

INDEX  
PARKS AND WILDLIFE COMMISSION MINUTES  
January 9<sup>th</sup> -10<sup>th</sup>, 2019

	<u>CODE</u>	<u>PAGE</u>
Chronic Wasting Disease Response Plan	OA 19-015	6
CONSENT AGENDA	OA 19-017	6
DRAFT REGULATIONS		
CHAPTER W-11 "Wildlife Parks and Unregulated Wildlife" 2 CCR 406-11	OA 19-009	5
EXECUTIVE SESSION		
COMMENCE/IN	OA 19-019	7
ADJOURN/OUT	OA 19-020	7
Game Damage Claim 18-Y19-10 - Polly Hill / Lazy 3X Sheep	OA 19-018	6
GOCO Board Appointment	OA 19-013	6
L-19: Mountain Lion Plan for DAU L-19	OA 19-016	6
MINUTES APPROVAL - PARKS AND WILDLIFE COMMISSION MEETING November 15-16, 2018	OA 19-001	2
Policies: Sponsorship and Commission Operations	OA 19-014	6
RBS-05: Draft Buffalo Peaks/Mount Silverheels/Tenmile Bighorn Sheep Herd Management Plan	OA 19-012	6
Species Conservation Trust Fund	OA 19-011	6
FINAL REGULATIONS		
CHAPTER W-0 "General Provisions" 2 CCR 406-0	OA 19-002	3
CHAPTER W-2 "Big Game" 2 CCR 406-2	OA 19-003	3
CHAPTER W-2 "Big Game" 2 CCR 406-2	OA 19-004	3
CHAPTER W-2 "Big Game" 2 CCR 406-2	OA 19-005	3
CHAPTER W-2 "Big Game" 2 CCR 406-2	OA 19-006	4
CHAPTER W-2 "Big Game" 2 CCR 406-2	OA 19-007	4
CHAPTER W-2 "Big Game" 2 CCR 406-2	OA 19-010	5
CHAPTER W-15 "License Agents" 2 CCR 406-15 and CHAPTER P-7 "Passes, Permits and Registrations" 2 CCR 405-7	OA 19-008	5

**INDEX**  
**PARKS AND WILDLIFE COMMISSION MINUTES**  
**January 9<sup>th</sup> -10<sup>th</sup>, 2019**

A meeting of the Parks and Wildlife Commission convened at 8:59 am on January 9<sup>th</sup>, 2019 at the CPW Hunter Education Building in Denver, CO

Chair	John Howard
Vice Chair	Michelle Zimmerman
Secretary	James Vigil
	Robert Bray
	Matthew Burkett
	Charles Garcia
	Marie Haskett
	Carrie Besnette Hauser
	Marvin McDaniel
	Colleen Pepler
	Jen Taylor

Parks and Wildlife Commission Roll Call Attendance for Wednesday, January 9<sup>th</sup> and Thursday, January 10<sup>th</sup>, 2019

<u>January 9<sup>th</sup>, 2019</u>	<u>January 10<sup>th</sup>, 2019</u>
Bray - Present	Bray - Present
Burkett - Present	Burkett - Present
Garcia - Present	Garcia - Present
Haskett - Present	Haskett - Present
Besnette Hauser - Present	Besnette Hauser - Present
Howard - Present	Howard - Present
McDaniel - Present	McDaniel - Present
Pepler - Present	Pepler - Present
Taylor - Present	Taylor - Present
Vigil - Present	Vigil - Present
Zimmerman - Present	Zimmerman - Present
TBD - Absent; Brandon - Absent	TBD - Absent; Brandon - Absent
Greenberg - Present;	Greenberg - Absent;

Director Bob Broscheid and Staff.

Others in attendance were: Ivan James, Martin Trujillo, Bill Canterbury, Don Bresecker, Jim Couch, Kent Ingram, Marty Holmes, Dave Kastarsky, Steve Hilde, Ryan McSparran, Nick Levendofsky, Missy Davis, Terry Meyers, Keith Pankey, Royal Wedding Fall, Chris Skaver, Kathy Estes, Roz McClellan, Paul Tronnier, Dan Myers, Cardyn Lantz, Jack Murphy, Dave Crawford, Steve Lohr, Polly Reetz, Ryan Gooder, Matt Dunfee, Dan Gates, David Singer, Mike Wiedel, Sue Ann Meals

References  
OA 19-001  
MINUTES  
APPROVAL

Motions  
It was moved by Mr. McDaniel and seconded by Ms. Zimmerman to approve the minutes of the November 15-16, 2018 Parks and Wildlife Commission Meeting.

Motion Carried by Unanimous Voice Vote. 10-0.  
Abstained: Burkett

**INDEX**  
**PARKS AND WILDLIFE COMMISSION MINUTES**  
**January 9<sup>th</sup> -10<sup>th</sup>, 2019**

**FINAL  
REGULATIONS  
OA 19-002**

CHAPTER W-0:  
"General  
Provisions" 2 CCR  
406-0

It was moved by Mr. Bray and seconded by Mr. Vigil to approve final regulations in its two-step annual review of Chapter W-0 - General Provisions including, but not limited to, the following:

- Adjusting the boundaries of GMUs 56, 57, 58, 581, 69, 691, and 86 to focus on the Arkansas River as a boundary rather than U.S. Hwy 50.
- Adjusting the boundaries of Units 3 and 301 by removing Moffat County Road 158 as part of the unit boundary.
- Adjusting the boundaries of GMU RBS-05 in accordance with the Herd Management Plan.

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

Absent: Haskett

See Attachment 1

**OA 19-003**

CHAPTER W-2: "Big  
Game" 2 CCR 406-2

It was moved by Mr. Garcia and seconded by Mr. McDaniel to approve final regulations in its two-step annual review of Chapter W-2 - Big Game including, but not limited to, the following:

- Annual changes to 2019 season dates, limited license areas, quotas and manner of take provisions for bighorn sheep and mountain goat.

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

Absent: None

See Attachment 2

**OA 19-004**

CHAPTER W-2: "Big  
Game" 2 CCR 406-2

It was moved by Mr. Bray and seconded by Mr. Vigil to approve final regulations in its two-step annual review of Chapter W-2 - Big Game including, but not limited to, the following:

- Annual changes to 2019-2020 season dates, limited license areas, harvest limits and manner of take provisions for mountain lion.

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

Absent: None

See Attachment 2

**OA 19-005**

CHAPTER W-2: "Big  
Game" 2 CCR 406-2

It was moved by Mr. McDaniel and seconded by Ms. Haskett to approve final regulations in its two-step annual review of Chapter W-2 - Big Game including, but not limited to, the following:

- Modifying big game application deadlines to 8:00 pm instead of midnight. (Pg. 12)
- Including a veteran's lifetime resident combination license as a qualifying license type for the purposes of applying for a big game limited license through the drawing. (Pg. 11)

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

Absent: None

See Attachment 2

**OA 19-006**

CHAPTER W-2: "Big  
Game" 2 CCR 406-2

It was moved by Mr. Vigil and seconded by Mr. Bray to approve final regulations in its two-step annual review of Chapter W-2 - Big Game including, but not limited to, the following:

- Changing first season and fourth season either sex elk licenses in DAU E-16 to antlered and antlerless limited licenses, and creating an unlimited over-the-counter archery bull hunt code for this DAU with no archery cow licenses available. Deleting all either sex and antlerless PLO hunt codes in E-16 as well. (Pg. 111, 112, 129)

INDEX  
PARKS AND WILDLIFE COMMISSION MINUTES  
January 9<sup>th</sup> -10<sup>th</sup>, 2019

- Changing all antlerless licenses (except private-land only licenses) in elk DAUs E-12 and E-16 to List A licenses. (Pg.7)

**Motion Carried by Roll Call Vote. 10-1.**

Absent: None

See Attachment 2

**OA 19-007**

CHAPTER W-2: "Big Game" 2 CCR 406-2

It was moved by Mr. Bray and seconded by Ms. Haskett to approve final regulations in its two-step annual review of Chapter W-2 - Big Game including, but not limited to, the following:

- Changing the big game leftover draw to a big game secondary draw for the 2020 season by removing application restrictions and including bear and pronghorn to the existing species list one could apply for. (Pg. 21-22)
- Adding an opt-out option for the preference point fee for moose, Rocky Mountain bighorn sheep, and mountain goat applicants, allowing unsuccessful first choice applicants to choose whether they want to pay to receive a preference point/weighted preference point per application. (Pg. 19-20)
- Adding a second Rocky Mountain bighorn sheep hunting season to S42 (Waterton Canyon Herd). (Pg. 39) Making all bear licenses in Data Analysis Units B2, B5, B10, B14, B15, B18 and B19 List B, and all private-land-only bear licenses in B1, B2, B4, B5, B10, B11, B14, B17, B18 and B19 List C. (Pg. 8-9)
- Separating GMU 9 antlered rifle deer hunts from GMUs 19 and 191, making one long extended season. (Pg. 82-83)
- Creating a special GMU 581 and GMU 69 antlerless deer hunt code around the city of Canon City to alleviate urban deer issues. (Pg. 91)
- Creating a late antlerless rifle deer season in DAU D-4(GMUs 7, 8, 9, 19, 191). (Pg. 90)
- Eliminating late antlerless elk seasons in GMUs 68, 681, 79, 80, and 81. (Pg. 179)
- Including a portion of GMU 79 in the San Luis Valley damage elk hunt season. (Pg. 136, 174, 177)
- Including private lands in GMU 82 in the San Luis Valley damage elk hunt season, including an early bull season and an extended bull and cow season. (Pg. 136, 174, 167)
- Removing private land only designations from limited elk licenses in GMU 83. (Pg. 137, 167)
- Designating late season antlerless elk licenses, and all general rifle antlerless elk licenses in GMU 38 as List B. (Pg. 7)
- Converting GMU 55 & 551 fourth season either-sex rifle elk license hunt codes (EE05504R and EE55104R) to antlered only hunt codes. (Pg. 131, 141)
- Deleting the late season public land antlerless hunt code in GMU 61 (EF061L1R) and the late season private land hunt code in GMU 62 (EF062P5R). (Pg. 160, 179)
- Splitting GMU 53 and GMU 63 combined first season hunt codes (EF05301R and EM05301R) into separate applicable hunt codes. (Pg. 131, 133)
- Eliminating either-sex private land only elk tags in GMU54 (EE054P1R and EE054P4R). (Pg. 157)
- Deleting the late season public land antlerless hunt code in GMU 70 (EF070L1R). (Pg. 179)
- Removing GMU 13-specific antlerless elk hunt codes in the second, third and fourth seasons and adding GMU 13to hunt codes EF01202R, EF01203R and EF01104R. (Pg.123, 124)
- Closing the early antlerless cow elk season in GMU 45. (Pg. 117)
- Creating a separate hunt code, EF02501R, for GMUs 25,26 and 34 for the first rifle antlerless season. (Pg. 126)
- Expanding the private land only elk harvest opportunity in DAU E-8 and E-13 to include E-7 for the September 1-January 31 private land only season. (Pg. 150)
- Expanding the GMU 551 pronghorn archery hunt code to include GMU 55. ((Pg. 182)
- Designating new hunt codes for GMU 142 and removing the GMU from hunt codes AM12801M and AF12801M. (Pg.186)

INDEX  
PARKS AND WILDLIFE COMMISSION MINUTES  
January 9<sup>th</sup> -10<sup>th</sup>, 2019

- Adding GMU 12 to hunt codes AM023P5R and AF023P5R. (Pg. 192)
- Adding late season private land only hunt codes to portions of DAU PH13. (Pg. 194)
- Reopening pronghorn buck hunting in GMU 10. (Pg. 187)
- Opening GMUs 53, 54, and 63 to limited bull moose hunting.

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

Absent: None

See Attachment 2

**OA 19-008**  
CHAPTER W-15:  
"License Agents" 2  
CCR 406-15 and  
Chapter P-7 Passes,  
Permits and  
Registrations" 2 CCR  
405-7

It was moved by Mr. McDaniel and seconded by Mr. Vigil to approve administrative changes to insert vendor commission rates for park products into the commission rate tables.

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

Absent: None

See Attachment 3 and 4

**DRAFT  
REGULATIONS  
OA 19-009**  
CHAPTER W-11:  
"Wildlife Parks and  
Unregulated  
Wildlife" 2 CCR 406-  
11

It was moved by Mr. Vigil and seconded by Mr. Bray to uphold the denial of the original Citizen Petition from January, 2017 and accept staff recommendations to reject the Draft Regulations that were presented. Staff was directed to discontinue the working group, and to discontinue additional engagement with stakeholders regarding the petition.

**Motion Carried by Unanimous Roll Call Vote 10-0.**

Absent: Hauser

**FINAL  
REGULATIONS  
OA 19-010**  
CHAPTER W-2: "Big  
Game" 2 CCR 406-2

It was moved by Ms. Haskett and seconded by Ms. Taylor to approve floor changes to the final regulations in its two-step annual review of Chapter W-2 - Big Game including, but not limited to, the following:

- Changing first season and fourth season either sex elk licenses in DAU E-16 to antlered and antlerless limited licenses, and creating an unlimited over-the-counter archery bull hunt code for this DAU with no archery cow licenses available. Deleting all either sex and antlerless PLO hunt codes in E-16 as well. (Pg. 111, 112, 129)
- Changing all antlerless licenses (except private-land only licenses) in elk DAUs E-12 and E-16 to List A licenses. (Pg.7)

**Motion Carried by Unanimous Roll Call Vote. 10-0.**

Absent: None

See Attachment 2

**OA 19-011**  
Species  
Conservation Trust  
Fund Approval

It was moved by Mr. Vigil and seconded by Ms. Zimmerman to approve the Species Conservation Trust Fund as presented by staff.

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

Absent: Hauser

INDEX  
PARKS AND WILDLIFE COMMISSION MINUTES  
January 9<sup>th</sup> -10<sup>th</sup>, 2019

- OA 19-012  
RBS-05: Draft  
Buffalo  
Peaks/Mount  
Silverheels/Tenmile  
Bighorn Sheep HMP
- It was moved by Mr. Vigil and seconded by Ms. Zimmerman to approve RBS-05: Draft Buffalo Peaks / Mount Silverheels / Tenmile Bighorn Sheep Herd Management Plan as presented by staff.
- Motion Carried by Unanimous Roll Call Vote 10-0.**  
**Absent:** Hauser
- OA 19-013  
GOCO Board  
Appointment
- It was moved by Mr. Vigil and seconded by Ms. Taylor to approve Commissioner Charles Garcia as the PWC representative on the GOCO Board
- Motion Carried by Unanimous Voice Vote 10-0.**  
**Absent:** Hauser
- OA 19-014  
Policies:  
Sponsorship and  
Commission  
Operations
- It was moved by Ms. Zimmerman and seconded by Mr. Vigil to approve the changes to Policies: Sponsorship and Commission Operations as presented by staff
- Motion Carried by Unanimous Voice Vote 11-0.**  
**Absent:** None
- OA 19-015  
Chronic Wasting  
Disease Response  
Plan
- It was moved by Mr. Garcia and seconded by Mr. Vigil to approve the Chronic Wasting Disease Response Plan as presented by staff.
- Motion Carried by Unanimous Roll Call Vote 11-0.**  
**Absent:** None
- OA 19-016  
L-19: Mountain Lion  
Plan for DAU L-19
- It was moved by Mr. Vigil and seconded by Mr. McDaniel to approve the L-19: Mountain Lion Plan for DAU L-19 as presented by staff.
- Motion Carried by Unanimous Roll Call Vote 10-0.**  
**Absent:** Hauser
- OA 19-017  
CONSENT AGENDA
- It was moved by Ms. Zimmerman and seconded by Ms. Taylor to approve the consent agenda, with the exception of Game Damage Claim Item 31.2.
- Motion Carried by Unanimous Voice Vote 10-0.**  
**Absent:** Hauser
- OA 19-018  
Game Damage Claim  
18-Y19-10
- It was moved by Mr. Bray and seconded by Mr. Vigil to approve fifty percent payment on Game Damage Claim 18-Y19-10.
- Motion Carried by Roll Call Vote 7-3.**  
**Absent:** Hauser

INDEX  
PARKS AND WILDLIFE COMMISSION MINUTES  
January 9<sup>th</sup> -10<sup>th</sup>, 2019

OA 19-019  
EXECUTIVE  
SESSION - IN

It was moved by Mr. Garcia and seconded by Mr. Vigil to enter into an Executive Session with the Parks and Wildlife Commission as requested by Senior Assistant Attorney General Jake Matter, as authorized by the Open Meetings Law, § 24-6-402(3)(a)(II), CRS, to (1) receive legal advice on the meanings of "take" and "possession" as used in § 33-1-102 (34) & (43), CRS, (2) to discuss the specific claims and defenses at issue in *Colorado Parks and Wildlife vs. Five Star Feedlot, Inc.*, 2016CV30022 (Yuma County), 2018CA1131 (Colo. App.), and (3) to receive legal advice and a status update on the cases captioned *In the Matter of the Estate of Lester Dan Lacy, III*, (El Paso County Dist. Ct. 2018PR30665) and *In the Matter of the Estate of Lester Dan Lacy, III*, (Okla. County Dist. Ct. PB-2018-731).  
Motion Carried by Unanimous Roll-Call Vote. 10-0.  
Absent: Hauser

OA 19-020  
EXECUTIVE  
SESSION - OUT

It was moved by Mr. Garcia and seconded by Mr. Vigil to adjourn from Executive Session to return to regular session.

Motion Carried by Unanimous Roll Call Vote. 10-0.  
Absent: Hauser

The Parks and Wildlife Commission meeting adjourned at 12:45 pm on Thursday, January 10, 2019

Respectfully submitted,

\_\_\_\_\_, Secretary  
James Vigil  
Parks and Wildlife Commission

APPROVED:

\_\_\_\_\_, Chair  
John Howard  
Parks and Wildlife Commission