

ISSUES SUBMITTAL FORM

Date: 12/01/2014

ISSUE:	Should wildlife sanctuaries in Colorado be allowed to possess wildlife taken from the wild in other states under certain exceptions?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>In September of 2012, Colorado Parks and Wildlife denied The Wild Animal Sanctuary's request to import and possess a nuisance bear named "Meatball". This refusal was based on regulation #1104.C.5, which was adopted by the Wildlife Commission in 2005, and states that "no wildlife taken from the wild shall be possessed by any wildlife sanctuary".</p> <p>This denial spurred several citizen petitions to be filed in January of 2013 asking the Parks and Wildlife Commission to change the current regulation. The petitioners questioned why this regulation only applied to wildlife sanctuaries and not all wildlife parks. Several of the petitions also claimed that the current regulation was not in compliance with State Statute 33-4-102(14), which defines a wildlife sanctuary as "a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned, or displaced wildlife are provided care for their lifetime". The Parks and Wildlife Commission voted to deny all four petitions, but requested CPW staff to continue dialogue with the sanctuaries to address their concerns.</p> <p>Since that time, CPW staff has been meeting internally and with the directors of the wildlife sanctuaries within Colorado to discuss and address this issue as well as other concerns. This issue paper presents the preferred regulatory language that resulted from these numerous meetings/discussions.</p> <p>The preferred alternative stated below applies the restrictions of #1104.C.5 to commercial and noncommercial wildlife parks as well as sanctuaries. It also allows certain exceptions for when wildlife sanctuaries can possess animals taken from the wild in other states.</p>	
WHO ARE THE INTERNAL/EXTERNAL PUBLICS IN THIS ISSUE? WHAT INPUT PROCESS HAS OCCURRED?	
<p>Internal Publics- Director, Regional Managers, Leadership Team Members, Commercial Parks Coordinator, Area staff.</p> <p>External Publics- Colorado wildlife sanctuaries, other state wildlife management agencies, other state wildlife sanctuaries or commercial/noncommercial parks, animal welfare activists, etc.</p>	
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<p>1. * Preferred Alternative *: <i>Delete existing regulation #1104.C.5 and add new regulation #1104.D, stating the following:</i></p> <p>Except as provided herein, no wildlife taken from the wild shall be possessed by any commercial wildlife park, noncommercial wildlife park or wildlife sanctuary in Colorado. Wildlife taken from the wild outside of Colorado may be possessed by a wildlife sanctuary provided:</p> <ol style="list-style-type: none"> 1. The wildlife has been determined by the wildlife management agency of the source state or country to be habituated and non-releasable and has otherwise authorized the export of the wildlife, and 2. The wildlife has been held in captivity in the source state or country for no less than 24 months. However, the Director may authorize the importation of wildlife that does not meet the captivity period requirement if he determines it is proper for management of the division and otherwise beneficial to the management, preservation or conservation of wildlife resources. In making such determination, the Director shall consider: <ol style="list-style-type: none"> a. other placement or wildlife management options available to the exporting state or country, b. capacity and resources of the importing wildlife sanctuary, c. impact to state wildlife management programs, and 	

d. any other wildlife management criteria.

Provided however, that no more than one such importation per calendar year (based on a three-year rolling average) may be approved for any wildlife sanctuary.

For the purposes of this regulation, wildlife born in captivity, even if born to wildlife taken from the wild, are not considered "taken from the wild."

2. Status Quo. No change to current regulations.

Issue Raised by:	Pat Craig, Executive Director of The Wild Animal Sanctuary Tim Monahan, Chris Kloster, Pat Dorsey, Heath Kehm, Chad Bishop, Steve Yamashita, Director Broscheid	
Author of the issue paper (if different than person raising the issue):	Danielle Isenhart, CPW Regulations Manager and Tim Monahan, CPW Legislative Council	
CC:	Jeff VerSteeg, Brian Kurzel, Tim Monahan, Chris Kloster	
APPROVED FOR FURTHER CONSIDERATION BY:		
REQUIRES NEW SPACE IN THE BROCHURE?		NO
ISSUE PAPER HAS BEEN EMAILED TO REG REVIEW MGRS GROUP?		YES
RECOMMENDED FOR CONSENT AGENDA?		NO