

To: Members of the Colorado Parks and Wildlife Commission

From: Danielle Isenhardt, Regulations Manager

Date: 12/29/2017

Re: **Shed Antler and Horn Collection W-0 Drafts**

In September of 2017, Colorado Parks and Wildlife (CPW) staff first introduced the antler and horn collection issue paper, suggesting that a closure be put in place on all public lands west of I-25 from January 1 through April 30 annually. The purpose of this request was to reduce the recreational impacts from shed hunting on wintering big game animals during the time of year when deer, elk, pronghorn, and moose are most vulnerable to stress. The result of this stress can be decreased body condition, increased mortality, and decreased fawn/calf survival. While we cannot control all recreational use of public lands during the winter months, shed hunting is one recreational activity that we can regulate. Another reason behind the requested change was to avoid additional pressure and confusion created by multiple shed hunting opening days on the west slope.

Since September, the shed antler and horn collection topic has evolved to include not only a seasonal closure, but also a collection season with associated license/collection permit. This addition has led to some confusion, as well as opposition from the public. These opponents have indicated they feel a permit is unwarranted and perceive it simply as a way for the agency to generate more revenue. The requirement of a priced permit in order to collect shed antlers and horns is a novel concept that would be precedent setting in the western U.S.

As CPW staff examined the proposal for a shed collection permit, a number of pros and cons emerged that the Commission may want to consider:

Pros:

- Gaining a better understanding of the amount of shed collection activity that is occurring on the west slope.
- Deterring this type of recreational activity during the month of May, when animals are still recovering from winter stress.

Cons:

- Depending on the amount charged for a collection permit and the volume sold, the permit could cost CPW more than the revenue it would generate when issuance and enforcement expenses are factored in.
- Using a permit and collection season may distract from the original intent of the issue paper to enhance big game survival and overall health.
- Enforcement of a new season with associated permits by wildlife officers impacts existing work priorities like sage-grouse lek counts, responding to bear calls and public outreach, which will need to be shifted or eliminated to accommodate additional field enforcement time.

CPW staff has provided the Commission with two separate final drafts of Chapter W-0 related to shed antler and horn collection (one for a closure only and one for a closure plus a collection season and permit/fee) so that both the positives and negatives can be considered under each scenario. Thank you for your time and consideration.

To: Members of the Colorado Parks and Wildlife Commission

From: Danielle Isenhart, Regulations Manager

Date: 01/08/2018

Re: Revised W-0 and W-2 Drafts

Since the original January Commission Meeting mailing on December 29, 2017, a few modifications have been made to the final drafts of Chapters W-0 and W-2 related to antler shed collection and big game season dates.

In regards to antler shed collection, Colorado Parks and Wildlife received a letter from the Gunnison Basin Sage Grouse Strategic Committee (Strategic Committee) expressing concerns with the proposed shed antler and horn collection regulations. Specifically the Strategic Committee is concerned that the proposed final regulations do not provide the same amount of protection to breeding and nesting Gunnison Sage-grouse as the current Gunnison Basin shed antler collection closure. The proposed seasonal closure for shed antler collection on public lands west of I-25 is January 1- April 30th, whereas the existing closure in the Gunnison Basin (GMUs 54, 55, 66, 67, and 551) also includes an antler shed collection closure on public lands from March 15 - May 15th from sunset to 10:00 AM. This overnight and early morning closure through mid-May was approved primarily for Gunnison Sage-grouse protection.

While the agency was attempting to standardize all antler shed collection closures west of I-25, we agree with the Strategic Committee that protection of a federally threatened species warrants careful consideration of a west-slope wide approach that could be perceived as weakening the protections for the species. Therefore, CPW staff has revised the W-0 drafts for the January Commission Meeting to include an additional May 1- May 15 antler shed collection prohibition on public lands in GMUs 54, 55, 66, 67, and 551 from sunset to 10:00 AM for continued protection of the Gunnison Sage-grouse and until additional conversations can be held with the Strategic Committee.

Additionally, CPW staff is also proposing to broaden the authority delegated to the Director, so that the Director can not only add additional temporary seasonal closures (as existing regulations allow), but also relax or remove existing closures as needed on a case-by-case basis to address resource impacts or local needs.

Lastly, CPW staff is proposing to change the season dates for hunt code EF070P5R to December 1-15th, instead of December 15-31st to address local concerns.

All W-0 and W-2 documents on the website and at the meeting will include these revisions. I apologize for the late modifications. Please let me know if you have any further questions. Thank you.

FINAL REGULATIONS - CHAPTER W-0 - GENERAL PROVISIONS

ARTICLE II - LICENSE TYPES AND REQUIREMENTS

#002 - License Requirements

- A. Except as otherwise provided by these regulations any person who takes or possesses any wildlife shall have in possession the appropriate and valid Colorado resident or non-resident license as provided in §33-4-102, C.R.S. and shall only take wildlife of the species and type as indicated on the license. In addition to the required license the taking of some species may also require a permit.
- B. Except as otherwise provided, any person who hunts or fishes in Colorado shall have in possession the appropriate and valid Colorado resident or nonresident hunting, fishing or furbearer license including a customer identification number.

A customer identification number is not required for the following license categories:

1. Senior Lifetime licenses issued prior to 1990.
 2. Senior Lifetime Low-Income licenses issued prior to 1994.
- C. Except for state or federal waterfowl stamps or licenses that require a carcass tag, all other telephone or internet license sales will be issued a Temporary Authorization Number (TAN). This number allows the license holder to exercise the benefits of that license prior to receiving a physical license in the mail. Any person who purchases a 1 or 5 day license by phone or internet will not receive a physical license in the mail unless the valid dates for the license are more than fourteen days out from the date of purchase.
 - D. All annual resident and nonresident licenses authorized in 33-4-102 (1.4), C.R.S., including fishing, senior fishing, small game hunting, furbearer, combination fishing and small game hunting, and the Colorado wildlife habitat stamp, shall be valid and otherwise in effect from April 1 to March 31st of the following year.
 - E. Except as otherwise provided in these regulations, any person who hunts or fishes in Colorado shall be physically present in the immediate vicinity of the activity. Internet or other computer-assisted remote hunting or fishing is prohibited.
 - F. Any person who hunts big game or turkey in a game management unit, or portions thereof, for which the Wildlife Commission has established limited license quotas must have a limited license valid for that unit. General season, over-the-counter licenses may not be used in a limited license unit unless validated by the Division.
 - G. Any person possessing a license or permit restricted to a specific game management unit or portions thereof, may only hunt that unit or area for which his license or permit is issued.
 - H. Duplicate small game, fishing, furbearers, senior citizen lifetime licenses and combination small game licenses may be obtained from the Division by submitting an affidavit on forms provided by the Division and payment of a \$5.00 fee. All other license duplicates may be obtained from the Division by submitting an affidavit on forms provided by the Division and payment of a fee of fifty percent of the cost of the original license, not to exceed \$25.00.
 - I. All license exchanges will be charged a fee of fifty percent of the cost of the original license, not to exceed \$25.00.

J. Any person who is authorized to hunt, fish or trap wildlife in Colorado pursuant to a permit issued by the Division shall comply with all of the terms and conditions of that permit.

K. The Director is hereby authorized to issue the following licenses.

1. Licenses for law enforcement investigative purposes to District Wildlife Managers, U.S. Fish & Wildlife (USFWS) Service Special Agents, or other persons cooperating with them or otherwise participating in a wildlife-related law enforcement activity authorizing them to hunt or fish as an appropriate element of an investigation of violation of Articles 1 through 6 of Title 33 of the Colorado Revised Statutes, regulations issued pursuant thereto, or federal wildlife laws; provided however, that no wildlife shall be taken with such a license if the taking would jeopardize the maintenance of populations at viable self-sustaining levels.

A written report shall be provided by the Director to the Wildlife Commission annually specifying the total number of licenses issued under this authority during the previous calendar year.

L. Turning In Poachers (TIPS) Reward Program

1. The Director is authorized to award licenses and preference points in accordance with this regulation to otherwise eligible persons that report the illegal take or possession or willful destruction of big game or turkey in Colorado to the Division.
2. Any person who voluntarily provides information that results in a person being charged with the illegal take or possession of big game or turkey may be awarded a preference point for the wildlife species of their choice or an over-the-counter license for the same species reported. As an alternative to the above reward options, and except as provided below, any person who voluntarily provides information that results in a person being charged with willful destruction of big game or turkey or assessment of a § 33-6-109(3.4), C.R.S., penalty may be awarded a limited license for the same species and unit reported.
 - a. In limited license units where less than 10 licenses (total) are allocated annually for all manners of take, only one reward license can be issued in any three-year period.
 - b. In limited license units where less than 20 licenses (total) are allocated annually for all methods of take, only one reward license may be issued per year.
 - c. In limited license units where the reward license has already been issued the person may:
 1. wait until the next reward license in that unit is available, or
 2. select another limited license unit for which a reward license is available.
 - d. If the violation(s) reported occurred within a game management unit, which is closed to hunting the species reported, the person may select another limited license unit for which a reward license is available.
3. Limited licenses awarded as part of the TIPs Reward Program shall be in addition to the number of licenses generally available through or allocated as part of the Division's limited license draw.
4. Licenses for use on properties participating in the Division's Ranching for Wildlife program are not available as part of the TIPs Reward Program.

5. Licenses awarded as part of the TIPs Reward Program do not confer or otherwise guarantee access to any property for the purpose of exercising the benefits of the license. Securing such access is the responsibility of the license holder.
6. Except as provided in 2(c)(1), all licenses awarded as part of the TIPs Reward Program must be for a season occurring within 18 months of the final judicial disposition of the charges.
7. Licenses and preference points issued as part of the TIPs Reward Program are nontransferable.
8. For the purposes of the TIPs Reward Program, “charging” means the issuance of a penalty assessment or summons and complaint and such charging decision is at the sole discretion of the investigating officer or District Attorney.
9. While conviction is not necessary to support the awarding of a preference point or license, no applications for TIPs rewards will be accepted and no such rewards will be issued until final judicial disposition of the charges.
10. Only one TIPs reward will be issued per poaching incident, no matter how many animals are illegally taken. Further, if more than one person reports the violation(s) and files an application, the TIPS reward will be awarded to the person the Director finds to have provided the most pertinent information regarding the violation.
11. Applications for TIPs rewards must be made on forms provided by the Division, must be filed within 90 days of the judicial disposition of the charges and all applicants are subject to the following eligibility requirements:
 - a. To be eligible for a TIPs reward, a person must voluntarily come forward and report the violation, and must be willing to testify, and testify if requested, in any subsequent criminal prosecution. Information obtained through criminal investigation or court process is not considered “voluntary” for the purposes of the TIPs Reward Program.
 - b. A person is eligible for only one TIPs reward per year.
 - c. A person is ineligible to receive a TIPs reward if they have received any other reward for reporting the violation(s), including but not limited to a monetary payment under the Operation Game Thief program.
 - d. A person must be eligible to apply for, possess or exercise the benefits of any license or preference point conferred through the TIPs Reward Program and must otherwise comply with all other generally applicable hunting requirements and restrictions.
 - e. All Division employees, and peace officers that report violation(s) to the Division as part of their law enforcement duties, are ineligible for the TIPs Reward Program.

M. Terrestrial Invasive Species

1. The following terrestrial invasive species are hereby declared to be detrimental to Colorado’s wildlife and habitat. They may be seized, captured or destroyed by the Division or its authorized agents whenever and wherever found.
 - a. Feral hog
 - b. Eurasian collared-dove
 - c. European starling
 - d. House (English) sparrow

2. No license is required for a person to hunt or take terrestrial invasive species. However, commercial hunting or taking of terrestrial invasive species is prohibited. No person shall receive compensation or attempt to receive compensation from the hunting of terrestrial invasive species in Colorado. Terrestrial invasive species may be taken year-round in any number by any method allowed for the take of big or small game. In addition, terrestrial invasive species may be taken at night with the use of artificial light and night vision equipment.
 - a. Except when counted as part of the bag and possession limit for doves in #508 of these regulations, while in the field and during transport all Eurasian collared-doves shall be fully feathered.
3. Except as authorized in writing by the Director when such release is determined to be biologically non-detrimental to Colorado's wildlife and habitats, no person shall release terrestrial invasive species or hybrids of terrestrial invasive species in Colorado for the purpose of allowing them to run at large or otherwise facilitate the distribution or abundance of these species in Colorado.

N. Hunter Education

1. For the purpose of this regulatory provision, the following terms have the following definitions:
 - a. **“Active Duty”** means a person who is a full time employee of a U.S. military service branch under the Department of Defense and can be deployed at any time.
 - b. **“National Guard”** means the Army National Guard or Air National Guard that is part of an organized militia of any state within the United States of America. National Guard members are not considered active duty military personnel.
 - c. **“Reserve Duty”** means a person who is trained and qualified by a U.S. military Reserve Component to be available for active duty in the armed forces when needed. Reserve members are not considered active duty military personnel.
 - d. **“Veteran”** means a person who served in the Active Duty or Reserve Duty military or the National Guard and who was discharged or released from such service under conditions other than dishonorable.
2. As authorized and in accordance with §33-6-107(8) and §33-6-107(10) C.R.S, these regulations establish requirements for Colorado's hunter education certification program. Hunter education classes within this state must include a minimum of 10 hours of instruction, including, but not limited to, the topics of wildlife management, wildlife identification, firearms safety, ethics, and laws and regulations. A portion of the course curriculum must also include hands-on activities where students demonstrate, at a minimum, safe firearms handling and a live fire exercise. Students must also pass a written test to successfully complete the course. Except as provided in regulation #002(L)(3) below, any person born on or after January 1, 1949, must have a valid hunter education certificate prior to hunting, trapping, or purchasing any hunting license in accordance with §33-6-107(8) and §33-6-107(10) C.R.S.
3. Allowable hunter education course delivery options and methods are as follows:
 - a. Traditional class- 10 hours, minimum, in a standard classroom setting that includes hands-on learning activities. Additional time beyond the 10 hour requirement is also necessary to complete the written test and live fire exercise.
 - b. Internet course with conclusion class- The internet portion of the class is credited with 6 hours of study. A 4-6 hour, in-person, conclusion class is required and will

cover laws and regulations, wildlife identification, and hands-on firearms activities. Additional time beyond the 4-6 hour requirement is also necessary to complete the written test and live fire exercise.

- c. A person age 50 and older may complete a one-time test-out of the hunter education certification requirements by passing a timed hunter education test online with a score of 90% or above. This online test can only be taken once.
 - d. U.S. military veterans, active duty, reserve duty and National Guard members may complete a one-time test-out of the hunter education certification requirements by passing a timed hunter education test online with a score of 90% or above. This online test can only be taken once. Military personnel must bring test certificate and military identification to a CPW office to verify military status and obtain a hunter education certificate. To qualify, a veteran must be discharged under conditions other than dishonorable. Acceptable forms of military identification include:
 - i. DD 214;
 - ii. DD Form 2;
 - iii. DD Form 2765;
 - iv. Active, retired, veteran military identification card;
 - v. A current Colorado Drivers License or state issued identification card with the word "veteran" printed on it as specified in 42-2-303(5)(a) C.R.S.;
 - vi. VA medical card.
4. Exceptions to the hunter education certification requirements are as follows:
- a. A person 10 years of age or older who obtains an apprentice certificate. An apprentice certificate can only be obtained once and is valid for a one-year period, identified as April 1-March 31 annually. Apprentice certificate holders must be personally accompanied by, and in voice and visual contact with a mentor while hunting. A mentor may oversee no more than 2 apprentices at a time and must carry proof of hunter education and age while in the field.

O. Antler and Horn Collection

These regulations govern the collection of shed antlers, shed horns or antlers or horns naturally attached to skull plates.

1. On any lands east of I-25, any person may, with lawful access, collect shed antlers or horns at any time without a collection permit. On private lands west of I-25, any person may, with lawful access, collect shed antlers or horns at any time without a collection permit. Public lands west of I-25 are closed to collection from January 1 through April 30, annually. On public lands west of I-25, any person may collect shed antlers or horns from May 1 through December 31, except in GMUs 54, 55, 66, 67, and 551 where the collection of shed antlers or shed horns shall further be prohibited between legal sunset and 10:00 AM from May 1 through May 15 annually. If legal collection occurs on public lands west of I-25 between May 1 and May 31, the prior purchase of a \$40.00 [\$20.00] collection permit is required. The Director or their designee may establish additional closures or remove whole or parts of existing closures as necessary under the criteria set forth in regulation #020.F.1.
2. Possession of antlers or horns on public lands west of I-25 from January 1 through April 30 is prohibited. Possession of antlers or horns on public lands west of I-25 from May 1 through May 31 without a collection permit is prohibited. Possession of antlers or horns on public lands in GMUs 54, 55, 66, 67, and 551 between legal sunset and 10:00 AM from May 1 through May 15 annually is prohibited. Possession of antlers or horns on private property without lawful access is prohibited. Each antler or horn will be treated singularly for the purpose of this regulation, unless naturally attached together on a skull plate.
3. For the purpose of this regulatory provision, the following terms have the following definitions:

- a. “Antlers” means the bony, deciduous appendages protruding from the heads of members of the deer family (Cervidae), including deer, elk, and moose.
- b. “Collect” means to search for, locate, stockpile, or possess shed antlers, shed horns, or antlers or horns naturally attached to skull plates of big game animals on public land or attempt to search for, locate, stockpile, or possess shed antlers, shed horns, or antlers or horns naturally attached to skull plates of big game animals on public land.
- c. “Horns” means the hard, permanent or deciduous appendages protruding from the heads of bighorn sheep, mountain goats, or pronghorn.
- d. “Public land(s)” means federal lands and lands owned or administered by the Division.
- e. “Shed antler” or “shed horn” means one or more antlers and/or horns having become naturally separated from the skull.

ARTICLE XI - SPECIAL RESTRICTIONS

#020 -

- A. Most restrictive Federal or State law - In all cases of licensing, taking, possession, importation, exportation, release, marking and sale of any wildlife, irrespective of current status (threatened, endangered, game or nongame), the most restrictive state or federal regulation shall apply by species.
- B. Live Capture – Common snapping turtles may be taken in any number and maintained alive.
- C. Tagging and carcass tag requirements.
 - 1. A carcass tag is required for all big game and for turkey.
 - 2. When any person kills a wildlife species for which a carcass tag is required such person must immediately void the carcass tag by signing, dating and detaching it. Such tag must be attached to the carcass immediately prior to and during transportation in any vehicle or while in camp or at a residence or other place of storage. Such tag, when so dated, signed and attached to the species lawfully taken or killed and lawfully in possession, authorizes the possession, use, storage, and transportation of the carcass, or any part thereof.
 - 3. If the carcass tag and/or license are inadvertently or accidentally detached, lost or destroyed, the licensee must obtain a duplicate carcass tag and/or license before he can lawfully hunt with such license. The duplicate carcass tag may be obtained upon furnishing satisfactory proof as to the inadvertent or accidental nature of detachment, loss, or destruction to the Division.
- D. Waste of Wildlife
 - 1. Except for furbearers, Terrestrial Invasive Species listed in Commission Regulation #002(K)(1), wildlife listed in Commission Regulation #300(A)(3), or any wildlife taken under the authority of §33-6-107(9), C.R.S., all edible portions of game wildlife taken under the authority of a license shall be properly prepared to provide for human consumption. For the purpose of this restriction edible portions shall not include internal organs.

2. Any consumption or spoilage of game wildlife by a falconry raptor upon the raptor's capture of the game wildlife shall not be considered waste of wildlife, provided the falconer makes a reasonable and timely attempt to retrieve the game wildlife and prepare some remaining edible portion for human consumption.

E. Closures

1. Federal fish hatcheries and rearing units except that persons designated by the United States Fish and Wildlife Service may take fish or amphibians within the boundaries of said hatcheries or rearing units.
2. Except as otherwise provided in these regulations all Division hatcheries, rearing units and holding basins shall be closed to the taking of fish and amphibians.
3. State Refuges, Parks and Monuments - Public access to any refuge, park or monument, the jurisdiction over which is by law given to any federal or state agency or municipality, may be limited by order of said agency or municipality to the same extent as if said agency or municipality were a private person.
4. Hunting with rifles, handguns or shotguns firing a single slug, or archery equipment is prohibited within an area fifty (50) feet on each side of the center line of any state highway or municipal or county road as designated by the county. In the case of a divided road or highway this shall include the entire median area and the fifty (50) feet shall be measured from the center line of both roads.
5. Hunting is prohibited on Mt. Evans Summit Lake cirque, and within 1/2 (one-half) mile of either side of the centerline of Mt. Evans Highway (Colo 5) while the road is open to motor vehicle traffic, from its intersection with Colo 103 to the summit of Mt. Evans. When Colo 5 is closed to motor vehicle traffic, this hunting closure is lifted, except that the closure will remain in place year-round for ptarmigan hunting. (Information note: maps are available from the Division, Northeast Region Office, 6060 Broadway, Denver, Colorado -80216.)
6. All lands in the Gore Creek Drainage south of I-70 from Lions Head Ski Lift at Vail to the intersection of I-70 and US 24, and all lands on the north side and within one-half (1/2) mile of I-70 from the main Vail exit (exit 176) west to the intersection of I-70 and US 24 shall be closed to all hunting during the regular rifle deer and elk seasons each year.

F. Director's Authority

1. The Director of the Division may remove whole or parts of existing closures or establish and enforce new temporary closures of, or restrictions on, lands and waters of the state to hunting, fishing or other wildlife-related recreation, including but not limited to the collection of shed antlers, for a period not to exceed 9 months. Such temporary closures or removal of whole or parts of existing closures may be established and enforced only where necessary to protect public safety, protect threatened or endangered wildlife species, protect wildlife resources from significant natural or manmade threats, such as the introduction or spread of disease or nuisance species, changing environmental conditions or other similar threats, protect time-sensitive wildlife use of lands or waters, protect against additional and significant environmental damage after an area has sustained a natural or manmade disaster, or to facilitate Division-sponsored wildlife research projects or management activities. Whenever such closure is established or removed, public notice ~~of the closure~~ shall be given, including the posting of the lands and waters affected, indicating the nature and purpose of the closure or removal of the whole or partial closure. Upon posting, it shall be unlawful to hunt, fish or engage in any other designated wildlife-related recreation on such lands or waters or enter the lands or waters for the purpose of hunting, fishing or any other designated wildlife-related recreation.

G. Incorporated References

1. Materials incorporated by reference in these regulations only include the edition of the material specifically identified by date in the incorporation by reference. The incorporation by reference does not include later amendments to, or editions of, the incorporated materials. Information regarding how and where the incorporated materials may be examined, or copies obtained, is available from:

Regulations Manager
Policy and Planning Unit
Colorado Division of Parks and Wildlife
1313 Sherman Street
Denver, Colorado 80203

2. In addition, materials incorporated by reference in these regulations are maintained by, and available for examination at, any state publications depository library.

H. Possession of Edible and Non-edible Portions of Mountain Lions and Bears

The possession of the carcass, hide, skull, claws, or any part of any bear or lion is prohibited unless the animal was taken by a licensed hunter during an established hunting season or unless specifically authorized by the Division.

I. Chronic Wasting Disease Reporting

Chronic Wasting Disease (CWD) is classified as a disease which, whenever detected in the wild or in a commercial park, must be reported to the Colorado Division of Parks and Wildlife Veterinarian, 317 W. Prospect, Ft. Collins 80526, within 24 hours of the receipt of any CWD positive test result. As a condition of issuance of a license or permit, any hunter, commercial park licensee, other license holder or permittee of the Division, or any member of the public who submits a deer or elk head for CWD testing grants consent for the lab to report the test results to the Division. A written copy of the test report shall be provided to the Division at the above address within 10 days of test completion, either by the lab or by the person who submits the sample.

J. Electronic Ignition Muzzle Loaders

It is unlawful for any person, except a person authorized by law or by the division, to possess or have under his control a loaded electronic-ignition muzzle loader in or on any motor vehicle unless the chamber of such firearm is unloaded or unless the battery is disconnected and removed from its compartment.

MAILING – 12/29/2017
Basis and Purpose
Chapter W-0 - General Provisions

Basis and Purpose:

Shed antler collection, both for commercial purposes and for recreation has seen a dramatic increase in Colorado in the last 5-10 years. This activity begins as early as January and continues through the spring months. Shed antler hunters search winter ranges, severe winter ranges and concentration areas of mule deer, elk, pronghorn, and moose. This activity can displace and move these big game animals when they are most vulnerable to stress. The result of these stresses on wintering big game can be decreased body condition, increased mortality, and decreased fawn survival.

The concerns of shed antler and horn collecting impacts on wintering mule deer and elk have been raised by CPW personnel in the Gunnison Basin as far back as 2006 with a resulting regulation on antler collecting.

In 2014, CPW personnel in the Eagle Valley raised concerns for the impacts that shed antler collecting was having in GMUs of the Eagle and Roaring Fork watersheds (GMUs 25, 26, 35, 36, 43, 344, 47, 444, and 471). Beginning in 2015, CPW approved a regulation restricting antler collecting within these GMUs.

It was of concern to CPW personnel that having antler collecting restrictions in place in some areas and not in others increased the pressure significantly in areas without closures. Providing consistency with a westslope-wide regulation will minimize these issues. The January 1st- April 30th closure dates and open season dates of May 1st- December 31st are also consistent with the shed antler collection dates in Wyoming. The creation of a \$40 annual antler and horn collection permit for the month of May will also allow the agency to track how much of this activity is occurring in the state and encourage collectors to wait until June to collect sheds.

Additionally, a May 1- May 15, from sunset through 10:00 am, shed collection closure was left in place for the Gunnison Basin for continued protection of nesting Gunnison Sage-grouse.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-106, C.R.S.

EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE JUNE 1, 2018 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 11th DAY OF JANUARY 2018.

APPROVED:
John V. Howard
Chairman

ATTEST:
Jim Vigil
Secretary

FINAL REGULATIONS - CHAPTER W-0 - GENERAL PROVISIONS

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A customer identification number is not required for the following license categories:

1. Senior Lifetime licenses issued prior to 1990.
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 - D. All annual resident and nonresident licenses authorized in 33-4-102 (1.4), C.R.S., including fishing, senior fishing, small game hunting, furbearer, combination fishing and small game hunting, and the Colorado wildlife habitat stamp, -shall be valid and otherwise in effect from April 1 to March 31st of the following year.
 - E. Except as otherwise provided in these regulations, any person who hunts or fishes in Colorado shall be physically present in the immediate vicinity of the activity. Internet or other computer-assisted remote hunting or fishing is prohibited.
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K. The Director is hereby authorized to issue the following licenses.

1. Licenses for law enforcement investigative purposes to District Wildlife Managers, U.S. Fish & Wildlife (USFWS) Service Special Agents, or other persons cooperating with them or otherwise participating in a wildlife-related law enforcement activity authorizing them to hunt or fish as an appropriate element of an investigation of violation of Articles 1 through 6 of Title 33 of the Colorado Revised Statutes, regulations issued pursuant thereto, or federal wildlife laws; provided however, that no wildlife shall be taken with such a license if the taking would jeopardize the maintenance of populations at viable self-sustaining levels.

A written report shall be provided by the Director to the Wildlife Commission annually specifying the total number of licenses issued under this authority during the previous calendar year.

L. Turning In Poachers (TIPS) Reward Program

1. The Director is authorized to award licenses and preference points in accordance with this regulation to otherwise eligible persons that report the illegal take or possession or willful destruction of big game or turkey in Colorado to the Division.
2. Any person who voluntarily provides information that results in a person being charged with the illegal take or possession of big game or turkey may be awarded a preference point for the wildlife species of their choice or an over-the-counter license for the same species reported. As an alternative to the above reward options, and except as provided below, any person who voluntarily provides information that results in a person being charged with willful destruction of big game or turkey or assessment of a § 33-6-109(3.4), C.R.S., penalty may be awarded a limited license for the same species and unit reported.
 - a. In limited license units where less than 10 licenses (total) are allocated annually for all manners of take, only one reward license can be issued in any three-year period.
 - b. In limited license units where less than 20 licenses (total) are allocated annually for all methods of take, only one reward license may be issued per year.
 - c. In limited license units where the reward license has already been issued the person may:
 1. wait until the next reward license in that unit is available, or
 2. select another limited license unit for which a reward license is available.
 - d. If the violation(s) reported occurred within a game management unit, which is closed to hunting the species reported, the person may select another limited license unit for which a reward license is available.
3. Limited licenses awarded as part of the TIPs Reward Program shall be in addition to the number of licenses generally available through or allocated as part of the Division's limited license draw.
4. Licenses for use on properties participating in the Division's Ranching for Wildlife program are not available as part of the TIPs Reward Program.

5. Licenses awarded as part of the TIPs Reward Program do not confer or otherwise guarantee access to any property for the purpose of exercising the benefits of the license. Securing such access is the responsibility of the license holder.
6. Except as provided in 2(c)(1), all licenses awarded as part of the TIPs Reward Program must be for a season occurring within 18 months of the final judicial disposition of the charges.
7. Licenses and preference points issued as part of the TIPs Reward Program are nontransferable.
8. For the purposes of the TIPs Reward Program, “charging” means the issuance of a penalty assessment or summons and complaint and such charging decision is at the sole discretion of the investigating officer or District Attorney.
9. While conviction is not necessary to support the awarding of a preference point or license, no applications for TIPs rewards will be accepted and no such rewards will be issued until final judicial disposition of the charges.
10. Only one TIPs reward will be issued per poaching incident, no matter how many animals are illegally taken. Further, if more than one person reports the violation(s) and files an application, the TIPS reward will be awarded to the person the Director finds to have provided the most pertinent information regarding the violation.
11. Applications for TIPs rewards must be made on forms provided by the Division, must be filed within 90 days of the judicial disposition of the charges and all applicants are subject to the following eligibility requirements:
 - a. To be eligible for a TIPs reward, a person must voluntarily come forward and report the violation, and must be willing to testify, and testify if requested, in any subsequent criminal prosecution. Information obtained through criminal investigation or court process is not considered “voluntary” for the purposes of the TIPs Reward Program.
 - b. A person is eligible for only one TIPs reward per year.
 - c. A person is ineligible to receive a TIPs reward if they have received any other reward for reporting the violation(s), including but not limited to a monetary payment under the Operation Game Thief program.
 - d. A person must be eligible to apply for, possess or exercise the benefits of any license or preference point conferred through the TIPs Reward Program and must otherwise comply with all other generally applicable hunting requirements and restrictions.
 - e. All Division employees, and peace officers that report violation(s) to the Division as part of their law enforcement duties, are ineligible for the TIPs Reward Program.

M. Terrestrial Invasive Species

1. The following terrestrial invasive species are hereby declared to be detrimental to Colorado’s wildlife and habitat. They may be seized, captured or destroyed by the Division or its authorized agents whenever and wherever found.
 - a. Feral hog
 - b. Eurasian collared-dove
 - c. European starling
 - d. House (English) sparrow

2. No license is required for a person to hunt or take terrestrial invasive species. However, commercial hunting or taking of terrestrial invasive species is prohibited. No person shall receive compensation or attempt to receive compensation from the hunting of terrestrial invasive species in Colorado. Terrestrial invasive species may be taken year-round in any number by any method allowed for the take of big or small game. In addition, terrestrial invasive species may be taken at night with the use of artificial light and night vision equipment.
 - a. Except when counted as part of the bag and possession limit for doves in #508 of these regulations, while in the field and during transport all Eurasian collared-doves shall be fully feathered.
3. Except as authorized in writing by the Director when such release is determined to be biologically non-detrimental to Colorado's wildlife and habitats, no person shall release terrestrial invasive species or hybrids of terrestrial invasive species in Colorado for the purpose of allowing them to run at large or otherwise facilitate the distribution or abundance of these species in Colorado.

N. Hunter Education

1. For the purpose of this regulatory provision, the following terms have the following definitions:
 - a. **“Active Duty”** means a person who is a full time employee of a U.S. military service branch under the Department of Defense and can be deployed at any time.
 - b. **“National Guard”** means the Army National Guard or Air National Guard that is part of an organized militia of any state within the United States of America. National Guard members are not considered active duty military personnel.
 - c. **“Reserve Duty”** means a person who is trained and qualified by a U.S. military Reserve Component to be available for active duty in the armed forces when needed. Reserve members are not considered active duty military personnel.
 - d. **“Veteran”** means a person who served in the Active Duty or Reserve Duty military or the National Guard and who was discharged or released from such service under conditions other than dishonorable.
2. As authorized and in accordance with §33-6-107(8) and §33-6-107(10) C.R.S, these regulations establish requirements for Colorado's hunter education certification program. Hunter education classes within this state must include a minimum of 10 hours of instruction, including, but not limited to, the topics of wildlife management, wildlife identification, firearms safety, ethics, and laws and regulations. A portion of the course curriculum must also include hands-on activities where students demonstrate, at a minimum, safe firearms handling and a live fire exercise. Students must also pass a written test to successfully complete the course. Except as provided in regulation #002(L)(3) below, any person born on or after January 1, 1949, must have a valid hunter education certificate prior to hunting, trapping, or purchasing any hunting license in accordance with §33-6-107(8) and §33-6-107(10) C.R.S.
3. Allowable hunter education course delivery options and methods are as follows:
 - a. Traditional class- 10 hours, minimum, in a standard classroom setting that includes hands-on learning activities. Additional time beyond the 10 hour requirement is also necessary to complete the written test and live fire exercise.
 - b. Internet course with conclusion class- The internet portion of the class is credited with 6 hours of study. A 4-6 hour, in-person, conclusion class is required and will

cover laws and regulations, wildlife identification, and hands-on firearms activities. Additional time beyond the 4-6 hour requirement is also necessary to complete the written test and live fire exercise.

- c. A person age 50 and older may complete a one-time test-out of the hunter education certification requirements by passing a timed hunter education test online with a score of 90% or above. This online test can only be taken once.
 - d. U.S. military veterans, active duty, reserve duty and National Guard members may complete a one-time test-out of the hunter education certification requirements by passing a timed hunter education test online with a score of 90% or above. This online test can only be taken once. Military personnel must bring test certificate and military identification to a CPW office to verify military status and obtain a hunter education certificate. To qualify, a veteran must be discharged under conditions other than dishonorable. Acceptable forms of military identification include:
 - i. DD 214;
 - ii. DD Form 2;
 - iii. DD Form 2765;
 - iv. Active, retired, veteran military identification card;
 - v. A current Colorado Drivers License or state issued identification card with the word "veteran" printed on it as specified in 42-2-303(5)(a) C.R.S.;
 - vi. VA medical card.
4. Exceptions to the hunter education certification requirements are as follows:
- a. A person 10 years of age or older who obtains an apprentice certificate. An apprentice certificate can only be obtained once and is valid for a one-year period, identified as April 1-March 31 annually. Apprentice certificate holders must be personally accompanied by, and in voice and visual contact with a mentor while hunting. A mentor may oversee no more than 2 apprentices at a time and must carry proof of hunter education and age while in the field.

O. Antler and Horn Collection

These regulations govern the collection of shed antlers, shed horns, or antlers or horns naturally attached to skull plates.

1. On any lands east of I-25, any person may, with lawful access, collect shed antlers or horns at any time. On private lands west of I-25, any person may, with lawful access, collect shed antlers or horns at any time. Public lands west of I-25 are closed to collection from January 1 through April 30, annually. On public lands west of I-25, any person may collect shed antlers or horns from May 1 through December 31, annually, except in GMUs 54, 55, 66, 67, and 551 where the collection of shed antlers or horns shall further be prohibited between legal sunset and 10:00 AM from May 1 through May 15 annually. The Director or their designee may establish additional closures or remove whole or parts of existing closures as necessary under the criteria set forth in regulation #020.F.1.
2. Possession of antlers or horns on public lands west of I-25 from January 1 through April 30 is prohibited. Possession of antlers or horns on public lands in GMUs 54, 55, 66, 67, and 551 between legal sunset and 10:00 AM from May 1 through May 15 annually is prohibited. Possession of antlers or horns on private property without lawful access is prohibited. Each antler or horn will be treated singularly for the purpose of this regulation, unless naturally attached together on a skull plate.
3. For the purpose of this regulatory provision, the following terms have the following definitions:
 - a. "Antlers" means the bony, deciduous appendages protruding from the heads of members of the deer family (Cervidae), including deer, elk, and moose.

b. "Collect" means to search for, locate, stockpile, or possess shed antlers, shed horns, or antlers or horns naturally attached to skull plates of big game animals on public land or attempt to search for, locate, stockpile, or possess shed antlers, or shed horns, or antlers or horns naturally attached to skull plates of big game animals on public land.

c. "Horns" means the hard, permanent or deciduous appendages protruding from the heads of bighorn sheep, mountain goats, or pronghorn.

d. "Public land(s)" means federal lands and lands owned or administered by the Division.

e. "Shed antler" or "shed horn" means one or more antlers and/or horns having become naturally separated from the skull.

ARTICLE XI - SPECIAL RESTRICTIONS

#020 -

- A. Most restrictive Federal or State law - In all cases of licensing, taking, possession, importation, exportation, release, marking and sale of any wildlife, irrespective of current status (threatened, endangered, game or nongame), the most restrictive state or federal regulation shall apply by species.
- B. Live Capture – Common snapping turtles may be taken in any number and maintained alive.
- C. Tagging and carcass tag requirements.
 - 1. A carcass tag is required for all big game and for turkey.
 - 2. When any person kills a wildlife species for which a carcass tag is required such person must immediately void the carcass tag by signing, dating and detaching it. Such tag must be attached to the carcass immediately prior to and during transportation in any vehicle or while in camp or at a residence or other place of storage. Such tag, when so dated, signed and attached to the species lawfully taken or killed and lawfully in possession, authorizes the possession, use, storage, and transportation of the carcass, or any part thereof.
 - 3. If the carcass tag and/or license are inadvertently or accidentally detached, lost or destroyed, the licensee must obtain a duplicate carcass tag and/or license before he can lawfully hunt with such license. The duplicate carcass tag may be obtained upon furnishing satisfactory proof as to the inadvertent or accidental nature of detachment, loss, or destruction to the Division.
- D. Waste of Wildlife
 - 1. Except for furbearers, Terrestrial Invasive Species listed in Commission Regulation #002(K)(1), wildlife listed in Commission Regulation #300(A)(3), or any wildlife taken under the authority of §33-6-107(9), C.R.S., all edible portions of game wildlife taken under the authority of a license shall be properly prepared to provide for human consumption. For the purpose of this restriction edible portions shall not include internal organs.
 - 2. Any consumption or spoilage of game wildlife by a falconry raptor upon the raptor's capture of the game wildlife shall not be considered waste of wildlife, provided the

falconer makes a reasonable and timely attempt to retrieve the game wildlife and prepare some remaining edible portion for human consumption.

E. Closures

1. Federal fish hatcheries and rearing units except that persons designated by the United States Fish and Wildlife Service may take fish or amphibians within the boundaries of said hatcheries or rearing units.
2. Except as otherwise provided in these regulations all Division hatcheries, rearing units and holding basins shall be closed to the taking of fish and amphibians.
3. State Refuges, Parks and Monuments - Public access to any refuge, park or monument, the jurisdiction over which is by law given to any federal or state agency or municipality, may be limited by order of said agency or municipality to the same extent as if said agency or municipality were a private person.
4. Hunting with rifles, handguns or shotguns firing a single slug, or archery equipment is prohibited within an area fifty (50) feet on each side of the center line of any state highway or municipal or county road as designated by the county. In the case of a divided road or highway this shall include the entire median area and the fifty (50) feet shall be measured from the center line of both roads.
5. Hunting is prohibited on Mt. Evans Summit Lake cirque, and within 1/2 (one-half) mile of either side of the centerline of Mt. Evans Highway (Colo 5) while the road is open to motor vehicle traffic, from its intersection with Colo 103 to the summit of Mt. Evans. When Colo 5 is closed to motor vehicle traffic, this hunting closure is lifted, except that the closure will remain in place year-round for ptarmigan hunting. (Information note: maps are available from the Division, Northeast Region Office, 6060 Broadway, Denver, Colorado -80216.)
6. All lands in the Gore Creek Drainage south of I-70 from Lions Head Ski Lift at Vail to the intersection of I-70 and US 24, and all lands on the north side and within one-half (1/2) mile of I-70 from the main Vail exit (exit 176) west to the intersection of I-70 and US 24 shall be closed to all hunting during the regular rifle deer and elk seasons each year.

F. Director's Authority

1. The Director of the Division may remove whole or parts of existing closures or establish and enforce new temporary closures of, or restrictions on, lands and waters of the state to hunting, fishing or other wildlife-related recreation, including but not limited to the collection of shed antlers, for a period not to exceed 9 months. Such temporary closures or removal of whole or parts of existing closures may be established and enforced only where necessary to protect public safety, protect threatened or endangered wildlife species, protect wildlife resources from significant natural or manmade threats, such as the introduction or spread of disease or nuisance species, changing environmental conditions or other similar threats, protect time-sensitive wildlife use of lands or waters, protect against additional and significant environmental damage after an area has sustained a natural or manmade disaster, or to facilitate Division-sponsored wildlife research projects or management activities. Whenever such closure is established or removed, public notice ~~of the closure~~ shall be given, including the posting of the lands and waters affected, indicating the nature and purpose of the closure or removal of the whole or partial closure. Upon posting a new closure, it shall be unlawful to hunt, fish or engage in any other designated wildlife-related recreation on such lands or waters or enter the lands or waters for the purpose of hunting, fishing or any other designated wildlife-related recreation.

G. Incorporated References

1. Materials incorporated by reference in these regulations only include the edition of the material specifically identified by date in the incorporation by reference. The incorporation by reference does not include later amendments to, or editions of, the incorporated materials. Information regarding how and where the incorporated materials may be examined, or copies obtained, is available from:

Regulations Manager
Policy and Planning Unit
Colorado Division of Parks and Wildlife
1313 Sherman Street
Denver, Colorado 80203

2. In addition, materials incorporated by reference in these regulations are maintained by, and available for examination at, any state publications depository library.

H. Possession of Edible and Non-edible Portions of Mountain Lions and Bears

The possession of the carcass, hide, skull, claws, or any part of any bear or lion is prohibited unless the animal was taken by a licensed hunter during an established hunting season or unless specifically authorized by the Division.

I. Chronic Wasting Disease Reporting

Chronic Wasting Disease (CWD) is classified as a disease which, whenever detected in the wild or in a commercial park, must be reported to the Colorado Division of Parks and Wildlife Veterinarian, 317 W. Prospect, Ft. Collins 80526, within 24 hours of the receipt of any CWD positive test result. As a condition of issuance of a license or permit, any hunter, commercial park licensee, other license holder or permittee of the Division, or any member of the public who submits a deer or elk head for CWD testing grants consent for the lab to report the test results to the Division. A written copy of the test report shall be provided to the Division at the above address within 10 days of test completion, either by the lab or by the person who submits the sample.

J. Electronic Ignition Muzzle Loaders

It is unlawful for any person, except a person authorized by law or by the division, to possess or have under his control a loaded electronic-ignition muzzle loader in or on any motor vehicle unless the chamber of such firearm is unloaded or unless the battery is disconnected and removed from its compartment.

MAILING – 12/29/2017
Basis and Purpose
Chapter W-0 - General Provisions

Basis and Purpose:

Shed antler collection, both for commercial purposes and for recreation has seen a dramatic increase in Colorado in the last 5-10 years. This activity begins as early as January and continues through the spring months. Shed antler hunters search winter ranges, severe winter ranges and concentration areas of mule deer, elk, pronghorn, and moose. This activity can displace and move these big game animals when they are most vulnerable to stress. The result of these stresses on wintering big game can be decreased body condition, increased mortality, and decreased fawn survival.

The concerns of shed antler and horn collecting impacts on wintering mule deer and elk have been raised by CPW personnel in the Gunnison Basin as far back as 2006 with a resulting regulation on antler collecting.

In 2014, CPW personnel in the Eagle Valley raised concerns for the impacts that shed antler collecting was having in GMUs of the Eagle and Roaring Fork watersheds (GMUs 25, 26, 35, 36, 43, 344, 47, 444, and 471). Beginning in 2015, CPW approved a regulation restricting antler collecting within these GMUs.

It was of concern to CPW personnel that having antler collecting restrictions in place in some areas and not in others increased the pressure significantly in areas without closures. Providing consistency with a westslope-wide regulation will minimize these issues. The January 1st- April 30th closure dates and open season dates of May 1st- December 31st are also consistent with the shed antler collection dates in Wyoming. Additionally, a May 1- May 15, from sunset through 10:00 am, shed collection closure was left in place for the Gunnison Basin for continued protection of nesting Gunnison Sage-grouse.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-106, C.R.S.

EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE JUNE 1, 2018 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 11th DAY OF JANUARY 2018.

APPROVED:
John V. Howard
Chairman

ATTEST:
Jim Vigil
Secretary

Proposed fee for shed antler collection

License price	Net license revenue sold at CPW office, cash (3.7%)	Net license revenue sold at CPW office, credit card (3.7% & 2.2%)	Net license revenue sold over the internet or phone (3.7%, 2.2% & \$1.45)	Net license revenue sold by external agent (4.75%)	Est license quantity to break even (assuming minimum)	Total net CPW license revenue (minimum)	Total net CPW license revenue (maximum)
\$ 40.00	\$ 38.52	\$ 37.64	\$ 36.19	\$ 38.10	4,145	\$ 150,000.00	\$ 159,657.36
\$ 30.00	\$ 28.89	\$ 28.23	\$ 26.78	\$ 28.58	5,601	\$ 150,000.00	\$ 161,818.52
\$ 20.00	\$ 19.26	\$ 18.82	\$ 17.37	\$ 19.05	8,636	\$ 150,000.00	\$ 166,321.24
\$ 10.00	\$ 9.63	\$ 9.41	\$ 7.96	\$ 9.53	18,844	\$ 150,000.00	\$ 181,469.85

Estimated cost of enforcement (1 month)**

\$ 150,000.00

*Assuming 3.7% Contractor Commission Fee on all wildlife products less than \$100, 2.2% Contractor credit card fee, \$1.45 Contractor fulfillment fee (for internet and phone license sales), 4.75% Commission Fee for licenses sold by external agent

**Estimated cost of enforcement during the month of May only