

November 25, 2009

Mr. Tom Remington, Director  
Colorado Division of Wildlife  
6060 Broadway  
Denver, Colorado 80216

Dear Tom,

As you are aware I recently requested information (November 11, 2009 correspondence to Tim Mauck) from the Division of Wildlife regarding costs associated with operation and maintenance of all Division controlled properties, as well as costs (short and long term) required to both protect and enhance wildlife habitat on these properties. In addition, information was requested for operation and maintenance costs for the statewide fish hatchery system and for Division offices and buildings. I was informed that it is not Division Policy to comply with information requests that are not readily accessible, but I will be given the option of reviewing what information is currently available. Such information will be made available to me by December 4 at a \$.25 cents/page copying cost. I intend to review the information and decide what is pertinent to my request.

One objective for my request is to gain some level of understanding of the financial capability of the Division to effectively operate and maintain the land properties (fee title, leases, easements) they now control. Conservation easements are included in this request. A second objective is to gain a similar understanding of the capability to both protect and enhance wildlife habitat on these same properties. *I view each request as being separate*; one request related to operation and maintenance, the other to protection and enhancement of wildlife habitat. Required funding for fish hatcheries, offices and buildings are in addition to properties. Fortunately for hunters, anglers and others, the Division has acquired over many years some outstanding properties, including the statewide fish hatchery system that deserve the fullest level of up keep and management possible. Adequate funding is critical to achieving this objective and in these economic times such future funding is not assured.

I have read the recently prepared 2010-2020 Strategic Plan, which was approved by the Wildlife Commission. It has many worthwhile objectives and those related to protection and maintenance of wildlife habitat and access to private lands are among the most important. However, there are no measurable objectives or associated costs with meeting these objectives, especially through the year 2020. It is my opinion that many such objectives will be unattainable unless by some miracle game cash funding significantly increases, or other new sources of revenue are developed. Perhaps your intent to reduce, or eliminate, certain existing programs and administrative overhead may free up additional revenue, but such

action will not occur overnight. At the present time the largest sources of new revenue (I have heard estimates in the 6-8 million dollar range annually) appear to be from reauthorization of the Habitat Stamp and such actions as increasing the cost of non-resident cow elk licenses. Your November budget presentation to the Wildlife Commission summarized the short and long-term budget status of the Division, along with actions you proposed to avoid a future shortfall. I saw no where in the presentation that you addressed the need for funding required to effectively manage Division controlled properties, including lands, the statewide hatchery system, offices and buildings. I was disappointed to see your intent to cancel the purchase (\$513,368) of whirling disease negative trout from private hatcheries. I hope the Division's hatchery system can make up the difference. If not, there will be a negative impact on angler catch rates in many public waters that require trout that are not carrying whirling disease spores. It is also unfortunate funding cuts are proposed for the District Wildlife Manager trainee classes which may translate to fewer field personnel and perhaps less emphasis on law enforcement.

I have supported the Habitat Stamp from the beginning of discussions (Russ George was Director) that took place during the last license fee increase and I still support the reauthorization. The current Bill has placed more emphasis on access for hunters and anglers and also provides legislative support for the acquisition of water to protect streams and other aquatic habitats. I consider this a milestone action and hope there are future proposals to acquire water for such purposes, as well as new and innovative efforts to work with private landowners in gaining public access for angling and hunting. However, as written, the Bill does not allow future stamp revenue to be spent for management of existing land properties controlled by the Division of Wildlife. Funds can be used for wildlife habitat and operation and maintenance costs on all lands under "the Colorado habitat program administered by the Division" as stated on page 4 of Senate Bill 09-235. This statement precludes you, as Director from requesting any stamp revenue to be spent on other existing properties, regardless of how beneficial a project may be to protect and enhance wildlife habitat. Perhaps if existing game cash and other revenue sources are adequate to meet such needs then it is irrelevant if future stamp revenue is available. Based on what now appears to be a growing reduction in both recruitment of license buyers and resulting game cash revenue, it is a tragic mistake to not allow a portion of future stamp revenue to be at the discretion of the Division for management of existing properties. The original Bill authorizing the Habitat Stamp did not preclude use of a portion of revenue on existing properties. As Director you will not have the option under the current reauthorization Bill. I think that is a tragic mistake and is one that will hurt opportunities for future anglers and hunters.

I ask that you give further analysis to requesting an amendment to the current Senate Bill 09-235 that reauthorizes the Habitat Stamp for the purpose of allowing *a portion of new revenues to be used for management of existing land properties administered by the Division of Wildlife*. I am not suggesting use of such funds on fish hatcheries, offices, or buildings even though there are critical needs in these areas. Assuming the funding back log for operation and maintenance for hatcheries, offices and buildings is growing, other sources of revenue must be found to meet these needs.

## RECOMMENDATIONS

I have two specific recommendations that I ask you to consider:

Amend the Bill language in such a way that it *does not preclude* the Division of Wildlife to make requests for use of future stamp revenue in the management, including protecting and enhancing of wildlife habitat, on all land properties administered by the Division of Wildlife.

Amend the Bill language to allow up to a maximum of 10% (estimated 600-800,000 dollars annually) of total stamp revenue to be used at the discretion of the Division of Wildlife for the management, including protection and enhancement of wildlife habitat, on all lands properties administered by the Division of Wildlife.

Tom, my intent is not to abolish the Habitat Stamp, but I strongly believe it is very appropriate to use at least a portion of any new revenue on existing lands administered by the Division. The vast majority of stamp funding will continue to come from anglers and hunters and these same individuals make great use of all State Wildlife Areas throughout Colorado. I find it hard to accept a total limitation of stamp revenue on such properties, especially with what appears to be serious game cash issues in the future.

Thank you for your consideration.

Sincerely,

Eddie Kochman 303-457-1532, [eddiekochman@aol.com](mailto:eddiekochman@aol.com)

Senator Mary Hodge  
Senator Lois Tochtrop  
Representative Kathleen Curry  
Representative Jerry Sonnenberg  
Representative John Soper  
Representative Judy Solano  
Chris Roe, Vice Chair, Sportsmen's Advisory Group

November 23, 2009

To Wendy McKenzie  
From: Eddie Kochman

Following is an outline pertaining to properties that I want to provide to you which summarizes what I hope to be able to obtain from my information request. I am providing this with the hope that it will help guide the internal complication of related data.

Estimated five year capitol construction needs for *maintenance*\* on all DOW controlled (lands, hatcheries, buildings) properties for fiscal years 2010-2011 through 2014-2015.

Lands: \$ \_\_\_\_\_

Buildings: \$ \_\_\_\_\_

Hatcheries: \$ \_\_\_\_\_

\**Maintenance* defined as those actions required for normal up keep, such as fencing, weed control, roads, parking areas, buildings signing and irrigation systems.

2009-2010 Capitol Construction appropriation for maintenance of all DOW controlled properties:

Lands: \$ \_\_\_\_\_

Buildings: \$ \_\_\_\_\_

Hatcheries: \$ \_\_\_\_\_

Estimated five year capitol construction needs for *protection and enhancement of wildlife habitat*\* on all DOW controlled lands and conservation easements for fiscal years 2010-2011 through 2014-2015.

DOW controlled lands: \$ \_\_\_\_\_

Conservation easements: \$ \_\_\_\_\_

\**Includes* those actions that will protect and enhance wildlife (sport species as well as T & E) habitat on all lands controlled by DOW through fee title, leases and easements. Lands in some manner controlled through Conservation Easements are a separate request. Examples include projects that influence wetlands, big game range, upland game habitat and aquatic habitat, as well as increase recreational opportunity.

2009-2010 Capitol Construction appropriation for protection and enhancement of wildlife habitat on all DOW controlled lands and Conservation Easements in which DOW is a partner.

DOW controlled lands: \$ \_\_\_\_\_

Conservation Easements: \$ \_\_\_\_\_

Sources of funding used to achieve the estimated and combined costs for routine maintenance and protection/enhancement of habitat on DOW controlled properties for fiscal years 2010-2011 through 2014-2015.

Game Cash \$ \_\_\_\_\_

Federal Aid \$ \_\_\_\_\_

GoCo \$ \_\_\_\_\_

Other \$ \_\_\_\_\_

Sources of funding used to achieve the estimated and combined costs for routine maintenance and protection/enhancement of habitat on all conservation easements in which the Division is currently a partner.

Game Cash: \$ \_\_\_\_\_

Federal Aid: \$ \_\_\_\_\_

GoCo: \$ \_\_\_\_\_

Other: \$ \_\_\_\_\_

Total number and acreage of DOW controlled properties

Fee Title: Number \_\_\_\_\_ Acreage \_\_\_\_\_

Leases: Number \_\_\_\_\_ Acreage \_\_\_\_\_

Easements: Number \_\_\_\_\_ Acreage \_\_\_\_\_

Conservation Easements in which DOW has a partnership: Number: \_\_\_\_\_

Acreage: \_\_\_\_\_

TO PURCHASE MORE THAN TWO COLORADO WILDLIFE HABITAT STAMPS WITHIN A TWELVE-MONTH PERIOD. ON AND AFTER APRIL 1, 2011, NO PERSON SHALL BE REQUIRED TO PURCHASE MORE THAN ONE COLORADO WILDLIFE HABITAT STAMP WITHIN A TWELVE-MONTH PERIOD. ANY PERSON ACQUIRING A LICENSE ISSUED PURSUANT TO SECTION 33-4-104 AND ANY PERSON WHO IS MOBILITY-IMPAIRED, AS DEFINED BY WILDLIFE COMMISSION RULES, SHALL BE EXEMPTED FROM THE REQUIREMENT TO PURCHASE A COLORADO WILDLIFE HABITAT STAMP.

(2) Such stamp, or an authorized facsimile thereof OF SUCH STAMP, shall be in the possession of the person while hunting fishing, or using state wildlife areas OR FISHING.

\* (4) (a) (I) All moneys received pursuant to the issuance of the Colorado wildlife habitat stamp shall be used for the benefit of wildlife habitat or access to such WILDLIFE habitat, INCLUDING COSTS ASSOCIATED WITH THE OPERATION AND MAINTENANCE, SUCH AS WEED CONTROL AND FENCING, OF LANDS UNDER THE COLORADO WILDLIFE HABITAT PROTECTION PROGRAM ADMINISTERED BY THE DIVISION. Revenues collected from the sale of the stamp shall be subject to annual appropriation. The Colorado wildlife habitat stamp review committee shall annually review proposed projects for expenditure of Colorado wildlife habitat stamp funds, INCLUDING PROJECTS PROPOSED PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), and make recommendations to the director and the wildlife commission. IN CONSULTATION WITH THE HABITAT STAMP COMMITTEE, THE WILDLIFE COMMISSION SHALL, IN ITS DISCRETION, ENSURE THAT SUFFICIENT PRIORITY IS GIVEN TO IMPROVE ACCESS FOR ANGLERS TO THE WATERS OF THE STATE AND TO CONSERVE AND PROTECT WINTER RANGE AND VITAL HABITATS FOR DEER, ELK, AND OTHER BIG GAME WILDLIFE SPECIES IN THE ALLOCATION OF REVENUES PURSUANT TO THIS SECTION.

(II) FIVE HUNDRED THOUSAND DOLLARS OF MONEYS RECEIVED FROM ISSUANCE OF COLORADO WILDLIFE HABITAT STAMPS SHALL BE MADE AVAILABLE ANNUALLY FOR USE BY THE COLORADO WATER CONSERVATION BOARD FOR THE PURPOSES AND UNDER SUCH CONDITIONS DESCRIBED IN THIS SUBPARAGRAPH (II). IN ORDER TO QUALIFY FOR HABITAT STAMP MONEYS UNDER THIS SUBPARAGRAPH (II), THE COLORADO WATER CONSERVATION BOARD MUST HAVE EXPENDED ALL MONEYS AVAILABLE FOR THE COSTS OF ACQUIRING WATER, WATER RIGHTS, AND INTERESTS IN WATER FOR INSTREAM FLOW USE FROM THE MONEYS APPROPRIATED FROM THE COLORADO WATER