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FOR IMMEDIATE RELEASE:

Local Businesses and Citizen Group Sue State Parks, Demand Public Process in “Over the River” Decision

Cañon City and Salida, Colo. (July 25) – Rags Over the Arkansas River (ROAR), The Arkansas River Fly Shop and ArkAnglers filed a lawsuit Friday, July 22, 2011 charging the Colorado Board of Parks and Outdoor Recreation with violating its own regulations by permitting the Over the River Corporation to use the Arkansas Headwaters Recreation Area Parks facilities, for up to five years, for a “large-scale, industrial” art exhibition over the Arkansas River between Salida and Cañon City.

The Parks Board’s June decision is the project’s first approval for suspending several tons of fabric panels on 1,100 steel cables over 5.9 miles of the Arkansas River, one of Colorado’s most scenic and most popular locales for fishing, rafting, hiking, and wildlife viewing. According to ROAR President Dan Ainsworth, many supporters of the project don’t realize that to support the cables and fabric OTR will drive over 9,000 industrial rock bolts deep into the canyon walls with industrial equipment normally used for heavy construction activities.

“The Parks Board approved a project that will cause severe environmental harms on public lands and resources,” said Ainsworth. “There’s a reason that the Colorado Oil and Gas Conservation Commission doesn’t allow any surface activities in this area. The valuable fisheries, vulnerable bighorn sheep population, and the economic life of canyon residents and businesses just can’t take industrial impacts. Why the Parks Board would allow such damaging drilling for a temporary art project is beyond comprehension.”

“The Parks Board side-stepped their own process to approve the agreement,” adds Ainsworth, noting that the lawsuit alleges that State Parks violated the law when it approved the project via a “*memorandum of agreement*.” “State Parks’ own regulations say this kind of project requires a *special activity permit* and a lot of public consultation, not a rushed MOA. But according to its special activity permit rules, the Board can’t legally permit a project this damaging to the environment and public safety.” In exchange for its use of the State Parks facilities along the Arkansas River, OTR Corp. will pay State Parks \$550,000.

Arkansas River Fly Shop owner and ArkAnglers partner, Rod Patch, added, “By negotiating a deal with OTR, and ignoring the needs of the fishery, the angling public, and existing permitted outfitters and guides, Colorado State Parks has gone from being natural resource managers to natural resource brokers.”

“A recent survey found the Arkansas River to be the most popular stream fishery in the state and the most popular whitewater river in the world,” said ArkAnglers co-owner Greg Felt. “Rod and I have worked for the last decade in partnership with the state and federal land managers of the Arkansas River to bring this fishery back to life. We are disappointed in this decision by our partners. The deal State Parks cut with OTR will impede fishing access and threaten the health of the fishery. Why would you gamble those resource values on a short-term art project that conflicts with your own River Management Plan?”

Plaintiffs also contend that the Parks Board rushed to make a decision just days before merging with the Colorado Wildlife Commission. Plaintiffs had asked the Board to delay the vote until the merger with the Wildlife Commission, which unanimously *opposed* the project the previous month, finding that the project would harm wildlife. “There was no reason to rush this decision,” said Ainsworth, “I guess OTR Corp. was afraid that a week later they wouldn’t have the votes.”

Though the project would be on display for only two weeks in the summer of 2014, the Project is allowed to use all the Parks facilities in the canyon for five years for construction and demolition activities. During that time, the Project will disperse native wildlife from their primary habitat, increase the mortality rate in bighorn sheep, cause noise and dust, and require hundreds of days of road closures on U.S. Highway 50.

Rags over the Arkansas River (ROAR) is a Colorado not-for-profit organization formed in opposition to the Over the River Project. ROAR is dedicated to preserving and protecting the headwaters of the Arkansas River and Bighorn Sheep Canyon. Its diverse members include local residents, conservationists, anglers, fishing guides, and business owners.

ArkAnglers, LLC conducts guided fly-fishing trips throughout the Arkansas Headwaters Recreation Area and to adjacent waters, as well as operating a retail fly-fishing store in Buena Vista, Colorado. Arkansas River Fly Shop, Inc. is a retail fly-fishing store in Salida, Colorado.

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