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PARKS AND WILDLIFE COMMISSION MINUTES  
April 10, 2019

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A meeting of the Parks and Wildlife Commission convened at 8:34 am on April 10, 2019 at the CPW Hunter Education Building located at 6060 Broadway, Denver, CO 80203

Chair	John Howard
Vice Chair	Michelle Zimmerman
Secretary	James Vigil
	Taishya Adams
	Robert Bray
	Charles Garcia
	Marie Haskett
	Carrie Besnette Hauser
	Marvin McDaniel
	Luke Schafer
	Eden Vardy

Parks and Wildlife Commission Roll Call Attendance for Wednesday, April 10<sup>th</sup>, 2019:

April 10, 2019  
Adams - Present  
Bray - Present  
Garcia - Present  
Haskett - Present  
Besnette Hauser - Present  
Howard - Present  
McDaniel - Present  
Schafer - Present  
Vardy - Present  
Vigil - Present  
Zimmerman - Present  
Gibbs - Present; Mauck - Absent  
Greenberg - Absent; East - Present

Acting Director Jeff Ver Steeg and Staff.

Others in attendance were: Jennifer Gluck, Bill Canterbury, Liz Rose, Ryan McSparran, Andrew Currie, Steve Bonowski, Dan Gates, Kent Gorham, Jill Ozarski, Scott Jones, Dick Ray, Mike Ray, Ash Tully, Steve Lohr, Dale Coombs, Leah Griffith, Colin Waters, Philip McNichols, Michael Barrow, Jason Vogel, Dave Accashian

**OA 19-022**  
Minutes Approval      It was moved by Mr. McDaniel and seconded by Ms. Zimmerman to approve the minutes of the January 9-10, 2019 Parks and Wildlife Commission Meeting and the Minutes of the March 1, 2019 Conference Call.

**Motion Carried by Unanimous Roll Call Vote 8-0.**  
**Abstained:** Adams, Schafer, Vardy

**EMERGENCY  
REGULATIONS  
OA 19-023**

Chapter W-5:  
"Small Game -  
Migratory Game  
Birds" 2 CCR 406-5:

It was moved by Mr. McDaniel and seconded by Mr. Bray to approve the alternate motion to adopt the emergency regulation in Chapter W-5 related to waterfowl and migratory bird seasons, with a closing date for the duck seasons in the Central Flyway and Pacific Flyway Western Zone of January 31<sup>st</sup>.

**Motion Carried by Unanimous Voice Vote. 11-0.**

See Attachment 1.

**OA 19-024**

2019 RTP Funding  
Rescission,  
Recommended Trail  
Funding Allocations

It was moved by Ms. Zimmerman and seconded by Mr. Vigil to approve the recommended funding for the additional trail grants from the 2018 non-motorized grant cycle.

**Motion Carried by Unanimous Voice Vote. 11-0.**

**OA 19-025**

2019 Non-Motorized  
Trail Grants  
Recommended  
Funding

It was moved by Ms. Hauser and seconded by Ms. Zimmerman to approve the recommended funding for the 2019 Non-Motorized Trail Grants with the exception of Item 16.

**Motion Carried by Unanimous Voice Vote. 11-0.**

**OA 19-026**

2019 Non-Motorized  
Trail Grants  
Recommended  
Funding

It was moved by Mr. McDaniel and seconded by Mr. Vigil to approve Item 16 of the recommended funding for the 2019 Non-Motorized Trail Grants

**Motion Carried by Unanimous Roll-Call Vote. 9-0.**

**Abstained:** Hauser, Vardy

**OA 19-027**

Colorado Wildlife  
Habitat Program:  
2019 RFP - Priorities

It was moved by Mr. McDaniel and seconded by Mr. Vigil to approve moving forward with the 2019 Colorado Wildlife Habitat Program RFP, as well as to approve the staff recommendations for 2019 funding levels and priorities.

**Motion Carried by Unanimous Voice Vote. 11-0.**

**OA 19-028**

Baker's Peak Ranch  
RFP

It was moved by Mr. McDaniel and seconded by Mr. Vigil to approve an increase in funding from to \$625,000.00 to \$1,875,000.00 and permission to close the third party conservation easement described in the Baker's Peak Ranch Real Estate Proposal.

**Motion Carried by Unanimous Voice Vote. 10-0.**

**Absent:** Adams

**OA 19-029**

License Suspension  
Appeal - Case 8327

It was moved by Ms. Haskett and seconded by Mr. Vigil to move agenda item 22 regarding License Suspension Appeal #8327 to the Consent Agenda.

**Motion Carried by Unanimous Voice Vote. 11-0.**

OA 19-030  
E-18 Herd  
Management Plan-  
Kenosha Pass Elk  
Herd

It was moved by Mr. Vigil and seconded by Mr. Bray to approve the E-18 Herd Management Plan for the Kenosha Pass Elk Herd as presented by staff.

Motion Carried by Roll Call Vote 10-1.  
No: McDaniel

OA 19-031  
Consent Agenda

It was moved by Mr. McDaniel and seconded by Ms. Hauser to approve the consent agenda as amended not to include Item 31.2, the E-18 Herd Management Plan for the Kenosha Pass Elk Herd.

Motion Carried by Unanimous Voice Vote 10-0.  
See Attachment 2.

OA 19-032  
EXECUTIVE  
SESSION - IN

An executive session with the Parks and Wildlife Commission was requested by Senior Assistant Attorney General Jake Matter pursuant to section 24-6-402(3)(a)(II), C.R.S., of the Colorado Open Meetings Act to allow Mr. Matter to discuss and give advice regarding legal issues related to case captioned *Trinen v. CPW, Denver Dist. Ct., 2019 CV 30764*

It was moved by Ms. Haskett and seconded by Mr. Bray to enter into Executive Session to discuss pending litigation and other confidential information.

Motion Carried by Unanimous Roll-Call Vote. 11-0.

OA 19-033  
EXECUTIVE  
SESSION - OUT

It was moved by Ms. Hauser and seconded by Ms. Haskett to adjourn from Executive Session to return to regular session.

Motion Carried by Unanimous Voice Vote. 11-0.

The Parks and Wildlife Commission meeting adjourned at 5:46 pm on Wednesday, April 10, 2019

Respectfully submitted,

  
\_\_\_\_\_, Secretary

Jim Vigil  
Parks and Wildlife Commission

APPROVED:

  
\_\_\_\_\_, Chair

John Howard  
Parks and Wildlife Commission

**EMERGENCY REGULATIONS - CHAPTER W-5 - MIGRATORY BIRDS**

**ARTICLE I – GENERAL PROVISIONS**

**#500 – DEFINITIONS:**

- A. "Migratory birds" means those migratory birds included in the terms and conventions between the United States and any foreign country for the protection of migratory birds.
- B. "Migratory game birds" means sora, Virginia rail, sandhill crane, Wilson's snipe, mourning dove, white-winged dove, band-tailed pigeon, crows, ducks, coots, and geese.
- C. "Waterfowl" means ducks and geese.
- D. "Dark geese" means Canada geese, white-fronted geese, brant, cackling geese and all other species of geese except light geese.
- E. "Light geese" means snow (including blue) geese, and Ross' geese.
- F. "Manipulation" means the alteration of natural vegetation or agricultural crops by activities that include but are not limited to mowing, shredding, discing, rolling, chopping, trampling, flattening, burning, or herbicide treatments. Manipulation does not include the distributing or scattering of grain, seed, or other feed after removal from or storage on the field where grown.
- G. "Natural vegetation" means any non-agricultural, native, or naturalized plant species that grows at a site in response to planting or from existing seeds or other propagules. Natural vegetation does not include planted millet. However, planted millet that grows on its own in subsequent years after the year of planting is considered natural vegetation.
- H. "Normal agricultural operation" means a normal agricultural planting, harvesting, post-harvest manipulation or agricultural practice that is conducted in accordance with 50 C.F.R. 20.11 (U.S. Fish and Wildlife Service, October 1, 2013).
- I. "Normal agricultural planting, harvesting, or post-harvest manipulation" means a planting or harvesting undertaken for the purpose of producing and gathering a crop, or manipulation after such harvest and removal of grain, that is conducted in accordance with 50 C.F.R. 20.11 (U.S. Fish and Wildlife Service, October 1, 2013).
- J. "Normal soil stabilization practice" means a planting for agricultural soil erosion control or post-mining land reclamation conducted in accordance with 50 C.F.R. 20.11 (U.S. Fish and Wildlife Service, October 1, 2013).
- K. "Non-toxic shot" means any shot type approved for use to take migratory game birds by the US Fish and Wildlife Service in 50 C.F.R. 20.21, November 6, 2017. This federal regulation, but not later amendments to or editions thereof, has been incorporated by reference and can be viewed and copies obtained as set forth in the "Incorporated References" section of Chapter 0 of these regulations.
- L. "Sinkbox" means a raft or any type of low floating device having a depression which affords a hunter a means of concealing himself below the surface of the water.

**#501 – HUNTING HOURS**

- A. One-half (1/2) hour before sunrise to sunset, except as otherwise provided in this chapter.

## #502 – MANNER OF TAKING

The following are legal methods of take for game species listed in this chapter. Any method of take not listed herein shall be prohibited, except as otherwise provided by statute or Commission regulation.

### A. Waterfowl and other migratory game birds:

1. Shotgun - Any shotgun not larger than 10 gauge, not firing single slugs and incapable of holding more than three (3) shells in the magazine and chamber combined and fired from the shoulder. Shotguns of any description originally capable of holding more than three (3) shells total capacity shall have the magazine so cut off, altered or plugged with a one-piece filler which is incapable of removal without disassembling the gun, so as to reduce the total gun capacity to hold no more than three (3) shells in the magazine and chamber combined.
2. Hand-held bow - With any hand-held bow provided that the arrow or bowstring is not held or drawn mechanically, except no bows may be used on any firing line designated by the Commission.
3. Blinds - In the open or from a blind or other place of concealment on land or water except a sink box. When camouflaged with vegetation from agricultural crops, such camouflaging must not result in the exposing, depositing, distributing or scattering of grain or other feed.
4. Vessels - From or by means of any vessel (excluding a sinkbox) having a motor or sails attached when the motor has been shut off and/or the sails furled, and its progress therefrom has ceased or from a vessel that is drifting or being propelled by hand, or by the aid of a vessel when used solely as a means of picking up dead or injured birds.
5. Hawking or Falconry - By means of hawking or falconry.
6. Decoys, dogs, and calls - By the aid of a dog, artificial decoys, or with the aid and use of birdcalls except recorded or electrically amplified calls or sounds, unless their use has been authorized elsewhere in this chapter.

### B. Non-toxic shot requirements

1. Shot size - No person shall possess or use non-toxic shot of size larger than size T while taking or attempting to take ducks, geese, or coots anywhere in Colorado.
2. Statewide, including all counties in Colorado in both the Central and Pacific flyways;
  - a. No person shall use or possess shot (either in shot-shells or as loose shot for muzzle-loading) other than non-toxic shot while taking or attempting to take ducks, geese or coots.
3. Non-toxic shot is required on commercial wildlife parks, during field trials, and during dog training activities when taking captive-reared mallards in Colorado.

### C. Prohibition of baiting

1. Migratory game birds and waterfowl may not be taken by the aid of baiting, or on or over any baited area, if the person knows or reasonably should know that the area is a baited area. It is unlawful to place or direct the placement of bait on or adjacent to an area for

the purpose of causing, inducing, or allowing any person to take or attempt to take any migratory game bird by the aid of baiting or on or over the baited area.

2. As used in this sub-paragraph "baiting" means the direct or indirect placing, exposing, depositing, distributing or scattering of salt, grain, or other feed that could serve as a lure or attraction for migratory game birds to, on or over any areas where hunters are attempting to take them. "Baited area" means any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or other feed could serve as a lure or attraction for migratory game birds to, on, or over areas where hunters are attempting to take them. Any such area will remain a baited area for ten days following the complete removal of all such salt, grain, or other feed.
3. Nothing in this regulation shall prohibit the taking of any migratory game bird, including waterfowl, coots, and cranes, on or over the following lands or areas that are not otherwise baited areas:
  - a. Standing crops or flooded standing crops (including aquatics); standing, flooded, or manipulated natural vegetation; flooded harvested croplands; or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation or normal soil stabilization practice; or standing or flooded standing agricultural crops where grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed birds.
4. Nothing in this regulation shall prohibit the taking of any migratory game bird, except waterfowl, coots, and cranes, on or over the following lands or areas that are not otherwise baited areas:
  - a. Areas where grain or other feed has been distributed or scattered solely as the result of the manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation.

### **#503 – LICENSE AND STAMP REQUIREMENTS**

#### **A. License required**

1. A small game license is required to take all migratory game birds listed in #500(B) for which an open season exists.
2. Each hunter must call 1-866-COLOHIP (1-866-265-6447) or register online ([www.colohip.com](http://www.colohip.com)) prior to their first hunting trip of the season to register their intent to hunt migratory birds, and to obtain permit numbers if hunting sandhill cranes, and to provide harvest information for the previous season. "Season" means the period September 1 through March 15.

#### **B. Federal Migratory Bird Hunting and Conservation Stamp**

Except as otherwise provided in this chapter, no person who has attained the age of sixteen (16) years shall take any migratory waterfowl (ducks, geese and swans) unless at the time of such taking they have on their person an unexpired Federal Migratory Bird Hunting and Conservation Stamp (commonly called duck stamp), validated by their signature written across the face of the stamp in ink, or an electronic stamp issued through the Total Licensing System that provides a receipt as proof of purchase. This proof of purchase contains a unique code given to the purchaser instantly, and constitutes valid proof of purchase of a Federal Migratory Bird Hunting and Conservation Stamp for a period not to exceed 45 days from the date of purchase.

#### **C. Colorado State Waterfowl Hunting Stamp**

In addition to the Federal Migratory Bird Hunting and Conservation Stamp, no person who has attained the age of sixteen (16) years shall take any migratory waterfowl (ducks and

geese) unless they possess and carry on their person a valid Colorado State Waterfowl Hunting Stamp, validated by their signature written, in ink, across the face of the stamp.

1. A Colorado State Waterfowl Stamp may be obtained for collection or personal purposes, but shall not serve as the required state stamp for waterfowl hunting purposes.

D. Band-Tailed Pigeon Permit

Beginning with the 2016 band-tailed pigeon hunting season, no hunter shall take any band-tailed pigeons unless at the time of such taking they have on their person an annual band-tailed pigeon permit in addition to a small game license. An annual band-tailed pigeon permit can be purchased for \$5.00.

## **#504 - SPECIAL CLOSURES AND RESTRICTIONS**

A. General

The State of Colorado is divided into two migratory waterfowl flyways consisting of the Pacific Flyway which includes all lands west of the Continental Divide, and the Central Flyway which includes all lands east of the Continental Divide.

1. A person may take in any one day, during the open season prescribed, not to exceed the number of migratory game birds and waterfowl permitted in this chapter. When so taken such birds may be possessed in the numbers specified in this chapter, except that no person on the opening day of the season may possess any migratory game birds or waterfowl in excess of the applicable daily limits and no person may possess any freshly killed migratory game birds or waterfowl during the closed season for such birds.
2. Nothing in this chapter shall be deemed to permit the taking of migratory game birds or waterfowl on any Federal reservation or sanctuary, or any area of the United States set aside under any law, proclamation, or executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge, or on any area designated as a closed area under the Migratory Bird Treaty Act except as may be permitted by these regulations.
3. No migratory game bird or waterfowl may be taken at any time, or by any means, from, on or across any highway, road, designated trail, or other right-of-way, whether public or private, within the exterior boundaries of any established national wildlife refuge.
4. Open seasons are established only on such migratory game birds and waterfowl as are herein designated. Exceptions to daily bag and possession limits and to the hours of hunting stated in Federal Migratory Bird regulations shall be as prescribed in this chapter.
5. Descriptions of all closures, specific areas, and areas with special restrictions in this chapter begin with the northern boundary and are described in clockwise rotation, with all roads or designations listed connecting to the next in the progression. The following standard abbreviations are used throughout this chapter:  
Colorado State highways: Colo  
County: Co  
County roads: Co Rd  
Interstate highways: I-  
Road: Rd  
U.S. (Federal) highways: US

Note: Migratory bird hunting closures and special provisions and restrictions for Division properties are found in Chapter 9.

B. Possession of Live Birds



Every migratory game bird wounded by hunting and reduced to possession by the hunter shall be immediately killed and become a part of the daily bag limit. No person shall at any time, or by any means, possess or transport live migratory game birds taken under the provisions of this chapter.

C. Possession of Plumage and Skin of Migratory Birds and Waterfowl.

1. No permit is necessary to possess and transport for his own use the plumage and skins of lawfully taken migratory game birds and waterfowl.
2. Personal use of feathers or skins - any person for his own use may possess, transport, ship, import, and export without a permit the feathers and skins of lawfully taken migratory game birds.

D. Commercial Use of Feathers

Any person may possess, purchase, sell, barter, or transport for the making of fishing flies, bed pillows, and mattresses, and for similar commercial uses the feathers of migratory waterfowl (ducks, geese, and swans) killed by hunting pursuant to these regulations, or seized and condemned by Federal or State game authorities except that:

1. No person shall purchase, sell, barter, or offer to purchase, sell, or barter for millinery or ornamental use the feathers of migratory game birds taken under authority of this chapter, and;
2. No person shall purchase, sell, barter, or offer to purchase, sell or barter mounted specimens of migratory game birds taken under authority of this chapter.

E. Most Restrictive Federal or State Law Shall Apply -

Federal and State laws and regulations govern the taking of all migratory birds, in all cases, the most restrictive State or Federal regulation shall apply by species.

F. Processing, Storage and Tagging Required

No person shall put or leave any migratory game birds at any place (other than at his personal abode), or in the custody of another person for picking, cleaning, processing, or storage (including temporary storage), or for the purpose of having taxidermy services performed, unless such birds or package or container of such birds has a tag attached, signed by the hunter, stating the hunter's address, the total number and species of birds, the date such birds were killed, and the hunter's hunting license number.

G. Custody of Birds of Another Person

No person shall receive or have in custody any migratory game birds belonging to another person unless such birds are tagged as required in item F.

H. Migratory Bird Preservation Facilities

No preservation facility shall:

1. Receive, possess or have in custody any migratory game birds belonging to another person for purposes of picking, cleaning, freezing, processing, storage or shipment, unless accurate records are maintained showing (1) the number of each species, (2) the date such birds were received, (3) the date such birds were disposed of, and (4) the name and address of the person to whom such birds were delivered, or
2. Destroy any records required to be maintained under this section for a period of one (1) year following the last entry on the record, or

3. Prevent any person authorized to enforce the provisions of this regulation from entering such facilities at all reasonable hours and inspecting the records and the premises where such operations are being carried on.

I. Closures

1. Waterfowl hunting is prohibited within the area bounded on the north by the Colorado-Wyoming state line; on the east and south by I-76, Colo 71, US 36, and I-70; and on the west by the Continental Divide and the Larimer-Jackson county line and in Bent, Crowley, Kiowa, Mesa, Otero, and Prowers counties.
  - a. Within fifty (50) yards on each side of the center line of any public road.
  - b. Within one-hundred-fifty (150) yards of any dwelling including the air space directly above this closure, without first obtaining permission from the owner, occupant, or person in charge of the dwelling.
2. Hunting is restricted as specified below:
  - a. Barr Lake State Park, Adams County
    1. A reservation is required to hunt and hunters must check-in and out at the check station. Reservations must be made in accordance with #901.A of these regulations.
    2. Waterfowl hunting is prohibited, except on opening day and Saturdays and Wednesdays. Hunters may only hunt the area reserved, and only from designated blinds with a maximum of three (3) hunters per blind.
    3. Dove hunting prohibited, except on opening day and Sundays and Mondays during the month of September. Dove hunters may only hunt from designated stations with a maximum of three (3) hunters per station.
    4. Hunting areas not reserved will be available on a first-come, first-serve basis after 5 am. Reserved hunting areas not occupied by 7:00 am are available on a first-come, first-serve basis.
  - b. Boyd Lake State Park, Larimer County
    1. A reservation is required to hunt waterfowl. Reservations must be made in accordance with #901.A, except that reservations are available on a first-come, first-serve basis starting 14 days in advance of the hunt date and may be made or canceled up to the starting time of the reserved time slot. Hunters may only hunt in the designated zone and time slot reserved.
    2. Leaving decoys set overnight is prohibited.
  - c. Colorado River, Grand County
    1. Waterfowl hunting is prohibited after November 14, from Shadow Mountain Dam downstream to Twin Creek.
  - d. Colorado River, Mesa County
    1. Waterfowl hunting is prohibited on and within 200 yards of the Colorado River from the Grand Avenue Bridge in Grand Junction to the west end of Horsethief Canyon State Wildlife Area (SWA) Wednesday through Friday of each week, except Thanksgiving Day, Christmas Day and New Year's Day.
    2. Waterfowl hunting is prohibited on and within 200 yards of the river from Appleton Drain to the west end of the Walker SWA.
  - e. Grand Lake and Windy Gap Reservoir, Grand County
    1. Waterfowl hunting is prohibited on the lakes and within 100 yards of the high water line.
  - f. Highline Lake State Recreation Area, Mesa County
    1. Waterfowl and small game hunting on Highline Lake is prohibited on Saturdays and Sundays except for youth hunting waterfowl during the youth waterfowl season weekend.
    2. Small game hunting is limited to that portion of Highline Lake State Park bounded on the north and the east by the park property boundaries; on the south by the no wake buoy line; and on the west by Mack Mesa Reservoir.
    3. A reservation is required to hunt waterfowl and hunters must check-in and out at

- the check station. Reservations must be made in accordance with #901.A of these regulations. Hunters may only hunt the area reserved and only from designated blinds with a maximum of four (4) hunters per blind.
4. Hunting areas not reserved are available on a first-come, first-serve basis after 5:00 am. Reserved areas unoccupied by 7:00 am will be available on a first-come, first-serve basis. However, any hunt area must be yielded at any time upon request of a hunter holding a valid and active reservation for that area.
- g. James M. Robb Colorado River State Park, Mesa County
    1. Waterfowl hunting on the 34 Road Parcel is prohibited, except on Saturdays and Sundays. A reservation is required to hunt and hunters must check-in and out at check stations. Reservations must be made in accordance with #901.A of these regulations.
    2. Hunters may only hunt the areas reserved and must park in designated areas. Hunters may only hunt from designated blinds, with a maximum of two (2) hunters per blind on the 34 Road Parcel and four (4) hunters per blind on the remainder of the state park.
    3. Hunting areas not reserved are available on a first-come, first-serve basis after 5:00 am. Reserved areas unoccupied by 7:00 am will be available on a first-come, first-serve basis. However, any hunt area must be yielded at any time upon request of a hunter holding a valid and active reservation for that area.
  - h. Pueblo County - No person shall discharge a firearm or release an arrow for the purpose of hunting waterfowl within 150 yards of any dwelling, including the airspace directly above this closure, without first obtaining permission from the owner, occupant, or person in charge of the dwelling.
  - i. Prewitt Reservoir, Logan and Washington counties
    1. Waterfowl hunting is prohibited as posted.
  - j. Stagecoach State Park, Routt County
    1. Waterfowl hunting is limited to designated waterfowl hunting zones only, with a maximum of six (6) hunters per zone.
    2. Waterfowl hunting on this property is by reservation only. Reservations must be made in accordance with #901.A of these regulations. Hunters with reservations may only hunt the hunt zone specified on the reservation. Hunters must follow check-in and out procedures as posted at the property.
    3. Hunting zones not reserved are available on a first-come, first-serve basis after 5:00 am. Reserved hunting zones unoccupied by 7:00 am will be available on a first-come, first-serve basis. However, any hunting zone must be yielded at any time upon request of a hunter holding a valid and active reservation for that zone.
  - k. Sweitzer Lake, Delta County
    1. Waterfowl hunting is prohibited, except on Saturdays, Sundays, Wednesdays and legal holidays after Labor Day.
  - l. Trinidad State Recreation Area, Las Animas County
    1. Waterfowl hunting is prohibited as posted.
  - m. Turk's Ponds Area, Baca County
    1. All human activity is prohibited within one-quarter (1/4) mile of the high water line around Turk's Pond including the administrative buildings, from the opening day of the regular duck season through the last day of the regular dark goose season as posted. Hunters are allowed inside the closure only to retrieve downed waterfowl. Hunters must leave firearms outside of closure.
    2. No person shall discharge a firearm or release an arrow from, upon or across an area 50 yards on each side of the centerline of any public road.
  - n. Vancil Reservoir, Morgan County
    1. Waterfowl hunting is prohibited as posted.
3. Hunting is prohibited in the areas listed below, as posted by the Division.
    - a. Crawford State Recreation Area, Delta County
      1. Hunting is prohibited, except after Labor Day.
    - b. Lower Latham Reservoir, Weld County

- c. Mack Mesa Reservoir State Recreation Area, Mesa County
  - d. Meredith Reservoir, Crowley County
4. Hunting geese is prohibited as specified in the areas listed below:
- a. Dillon Reservoir, Summit County
    - 1. Hunting geese is prohibited Saturday through Monday of Labor Day weekend.
  - b. Empire Reservoir, Weld and Morgan Counties
    - 1. Hunting geese is prohibited below the high water line and from any portion of the dam and inlet structures.
  - c. Fossil Creek Reservoir, Larimer County
    - 1. Hunting geese is prohibited as posted.
  - d. Jumbo Reservoir, Logan and Sedgwick Counties
    - 1. Hunting geese is prohibited in the area bounded on the north by Logan Co Rd 70/Sedgwick Co Rd 28; on the east by Sedgwick Co Rd 3; on the south by Sedgwick Co Rd 24.8/Logan Co Rd 970; and on the west by Logan Co Rd 95.
  - e. Ovid-Julesburg Corridor, Sedgwick County
    - 1. Hunting geese through the dark geese season is prohibited in the area bounded on the north by US 138; on the east by US 385; on the south by I-76; and on the west by Sedgwick Co Rd 29.

#### **#505 – SORA AND VIRGINIA RAIL**

- A. Statewide:
  - 1. Dates: September 1 - November 9 annually.
  - 2. Daily Bag Limit: Twenty-five (25) soras or Virginia rails singly or in the aggregate.
  - 3. Possession Limit: Three (3) daily bag limits.

#### **#506 – SANDHILL CRANE**

- A. All areas east of the Continental Divide except North Park (Jackson County) and the San Luis Valley.
  - 1. Dates: October 5 - December 1, 2019.
  - 2. Daily Bag Limit: Three (3).
  - 3. Possession Limit: Three (3) daily bag limits.

#### **#507 – WILSON'S SNIPE**

- A. Statewide
  - 1. Dates: September 1 - December 16 annually.
  - 2. Daily Bag Limit: Eight (8).
  - 3. Possession Limit: Three (3) daily bag limits.

#### **#508 – MOURNING DOVE AND WHITE-WINGED DOVE**

- A. Statewide.
  - 1. Dates: September 1 - November 29 annually.
  - 2. Daily Bag Limit:
    - a. Fifteen (15) mourning doves or white-winged doves singly or in the aggregate.
  - 3. Possession Limit:
    - a. Three (3) daily bag limits.
  - 4. Special Conditions and Restrictions

- a. While in the field or during transport, all dressed (not fully feathered) doves shall be counted against the daily bag or possession limit for mourning and white-winged doves.

#### **#509 – BAND-TAILED PIGEON**

- A. Statewide.
  1. Dates: September 1 - 14 annually.
  2. Daily Bag Limit: Two (2).
  3. Possession Limit: Three (3) daily bag limits.

#### **#510 – CROW**

- A. Statewide.
  1. Dates: November 1, 2019 - February 29, 2020.
  2. Daily Bag Limit: Unlimited.
  3. Possession Limit: Unlimited.
  4. Special Conditions and Restrictions - Recorded or electronically amplified calls may be used during this season.

#### **#511 – DUCK AND COOT**

- A. Central Flyway Northeast Zone – All areas east of Interstate 25 and north of Interstate 70.
  1. Dates:
    - a. First season: October 12 - December 2, 2019.
    - b. Second season: December 19, 2019 - January 31, 2020.
  2. Daily Bag Limit:
    - a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and three (3) scaup.
    - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
    - c. Coots: Fifteen (15).
  3. Possession limit: Three (3) daily bag limits.
- B. Central Flyway Southeast Zone – All areas east of Interstate 25 and south of Interstate 70, and all of El Paso, Pueblo, Huerfano and Las Animas Counties.
  1. Dates:
    - a. October 28, 2019 - January 31, 2020.
  2. Daily Bag Limit:
    - a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and three (3) scaup.
    - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
    - c. Coots: Fifteen (15).
  3. Possession limit: Three (3) daily bag limits.
- C. Central Flyway Mountain/Foothills Zone – All areas west of Interstate 25 and east of the Continental Divide, except El Paso, Pueblo, Huerfano and Las Animas Counties.
  1. Dates:
    - a. First season: October 5 - December 2, 2019.
    - b. Second season: December 26, 2019 - January 31, 2020.
  2. Daily Bag Limit:

- a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and three (3) scaup.
    - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
    - c. Coots: Fifteen (15).
  - 3. Possession limit: Three (3) daily bag limits.
- D. Pacific Flyway Western Zone – All areas west of the Continental Divide not included in the Eastern Zone.
  - 1. Dates:
    - a. First season: October 5 - October 23, 2019
    - b. Second season: November 7, 2019 - January 31, 2020.
  - 2. Daily Bag Limit:
    - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and three (3) scaup. No scaup may be taken after January 12, 2020.
    - b. Coots: Twenty-five (25).
  - 3. Possession limit:
    - a. Three (3) daily bag limits.
- E. Pacific Flyway Eastern Zone - All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
  - 1. Dates:
    - a. First season: October 5, 2019 - January 16, 2020
  - 2. Daily Bag Limit:
    - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and three (3) scaup. No scaup may be taken after December 29, 2019.
    - b. Coots: Twenty-five (25).
  - 3. Possession limit:
    - a. Three (3) daily bag limits.

## #512 – GOOSE

- A. North Park – Jackson County
  - 1. Dates:
    - a. Dark goose:
      - 1. First season: October 5, 2019 - January 16, 2020.
    - b. Light goose: November 2, 2019 - February 16, 2020.
  - 2. Daily Bag Limit:
    - a. Dark goose: Five (5).
    - b. Light goose: Fifty (50).
  - 3. Possession limit:
    - a. Dark goose: Three (3) daily bag limits.
    - b. Light goose: Unlimited.
- B. South Park – All of Chafee, Custer, Fremont, Lake, Park, and Teller Counties..

1. Dates:
    - a. Dark goose:
      1. First season: October 5, 2019 - January 16, 2020.
    - b. Light goose: November 2, 2019 - February 16, 2020.
  2. Daily Bag Limit:
    - a. Dark goose: Five (5).
    - b. Light goose: Fifty (50).
  3. Possession limit:
    - a. Dark goose: Three (3) daily bag limits.
    - b. Light goose: Unlimited.
- C. San Luis Valley - All of Alamosa, Conejos, Costilla, and Rio Grande counties, and those portions of Saguache, Mineral, and Hinsdale counties east of the Continental Divide.
1. Dates:
    - a. Dark goose:
      1. First Season: October 5 – October 23, 2019.
      2. Second Season: November 23, 2019 - February 16, 2020.
    - b. Light goose: November 2, 2019 - February 16, 2020.
  2. Daily bag limit:
    - a. Dark goose: Five (5).
    - b. Light goose: Fifty (50).
  3. Possession limit:
    - a. Dark goose: Three (3) daily bag limits.
    - b. Light goose: Unlimited.
- D. Northern Front Range - All areas in Boulder, Larimer and Weld Counties from the Continental Divide east along the Wyoming border to Highway 85, south on Highway 85 to the Adams County Line, and all lands in Adams, Arapahoe, Broomfield, Clear Creek, Denver, Douglas, Gilpin, and Jefferson Counties.
1. Dates:
    - a. Dark goose:
      1. First Season: October 5 - October 23, 2019.
      2. Second Season: November 23, 2019 - February 16, 2020.
    - b. Light goose: November 2, 2019 - February 16, 2020.
  2. Daily bag limit:
    - a. Dark goose: Five (5).
    - b. Light goose: Fifty (50).
  3. Possession limit:
    - a. Dark goose: Three (3) daily bag limits.
    - b. Light goose: Unlimited.
- E. Balance of Central Flyway - All areas east of the Continental Divide, except North Park, Northern Front Range, South Park and San Luis Valley.
1. Dates:
    - a. Dark goose: November 4, 2019 - February 16, 2020.
    - b. Light goose: November 2, 2019 - February 16, 2020.
  2. Daily Bag Limit:
    - a. Dark goose: Five (5).
    - b. Light goose Fifty (50).
  3. Possession limit:
    - a. Dark goose: Three (3) daily bag limits.
    - b. Light goose: Unlimited.

- F. Pacific Flyway Western Zone - All areas west of the Continental Divide not included in the Eastern Zone.
1. Dates:
    - a. First season: October 5 - October 14, 2019.
    - b. Second season: November 2, 2019 - January 26, 2020.
  2. Daily Bag Limit:
    - a. Dark goose: Four (4).
    - b. Light goose: Ten (10).
  3. Possession Limit: Three (3) daily bag limits.
- G. Pacific Flyway Eastern Zone - All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
1. Dates:
    - a. First season: October 5, 2019 - January 8, 2020.
  2. Daily Bag Limit:
    - a. Dark goose: Four (4).
    - b. Light goose: Ten (10).
  3. Possession Limit: Three (3) daily bag limits.

### **ARTICLE III - SPECIAL SEASONS, AREAS, DATES AND LIMITS**

#### **#513 - YOUTH WATERFOWL HUNTING DAYS**

- A. Central Flyway Northeast Zone – All areas east of Interstate 25 and north of Interstate 70.
1. Dates: October 5 – October 6, 2019.
  2. Daily bag limit:
    - a. Ducks: Six (6), excluding mergansers. Of the 6 (six), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and three (3) scaup.
    - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
    - c. Coots: Fifteen (15).
    - d. Dark Goose: Five (5).
  3. Possession limit: Three (3) daily bag limits.
- B. Central Flyway Southeast Zone – All areas east of Interstate 25 and south of Interstate 70, and all of El Paso, Pueblo, Huerfano and Las Animas Counties.
1. Dates: October 19 - 20, 2019.
  2. Daily bag limit:
    - a. Ducks: Six (6), excluding mergansers. Of the 6 (six), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and three (3) scaup.
    - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
    - c. Coots: Fifteen (15).
    - d. Dark Goose: Five (5).
  3. Possession limit: Three (3) daily bag limits.



- C. Central Flyway Mountain/Foothills Zone – All areas west of Interstate 25 and east of the Continental Divide, except El Paso, Pueblo, Huerfano and Las Animas Counties.
1. Dates: September 28 -29, 2019.
  2. Daily Bag Limit:
    - a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and three (3) scaup.
    - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
    - c. Coots: Fifteen (15).
    - d. Dark Goose: Five (5).
  3. Possession limit: Three (3) daily bag limits.
- D. Pacific Flyway Western Zone – All areas west of the Continental Divide not included in the Eastern Zone.
1. Dates: October 26 - 27, 2019.
  2. Daily bag limit:
    - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and three (3) scaup.
    - b. Coots: Twenty-five (25).
    - c. Dark Goose: Four (4).
    - d. Light Goose: Ten (10).
  3. Possession limit:
    - a. Three (3) daily bag limits.
- E. Pacific Flyway Eastern Zone – All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
1. Dates: September 28 - 29, 2019.
  2. Daily bag limit:
    - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and three (3) scaup.
    - b. Coots: Twenty-five (25).
    - c. Dark Goose: Four (4).
    - d. Light Goose: Ten (10).
  3. Possession limit:
    - a. Three (3) daily bag limits.
- F. Youth seasons are restricted to hunting by youth 17 years of age and younger accompanied by a mentor. A mentor must be 18 years of age or older and hold a valid hunter education certificate or be born before January 1, 1949, and must accompany the youth while in the act of hunting. Mentors are not authorized to hunt ducks, geese, mergansers, or coots during this season.

#### **#514 – SEPTEMBER TEAL**

- A. Lake and Chaffee counties and all areas east of I-25.
1. Dates: September 14 - 22, 2019.

2. Daily bag limit: Six (6).
3. Possession Limit: Three (3) daily bag limits.

#### **#515 – EARLY CANADA GOOSE**

A. Pacific Flyway - All areas west of the Continental Divide.

1. Dates: September 1 - 9 annually.
2. Daily bag limit: Four (4).
3. Possession limit: Three (3) daily bag limits.

### **ARTICLE IV – CONSERVATION ORDER SEASONS, AREAS, DATES AND LIMITS**

#### **#516 – LIGHT GOOSE**

A. Central Flyway – All areas east of I-25.

1. Dates:
  - a. February 17 - April 30, 2020.
2. Daily bag limit: Unlimited.
3. Possession limit: Unlimited.
4. Special Conditions and Restrictions
  - a. Recorded or electronically amplified calls may be used to take light geese during the conservation order season.
  - b. Hunting of light geese is allowed from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.
  - c. A Federal Migratory Bird Hunting and Conservation Stamp is not required to take light geese during the conservation order season.
  - d. Shotguns capable of holding more than three rounds in the magazine and chamber combined may be used to take light geese during the conservation order season.
  - e. All other regulations applicable to hunting migratory waterfowl in Colorado apply to taking light geese during the conservation order season.

### **ARTICLE V - VACANT**

#### **#517 – VACANT**

### **ARTICLE VI - FALCONRY**

#### **#518 – SPECIAL FALCONRY REGULATIONS**

- A. Falconry is a permitted means of taking migratory game birds during regular or extended seasons.
1. Regular Seasons
    - a. General hunting regulations prescribed in this chapter, including seasons and hunting hours, apply to falconry. General season bag and possession limits do not apply to falconry.
    - b. Daily bag and possession limits for all permitted migratory game birds shall not exceed 3 and 9 birds, respectively, singly or in the aggregate. The falconry bag limit is not in addition to gun limits.
  2. Extended Seasons
    - a. There are no extended seasons.

**Basis and Purpose:**

These emergency regulations reflect changes made to the federal framework for migratory bird regulations in 2019.

The Parks and Wildlife Commission FINDS that adoption of these EMERGENCY REGULATIONS is imperatively necessary to comply with federal law, specifically C.F.R. Title 50, Part 20, as well as to meet federal season selection deadlines. Adoption of these emergency regulations will bring the Parks and Wildlife Commission's regulations into compliance with federal regulations with regard to hunting of pintail ducks in the Central and Pacific Flyway portions of Colorado. In addition, the Parks and Wildlife Commission FINDS that the immediate adoption of these EMERGENCY REGULATIONS is necessary to protect the public welfare- that is it allows the maximum opportunity for waterfowl hunting in Colorado allowed by federal regulations- and that compliance with the generally applicable notice and hearing requirements of the Administrative Procedures Act would prevent the Parks and Wildlife Commission from having an effective regulation in place prior to the season selection deadline. These regulations were noticed for rule-making in March of 2019, but extreme weather events forced the cancellation of that previously-scheduled meeting.

The Parks and Wildlife Commission has, to the extent it could, given notice of its emergency rule-making and allowed for public participation in the adoption of the emergency regulations.

Notice of the proposed emergency rule-making was posted at the state capitol, at the Division of Parks and Wildlife headquarters, Regional Service Centers, and Area Service Centers (area offices), indicating that the Parks and Wildlife Commission would consider the emergency regulation at its meeting on April 10, 2019, and an opportunity to comment was provided to members of the public at that time.

These proposed regulations reflect the upcoming 2019-2020 migratory bird seasons and are the result of an annual review of the entire chapter related to migratory birds. The established seasons are necessary to manage migratory bird populations in Colorado in accordance with federal laws regulating migratory birds. These regulations allow migratory birds to be harvested in a manner, which helps maintain the biological integrity of the migratory bird population while at the same time providing recreational opportunity for hunters and wildlife viewers. The regulations are also consistent with Federal guidelines provided by the U.S. Fish and Wildlife Service and the Migratory Bird Treaty Act.

The statements of basis and purpose for these regulations can be viewed and copies obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager, Policy and Planning Unit, 1313 Sherman, Room 111, Denver, CO 80203.

**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 and 33-2-104, C.R.S.**

**EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION AND SHALL REMAIN IN EFFECT FOR NO MORE THAN 120 DAYS OR UNTIL PERMANENT REGULATIONS ARE OTHERWISE REPEALED, AMENDED, OR SUPERSEDED.**

**APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 10TH DAY OF APRIL, 2019.**

**APPROVED:**  
**John V. Howard**  
**Chairman**

**ATTEST:**  
**James Vigil**  
**Secretary**

## 32 (A) Consent Agenda

**Proposed Parks and Wildlife Commission Consent Agenda  
April 10, 2019**

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of wildlife policy and contested issues, the listed items are noticed for action by the Commission as part of the April, 2019 "Consent Agenda."

*Note: 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. Staff will provide written memos to the Parks and Wildlife Commission members explaining the matters on the Consent Agenda. Copies of the memos will be available to the public.*

*Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other 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 and acted upon as determined by the Commission. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director for any matter on the Consent Agenda.*

Real Estate

32.1	(A)	<u>Project #</u>	<u>Project Name</u>
		18-032 CO	SLB Public Access Program 2019 Enrollment

Herd Management Plans

32.2	(A)	E-18 Herd Management Plan: Kenosha Pass Elk Herd (Step 2 of 2)
32.3	(A)	D-26 Herd Management Plan: Saguache Deer Herd (Step 2 of 2)
32.4	(A)	E-26 Herd Management Plan: Saguache Elk Herd (Step 2 of 2)

**End of Consent Agenda**