

**EMERGENCY REGULATIONS - CHAPTER P-1 - PARKS AND OUTDOOR RECREATION LANDS**

**ARTICLE I - GENERAL PROVISIONS APPLICABLE TO ALL PARKS AND OUTDOOR RECREATION LANDS AND WATERS**

**PARK-SPECIFIC RESTRICTIONS**

**D. In addition to the general land and water regulations, the following restrictions shall also apply:**

**12. Fishers Peak State Park**

- a. Public access is allowed only from sunrise to sunset, except as otherwise authorized in a Special Activity Permit issued in accordance with (h) of these regulations.
- b. Visitors shall remain on the designated trails except as otherwise authorized in a Special Activity Permit issued in accordance with (h) of these regulations.
- c. Trail use is restricted to pedestrian use only.
- d. Pets or other domestic animals are prohibited outside of designated parking areas, except as otherwise authorized in a Special Activity Permit issued in accordance with (h) of these regulations.
- e. Snowmobile and off-highway vehicle use are prohibited.
- f. Parking is prohibited, except in designated areas.
- g. Raptor nest buffers
  - (1) From December 15-July 15, all visitors must remain outside of the ½-mile buffer established for Golden Eagle nests as posted.
  - (2) From March 15-July 15, all visitors must remain outside of a ½-mile buffer established for Peregrine Falcon nests as posted.
- h. Hunting is permitted only in accordance with parts (1) through (4) below:
  - (1) A Special Activity Permit authorizing access will be issued to successful applicants through a drawing as provided in these regulations. Failure to comply with the conditions stated in the permit, statutes or regulations may result in permit revocation.
  - (2) Only the successful Special Activity Permit holder and one nonhunting companion are allowed on the property.
  - ~~(3) Vehicles involved in hunting use of the park are required to have a valid Colorado State Parks Pass, unless the vehicle displays a Disabled Veteran license plate or Purple Heart license plate.~~
  - ~~(3) Vehicles involved in hunting use of the park are required to have a valid Colorado State Parks Pass, unless the vehicle displays a Disabled Veteran license plate.~~
  - (4) Access is prohibited, except during the following hunting seasons:
    - a. One (1) properly licensed LE00001R license holder will be provided access to hunt mountain lion during the regular mountain lion season until the hunter harvests a lion or until the combined harvest limit for Game Management Units 85, 140, and 851 is filled, whichever comes first.

- b. Up to five (5) properly licensed TM000O1R unlimited over-the-counter turkey license holders for the spring turkey season will be provided access to hunt turkeys.
- c. One (1) properly licensed September limited archery, muzzleloader, or rifle bear license holder will be provided access.
- d. One (1) properly licensed limited deer archery or muzzleloader license holder will be provided access.
- e. One (1) properly licensed archery or muzzleloader elk license holder will be provided access.
- f. One (1) properly licensed 1st regular rifle elk season license holder will be provided access to hunt elk during the 1st rifle season.
  - i. The successful Special Activity Permit holder may hunt bear during the 1st rifle season on Fishers Peak State Park if they hold a valid bear license.
- g. One (1) properly licensed 2nd combined regular rifle season elk license holder will be provided access to hunt elk during the 2nd rifle season.
  - i. The successful Special Activity Permit holder may hunt bear during the 2nd rifle season on Fishers Peak State Park if they hold a valid bear license.
- h. One (1) properly licensed 3rd combined regular rifle season deer license holder will be provided access to hunt deer during the third rifle season.
  - i. The successful Special Activity Permit holder may hunt bear during 3rd rifle season on Fishers Peak State Park if they hold a valid bear license.
- i. One (1) properly licensed 4th combined regular rifle season elk license holder will be provided access to hunt elk during the fourth rifle season.
  - i. The successful Special Activity Permit holder may hunt bear on Fishers Peak State Park during the 4th rifle season if they hold a valid bear license.

**AS APPROVED - 09/01/2021**  
**Basis and Purpose**  
**Chapter P-1 - Parks and Outdoor Recreation Lands**

**Basis and Purpose:**

At its September 1-2, 2021 meeting, the Colorado Parks and Wildlife Commission adopted emergency rules affecting Chapter P-7 (Passes, Permits and Registrations, 2 CCR 405-7). The emergency rules temporarily allow for purple heart recipients to enter state parks with a purple heart special license plate and/or to receive an Independence Parks Pass, in response to recently passed legislation and in the interest of public welfare.

The Commission adopted the foregoing rules on an emergency basis as authorized by the Colorado Administrative Procedures Act (APA), CRS § 24-4-103(6)(a). This section authorizes emergency rules where “the agency finds that immediate adoption of the rule is imperatively necessary ... for the preservation of public health, safety, or welfare” where the APA’s standard rulemaking requirements “would be contrary to the public interest.” The Commission finds such standards are satisfied here.

“The commission shall: (a) Promulgate rules and orders relating to parks and outdoor recreation programs which are necessary to carry out the purposes of articles 10 to 15 and 32 of this title; (33-10-106 (1))”

The passage of House Bill 21-1116 made resident Purple Heart recipients eligible to access to state parks and recreation areas for free with a Purple Heart license plate and eligible to receive a free Independence Park Pass. These regulatory changes temporarily implement House Bill 21-1116.

Absent these emergency rules, the Division would not be able to implement the recently passed legislation by the prescribed effective date. Accordingly, the emergency rules are necessary for the use, benefit, and enjoyment of the people of this state.

Notice of the proposed emergency rule-making was posted on the CPW website, and at Regional Service Centers, and Area Service Centers (area offices) where possible, indicating the Commission would consider the emergency regulations at its meeting on September 1-2, 2021 and written comments would be accepted prior to that date.

The statements of basis and purpose for these regulations can be obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing [dnr\\_cpw\\_planning@state.co.us](mailto:dnr_cpw_planning@state.co.us) or by visiting the Division of Parks and Wildlife headquarters at 6060 Broadway, Denver, CO, 80216.

**The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Parks Act, §§ 33-10-101 to 33-33-113, C.R.S., and specifically including, but not limited to: §§ 33-10-106, C.R.S.**

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

**APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 1ST DAY OF SEPTEMBER, 2021.**

**APPROVED:**  
**Carrie Besnette Hauser**

**Chair**

**ATTEST:  
Luke B. Schafer  
Secretary**