AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: BOCC Letter; CORE Act

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

BOCC Comments to Congressman Scott Tipton re CORE Act/Colo Rec Act

Fiscal Impact:

Submitted by: Laura Stanley for Matthew Hoyt **Submitter's Email Address:** lstanley@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 8/27/19

Reveiwed by: Discharge Date: 8/27/2019 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/29/2019

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 9/3/2019

Revised April 2015

September 3, 2019

Congressman Scott Tipton
Washington, D.C. Office
218 Cannon House Office Building
Washington, D.C. 20515

VIA FAX (202)226-9669 and
FIRST CLASS MAIL

Re: Colorado Outdoor Recreation and Economy Act ("CORE Act") and draft Colorado Recreation Enhancement and Conservation Act ("Colorado REC Act")

Dear Congressman Tipton,

We are writing to follow up on recent correspondence between the Board of County Commissioners of Gunnison County ("Gunnison County" or "County") and your Legislative Director, Liz Payne, regarding your proposed draft Colorado REC Act, and our concerns regarding the draft Act.

As you know, the CORE Act, H.R. 823, was introduced earlier this year by Senator Michael Bennet and U.S. Congressman Joe Neguse. The provisions contained in CORE Act that relate to public lands within Gunnison County are the product of years of work by the County to bring together stakeholders and County residents within its Congressional delegation to preserve, protect and promote sustainable development, recreation and multiple uses of public lands within our borders, particularly the Curecanti National Recreation Area ("National Recreation Area") and the Thompson Divide, as well as the Bureau of Reclamation's ("BOR's") continuing obligation under the Colorado River Storage Project Act, 70 Stat. 110, chapter 203; 43 U.S.C. § 620g, to acquire at least 26 miles of public fishing access as mitigation for the Aspinall Unit. You have previously expressed support for these provisions of the CORE Act, so it came as a surprise to us that your office has produced a draft of separate legislation that appears, in many instances, inconsistent with the provisions of the CORE Act that are supported by Gunnison County and that eliminates numerous provisions that have been developed by years of active stakeholder and community involvement throughout the region.

To be clear, Gunnison County supports the CORE Act as written, and applauds the efforts of its sponsors, and Senator Bennet in particular, to introduce and pursue this legislation. As is often the case in our County, we, the members of the Board of County Commissioners, have engaged multiple interest groups and stakeholders in a discussion on how to best accomplish the goals set forth in the CORE Act, including but not limited to private landowners, the Gunnison County Stockgrowers Association, recreation interest groups, neighboring local governments, land management agencies, as well as our Congressional delegation. We did and do this because here in Gunnison County, we

would rather solve problems than play politics. In any event, this process led to the legislation that Senator Bennet introduced.

It therefore came as a surprise to us that you plan to introduce not only competing but conflicting legislation that, in our view, fails to serve the best interests of the citizens of and visitors to Gunnison County. In particular:

- We are deeply troubled by your bill's elimination of BOR's longstanding Congressional mandate to acquire at least 26 miles of public access fishing access as mitigation for the Aspinall Unit. As you know, in 1956, Congress instructed BOR to acquire property to provide access to fishing waters in Gunnison County because the Aspinall Unit project resulted in the loss of hundreds of acres and at least 26 miles of trophy fishing access. Contrary to BOR's claims, the Federal government has **not** met its mitigation obligation, and a number of areas remain throughout Gunnison County – such as around Gunnison County's Shady Island project – that BOR could, and indeed should, acquire as part of its responsibilities under the law. Candidly, we are taken aback by your apparent decision to side with federal agency bureaucrats against your own constituents, particularly the sportsmen and women who were and continue to be denied trophy fishing access. We therefore strongly oppose your legislation's attempt to allow the Federal government to walk away from its longstanding commitment to the people of this County, and Colorado as a whole, by relieving BOR of its mitigation obligation. You should instead support that portion of the CORE Act that restates and reiterates this continuing obligation of the United States to our County and to our State.

- We are concerned about your bill's attempt to dictate to the Secretary of Agriculture that he or she must continue to honor grazing leases on private land acquired from a willing landowner by the Federal government to enhance and preserve the National Recreation Area. Although we support the CORE Act provisions that provide the Secretary the discretion to continue to honor such leases – a provision that we understand is also supported by the Gunnison County Stockgrowers Association – making the acceptance of such leases mandatory will likely serve to discourage the Secretary from acquiring additional lands encumbered in such a fashion. This, in turn, harms the entire purpose of the CORE Act's acquisition provisions – to remove checkerboard private inholdings and expand the National Recreation Area for the use and enjoyment of the public. Given our understanding that local ranchers are not requesting the provisions contained in your proposed legislation, we fail to understand why you would propose them.

- We are confused by your legislation's limitation to the acquisition of private land to parcels "contiguous" to current National Recreation Area boundaries. This appears to us to be an unnecessarily artificial limitation – not present in the CORE Act – that would also serve to discourage the Secretary of Agriculture from acquiring properties from willing sellers. We are puzzled as to why our Congressman would want to stand in the way of a private landowner ready, willing and able to sell his or her land so that it can become part of the public domain. To us, this smacks of federal overreach and Congressional micromanagement that fails to serve the best interest of our local community.

- We are troubled by the bill's apparent attempt to open the Curecanti National Recreation Area to potentially beyond what is contemplated by current travel management plans and analyses. Again, and unlike the CORE Act, your bill appears to place a heavy hand on the management of the National Recreation Area that we view as inconsistent with the wishes of the residents and visitors to Gunnison County, if not Colorado as a whole.

- We are concerned by the provision in your proposed bill that reduces the transfer of land from the United States Forest Service to the National Park Service for the Curecanti National Recreation Area from 2,560 acres to 915 acres. This transfer was actually included at the suggestion of both the USFS and the NPS to ease and improve management of this area and the acknowledgment that NPS was better suited to manage this area and would improve greatly the overall public experience of the National Recreation Area, including Soap Creek. We fail to understand why our Congressman would suggest such a dramatic reduction in the National Recreation Area from that which is set forth in the CORE Act. We simply do not view this acreage reduction as beneficial to the recreating public nor the management efficiency of the federal land management agencies. It is adverse to the interests of both Gunnison County and to the people of your District.

For any or all of the above reasons, we urge you to refrain from pursuing legislation that competes with the CORE Act, and instead join us in supporting Senator Bennet's legislation. In this way, we can speak with one voice in this part of the Western Slope and put local citizens, and our public lands, above petty or partisan politics.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Jonathan Houck, Chairperson

By: _____
John Messner, Vice Chairperson

By: _____
Roland Mason, Commissioner

cc (via mail): Senator Michael Bennet
Senator Cory Gardner