highway Vehicle (OHV) and Snowmobile Registration Programs that CPW administers. These Programs currently are providing more than \$8 million per year in funding for all forms of recreational opportunities across the State. This funding directly provides more than 60 crews to support designated routes.

The Organizations are concerned that these appointees simply do not meet statutory requirements for appointment and will not bring balance to CPW but rather will continue to be overly focused on particular species and issues unrelated to recreation. This lack of a demonstrated experience in the nominees is critical to balance within CPW and the Commission as all the nominees are being nominated for recreationally-based seats on the Commission.

**Based on our experiences, CPW is simply out of balance.**

Over our 50-year partnership, our relationship with CPW has ebbed and flowed. It is with this perspective, our Organization’s can say CPW is simply out of balance and this imbalance is probably the worst we have ever seen. Right now, there is no one with dispersed recreational experience on the Commission despite 83% of Colorado residents participating in trails-based recreation. The economic contributions of outdoor recreation to Colorado recently reaffirmed by the US Department of Commerce when they found more than \$14 Billion Dollars of economic contribution to the State and 14,000 jobs in 2022 alone. While the Outdoor Industry has a designated Office tasked with representing them, primary management of the **users** of outdoor recreational opportunities is vested within CPW. All we are asking for is skilled representatives on the Commission to fulfill this critical need to represent recreational users. It is frustrating that issues such as this must be addressed.

Balance within CPW has been difficult since the merger of the historical Division of Parks and Division of Wildlife on July 1, 2011. The failure of the old Division of Wildlife and Division of Parks to merge operations was specifically identified as an ongoing concern in the investigation of Director Prenzlows’ comments at the Partners in the Outdoors event in 2022. While we understand wolf reintroduction has placed unprecedented and unexpected stress on CPW, we must also recognize imbalance was there before wolf reintroduction. Our concerns about balance within CPW has only grown further with announcements that

the reintroduction of the wolverine is now going to be pursued. Reintroducing another species is concerning given the under representation of recreation during wolf reintroduction which reintroduction remains less than complete on the ground. We are very concerned that adding another species to this discussion will only result in recreation being further under valued within CPW.

It is important to note that our discussions have always been cordial with CPW staff but we have consistently found these discussions to be of limited impact. Too often we have been told, either directly or indirectly, that recreation was simply not a priority right now. These types of prioritizations of staff has resulted in CPW sometimes being unresponsive to significant concerns of the recreational community despite our 50-year partnership and millions in annual funding. Recent efforts that highlight the failure to prioritize recreation would include:

1. The introduction of SB24-056 by the motorized community. The ability to charge out-of-state users for snowmobile permits the same amount required of in-state users and clarifying the ability to charge Search and Rescue costs is a critically important component of CPW operations. Despite this issue being recognized for several years by CPW, no action was taken until the partners took the lead on resolving this issue.
2. We are able to fund the development of an OHV based-state park but these discussions have simply never been prioritized. While the Governors Office continues to seek nominations for new state parks, ours has never moved.
3. We recently pursued federal highways for the issuance of waivers under the Federal Highways Administrations Recreational Trails Program (RTP) for CPW. The RTP program has provided approximately \$2 million in federal funds to benefit all recreational interests and without these waivers this funding would have become largely unusable.

Issues such as this within CPW are becoming far too common and we believe are the result of CPW simply not properly weighting recreation concerns in their operations. While these are somewhat technical issues and concerns within CPW, they are critical to the long-term success of CPW's recreational efforts. These are also issues we must ask why our Organizations are leading discussions and efforts to address. Should we partner with CPW on issues like these? Yes. Should we lead these efforts? Maybe not. It is from this position, we are asking for strong experienced leaders for recreation on the Commission.

**Commissioners must demonstrate expertise when they are appointed.**

The Organizations are concerned that the current list of nominated CPW Commissioners have little to no recreational background. Our concerns are compounded as the nominated Commissioners will be the entire recreational voice on the Commission as all recreational-based commissioners were not reappointed. We are aware that the critical role that CPW plays in nonconsumptive recreational activities throughout the State is often poorly understood by the public. The Commission was designed to address issues like this and ensure the mission of CPW is achieved on all issues.

As an example, the winter grooming program is a perfect example of how complex the relationship of State and Federal partnership efforts can be. Most of the public thinks the more than 3,000 miles of winter grooming is provided by federal managers. This is incorrect. Some of the public understands grooming is provided through a local nonprofit club that is largely volunteer. This is somewhat correct. Even fewer understand the critical role that CPW trails program plays in this effort. We would submit that

Commissioners must understand these types of efforts within CPW if they represent recreation. Living next to a State Park or temporarily managing a State Park in another State is simply insufficient experience to warrant an appointment to the CPW Commission. These appointments address impacts and policies for programs like ours. The Organizations vigorously assert that the current nominees will not address the imbalance within CPW's two missions, but rather will continue or expand the existing imbalance as they have minimal background in recreation.

CRS 33-9-101(3) requires CPW Commissioners to have a ***demonstrated reasonable knowledge of issues*** when they are appointed, and this statutory requirement is more important than ever before for CPW. We can say with certainty that this standard was a major concern when this provision was passed as part of the legislation for the merger of DOW and Colorado Parks. Commissioners must be experienced leaders that assist CPW leadership based on their experience in the field of recreation, not merely people who could be trained over some period of time to meet the legal requirements for appointment. If this was the standard for appointments, why have a standard at all? While the new Commissioners may be generally concerned about wildlife issues, this does not mean they are knowledgeable leaders in the field of recreation. Experience and expertise must be demonstrated when they are confirmed not years after confirmation.

Our general concerns around the failure of nominees to demonstrate recreational expertise started with the Commissioners who are stepping down from the Commission in 2024. Many of these outgoing Commissioners lacked a strong recreational background when they were appointed. Largely these Commissioners were trained over the several years by CPW staff and partners. Our members volunteered to support these trainings in order to educate the Commissioners on the massive amount of effort and collaboration already occurring within CPW. It is frustrating that none of these Commissioners were even proposed for reappointment for reasons that are unclear. We would like to avoid spending years more of staff and volunteer time and resources to train new Commissioners who appear to be even less qualified than the Commissioners who are stepping down. While we will support this type of training again, we are also concerned that this is time and resources that CPW no longer has to direct in this manner.

**Balance of the competing CPW missions in the upcoming CPW reorganization and the large amounts of new staff everywhere.**

The Organizations are thrilled with the CPW announcement of efforts to realign its operations to create a recreation and lands department within CPW. This would be a major step forward in prioritizing recreation within CPW and balancing the two goals of CPW. We are aware that reorganizations such as this need strong experienced leaders on the Commission to support CPW staff to be successful. Our experiences with the merger of Parks and Wildlife have proven this need. Strong experienced Commissioners will allow them to identify challenges and problems with new policies and staffing levels such as the challenges we have noted previously. Being a value-added resource to CPW staff on trails issues such as those we noted previously is not accomplished when Commissioners must start with education that CPW addresses issues on federal lands and has a Trails Program. The ability of skilled and experienced commissioners to share experiences around programs will be a resource during the reorganization and this type of collaboration will avoid problems in the future. Effective management and operations will expand support for CPW and their staff, which will be more necessary than ever if multiple species are to be reintroduced at the same time. Commissioners must be a resource to CPW rather than a drain and despite the best of intentions unskilled commissioners will be a burden.

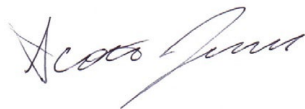
The need for experienced recreational leaders on the Commission is further exemplified by the staffing shortages that are systemic with CPW and Federal lands managers. These staffing shortages are highly evident in the recreational community. The existing expertise of the staff has diminished greatly as many federal offices are only at 50% capacity and many of those staff are in an acting role. How can we lead discussions on training needs for new staff at CPW or USFS/BLM when Commissioners need to be trained. The simple answer is we can't.

**Conclusion.**

The Organizations are very concerned that the Commissioners seeking confirmation lack the necessary qualifications for appointment. While these nominees may be qualified in fields close to recreation and be passionate about wildlife issues this is not a demonstrated knowledge of the important issues discussed above. Could the nominees be trained over the next several years? Of course. We have tried this previously and failed to retain those Commissioners. We are asking the Senate to take a hard look at the qualifications of the nominees to the CPW Commission. CPW is facing unprecedented challenges to the recreational portion of its mission and strong experienced Commissioners will be a critical component of meeting these challenges.

The Organizations and our partners remain committed to providing high quality recreational resources throughout the State while protecting resources. We would welcome discussions on how to further these goals and objectives with new tools and resources. If you have questions, please feel free to contact Scott Jones, Esq. (518-281-5810 / [scott.jones46@yahoo.com](mailto:scott.jones46@yahoo.com)) or Chad Hixon (719-221-8329/[Chad@Coloradotpa.org](mailto:Chad@Coloradotpa.org)).

Respectfully Submitted,



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