

Colorado Parks and Wildlife

2023 Civil Rights Review

Action Plan Response

2. Program Administration

2-5 Submit a report of the number of instructors by race and gender (male, female, non-binary, gender-neutral, nonconforming, etc.), qualified to teach education classes (e.g., hunter or aquatic education, etc.) open to the public.

Finding: The CPW stated that the Hunter Education Section and the Hunter Outreach Program does not collect this information.

Information Missing: The number of instructors by race and gender qualified to teach education classes open to the public.

Required Action: Develop and provide a process to collect and track race and gender statistics for instructors who are qualified to teach educational classes.

Recommendation: Add a statement or column to the instructor application form to gather data on race and gender. Specify that providing race and gender information is strictly voluntary. Below is a sample statement:

“The race and gender information provided below is voluntary and will be used for statistical reporting only.”

CPW Response: Our Hunter Outreach Program recently updated its volunteer application. The new application voluntarily collects information as outlined below.

Gender- Female, Male, Gender Non-Binary, Two Spirit, Not Listed, and Prefer not to answer
Race/Ethnicity- American Indian or Alaska Native, Black or African American, East or Southeast Asian, Hispanic or Latinx, Middle Eastern/North African/Arab, my identity not listed, Native Hawaiian or Pacific, Islander, prefer not to answer, South Asian, Two or More Races, White or Caucasian.

The Hunter Education Instructor Application and Hunter Education Assistant Instructor Application have also been updated with the appropriate wording. We also worked with our Online Event Management System vendor to create a field for this information to be recorded so that we can run a report to pull that data when needed.

Implementation Date: Completed. Both the Hunter Outreach Program application and the Hunter Education applications have been updated.

3. Physical Facilities – Maintenance and Development

3-1 Provide 3 samples of the most recent self-evaluation reports completed by your Agency (within the last five years or since the date of the last civil rights review, enter the date of last Report of Finding).

Finding: The CPW did not provide 3 samples of their most recent self-evaluation reports. The CPW stated that they hired an ADA Coordinator who is in the research and planning process to implement a statewide self-

evaluation and transition plan process that is anticipated to begin July 1, 2023, with a completion date of June 30, 2025. Additionally, an ADA Task Force has been formed, and a posting has been submitted for a vendor to assist with this project.

Information Missing: Three (3) samples of the most recent self-evaluation reports completed by your Agency.

Required Action: Develop a consistent process to conduct and document self-evaluations and provide 3 samples of the most recent self-evaluation reports completed by your Agency.

Recommendation: None.

CPW Response: CPW is committed to developing a process to conduct and document self-evaluations. In September 2023, CPW selected a vendor to complete a self-evaluation and transition plan. The vendor has completed all of the site visits for 2023 and will complete more in 2024.

Implementation Date: The Self Assessment and Transition Plan Phase 1 is on track to be completed by June 30, 2024, and Phase 2 will include any remaining locations and is anticipated to be completed by June 30, 2025.

3-4 Describe the agency's procedure(s) used to schedule self-evaluations and to review/update transition plan(s) on an annual basis.

Finding: The CPW stated that currently, no procedures exist. Formal procedures are in the process of being developed.

Information Missing: Agency procedure(s) used to schedule self-evaluations and to review/update transition plan(s) on an annual basis.

Required Action: Establish and provide internal procedures that will be used to develop a self-evaluation schedule and to review/update transition plan(s), on an annual basis.

Recommendation: None.

CPW Response: CPW hired a vendor in September of 2023 to assist us with developing a Transition Plan. We anticipate delivery of the first version of the Transition Plan by early June 2024. Once that is complete, we can schedule self-evaluations and review/update the transition plan annually.

Implementation Date: By June 30, 2024.

4. Advisory Boards, Commissions and Committees

4-1 Provide a list of all advisory boards, planning bodies, and commissions associated with the programs and activities of your agency, including the race and/or national origin within each specific group.

Finding: The CPW provided a list that included twenty-one (21) advisory boards they associate with for programs and activities. However, CPW stated that race and/or national origin demographics are not tracked for members of these groups.

Information Missing: The race and/or national origin demographics for each specific advisory board provided.

Required Action: Develop a process to collect the race and/or national origin demographics of CPW's advisory boards, planning bodies, and commissions.

Recommendation: Add a statement or column to the advisory board application form to gather data on race and/or national origin. Specify that providing race and/or national origin information is strictly voluntary and will be used for statistical reporting only. Utilize the link for the Office of Personnel Management (OPM) Standard Form (SF) 181 to identify race and/or national origin.

CPW Response: The [CPW Parks and Wildlife Commission application](#) does currently ask for Gender (Male, Female, Non-Binary) and Ethnicity (African American, Caucasian, Native American, Hispanic, Asian, Other). The CPW Commission appointments are made by the Governor through his office of Boards and Commissions. Interested applicants apply, and the Governor appoints from the list. Of the eleven members appointed by the Governor, eight members are caucasian, one member is African American, one member is Hispanic, and one member identified as other.

CPW is evaluating our other boards and planning bodies to ensure their applications include this statement. The steps we will take include:

- 1) Review of the list of CPW advisory boards, planning bodies, and commissions to determine applicability;
- 2) Outreach to each board to learn more about their process, authority, and what their application currently collects;
- 3) Updates to all relevant applications within six months; and
- 4) Development of best practice guidelines for all advisory boards, planning bodies, and commissions to use moving forward.

Implementation Date: Completed for our largest governing board, the CPW Parks and Wildlife Commission. We will take the steps outlined above to implement for our other boards and planning boards by 12/31/2024.

5. Outreach Programs

5-9 Describe your process to ensure the required Notification Clause is appropriately distributed to the public (e.g., pamphlets, publications, public notices); see the example below. This program receives Federal financial assistance from the U.S. Fish and Wildlife Service. Under Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, or disability. If you believe that you have been discriminated against in any program, activity, or facility, or if you need more information, please write to:

Office of Diversity, Inclusion, and Civil Rights
Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Finding: The CPW stated that this notification clause is provided in each hunting and angling brochure on the primary contents page of each publication. This clause also appears on the inside front page of each edition magazine. The CPW provided three samples of publications that included the notification clause.

Information Missing: A description of the process used by the CPW to ensure the Notification Clause is included in publications.

Required Action: Provide a description of the process used by the CPW to ensure the Notification Clause is included in publications.

Recommendation: None.

CPW Response: CPW has implemented the following process for the Notification Clause. The following statement has been added to publications and will continue to be added to future publications:

This program receives Federal financial assistance from the U.S. Fish and Wildlife Service. Under Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, or disability. If you believe that you have been discriminated against in any program, activity, or facility, or if you need more information, please write to: Office of Diversity, Inclusion and Civil Rights, U.S. Department of the Interior 1849 C Street, NW Washington, D.C. 20240

Implementation Date: Completed.

7. Private Sector Participation

7-3 Provide a list of the procurement, grant, and/or contracts awarded to businesses owned by individuals from under-represented groups (e.g., Native American, women, Asian, etc.) within the last four (4) years.

Finding: The CPW stated that they do not capture or collect this information. Although the vendor self-service portal of the state's accounting system (CORE) has questions related to business ownership, there is no validation process to confirm the self-reported information, so it is not used at this time.

Information Missing: A list of the procurement, grant, and/or contracts awarded to women and minority-owned businesses in the last 4 years.

Required Action: Develop and provide a process to track all procurement, grants, and/or contracts awarded to women and minority-owned businesses that are provided through all grants and/or contracts issued by CPW.

Recommendation: None.

CPW Response: DNR has gathered a report of the purchase orders, grants, and contracts awarded to businesses owned by individuals from under-represented groups in the last four fiscal years. A copy of this report is attached. This information is self-reported when businesses register as a vendor with the State of Colorado. Awards were made to companies owned by socially and economically disadvantaged persons, African Americans, Asian Pacific Americans, Disadvantaged Small Businesses, Native Americans, Disabled Veterans, Hispanic Americans, Historic Black Colleges and Universities, and Women-Owned Businesses.

Implementation Date: Complete. The State of Colorado is committed to tracking this information and utilizing it moving forward. DNR will continue to improve our process.

8. Employment

8-2 Provide statistical representation (percentage) of your agency's workforce by race and/or national origin and disability.

Finding: The CPW stated the Department of Natural Resources Human Resources Department does not collect the actual representation of the workforce by race and/or national origin and disability.

Information Missing: Statistical representation (percentage) of CPW's workforce by race and/or national origin and disability.

Required Action: Develop a process to collect the statistical representation of CPW's workforce by race and/or national origin and disability. Provide the statistical representation (percentage) of your agency's workforce by disability and race and/or national origin using the same categories as the U.S. Census Bureau, which include Hispanic or Latino; American Indian or Alaska Native; Asian; Black or African American; Native Hawaiian or Other Pacific Islander; White; Two or more races. Recommendation: Utilize the Office of Personnel Management Standard Form-256 (OPM SF256) to provide an option for employees to self-identify their disability. Specify on surveys or other forms used to gather disability data that providing the requested information is strictly voluntary. Below is a sample statement:

"The information requested below is voluntary and will be used for statistical reporting only."

CPW Response: The Department of Natural Resources Human Resources has been in the process of implementing a way to collect this information when an employee is hired. We are working with the Department of Personnel and Administration on approvals for form integration.

Implementation Date: The rollout is planned for completion by June 30, 2024.

10. Limited English Proficiency Program

10-1 Provide a copy of your agency's Limited English Proficiency (LEP) plan.

Finding: The CPW stated they do not have a Limited English Proficiency plan.

Information Missing: A copy of CPW's LEP plan.

Required Action: Develop and provide a copy of an LEP plan that meets the needs of the CPW.

Recommendation: Utilize the sample LEP plans found at <https://www.lep.gov/languageaccessplans>. In the interim, develop and post on your website and at facilities a statement that provides clear guidance on how a person with LEP can get assistance.

CPW Response: The Department of Natural Resources is in the process of developing an LEP Plan. The draft plan has been completed, and once it has been reviewed and approved by all Division leadership staff, it will be finalized.

Implementation Date: The draft plan is included with this response. We anticipate the completion of the final draft by 12/31/2023.

IV. SITES VISITED

Site 1. CPW Headquarters

1-A. Finding: The accessible parking signage is less than 60 inches above the ground surface.

Required Action: Per 502.6, signs shall be 60 inches minimum above the finish floor or ground surface measured to the bottom of the sign.

CPW Response: Completed.

Implementation Date: Completed on 8/1/2023.

1-B. Finding: The van-accessible parking space does not contain the 'van accessible' sign designation.

Required Action: Per 502.6, signs identifying van parking spaces shall contain the designation "van accessible."

CPW Response: Completed. Installed three van-accessible parking space signs on campus.

Implementation Date: Completed on 8/1/2023.

2. Men's Restroom

2-A. Finding: The pull force required to open the door is greater than 5 pounds.

Required Action: Per 309.4, the force required to activate operable parts shall be 5 pounds maximum.

CPW Response: The pull force is now less than 5 pounds.

Implementation Date: Completed on 8/10/2023.

2-B. Finding: The water supply and drain pipes under the restroom lavatory are not insulated.

Required Action: Per 606.5, water supply and drainpipes under lavatories shall be insulated or otherwise configured to protect against contact.

CPW Response: The water supply and drain pipes under the restroom lavatory are now insulated.

Implementation Date: Completed on 8/10/2023.

3. Women's Restroom

3-A. Finding: The pull force required to open the door is greater than 5 pounds.

Required Action: Refer to Site 1, #2-A.

Recommendation: Adjust the tension on the door closer to reduce the pull force to 5 pounds or less to open the door.

CPW Response: The pull force is now less than 5 pounds.

Implementation Date: Completed on 8/10/2023.

3-B. Finding: The water supply and drain pipes under the restroom lavatory are not insulated.

Required Action: Refer to Site 1, #2-B.

CPW Response: The water supply and drain pipes under the restroom lavatory are now insulated.

Implementation Date: Completed on 8/10/2023.

Site 2. Minturn Boneyard

1. Parking Facility at Minturn Boneyard

1-A. Finding: The parking facility does not provide accessible parking.

Required Action: Per F208.2, parking spaces complying with 502 shall be provided in accordance with Table F208.2. Where more than one parking facility is provided on a site, the number of accessible spaces provided on the site shall be calculated according to the number of spaces required for each parking facility. Per F208.2.4, for every six or a fraction of six parking spaces required by F208.2 to comply with 502, at least one shall be a van parking space complying with 502.

CPW Response: The Town of Minturn is committed to providing accessible parking within the existing parking lot. They are currently seeking advisement on standards that should be met to comply with accessibility fully, and upon advisement, will work to complete the updates.

Implementation Date: The Town of Minturn will work to complete the updates by 12/31/2025.

Site 3. Cameo Shooting and Educational Complex

1. Parking - Cameo Office

1-A. Finding: The accessible parking sign is not identified with the International Symbol of Accessibility.

Required Action: Per 502.6, parking space identification signs shall include the International Symbol of Accessibility, complying with 703.7.2.1

CPW Response: Colorado State Statute (C.R.S., 24-30-1312) requires state agencies to use the speed symbol posted at Cameo. After researching this topic further and having a conversation with the U.S. Access Board, under the Americans with Disabilities Act Standards, an alternate symbol, other than the traditional International Symbol of Accessibility, is permitted if it satisfies the equivalent facilitation provisions of (§103). This provision allows alternatives to prescribed requirements only if they result in "substantially equivalent or greater

accessibility and usability.” The burden of proof in demonstrating equivalent facilitation rests with the covered entity in the event of a legal challenge. Since ADA Section 103 allows alternatives to prescribed requirements, we are marking this finding as closed.

Implementation Date: 10/6/23 (per email exchange with Angela Butsch).

2. Drinking Fountain – Cameo Office

2-A. Finding: Only one drinking fountain is provided.

Required Action: Per 211.2, no fewer than two drinking fountains shall be provided. One drinking fountain shall comply with 602.1 through 602.6 and one drinking fountain shall comply with 602.7. Exception: Where a single drinking fountain complies with 602.1 through 602.6 and 602.7, it shall be permitted to be substituted for two separate drinking fountains.

CPW Response: Cameo staff will evaluate the placement of a second drinking fountain or replace the current drinking fountain to meet the requirements of 602.1 through 602.6 and 602.7.

Implementation Date: This will be completed by Cameo staff by December 31, 2024.

3. Bay 6 Shooting Area

Recommendation: Move and/or add an accessible parking space at Bay 6.

CPW Response: Cameo staff will add an accessible parking space at Bay 6.

Implementation Date: This will be completed by Cameo staff by December 31, 2023.

4. Parking at Bay 4

4-A. Finding: The accessible route is blocked by the accessible parking space.

Required Action: Per 502.7, parking spaces and access aisles shall be designed so that cars and vans, when parked, cannot obstruct the required clear width of adjacent accessible routes. Per 305.3, the clear floor or ground space shall be 30 inches minimum by 48 inches minimum.

CPW Response: Cameo staff will shift the accessible parking space so that the accessible route will no longer be blocked.

Implementation Date: This will be completed by Cameo staff by December 31, 2023.

5. Cameo Restrooms

5-A. Finding: The accessible parking signage is less than 60 inches above the ground surface.

Required Action: Refer to Site 1, #1-A.

CPW Response: The accessible parking sign is now 60 inches above the ground surface.

Implementation Date: Completed November 2023.

5-B. Finding: The van-accessible parking space does not contain the 'van accessible' sign designation.

Required Action: Refer to Site 1, #1-B.

CPW Response: Cameo staff has ordered a van-accessible sign and will add it as soon as it is received.

Implementation Date: By December 31, 2023.

5-C. Finding: The height of the coat hook on the restroom door is not located within accessible reach range.

Required Action: Per 604.8.3, coat hooks shall be located within one of the reach ranges specified in 308. Per 308.2.1, where a forward reach is unobstructed, the high forward reach shall be 48 inches maximum, and the low forward reach shall be 15 inches minimum above the finish floor or ground. Per 308.3.1, where a clear floor or ground space allows a parallel approach to an element and the side reach are unobstructed, the high side reach shall be 48 inches maximum, and the low side reach shall be 15 inches minimum above the finish floor or ground.

CPW Response: The coat hook is now 48 inches from the ground.

Implementation Date: Completed November 2023.

6. Parking Facility - Archery Range

6-A. Finding: The accessible parking signage is less than 60 inches above the ground surface.

Required Action: Refer to Site 1, #1-A.

CPW Response: The accessible parking signage is now posted 60 inches above the ground.

Implementation Date: Completed November 2023.

6-B. Finding: The van-accessible parking space does not contain the 'van accessible' sign designation.

Required Action: Refer to Site 1, #1-B.

CPW Response: Cameo staff has ordered a van-accessible sign and will add it as soon as it is received.

Implementation Date: By December 31, 2023.

Site 4. Rifle Falls Fish Hatchery

1. Accessible Parking

1-A. Finding: Parking signage is less than 60 inches above the ground surface.

Required Action: Refer to Site 1, #1-A.

CPW Response: CPW hatchery staff will correct this before the end of the fiscal year.

Implementation Date: By June 30, 2024.

1-B. Finding: The parking facility does not provide at least one van-accessible parking space.

Required Action: Per 208.2.4, for every six or a fraction of six parking spaces required by 208.2 to comply with 502, at least one shall be a van parking space complying with 502.

CPW Response: Hatchery staff received a quote for the installation of two accessible parking spaces (including one van-accessible space), and they are working to request funding to cover the costs.

Implementation Date: CPW anticipates completion by December 31, 2025, provided there are no unexpected budgetary or construction delays.

1-C. Finding: The accessible parking spaces are not marked to define the required width.

Required Action: Per 502.2, car parking spaces shall be 96 inches wide minimum, and van parking spaces shall be 132 inches wide minimum, shall be marked to define the width.

Recommendation: The van parking space is permitted to be 96 inches wide minimum, instead of 132 inches, only if the access aisle is also 96 inches wide minimum.

CPW Response: This will be addressed with Finding 1-B above.

Implementation Date: CPW anticipates completion by December 31, 2025, provided there are no unexpected budgetary or construction delays.

1-D. Finding: A marked access aisle is not provided for the accessible parking space.

Required Action: Per 502.3, access aisles serving parking spaces shall comply with 502.3.

CPW Response: This will be addressed with Finding 1-B above.

Implementation Date: CPW hopes to complete this by December 31, 2025, depending on when funding is approved.

2. Signage

Recommendation: Replace the antiquated term 'handicap' with the word 'accessible'.

CPW Response: Hatchery staff is working to update signage at the facility.

Implementation Date: By June 30, 2024.

3. Visitor Center Restrooms

3-A. Finding: An accessible toilet compartment is not provided.

Required Action: Per 213.3.1, where toilet compartments are provided, at least one toilet compartment shall comply with 604.8.1.

CPW Response: CPW is committed to providing accessible restroom facilities at Rifle Falls Hatchery. Due to the cost of this update, it needs to be approved through our Large Capital process. This project will go on our Capital Plan, which will give staff time to plan, design, and construct it. The Capital Plan is done in 5-year increments to allow staff sufficient time to plan, design, and construct projects.

Implementation Date: By June 30, 2029.

4. Fish Hatchery Office

4-A. Finding: The transition to enter the fish hatchery office has a vertical change in level greater than ½ inch.

Required Action: Per 303.4, a change in level greater than ½ inch shall be ramped and shall comply with 405 or 406.

CPW Response: Hatchery staff will repair the transition to remove the ½ inch vertical change.

Implementation Date: By June 30, 2024.

5. Fish Spawning Area

5-A. Finding: The door threshold to enter the fish hatchery spawning area has an opening in the ground surface greater than ½ inch.

Required Action: Per 302.3, openings in the floor or ground surfaces shall not allow passage of a sphere greater than ½ inch in diameter.

Recommendation: Use a self-leveling sealant to close the opening in the ground surface.

CPW Response: Hatchery staff will repair the opening in the ground surface.

Implementation Date: By June 30, 2024.

6. Parking Facility - Bobcat Trail

6-A. Finding: Accessible parking is not provided. Required Action: Refer to Site 2, #1-A.

CPW Response: Hatchery staff received a quote for the installation of accessible parking spaces, and they are working to request funding to cover the costs.

Implementation Date: CPW anticipates completion by December 31, 2025, provided there are no unexpected budgetary or construction delays.

Site 5. Cheyenne Mountain State Park

1. Archery Range Parking Facility

1-A. Finding: The accessible parking signage is less than 60 inches above the ground surface.

Required Action: Refer to Site 1, #1-A.

CPW Response: The accessible parking signage has been raised to 60 inches above the ground surface.

Implementation Date: Completed in October 2023.

1-B. Finding: The van-accessible parking space does not contain the 'van accessible' sign designation.

Required Action: Refer to Site 1, #1-B.

CPW Response: A van-accessible sign has been added.

Implementation Date: Completed in October 2023.

2. Visitor Center Men's Restroom

2-A. Finding: The height of the coat hook on the restroom door exceeds reach ranges.

Required Action: Refer to Site 3, #5-C.

CPW Response: An additional coat hook has been installed in the men's restroom at 48" height.

Implementation Date: Completed in October 2023.

3. Visitor Center Women's Restroom

3-A. Finding: The height of the coat hook on the restroom door exceeds reach ranges.

Required Action: Refer to Site 3, #5-C.

CPW Response: An additional coat hook has been installed in the women's restroom at 48" height.

Implementation Date: Completed in October 2023.