

February 27, 2023

House Agriculture, Water & Natural Resources Committee

Re: House Bill 1066

Dear Chairwoman Rep. McCormick, Vice Chairman Rep. Catlin, and committee members,

The Western Landowners Alliance (WLA) appreciates the opportunity to provide comment as the Colorado legislature considers House Bill 1066, Public Access Landlocked Publicly Owned Land (the "Bill").

WLA is a landowner-founded, landowner-led nonprofit organization that advances policies and practices to sustain working lands, connected landscapes, and native species. Our members represent millions of acres of leased and deeded working lands across the West, including Colorado. More than half of Colorado's land is privately owned and managed, and Colorado's 38,000 farms and ranches comprise more than 30 million acres and provide essential habitat for wildlife throughout the state.

The potential for conflict arises whenever public and private rights intersect on the same land. These conflicts can be heightened when land ownership patterns are interspersed, as is the case with checker-board parcel ownership in many places in the West. While the public has the right to ownership over public lands and resources, the landowner also has the right of ownership over private lands and resources. Private stewardship entails substantial financial investment, often made possible only through land-based enterprises such as farming, livestock grazing, and commercial recreation. Negotiated access with willing landowners can be mutually beneficial, enabling public access while supporting the investments and economic activities that keep these lands intact and available to people and wildlife. On the other hand, efforts to force public access undermine property rights, private investment, the economic viability of working lands, and the management of natural resources.

This Bill would allow people to cross over private land when moving from the corner of one area of public land to another. On its face, this is trespassing. Additionally, protections for private property rights put forward in this bill are flimsy, and could constitute a taking of private property by inhibiting fence construction within five feet of a corner. On these grounds, we oppose House Bill 1066 and request that the sponsor seek alternative means of addressing this issue in coordination with landowners outside of the legislative process.

Western Landowners Alliance supports voluntarily negotiated public access agreements on private lands for responsible recreationists, access that considers the conservation of natural resource values, and sets limits to keep those resources undiminished. Successful solutions to private land access should start with mutual respect, a desire to achieve win-win outcomes, and the recognition that the conservation of land, wildlife, and natural resources must be the priority - not forced efforts to legalize private property access to the public.

We respectfully urge your opposition to this bill.

Sincerely,

Lesli Allison
Executive Director
Western Landowners Alliance