

November 30, 2021

**RULE-MAKING NOTICE
PARKS AND WILDLIFE COMMISSION MEETING
January 12-13, 2022**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at its next meeting on **January 12-13, 2022**. **The Parks and Wildlife Commission meeting will be held virtually in accordance with guidance from the Governor's Office of Operations Addressing Boards and Commissions Vaccination Policy. If circumstances change, there may also be in person public comment in Denver, CO. For up-to-date information on the meeting, please refer to the Parks and Wildlife Commission website: <https://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>. The Parks and Wildlife Commission will make every attempt to conduct the January 12-13, 2022 meeting on Zoom or a similar platform in order to allow virtual public comment. However, the public is encouraged to comment before the meeting by submitting written comments to the Commission's email address at: dnr_cpwcommission@state.co.us.**

Comment deadlines: Written comments will be accepted at any time. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

December 29, 2021, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **December 30, 2021**.

Comments received by the Division between noon on **December 29, 2021** and noon on **January 7, 2022**, will be provided to the Commission two business days before the meeting. Comments received after noon on **January 7, 2022** will be held and shared with the Commission as part of the subsequent meeting mailing.

More information on submitting public comments is available at:
<https://cpw.state.co.us/aboutus/Pages/Submit-Public-Comments.aspx>.

The following regulatory subjects and issues shall be considered pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-105, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

FINAL REGULATORY ADOPTION – **January 12-13, 2022, beginning at 8:00 a.m.***

EFFECTIVE DATE OF REGULATIONS approved during the January 2022 Parks and Wildlife Commission meeting: March 2, 2022, unless otherwise noted.

FINAL REGULATIONS

**Please reference the Commission agenda, to be posted on or after January 3, 2022, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

PARK REGULATIONS

Chapter P-1 - "Parks and Outdoor Recreation Lands" - 2 CCR 405-1

Open for consideration of regulations, including, but not limited to:

- Requiring reservations for big game and small game hunting in the Jefferson County portion of Golden Gate Canyon State Park where hunting is permitted.
- Permitting kiteboarding through special activity permits at Navajo State Park.

Chapter P-8 – "Aquatic Nuisance Species" 2 CCR 405-8

Open for consideration of regulations, including, but not limited to:

- Amending the definition of vessel or other floating device to ensure consistency with the statutory definition of vessel.

WILDLIFE REGULATIONS

Chapter W-0 - "General Provisions" 2 CCR 406-0

Open for annual review of the entire chapter, including but not limited to, Game Management Unit boundary modifications, regulations relating to fish management, health, importation, prohibited species, and other annual changes. Specific changes include, but are not limited to:

- Decreasing the fee charged for exchanged licenses.
- Modifying game management unit boundaries for units 22, 23, 211, 11, 12, 13, 3, 301, 4, 32 and 33.
- Extending the boundary of mountain goat Game Management Unit G12.

Chapter W-2 - "Big Game" 2 CCR 406-2 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) necessary to accommodate changes to or ensure consistency with Chapter W-2

Open for annual review of the entire chapter, including, but not limited to:

Multiple Species

- Annual changes to season dates, limited license areas, quotas and manner of take provisions for bighorn sheep and mountain goat (statewide).
- Annual changes to season dates, limited license areas, and manner of take provisions for deer, elk, pronghorn antelope, moose and bear (statewide).
- Amending the maximum allowable let-off percentage for handheld bows.
- Amending season timing and/or fluorescent orange/pink requirements during the overlapping archery and muzzleloader seasons.
- Excluding five preference point or more licenses and public Ranching for Wildlife licenses returned or not paid for in the Primary Draw from the secondary draw.
- Clarifying that youth only hunt codes also fall into the youth preference draw and the same hunt code choice stipulations for youth preference apply.
- Modifying game management unit boundaries for units 22, 23, 211, 11, 12, 13, 3, 301, 4, 32 and 33.
- Clarifying regulations related to National Wildlife Refuge hunting permits.

- Modifying regulations related to the process and application deadline for the hunting access permit drawing on the James M. John SWA.

Deer

- Creating new deer hunt codes for Game Management Units 122, 125, 126, 127, 129, 130, 132, 137, 138, 139, 143, 144, 145, and 146.
- Adding 2nd and 3rd rifle season doe hunt codes DF054O2R and DF054O3R.
- Adding Private Land Only doe hunt codes for Game Management Unit 72.

Elk

- Limiting archery elk licenses in Game Management Units 80 and 81.
- Removing over the counter antlerless hunt codes for Game Management Units 14 and 214.
- Extending the E-3 antlerless elk Private Land Only season dates for hunt code EF006P5R.
- Eliminating hunt codes EF073P5R, EF077P5R, and EM74104R.

Pronghorn

- Modifying the hunt code structure for muzzleloader season in pronghorn DAU PH30.

Bear

- Creating an over the counter private land only rifle bear season for units 4, 5, 12, 13, 14, 23, 24, 33, 214, and 441 from October 1 through the end of the concurrent 4th rifle season.

Moose

- Removing Game Management Units 51, 59, 511, and 581 from current hunt codes MM050 and MF050 and creating new moose hunt codes including GMUs 51, 59, 511, and 581.
- Adding antlered moose hunt codes for Game Management Units 4 and 5.
- Adding a cow moose hunt code for Game Management Unit 55.

Sheep

- Replacing the individual ram bighorn sheep hunt code for S-19 with an either sex hunt code.
- Modifying the sheep Game Management Unit S54 hunt codes by shifting archery season to be a later and changing the rifle sub-unit boundary to match the West Elk Wilderness boundary.
- Creating two ram sheep seasons in sheep Game Management Unit S16.

Section #1000.A of Chapter W-10 - "Nongame Wildlife" 2 CCR 406-10 and those related provisions of Chapter W-10 ("Nongame Wildlife" 2 CCR 406-10) necessary to accommodate changes to or ensure consistency with Section #1000.A

Open for consideration of new and amended regulations authorizing livestock owners and their agents to haze gray wolves to prevent or reduce injury to livestock.

Section #1001 of Chapter W-10 - "Nongame Wildlife" 2 CCR 406-10 and those related provisions of Chapter W-10 ("Nongame Wildlife" 2 CCR 406-10) necessary to accommodate changes to or ensure consistency with Section #1001.

Open for consideration of new and amended regulations making it unlawful for any person to place any olfactory attractant or use any lure with the intent to lure any threatened or endangered species unless permitted by the division.

ISSUES IDENTIFICATION

PARKS REGULATIONS

Chapter P-4 - "Snowmobile Regulations" 2 CCR 405-4

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to registration and required safety equipment of snowmobiles.

Chapter P-7 - "Passes, Permits and Registrations" - 2 CCR 405-7

Open for consideration of regulations including, but not limited to, the following:

- Setting the price for the Keep Colorado Wild pass pursuant to implementation of Senate Bill 21-249.

WILDLIFE REGULATIONS

Chapter W-3 - "Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions.

Chapter W-5 - "Small Game - Migratory Game Birds" - 2 CCR 406-5 and those related provisions of Chapter W-9 ("Wildlife Properties" 2 CCR 406-9) and Chapter P-1 ("Parks and Outdoor Recreation Lands" 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-5

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions.

Chapter W-9 - "Wildlife Properties" 2 CCR 406-9 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) and Chapter P-1 ("Parks and Outdoor Recreation Lands" 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9

Open for annual review of the entire chapter including, but not limited to, generally applicable and property-specific requirements for, or restrictions on use of wildlife properties controlled by the Division of Parks and Wildlife, including State Trust Lands leased by the Division. This includes regulations related to the requirements to access State Wildlife Areas and State Trust Lands leased by the Division.

Chapter W-11 - "Wildlife Parks and Unregulated Wildlife" 2 CCR 406-11

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to wildlife parks, sanctuaries and unregulated wildlife.

Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.

Viewing of Proposed Rules: copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection online at <https://cpw.state.co.us/aboutus/pages/commission.aspx> and copies can be obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing Krista Heiner at krista.heiner@state.co.us at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

Modification of Proposed Rules prior to adoption: subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

Opportunity to submit alternate proposals and provide comment: the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally, if time permits, at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be e-mailed to dnr_cpwcommission@state.co.us.

Use of Consent Agenda:

For more information on the Parks and Wildlife Commission's use of the consent agenda, please see its Operations Policy at https://cpw.state.co.us/Documents/Commission/policy_procedures/Policy-Commission_Operations_and_Communications_Commission_FINAL_011019.pdf.

OTHER AGENDA ITEMS: The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda can be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **January 3, 2022**.