

On Tuesday, 6/11/2024, your CSI met with Colorado Parks and Wildlife (CPW). This meeting exposed a glimmer of light!

The meeting was organized by State Representative Naquetta Ricks, District 40. The various entities were represented by the following teams:

Team CPW

Ms Heather Dugan, the acting director of CPW,
Daphne Gervais, DNR Director of Legislative Affairs
Hilary Hernandez, Regulations Manager
Sarah Hamming
Tim Brass
Katie Lanter
Christopher Stork, Colorado Attorney General's Office

Team Legislature

State Representative Naquetta Ricks, District 40
Emma Seel, Legislative Aide

Team CSI

Raymond Hawkins, CSI Director

CPW approached the meeting with their typical smiles and nods. Their position however, seemed unchanged; "under no circumstances will seaplanes be allowed to operate on state park waters". The discussion started out much like all previous meetings. There was no movement, UNTIL Ms Dugan made an astonishing statement. She said that CPW's regulation only prohibits takeoffs and landings. Further, she acknowledged that seaplanes may operate on the state park waters, but will not be allowed to takeoff or land.

To clarify, Ms Dugan's statement, she was asked these questions:

1. Concerning Navajo Reservoir which crosses the southern border into New Mexico.
 - a. Question: *"If a seaplane landed on Navajo Reservoir south of the Colorado-New Mexico border, would that seaplane be allowed to taxi into Colorado and use the State Park facilities?"*
 - b. Answer: Ms Dugan, "Yes".
2. Concerning Cherry Creek Reservoir.
 - a. Question: *"If a seaplane were to be trailered into the reservoir, could it taxi around the reservoir as long as it did not takeoff or land?"*
 - b. Answer: Ms Dugan, "Yes".

Given the implications of these questions and answers, it is obvious that CPW does not consider seaplane operations to be incompatible with parks operations. It negates CPW's previous objections that seaplane operations are unsafe and that invasive species inspections would be problematic.

Ms Dugan also said, that seaplanes would have to be registered as a boat. However, considering Colorado Revised Statutes (CRS), the State cannot require a seaplane to register as a boat since CRS clearly state that a seaplane is not a vessel and boat registration is required for any vessel... as you see below.

Colorado Revised Statutes 33-13-103 requires any *vessel* with a motor or sail operated in Colorado on any public water to be registered with Colorado Parks and Wildlife.

Colorado Law (CRS 33-13-102)

Definitions

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(5)

(a) "Vessel" means every description of watercraft used or capable of being used as a means of transportation of persons and property on the water, including all types of stand-up paddleboards.

(b) "Vessel" does not include:

(I) Any single-chambered, air-inflated devices that are not stand-up paddleboards; or

(II) *Seaplanes*.

Notwithstanding the boat registration issue, CPW's continuation of its prohibition against seaplanes is not justifiable. CPW's own statement that "seaplanes CAN operate on the water of state parks" openly acknowledges that seaplanes ARE compatible with park operations. By insisting on prohibiting takeoffs and landings, CPW is focusing on the smallest exposure exhibited by seaplane surface operations. The moment a seaplane begins its transition to/from flight is starkly apparent and is over in a matter of seconds. These phases are considered elements of flight which are heavily governed by Federal Aviation Administration (FAA) regulations. It is only when the seaplane exceeds the boating speed limit during takeoff and prior to the seaplane slowing below that speed limit during landing that a seaplane's operation in any way differs from that of any other watercraft.

The prohibition of seaplanes is no longer appropriate given CPW's statement and the minimal exposure exhibited by takeoffs and landings.

Call, write, text, or visit your Legislator and demand that HB16-1315, *Allow Seaplanes In State Parks Like Motorboats* be revived.

We intend to test the truthfulness of CPW's statement this September. Below is the outline of a seaplane visit to Navajo Reservoir. All the details are tentative until confirmed.

1. We plan to fly a seaplane to Navajo Reservoir and land on the New Mexico side of the reservoir.
 - i. The aircraft will undergo an Invasive Species Inspection prior to release to the reservoir. An email will be sent to the Navajo State Park (NSP) ranger office containing a Colorado Seaplane Initiative (CSI) System generated Authorization Code.
2. The aircraft may or may not make several takeoffs and landings, all on the New Mexico side of the state line.
3. After the last landing has been accomplished and the aircraft has slowed to a "displacement (idle) taxi" speed, the aircraft will turn north and cross the state border.
4. The aircraft will continue at a slow taxi speed to the Two Rivers Marina within the Navajo State Park.
5. The aircraft will dock at the end of the marina's dock structure or as directed by marina personnel.
6. The pilot will secure the seaplane.

7. The aircraft will remain for approximately two hours.
8. A volunteer guard will remain with the aircraft while it is docked/beached/moored.
9. The remaining passengers if any will disembark.
10. The pilot will proceed to the marina office and purchase a Daily Vehicle Pass (\$10) and an ANS Resident Stamp (\$25).
11. The pilot and passengers will make their way to the visitor's center pavilion where a BBQ picnic is planned. The picnic will be open to the public.
12. After the picnic is complete, the pilot and passengers will return to their seaplane.
13. The aircraft will displacement taxi to a location south of the state line.
14. The aircraft will takeoff and return to its original departure point.