

November 28, 2014

**RULE-MAKING NOTICE
PARKS AND WILDLIFE COMMISSION MEETING
January 14-15, 2015**

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 their next meeting on **January 14-15, 2015**. **The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-1-104, 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 14-15, 2015 beginning at 8:00 a.m.*

EFFECTIVE DATE OF REGULATIONS approved during the January 2015 Parks and Wildlife Commission meeting: March 2, 2015, unless otherwise noted.

PARKS REGULATIONS

ISSUES IDENTIFICATION:

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

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, parks properties controlled by the Division of Parks and Wildlife.

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

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements.

**Please reference the Commission agenda, to be posted on or after January 5, 2015, 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>.*

WILDLIFE REGULATIONS

FINAL REGULATIONS:

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

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

- Allow limited use of leashed dogs to recover wounded big game, excluding black bears.
- Allow seropositive ungulates to be imported into Colorado for research purposes or for immediate slaughter after prior authorization from the Director.
- Removing the reporting requirements for stocking information by private aquaculture operations, except for specific non-native warm-water sport fish in private waters west of the continental divide.

Chapter W-2 - "Big Game" 2 CCR 406-2

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

- Annual changes to season dates, limited license areas and license numbers, and manner of take provisions for Bighorn sheep and Rocky Mountain goat.
- Annual changes to season dates, limited license areas and manner of take provisions for deer, elk, pronghorn antelope, moose, mountain lion, and bear.
- Annual changes to limited license application and drawing processes.
- Big Game Season Structure implementation including changes to youth and black bear season participation and license agent cut off dates.
- Allowing the use of lighted nocks on arrows and recording devices on bows during the archery season.
- Changing season dates for the deer, elk and concurrent bear seasons on the Bosque del Oso SWA to match the current statewide west of I-25 season dates.
- Opening a portion of GMU S-26 to ram hunting with an S-13 ram tag.
- Opening hunting in S-55 as a part of the S-10 ram tag.
- Opening limited ram hunting in BHS units S-24 and S-75 utilizing DBHS season dates.
- Opening ewe hunting in S-6.
- Establishing two ewe huntcodes for novel seasons in GMU S-69.
- Opening archery sheep hunting in Watertown Canyon.
- Exempting private ram licenses (not obtained through the public draw) from the 5-year waiting period after harvesting a ½ curl or larger ram.
- Opening a separate rifle season for sheep hunting in S-37.
- Opening the entire unit of G-5 to any method of take.
- Splitting G-11 into two sub-units to distribute hunting pressure and accommodate additional hunting opportunity.
- Establishing a nanny-only huntcode in G-12 with the same season dates as the existing either-sex huntcode.
- Creating an either-sex rifle mountain goat huntcode for G-18.
- Changing all September and concurrent rifle bear licenses in B-11 from list A to list B.
- Creating separate huntcodes in GMUs 1, 2, 10, and 201 for bear licenses.
- Create separate huntcodes in GMUs 40, 61, 76, and Bosque portion of 851 for bear licenses.
- Requiring that hunters be present at the time and place when hounds are released and continuously participate in the mountain lion hunt until it ends.

- Removing the Uncompahgre Plateau research area boundaries and special quotas and reinstating the regular big game management unit boundaries of 61, 62, and 70 for mountain lion hunting. (PWCR# 242 (A)(5))
- Opening mountain lion hunting in GMU 14.
- Adding a late season rifle doe deer hunt in GMUs 103 and 109.
- Shortening the PLO doe deer season in GMU 20 to coincide with the closing date of the PLO buck deer season.
- Shortening the PLO doe deer seasons in GMUs 29 and 38 to coincide with the closing date of the PLO buck deer seasons.
- Adjusting the boundaries for the DE041P5A and DF041P5A huntcodes.
- Creating a fourth season rifle antlered deer hunt in GMU 201.
- Prohibiting antler shed collection on public lands within the Eagle and Roaring Fork River watersheds, with dates and times consistent with the Gunnison Basin antler shed collection closure.
- Reinstating fourth season buck hunts in the Gunnison Basin.
- Creating antlerless mule deer hunts for the second and third rifle seasons in GMUs 55 and 551.
- Increasing youth preference for antlerless mule deer licenses in the Gunnison Basin GMU's from 15% to 50% for 2015.
- Eliminating muzzleloader, 2nd season, and 3rd season doe licenses/hunt codes and converting the either sex archery licenses to buck only in GMUs 71, 72, 73, and 711.
- Eliminating the fourth season doe deer huntcode from GMU 501.
- Adding an early (September) high country buck season in GMU 65.
- Making huntcode DF075P5R valid on private lands south of Hwy 160 in GMUs 75 and 751.
- Creating new huntcodes for buck deer valid only in GMU 140, and removing GMU 140 from existing huntcodes.
- Expanding the boundaries of huntcode EF031P5R to include all of GMU 22.
- Removing GMU 128 from the eastern plains elk season and creating an alternative season structure.
- Eliminating huntcode EF054L2R.
- Eliminating huntcode EF055P5R.
- Replacing the two existing late cow seasons in GMUs 50, 500, and 501 with one late 9 day cow elk season beginning the last Saturday in December.
- Expanding the boundaries for the E-F-391-P5-R huntcode, to include all private lands in GMU 391 and private lands within the Jefferson County portion of GMU 39.
- Splitting GMU 70 out from the other GMUs in E-24 in the following huntcodes: E-E-070-O1M, E-F-070-O1M, E-E-070-O1R, E-E-070-O4R, E-E-070-P1R, and EE-070-P4R.
- Adding a late season public land antlerless elk hunt in GMU 61.
- Establishing antlerless moose huntcodes for GMUs 66 and 67.
- Creating stand-alone cow moose licenses in GMU 191.
- Establishing antlered moose huntcodes in GMUs 44 and 45.
- Expanding moose hunting opportunities within low density areas of the Southwest Region.
- Creating stand-alone bull and cow moose licenses in GMU 38.

CITIZEN PETITIONS:

Final action may be taken on rule-making petitions at any step of the Commission's generally applicable two-step rule-making process.

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 2

At its January meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Big Game, as follows:

- *A Citizen Petition for rulemaking* requesting that hunting be prohibited around the Brainard Lake Recreation Area.

The Commission has considered the petition at one previous meeting. The Commission may accept all or a portion of the petition for final action, further consideration or otherwise reject the petition at the January Commission meeting. A copy of the petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

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

At its January meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks, as follows:

- *A Citizen Petition for rulemaking* requesting that the Asian Water Buffalo be added to the list of unregulated wildlife.

The Commission may accept all or a portion of the petition for final action, further consideration or otherwise reject the petition at the January Commission meeting. A copy of the petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

ISSUES IDENTIFICATION:

Chapter W-9 - "Wildlife Properties" 2 CCR 406-9 and those related provisions of Chapter W-1 - ("Fishing" 2 CCR 406-1) 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.

Except for the 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 and

distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, 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.

Comment deadlines: Comments will be accepted at any time prior to, or as part of the meeting. 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 31, 2014, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **January 2, 2015.**

Comments received by the Division after noon on **December 31, 2014,** will be provided to the Commission on the day of the meeting.

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 at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to **dnr_cpwcommission@state.co.us**.

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

The process for placing matters on the Consent Agenda is as follows:

The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.

Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.

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 may be viewed on the Division of Parks and Wildlife's internet home page at **http://cpw.state.co.us**, on or after **January 5, 2015.**