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CODY B. DOIG

April 5, 2021

Via dnr_cpwcommission@state.co.us

Colorado Parks & Wildlife Commission
c/o Commission Assistant
Colorado Parks and Wildlife
6060 Broadway, Denver, CO 80216

RE: Associated Governments of Northwest Colorado Request to Create Local
Government Advisory Group

Dear Honorable Commissioners, Director Prenzlów and Staff:

On March 31, 2021, the Colorado Parks and Wildlife Commission (“Commission”) accepted applications by interested parties to participate as a member of the Stakeholder Advisory Group (“SAG”) to develop and implement a Gray Wolf restoration and management plan pursuant to Colo. Rev. Stat. § 33-2-105.8. By design, the SAG will consist of 12-16 members to represent 13 different interests including “Local/county government elected officials” to advise the Commission on wolf conservation objectives and management strategies. The Associated Governments of Northwest Colorado (“AGNC”), including Mesa, Garfield, Moffat, Rio Blanco, Grand, Delta and Montrose Counties, believe, however, that representation in the SAG is critically limited when compared to the locus and gravity of the wolf recovery effort. AGNC offers a simple and practical solution for *every* advisory group, including the SAG, that will improve collaboration, ensure constructive dialogue, preserve the integrity of the process and provide thoughtful advice to the Commission that will not require any amendment to the Commission’s rules.

By design, the SAG will include a maximum of 16 members to represent 13 interest areas. Even if the Commission intended to completely exclude Front Range elected officials from participation in the SAG to ensure the other 12 interest areas are represented, the Commission would likely only award one, perhaps two, seats to Western Slope elected officials. AGNC does not recommend excluding Front Range elected officials and, as a result, the SAG will likely include a *maximum* of two elected officials – one from the Front Range and one from the Western Slope *despite the fact* that of the 64 counties in Colorado, only 20 could include Designated Lands pursuant to Colo. Rev. Stat. § 33-2-105.8. The irreducible conclusion is that under the representation limits set by the application, even under a best-case scenario, one Western Slope elected official will represent all 20 counties.

Of course, each of the Western Slope counties is different in fundamental respects. For example, each county has its own land use plan and policy that describes a county’s planning

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priorities, custom and culture, public land policies, wildlife management positions, and other important information. Thus, for example, Garfield County has developed a Greater Sage-Grouse Conservation Plan that is used to collaborate and cooperate with state and federal agencies while Pitkin County plans focus on recreation and master development plans. Weld County, Park County, Mesa County, Mineral County and San Juan County have fledgling Shiras Moose populations and Moffat County supports a thriving domestic sheep grazing industry. The landscape is as varied as the people on the Western Slope and a single SAG representative *cannot* credibly represent all of these different positions and interests to the other members on the SAG and the Commission. Nor can the Commission expect to substantially benefit from the perspective of a single elected official given the breadth and depth of the issues on the Western Slope.

AGNC proposes a more thorough approach to the restoration of wolves and, ideally, all issues that may merit an advisory group going forward. The Commission has the general authority to enter into cooperative agreements with political subdivisions, associations, and individuals for the development of wildlife programs (Colo. Rev. Stat. § 33-1-105(e)), and to obtain public input in the reintroduction of wolves and development of the plan (Colo. Rev. Stat. § 33-2-105.8(2)(c)). AGNC encourages the Commission to consider creating an advisory group composed solely of local government officials that would operate on similar principles and capacities as a Cooperating Agency in the National Environmental Policy Act (“NEPA”) context, including the disclosure of pre-decisional information to these officials. The Local Government Advisory Group (“LGAG”) would be composed of elected officials from across the State giving some priority to those counties which would be most impacted by the measure being considered.

Counties are substantially dissimilar to other stakeholders in state or federal planning processes. Specifically, counties have land use planning authority and are responsible to their constituents for the health, safety and welfare, of their communities. For example, when a state or federal agency needs assistance, whether it be for law enforcement, emergency services, firefighting or any number of other matters, counties are called on and are responsible for providing that support. It makes sense, then, and AGNC would request, that the LGAG be granted certain privileges to review predecisional information and assist the Commission in developing planning components and drafting potential language. It is not the intent of AGNC members to subvert the purpose or intent of Proposition 114, but rather, these members seek to ensure that Western Slope counties are provided an equal opportunity to assist the Commission in developing a prudent Gray Wolf reintroduction plan.

AGNC anticipates that the LGAG would provide several key benefits to the Commission:

1. County officials can provide technical expertise and staff support to develop data and information on discrete topics as requested by the Commission. The Commission should view local officials as active participants in fostering a comprehensive understanding of the issues. County officials can develop data, work papers and maps to show tax revenue implications, habitat considerations, private property concerns, tourism and recreation implications, and

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other issues that are unique to each county that will improve integration of a given initiative. Certain counties may have even commissioned peer reviewed studies that may be relevant to a proposed decision or plan.

2. County officials provide a direct conduit between residents in that county and the Commission. Developing a plan is not a static process and county officials are best equipped to receive and translate new information or changes in public perception. Thus, for example, land use planners in Moffat County may recognize subtle changes in public perception of gray wolves during the planning process that would completely escape the attention of a county official from, for example, La Plata County.
3. County officials are familiar with analogous collaborative processes in the NEPA context that will improve discussions, foster analytical debate, and improve trust between local governments and the Commission. Vigorous debate, open transferal of information, and familiarity with these processes will dramatically improve the quality of the Commission's decision and simultaneously improve inter-governmental trust in often divisive issues. Counties appreciate and understand the ultimate decision-making authority vested in the Commission by analogy to that of federal agencies in the NEPA context.
4. County officials provide intimate working knowledge of the important social, historical, economic, and cultural implications of an initiative and will be able to see how an initiative can be integrated into existing local planning documents.
5. An advisory group consisting of local government officials will not usurp any other advisory group or technical working group but should be granted increased privileges similar to that of a Cooperating Agency with authorization to review pre-decisional plans. The purpose of the local government advisory group is to assist other advisory groups and the Commission in fully understanding how a new initiative can be integrated into an existing management framework and review of pre-decisional information would be essential.

These are just a few benefits that the Commission should expect when creating a new advisory group. As it stands, seven members of the AGNC have applied to be on the SAG. By the number of seats available, limited by the types of interest areas the Commission requires, it appears that AGNC members may not even be awarded a single seat at the table when planning for Gray Wolf restoration. Given the impact Proposition 114 will have on the enormous funds that AGNC members have invested in protecting moose, elk, deer and sage-grouse populations and livestock grazing operations, AGNC has a duty to protect those investments and strongly encourages the Commission to take this opportunity to give Western Slope communities a more direct and relevant role in the Gray Wolf restoration effort.

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AGNC appreciates your time and consideration of this potential solution and would request an opportunity to discuss the matter further at the Commission's next available meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cody B. Doig". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Cody B. Doig