



# COLORADO

## Parks and Wildlife

Department of Natural Resources

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TO: Members of the Colorado Parks and Wildlife Commission  
FROM: Jonathan Boydston, Acting Regulations Manager  
RE: Chapter P-1 Final Regulations for the September 2021 Parks and Wildlife Commission Meeting  
DATE: August 20, 2021

Final regulatory changes for Chapter P-1 are summarized below. If there are questions about the agenda item below, or if additional information is needed, please feel free to contact me at [jonathan.boydston@state.co.us](mailto:jonathan.boydston@state.co.us).

### Agenda Item 15: Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1

#### Implementing House Bill 21-116 to provide Purple Heart recipients free access state parks and recreation areas with a Purple Heart license plate or Independence Parks Pass

The final regulations related to the implementation of House Bill 21-1116 presented below correspond to the emergency regulations presented for agenda item 13. These final regulations are permanent, and are necessary to replace the emergency regulations.

#### Updating swimming regulations to allow swimming in state park-managed areas with some exceptions and changing the age restrictions for swimming unaccompanied by an adult from 12 to 13 years old

Currently, swimming in any state park-managed area is prohibited, except in designated swim beaches. However, enforcement and interpretation of this regulation is inconsistent, and the current prohibition on swimming generates public confusion, frustration, and dissatisfaction. As a result, the Division proposes modifying regulation #100.C.14, which pertains to designated swim beaches under the Water Quality Control Division's regulation, while also adding regulation #100.C.29 to allow swimming broadly on state park-managed waters with some exceptions and unless otherwise posted. This would allow for swimming in most state park-controlled waters, and would allow park managers to keep the designated swim beaches in their parks. Additionally, the Division proposed changing regulation #100.C.14.d to make the age restrictions for swimming unaccompanied by an adult consistent with the statutory language regarding wearing personal floatation devices on vessels (33-13-106 (4.5)).

#### Modifying seasonal restrictions for peregrine falcons at Fishers Peak State Park to correspond with Colorado Parks and Wildlife's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors

Currently, regulation #100.D.12.g specifies the peregrine falcon nest buffer closure for Fishers Peak State Park (FPSP) as March 15 - July 15. However, in Colorado Parks and Wildlife's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors, the recommended dates for peregrine falcon nest buffer closures are March 15 - July 31. For consistency with the CPW's recommended raptor guidelines, the Division proposed extending the closure date for the peregrine falcon nest buffer to July 31 annually.

#### Creating a wakeless day (Wednesday) for boaters at Highline Lake State Park



Smaller vessels such as kayaks, jon boats, and sailboats have difficulty navigating on Highline Lake due to an increase in traffic from ski boat, wakeboard boats, and personal watercraft causing wake, especially because Highline Lake is only 160 surface-acres. To cut down on the confusion to the public and to staff, the Division proposes designating one day a week for wakeless operation. After analyzing boat inspection data, staff found that Wednesday was one of the slowest days for powerboat usage, minimizing the impact of a "Wakeless Wednesday" on motorized users. The Division recommends creating regulation #100.D.16.h to restrict vessels from traveling at speeds above "wakeless" on Wednesdays. Regulation #100.D.16.h would not eliminate motorized boating on those days entirely, but would limit the speed and wake of motorized boats.

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

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

**# 100 - PARKS AND OUTDOOR RECREATION LANDS**

**A. Definitions**

1. "Parks and Outdoor Recreation Lands" shall mean, whenever used throughout these regulations, all parks and outdoor recreation lands and waters under the administration and jurisdiction of the Division of Parks and Wildlife.
2. "Wearable Personal Flotation Device" shall mean a U.S. Coast Guard approved personal flotation device that is intended to be worn or otherwise attached to the body. A personal flotation device labeled or marked as Type I, II, III, or V (with Type I, II, or III performance) is considered a wearable personal flotation device as set forth in the Code of Federal Regulations, Title 33, Parts 175 and 181(2014).

**B.** When these regulations provide that an activity is prohibited except as posted or permitted as posted, the Division will control these activities by posting signs identifying the prohibited or authorized activities, specifying the affected area and the basis for the posting. The Division will apply the following criteria in determining if an activity will be restricted or authorized pursuant to posting:

1. Public safety or welfare.
2. Potential impacts to wildlife, parks or outdoor recreation resources.
3. Remediation of prior impacts to wildlife, parks or outdoor recreation resources.
4. Whether the activity will unreasonably interfere with existing authorized activities or third party agreements.
5. Whether the activity will provide additional public benefits.

**C. It shall be prohibited:**

1. To enter, use or occupy Parks and Outdoor Recreation Lands when same are posted against such entry, use or occupancy. (Access to Parks and Outdoor Recreation lands and waters is generally allowed between 5:00 a.m. and 10:00 p.m. daily. Restricted access generally will be allowed during other hours for camping and fishing.)
2. To remove, destroy, mutilate, modify or deface any structure, water control device, poster, notice, sign or marker, tree, shrub or other plant or vegetation, including dead timber and forest litter, or any object of archaeological, geological, historical, zoological or natural/environmental value or interest on Parks and Outdoor Recreation Lands. (This regulation does not include removal of firewood from designated firewood areas, noxious weeds as defined by statute, or recreational gold mining within the Arkansas Headwaters Recreation Area, except where prohibited as indicated by posted signs.)

3. To remove, destroy or harass any wildlife or livestock on Parks and Outdoor Recreation Lands. (Hunting will be allowed in areas designated by the Division during hunting seasons.)

### **CAMPING**

4. To camp or to park a motor vehicle, trailer or camper on Parks and Outdoor Recreation Lands with the intention (or for the purpose) of camping other than on areas designated for camping; or to leave a set-up camp, motor vehicle, trailer or camper unattended for more than twenty-four (24) hours, unless otherwise posted.
  - a. No individual may camp or park a motor vehicle, trailer or camper on a state park for more than fourteen (14) days in any twenty-eight (28) day period on a single park, except that extensions totaling no more than a maximum of fourteen (14) additional days may be permitted by the park manager, as a one-time exception. For the purposes of this regulation, an individual is defined as any person who has occupied a site, whether or not they are formally listed on the reservation as the reserving party or primary occupant. This limit does not apply to multiple sites reserved for the same day by an individual or group pursuant to regulation # 704(2).

### **LITTERING**

5. To leave fish or fish entrails or debris in or on the ice-covered or open waters of lakes, reservoirs or streams located within Parks and Outdoor Recreation Lands.
6. To leave any residentially or commercially generated garbage or trash or any other litter generated outside a park or recreation area anywhere within a park or recreation area.

### **FIRES**

7. To build or tend fires within Parks and Outdoor Recreation Lands, except in fully enclosed vehicles; or in designated sites in Division-furnished grills or fireplaces; or in hibachis, charcoal grills, stoves and other metal containers, unless otherwise prohibited by these regulations.
8. To allow a fire to burn in a careless manner; to leave any fire unattended; or to fail to completely extinguish any fire on Parks and Outdoor Recreation Lands.
9. To discharge or use fireworks of any kind or nature within Parks and Outdoor Recreation Lands (except special displays approved by the Director; subject to provisions of local political subdivision regulations).

### **COMMERCIAL USE**

10. To use Parks and Outdoor Recreation Lands for a commercial purpose, except:
  - a. Special resource use which shall be authorized by the Commission on a case-by-case basis at a public meeting of the Commission (i.e., mining, timber cutting, grazing, haying, and other similar uses.)
  - b. Uses authorized pursuant to concession contracts issued in accordance with state procurement and fiscal rules; or

- c. Pursuant to a cooperative agreement with the Division or special activities permit issued by the Division. Commercial use which conflicts with area management plans will not be approved.
- d. For incidental commercial services that:
  - (1) Are provided by a commercial entity that is providing services incidental to the public use and operation of a State Park. Such services include: renting of pack animals or their services to remove harvested animals; vehicle and vessel repair; locksmith and tow services; vessel launch, retrieval or recovery services; product deliver services; and ride sharing or taxi services;
  - (2) The commercial entity does not solicit for business at, or use the name of, a State Park(s) for advertising;
  - (3) The commercial entity maintains a separate place of business; and
  - (4) The incidental commercial service is not one for which the provider is required by law to obtain a guide or outfitter license.
  - (5) Incidental commercial services does not include commercial boat launch and load services at Navajo State Park.

#### **BOAT DOCKS**

- 11. To fish from boat ramps or boat docks located within Parks and Outdoor Recreation Lands or to otherwise use such ramps or docks in a manner contrary to the intended use.

#### **GLASSWARE**

- 12. For any person to carry or possess any glassware within the confines of a public swimming area, bathing area or designated water skiing beach.

#### **NIGHT ACTIVITY**

- 13. To occupy a parking site with a motorized vehicle between the hours of 10:00 p.m. and 5:00 a.m., unless such person and all other occupants arriving in such vehicle are actively engaged in fishing or boating.

#### **SWIM BEACH**

- 14. For any person:
  - ~~a.~~ ~~To swim or bathe in any Parks and Outdoor Recreation waters, except in areas designated for such use.~~
  - ~~ab.~~ To build or tend any kind of fire on any swim beach.
  - ~~be.~~ To fish from any swim beach.
  - ~~cd.~~ To allow any child under the age of ~~13~~12 years to be on a swim beach unless accompanied by an adult.

**de.** Definitions as used in this regulation, unless the context requires otherwise:

- (1) "Swim Beach" - For the purpose of this regulation, "swim beach" means a portion of a natural or impounded body of water designated for swimming, recreational bathing or wading.

## **AIRCRAFT**

15. To land or take off with any type of aircraft on any Parks and Outdoor Recreation lands and waters, except as specifically authorized by these regulations or in case of emergency. "Aircraft" means any device or equipment that is used or intended to be used for manned flight or to otherwise hold humans aloft for any period of time, including powerless flight, and specifically includes, but is not limited to, airplanes, helicopters, gliders, hot air balloons, hang gliders, parachutes, parasails, kite boards, kite tubes, zip lines and other similar devices or equipment.

## **ANIMALS/PETS**

16. To allow any dog or other pet on Parks and Outdoor Recreation Lands, unless the same shall be under control and on a leash not exceeding six (6) feet in length. This requirement for dogs or other pets to be on a six-foot leash shall not apply when the animal is confined in a vehicle or vessel or within the boundaries of the designated dog off leash area at Chatfield State Park or the designated dog off leash area at Cherry Creek State Park. Further, it shall be unlawful to allow a dog or other pet within any area used as a swimming or water-ski beach. Any person having a dog or other pet creating a nuisance or disturbance or who fails to properly control a dog or other pet may be evicted from the park or recreation area. This provision shall not apply to dogs while being used in hunting, field trials, or while being trained on lands open to such use.
17. To bring horses, mules, donkeys or burros into or allow same on Parks and Outdoor Recreation Lands, except on areas or trails designated for such use.
18. To turn livestock onto or allow grazing on Parks and Outdoor Recreation Lands without permission from the Commission.
19. For any handler of any dog to fail to immediately collect, remove, and properly dispose of all dog or pet feces from, or near, any developed park sites including campgrounds, picnic area, dog training areas, and designated trails.

## **DUMP STATIONS/OTHER UTILITIES**

20. To empty wastewater holding tanks, fill water holding tanks or otherwise use any parks and outdoor recreation dump station or utility without a valid park pass and valid camping permit or camping reservation.

## **BEARS**

21. Where necessary to prevent or address bear/human interactions or related issues, the park manager may designate all or a portion of any state park where: food, trash and equipment used to cook or store food must be kept sealed in a hard-sided vehicle, in a camping unit that is constructed of solid, non-pliable material, or in a food storage box provided by the park for those persons entering the park in something other than a hard-sided vehicle or appropriate camping unit. This restriction does not apply to food that is being transported, consumed, or prepared for consumption. A hard-sided vehicle is

defined as: the trunk of an automobile, the cab of a pickup truck, the interior of a motor home, fifth wheel, camping trailer or pickup camper. A hard-sided vehicle does not include any type of tent, pop-up campers or pickup campers with nylon, canvas, or other pliable materials, car top carriers or camper shells on the back of pickup trucks.

#### **QUIET HOURS**

22. Quiet hours will be enforced from 10:00 p.m. until 6:00 a.m.; and all generators, loud radios or other loud noises that may disturb the peace are prohibited during these hours.

#### **ABANDONED PROPERTY**

23. It shall be unlawful to leave any personal property unattended on Parks and Outdoor Recreation land or water for more than twenty-four (24) hours.
  - a. If such property is left unattended for more than twenty-four (24) hours, it will be considered abandoned.
  - b. Removal and storage will be at the expense of the owner.
  - c. All abandoned personal property, other than motor vehicles, which is not claimed within six months shall be sold for cash to the highest bidder at a public auction, notice of which (including time, place, and a brief description of such property) shall be published at least once in a newspaper of general circulation in the county wherein said public auction is to be held at least ten days prior to such auction. All funds generated shall be deposited in the Parks Cash Fund.
  - d. Abandoned motor vehicles will be handled in accordance with Article 4, Part, 18 of Title 42, C.R.S.

#### **MODELS**

24. It shall be unlawful to operate radio-controlled and/or fuel-propelled models, except in designated areas.

#### **CLIMBING HARDWARE**

25. It shall be unlawful to place fixed or permanent rock climbing hardware, unless the climber first obtains a Special-Activities Permit from the park manager. Removal of previously placed fixed or permanent climbing hardware is prohibited.

#### **PARKING**

26. To park a motor vehicle, trailer or camper in any area other than a designated parking area.

#### **BIKING**

27. To bike in any area other than in a designated biking area or on a designated road or trail.

#### **ALCOHOL**

28. Consumption of alcoholic beverages on lands and waters under the supervision, administration, and/or jurisdiction of the Division is permitted with the following exceptions:
- a. It shall be prohibited to consume alcoholic beverages on any archery or firearm range unless specifically authorized by a concession contract, cooperative agreement or special activities permit, and then only allowed in areas specifically designated by the contract, agreement, or permit.
  - b. It shall be prohibited to sell and/or dispense alcoholic beverages on any lands and waters under the supervision, administration, and/or jurisdiction of the Division unless specifically authorized by a concession contract, cooperative agreement, or special activities permit, and then only allowed in areas specifically designated by the contract, agreement, or permit and the applicant party has obtained all appropriate licenses and permits to sell and/or dispense alcoholic beverages.
  - c. It shall be prohibited to be present on any lands and waters under the supervision, administration, and/or jurisdiction of the Division when under the influence of alcohol or any controlled substance to the degree that may endanger oneself or another person, damage property or resources, or may cause unreasonable interference with another person's enjoyment of any lands or waters under the supervision, administration, and/or jurisdiction of the Division.

**SWIMMING**

29. To swim on state-park managed properties:
- a. From sunset to sunrise.
  - b. Within or 150 feet from:
    - i. any boat ramp,
    - ii. marina,
    - iii. breakwater,
    - iv. dock,
    - v. buoy-designated hazard or keep-out,
    - vi. any dam inlet or outlet structure, and
    - vii. where prohibited as posted.
  - c. For any child under the age of 13 unless accompanied by an adult.
  - d. As prohibited in #100.D of these regulations at:
    - i. Barr Lake State Park,
    - ii. Eleven Mile State Recreation Area,
    - iii. Golden Gate Canyon State Park,
    - iv. Highline Canal State Trail,
    - v. James M. Robb – Colorado River State Park within East and West Lake of the Wildlife Area Section,
    - vi. Lathrop State Park, except at the designated swim beach at Martin Lake, and
    - vii. Spinney Mountain State Recreation Area.

**PARK-SPECIFIC RESTRICTIONS**



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

**1. Arkansas Headwaters Recreation Area**

- a. Except in established campgrounds where toilet facilities are provided, all overnight campers must provide and use a portable toilet device capable of carrying human waste out of the Arkansas Headwaters Recreation Area. Contents of the portable toilet must be emptied in compliance with law and may not be deposited within the Arkansas Headwaters Recreation Area, unless at a facility specifically designated by the Arkansas Headwaters Recreation Area.
- b. Building or tending fires is allowed pursuant to regulation # 100b.7., except at the Arkansas Headwaters Recreation Area fire containers must have at least a two inch rigid side. Fire containers must be elevated up off the ground.
- c. Swimming is permitted in the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas within the boundaries of the Arkansas Headwaters Recreation Area. All persons swimming within designated whitewater parks and all persons under the age of 13 swimming anywhere in the Arkansas River within the Arkansas Headwaters Recreation Area must wear a properly fitting U.S. Coast Guard approved wearable personal flotation device.
- d. No motorboats shall be permitted on the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas to the west end of Pueblo Reservoir.
- e. Innertubes, air mattresses, and similar devices are permitted on the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas within the boundaries of the Arkansas Headwaters Recreation Area. All occupants of these devices must wear a U.S. Coast Guard approved wearable personal flotation device.
- f. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.
- g. Recreational gold mining within the Arkansas Headwaters Recreation Area is allowed, except where prohibited as indicated by posted signs.

**2. Barr Lake State Park**

- a. No dogs or other pets shall be permitted in the wildlife refuge area.
- b. Visitors shall be required to remain on designated trails and boardwalks in the wildlife refuge area.
- c. No fishing or boating shall be permitted in the wildlife refuge area.
- d. Visitors shall be required to remain on the designated trails on Barr Lake Dam.
- e. No horses shall be permitted on the Barr Lake Dam.
- f. Only hand-propelled craft, sailboats and boats with electric trolling motors or gasoline motors of 10 horsepower or less shall be permitted.
- g. Only shotguns loaded with birdshot may be used for waterfowl hunting during the regular waterfowl hunting seasons, in the areas and at the times posted.
- h. Shotguns loaded with birdshot may also be used for dove hunting in the areas and at the times posted.
- i. All hunters must register prior to beginning hunting and check out at the conclusion of hunting, at the hunter registration area.
- j. **Swimming is prohibited.**

**3. Boyd Lake State Park**

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

**4. Cameo Shooting and Education Complex**

- a. Public access is allowed only from sunrise to sunset, except as otherwise authorized by an approved Special Activity or Commercial Use Permit.
- b. All fires may be prohibited, as posted, to comply with current burn restrictions.
- c. Camping is prohibited, except when authorized by an approved Special Activity or Commercial Use Permit, and then only allowed in areas specifically designated on the permit.
- d. Dogs are prohibited outside of vehicles, unless specifically authorized by an approved Special Activity or Commercial Use Permit, and then only allowed in areas specifically designated on the permit.
- e. Hunting is prohibited, except in the area north of, and no closer than 100 yards of, the Coal Canyon Main Canyon Divide.
- f. All persons must adhere to range safety rules, as posted.
- g. The possession of marijuana is prohibited.
- h. Biking is allowed in designated areas only, as posted.

**5. Castlewood Canyon State Park**

- a. No dogs or other pets shall be permitted in the East Canyon area.
- b. No horses shall be permitted in the east canyon area.
- c. It shall be unlawful to climb, traverse, or rappel, on or from rock formations in the East Canyon area.
- d. Visitors shall be required to remain on the designated trails in the East Canyon area.

**6. Chatfield State Park**

- a. Entrance to and exit from the dog off leash areas are permitted only at designated access points.
- b. A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- c. Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- d. Sport dog trainers shall obtain a special use permit to access and use the designated upland and flat-water sport dog training areas.
- e. Handlers in the dog off leash area and the sport dog training areas must have a visible and valid dog off leash annual pass or dog off leash daily pass.
- f. Fishing is prohibited on the ponds within the dog off leash area.
- g. Only pistols or other mechanisms incapable of discharging live ammunition may be used at the dog training area.
- h. A valid permit is required to launch or land any hot-air balloon.
- i. Only float tubes or craft propelled by hand shall be permitted on the ponds within the park, excluding the main reservoir.

**7. Cherry Creek State Park**

- a. Entrance to and exit from the dog off leash areas is permitted only at designated access points.
- b. A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- c. Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- d. Sport dog trainers shall obtain a special use permit to access and use the designated upland sport dog training area.
- e. Handlers in the dog off leash area and the sport dog training area must have a visible and valid dog off leash annual pass or dog off leash daily pass.
- f. Use of shotgun shells on the trap/skeet range with shot size larger than size 7 is prohibited.

- g. Only pistols or other mechanisms incapable of discharging live ammunition may be used at the dog training area.

**8. Cheyenne Mountain State Park**

- a. Dogs and other pets shall be prohibited except leashed dogs and pets shall be permitted in the developed areas of the park and on the following select trails only: Acorn Alley, Bobcat Way, Raccoon Ridge, and that portion of Soaring Kestral west of the eastern most intersection with Bobcat Way. All visitors that have dogs or other pets on the select trails must have in their possession at least one waste bag per animal.
- b. Smoking shall be limited to developed areas only and shall not be permitted in the backcountry, or on the archery range, parking lot or trail system.
- c. Hunting shall be prohibited.
- d. It shall be unlawful to climb, traverse or rappel on or from rock formations.
- e. Any person 17 years of age or older who is shooting on the field/3D portion of the archery range must obtain and maintain on one's person a proper and valid daily or annual Cheyenne Mountain Park archery range individual permit.
- f. Public access is prohibited on the archery range from sunset to sunrise.
- g. Any person 16 years of age or younger entering the archery range must be under adult supervision at all times.
- h. Broadheads, crossbows, and firearms, including, but not limited to, BB guns, pellet guns, and air rifles, are prohibited on the archery range.
- i. No dogs or other pets shall be permitted on the archery range.

**9. Crawford State Park**

- a. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

**10. Eldorado Canyon State Park**

- a. The use of all portable grills and stoves (including, but not limited to, charcoal, gas, and wood) is prohibited outside of designated high-use pads.
- b. During the period beginning the Tuesday after Labor Day and continuing through March 31, only hand-held bows and shotguns loaded with birdshot may be used for hunting during hunting seasons in the western portion of the parks known as crescent meadows.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only primitive weapons (hand-held bow and muzzle-loading rifles) may be used to hunt big game animals in the western portion of Eldorado Canyon State Park known as Crescent Meadows.

**11. Eleven Mile State Recreation Area**

- a. It shall be unlawful, except by law enforcement officers on official duty, to operate or park snowmobiles on land or on the frozen water surface of the reservoir, unless otherwise posted at the park entrances.
- b. It shall be unlawful to operate or occupy boats on the surface of the reservoir from one-half hour after sunset until one-half hour before sunrise.
- c. It shall be unlawful to enter upon, use or occupy the islands on the reservoir.
- d. It shall be unlawful to enter, use or occupy the lands or waters of Eleven Mile State Recreation Area lying to the east of the restrictive buoy line.
- e. Water skiing is prohibited on Eleven Mile Reservoir.
- f. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.
- g. Swimming is prohibited.

**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 ~~31~~<sup>15</sup>, 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.~~
  - (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.
  - (4) Access is prohibited, except during the following hunting seasons:
    - a. One (1) properly licensed LE000O1R 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.

**13. Golden Gate Canyon**

- a. No boats, rafts or other floating devices of any kind shall be permitted on lakes within Golden Gate Canyon State Park, except as part of an organized class in canoeing sponsored by the Division.
- b. In Jefferson County, excluding the 160-acre parcel known as the Vigil Ranch and the posted strip of land along Gilpin County Road 2: During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses. Provided further that hunters must visit the designated check station to check in prior to hunting and check out after hunting.
- c. During deer and elk seasons that are in the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting deer and elk may be used in areas not posted as prohibiting such use in that portion of Golden Gate Canyon State Park located in Gilpin County, otherwise known as the Green Ranch. Only hunters selected through a special drawing prior to the beginning of big game seasons are permitted to hunt the Green Ranch portion of Golden Gate Canyon State Park.
- ~~d. Swimming is prohibited.~~

**14. Harvey Gap State Recreation Area**

- a. Only hand-propelled craft, sailboats and boats with electric trolling motors or gasoline motors of 20 horsepower or less shall be permitted on Harvey Gap Reservoir.
- b. Water skiing is prohibited on Harvey Gap Reservoir.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot

may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

**15. Highline Canal State Trail**

- a. No swimming, tubing or rafting shall be permitted.
- b. No fires shall be permitted.

**16. Highline Lake State Park**

- a. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted on Mack Mesa Reservoir.
- b. Boats shall be prohibited on Highline Lake from the first day in October through the last day in February, except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl in the area open to hunting.
- c. Waterfowl hunting permitted in the areas and at the times posted. Only shotguns loaded with birdshot may be used for waterfowl hunting.
- d. Small game hunting permitted using only shotguns, in the areas and at the times posted.
- e. Reservations are required to hunt in accordance with #504.I.
- f. Big game hunting is prohibited.
- g. All hunters must register prior to beginning hunting and check out at the conclusion of hunting, at the hunter registration area.
- h. Vessels launched on Highline Lake on Wednesdays are prohibited from traveling at speeds above "wakeless," as defined in regulation #218.1 in Chapter P-2. If July 4 falls on a Wednesday, this day is exempt from the wakeless restriction.

**17. Jackson Lake State Park**

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

**18. James M. Robb - Colorado River State Park**

- a. Colorado River Wildlife Area**
  - (1) In accordance with applicable management plans, no dogs or other pets shall be permitted, except on designated trails.
  - (2) No fires shall be permitted.
  - (3) ~~No swimming shall be permitted.~~ Swimming is prohibited within East and West Lakes.
  - (4) In accordance with applicable management plans, public access is restricted to designated roads and trails from March 15 to May 30 of each year.
  - (5) No boats, rafts or other floating devices of any kind shall be permitted on lakes.
- b. Fruita, Connected Lakes, Corn Lake and Island Acres Sections**
  - (1) Except for the swim area at Island Acres, only hand-propelled craft, sailboats and boats with electric motors shall be permitted.
  - (2) Only waterfowl hunting permitted in the areas and at the times posted. All other hunting prohibited.
  - (3) Only shotguns loaded with birdshot may be used for waterfowl hunting.
  - (4) Waterfowl hunting from designated blinds only.
  - (5) Reservations are required to hunt in accordance with #504.I.
  - (6) Hunting is prohibited in Fruita and Connected Lakes sections.
- c. 34 Road Parcel**

- (1) No public access except for waterfowl hunting on weekends during designated waterfowl hunting seasons.
- (2) Only waterfowl hunting permitted in the areas and at the times posted. All other hunting prohibited.
- (3) Only shotguns loaded with birdshot may be used for waterfowl hunting.
- (4) Reservations are required to hunt in accordance with #504.I.
- (5) Waterfowl hunting from designated blinds only.

**d. Pear Park Section**

- (1) No boats, rafts or other floating devices of any kind shall be permitted on lakes between 30 Road and 29 Road.
- (2) Only waterfowl hunting permitted in the areas and at the times posted. All other hunting prohibited.
- (3) Only shotguns loaded with birdshot may be used for waterfowl hunting.
- (4) Reservations are required to hunt in accordance with #504.I.
- (5) Waterfowl hunting from designated blinds only.

**19. John Martin Reservoir State Recreation Area**

- a. No public access shall be permitted on the north shore area of John Martin Reservoir State Recreation Area from the first day of November through March 15 of every year or as posted except to retrieve downed waterfowl.
- b. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted on Lake Hasty.
- c. No unauthorized boats, rafts, or other floating devices of any kind shall be permitted on the waters below John Martin Dam to the Arkansas River bridge.
- d. No public access shall be permitted east of the waterfowl closure line to the dam from the first day of November through March 15 of every year or as posted except to retrieve downed waterfowl.

**20. Lake Pueblo State Park**

- a. Jumping, diving or swinging from cliffs, ledges or man-made structures is prohibited, including, but not limited to, boat docks, marina infrastructure and the railroad trestle in Turkey Creek.
- b. Innertubes, air mattresses and similar devices are permitted, below the dam on that part of the Arkansas River within the boundaries of Pueblo State Recreation Area. All occupants of these devices must wear a U.S. Coast Guard approved wearable personal flotation device.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

**21. Lathrop State Park**

- a. Boats shall be prohibited on Horseshoe Reservoir from the first Monday in November through the last day of migratory waterfowl seasons, except as posted and except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl on the areas of such lakes open to hunting of migratory waterfowl.
- b. Water skiing is prohibited on Horseshoe Reservoir.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons west from a north-south line corresponding with the existing barbed-wire fence between Horseshoe Lake and Martin Lake.

d. Swimming is prohibited except at the designated swim beach at Martin Lake.

**22. Lone Mesa State Park**

- a. During any authorized big game hunting season, any lawful method of hunting deer, elk, and bear may be used in areas not posted as prohibiting such use in Lone Mesa State Park. Only hunters who possess a valid Lone Mesa State Park hunting permit are permitted to hunt.

**23. Lory State Park**

- a. During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses; except that hunting is not permitted on Saturdays and Sundays.
- b. During the spring turkey hunt at Lory State Park, it shall be permitted to hunt turkey by legal methods on Mondays and Tuesdays only. All other days of the week shall be closed to spring turkey hunting.

**24. Mancos State Park**

- a. Only hand-propelled craft, sailboats, boats with electric trolling motors and boats with gasoline motors operated at a wakeless speed shall be permitted on Mancos Reservoir.
- b. Water skiing is prohibited on Mancos Reservoir.

**25. Mueller State Park**

- a. No dogs or other pets shall be permitted outside of the developed facilities area.
- b. It shall be unlawful, except by law enforcement officers on official duty, to operate snowmobiles and off-highway vehicles.
- c. No boats, rafts or other floating devices of any kind shall be permitted on lakes within Mueller State Park.
- d. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of controlled hunting may be used, during hunting seasons, in areas not prohibiting such use on Mueller State Park. Hunters may access the posted hunting area only from Trail 5 at the Visitor Center, Trail 11 at the Livery parking lot or Lost Pond Picnic Area and Trail 13 at the group campground. All weapons must be completely unloaded when the hunter is outside the posted hunting area boundary.

**26. Navajo State Park**

- a. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

**27. North Sterling State Park**

- a. Boats shall be prohibited on North Sterling Reservoir from the first Monday in November through the last day of migratory waterfowl seasons, except as posted and except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl on the areas of such lakes open to hunting of migratory waterfowl.
- b. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows and shotguns loaded with birdshot may be used for hunting in areas not prohibiting such use on North Sterling State Park, except as follows:
  - (i) Hunting is prohibited from the dam, and
  - (ii) Hunting is prohibited from the frozen surface of the lake.



**28. Paonia State Park**

- a. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

**29. Pearl Lake State Park**

- a. Only hand-propelled craft, sailboats, boats with electric trolling motors and boats with gasoline motors operated at a wakeless speed shall be permitted.
- b. Water skiing is prohibited on Pearl Lake.
- c. During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses.

**30. Ridgway State Park**

- a. No boats, rafts, or other floating devices shall be permitted on any waters within the Pa-Co-Chu-Puk Recreation Site, below Ridgway Dam.
- b. On all areas of the park east of Highway 550: during deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and, during the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses.
- c. During any authorized hunting season from October 1 to April 30 of each year, and any approved special season, any lawful method of hunting may be used on all lands at Ridgway State Park open to public access west of Ridgway Reservoir, except that the area bounded by Dallas Creek on the south and the site closure signs on the north shall be closed to all hunting.
- d. During any authorized waterfowl hunting season from October 1 to April 30 of each year, and any approved special season, waterfowl hunting shall be permitted within the Dallas Creek Recreation Site at Ridgway State Park; except that hunting shall be prohibited between the park road and U.S. Highway 550 and in other areas posted as prohibiting such use.
- e. During approved special seasons, any lawful method of hunting may be used in the following areas (or special hunting zones) as defined:
  - (i) (Zone 1) Elk Ridge Mesa, including the closed Elk Ridge Campground, and
  - (ii) (Zone 2) That area bounded by a distance of 100 yards south of park headquarters, on the north; Ridgway Reservoir on the west; ¼ mile from Colorado Highway 550 on the south; and ¼ mile from the main park road on the east and,
  - (iii) That area bounded by Ridgway reservoir's main cove on the north; ¼ mile from the Elk Ridge road on the west; the intersection of the Elk Ridge and main park roads on the south; and ¼ mile from the main park road on the east at Ridgway State Park and,
  - (iv) The Pa-Co-Chu-Puk Recreation site at Ridgway State Park.

**31. Rifle Falls State Park**

- a. It shall be unlawful to climb, traverse, or rappel on or from rock formations.

**32. Rifle Gap State Park**

- a. Hunting permitted in areas not prohibiting such use.

**33. Roxborough State Park**

- a. No dogs or other pets shall be permitted.

- b. No fires shall be permitted.
- c. It shall be unlawful to climb, traverse or rappel on or from rock formations.

**34. Saint Vrain State Park**

- a. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted, except on Blue Heron Reservoir.
- b. Only hand or trailer launched vessels with electric or gasoline motors operated at a wakeless speed shall be permitted on Blue Heron Reservoir.

**35. Spinney Mountain State Recreation Area**

- a. It shall be unlawful, except by law enforcement officers on official duty, to operate or park snowmobiles on land or on the frozen water surface of the reservoir, unless otherwise posted at the park entrances.
- b. It shall be unlawful to operate or occupy boats on the surface of the reservoir from one-half hour after sunset until one-half hour before sunrise.
- c. It shall be unlawful to enter upon, use or occupy the islands on the reservoir.
- d. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between November 16 and April 30, unless the reservoir is ice-free and the area is otherwise posted as open for public use.
- e. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between the hours of one hour after sunset and one-half hour before sunrise, or as otherwise posted.
- f. Water skiing is prohibited on Spinney Mountain Reservoir.
- g. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.
- h. Swimming is prohibited.

**36. Stagecoach State Park**

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons on the western half of the reservoir.

**37. State Forest State Park**

- a. No boats, rafts or other floating devices of any kind shall be permitted on lakes within The State Forest, except that wakeless boating shall be allowed on North Michigan Reservoir.
- b. Only hand-propelled craft, sailboats, boats with electric trolling motors and boats with gasoline motors operated at a wakeless speed shall be permitted on North Michigan Reservoir.
- c. Water skiing is prohibited on North Michigan Reservoir.
- d. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

**38. Staunton State Park**

- a. No boats, rafts or other floating devices of any kind shall be permitted on lakes within the park.

**39. Steamboat Lake State Park**

- a. During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and from the Tuesday after Labor Day through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses.

**40. Sweitzer Lake State Park**

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.
- b. Waterfowl hunting is prohibited, except in the six (6) designated hunt zones.
- c. From 5:00 am until 12:00 pm, reservations are required to hunt waterfowl in accordance with #504.I. Reserved zones which are unoccupied by 7:00 am will be available on a first-come, first-served basis. However, any hunt zone must be yielded at any time upon request of a hunter holding a valid and active reservation for that zone.
- d. Reservations are not required to hunt waterfowl from 1:00 pm until sunset, and hunting is on a first-come, first-served basis.
- e. Leaving decoys overnight is prohibited.

**41. Sylvan Lake State Park**

- a. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted.
- b. Water skiing is prohibited on Sylvan Lake.
- c. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

**42. Trinidad Lake State Park**

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.
- b. Dogs or other pets are prohibited on the archery range.
- c. Smoking is prohibited on the archery range.
- d. Broadheads, crossbows, and firearms, including, but not limited to, BB guns, pellet guns, and air rifles are prohibited on the archery range.
- e. Any person 16 years of age or younger entering the archery range must be under the direct supervision of an adult at all times.
- f. Public access is prohibited on the archery range between sunset and sunrise.

**43. Vega State Park**

- a. Hunting permitted beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day.
- b. Only bows and arrows, including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

**# 101 – SEARCH AND RESCUE TRAINING PERMITS**

- A. Public or nonprofit search and rescue organizations shall be permitted to conduct official, sanctioned training activities on state park lands upon completion of a search and rescue training permit application and written park manager approval of the application.
  1. The search and rescue training permit application shall include the following information.
    - a. Organization name and address;

- b. Organization representative contact information including name and phone number;
  - c. Date, time and specific park location of proposed training activities;
  - d. Roster of participants;
  - e. Number of vehicles and associated license plate numbers;
  - f. Training agenda, lesson plan, or other description of proposed activity.
2. The training permit application shall be submitted to the park manager at least 14 days prior to the start of the event.
  3. Upon request from park staff, participants shall identify themselves as part of the training activity.
  4. Upon approval of the search and rescue training permit application, the park manager may close that portion of the park or recreation area used for the training activity for the duration of the training to the public.
  5. Participants of such training activities shall be allowed free entrance to any state park or recreation area while engaged in the training activity.

## **# 102 - AUTHORITY TO CLOSE PARKS LANDS AND WATERS**

### **CLOSURES**

- A. Any Parks and Outdoor Recreation officer shall have the authority to close any waters on Parks and Outdoor Recreation Lands to any or all users or to limit the number of boats on any such body of water when he deems it necessary for the safety, protection and welfare of the public. Further, it shall be unlawful for any person to violate such closure.

### **CAPACITY**

- B. The Director may establish for each area under the control of the Division, according to facilities, design and/or staffing levels, the number of individuals and/or vehicles or boats allowed in any area or structure at any given time or period. No person shall enter into any area or facility or bring in, or cause to be brought in, any vehicle or boat and/or persons which exceed the capacity established by the Director or when the individual is informed either by signs or by Park staff that such capacity has been met.

## **#103 – UTILITY AND ROAD EASEMENTS**

- A. The Director may grant easements for a term not to exceed twenty-five (25) years on properties owned in fee title by the Division, after consideration of the following:
  1. financial consideration for the easement represents fair market value and is no more than \$100,000;
  2. the easement is customary or minor in nature, or is a replacement, modification or confirmation of an existing easement; and

3. the easement is not detrimental to recreational opportunities, the operation of a state park or park administrative facility, or water resources and is in the public interest.

#### **#104 – LEASES**

- A. The Director may execute documents related to existing leases wherein the Division is either the lessor or lessee, after consideration of the following:
  1. the document is a renewal, extension or amendment of an existing lease;
  2. the renewal or extension is for a term not to exceed twenty-five (25) years;
  3. total consideration for the entire potential term of the renewal, extension or amendment represents fair market value and is no more than \$100,000; and
  4. the renewal, extension or amendment supports, protects or enhances outdoor recreation, the operation of an administrative facility or related building, or water resources and is in the public interest.
- B. The Director may execute a new lease for staff housing for a term not to exceed twelve months.

#### **ARTICLE II – GENERAL WATER RESTRICTIONS: USE OF BOATS AND OTHER FLOATING DEVICES AND OTHER USES ON PARKS AND OUTDOOR RECREATION WATERS**

##### **# 105**

- A. All Parks and Outdoor recreation waters are open to boating during migratory waterfowl seasons, except as specified in park-specific restriction regulations 100.C.

#### **VESSELS**

- B. It shall be unlawful:

#### **UNATTENDED**

1. To anchor or beach boats and leave them unattended overnight within Parks and Outdoor Recreation Lands in areas other than those designated or posted.

#### **LAUNCHING**

2. To launch or load within Parks and Outdoor Recreation Lands any boat from a trailer, car, truck or other conveyance, except at an established launch area if the same is provided.

#### **TAKE-OFF/DROP OFF**

- C. No person, while operating any vessel, shall park, moor, anchor, stop or operate said vessel so as to be considered a hazard in any area marked as a water ski take-off or drop zone.
- D. Use of air-inflated floating devices:
  1. It shall be unlawful to use any air-inflated floating device on waters located on Parks and Outdoor Recreation Lands, except as follows:

- a. Inertubes, air mattresses and similar devices may be used in designated swimming areas only, except as follows:
  - (1) When authorized by park-specific regulations in 100.C.
  - (2) Inflatable fishing waders may be used as an aid to fishing.
- b. All other air-inflated devices capable of being used as a means of transportation on the water shall be of separate multi-compartment construction so as to prohibit air from escaping from one compartment to another. Such devices with a motor attached shall have a rigid motor mount.

**LIVING ABOARD VESSELS**

- E. It shall be unlawful to live aboard any vessel on Parks and Outdoor Recreation lands or waters. For the purpose of this regulation, a “live aboard” is defined as any vessel located within State Parks boundaries used for overnight accommodations between the hours of 10:00 p.m. and 5:00 a.m. for more than fourteen (14) days in any twenty-eight (28) day period on a single park, except that extensions totaling no more than a maximum of fourteen (14) additional days may be permitted by the park manager, as a one-time exception. Upon written request from any marina concessionaire, the Director may allow one, or more, “live aboard(s)” occupied by the marina's managerial or supervisory staff, if the Director determines it would be advantageous for the safety and security of the marina's operations.

**AQUATIC NUISANCE SPECIES (ANS)**

- F.
  - 1. All vessels and other floating devices of any kind, including their contents, motors, trailers and other associated equipment are subject to inspection in accordance with inspection procedures established by the Division prior to launch onto, operation on or departure from any Parks and Outdoor Recreation waters or vessel staging areas.
  - 2. Any nonnative or exotic plant material and any aquatic wildlife species listed in wildlife regulation # W012-C, 2 CCR 406-0, (collectively referred to herein as “aquatic nuisance species” ) found during an inspection shall be removed and properly disposed of in accordance with removal and disposal procedures established by the Division before said vessel or other floating device will be allowed to launch onto, operate on or depart from any Parks and Outdoor Recreation waters or vessel staging areas.
  - 3. Compliance with the above aquatic nuisance species inspection and removal and disposal requirements is an express condition of operation of any vessel or other floating device on Parks and Outdoor Recreation waters. Any person who refuses to permit inspection of their vessel or other floating device, including their contents, motor, trailer, and other associated equipment or to complete any required removal and disposal of aquatic nuisance species shall be prohibited from launching onto or operating the vessel or other floating device on any Parks and Outdoor Recreation water. Further, the vessel or other floating device of any person that refuses to allow inspection or to complete any required removal and disposal of aquatic nuisance species prior to departure from any Parks and Outdoor Recreation water or vessel staging area is subject to quarantine until compliance with said aquatic nuisance species inspection and removal and disposal requirements is completed.

4. Any person operating a vessel or other floating device may be ordered to remove the vessel or device from any Parks and Outdoor recreation water by any authorized agent of the Division if the agent reasonably believes the vessel or other floating device was not properly inspected prior to launch or may otherwise contain aquatic nuisance species. Once removed from the water, the vessel or other floating device, including its contents, motor, trailer and associated equipment shall be subject to inspection for, and the removal and disposal of aquatic nuisance species.
5. It is unlawful for any person to, or to attempt to, launch onto, operate on or remove from any Parks and Outdoor Recreation water or vessel staging area any vessel or other floating device without first submitting the same, including their contents, motors, trailers and other associated equipment to an inspection for aquatic nuisance species, and completing said inspection, if such an inspection is requested by any authorized agent of the Division or required by any sign posted by the Division. Further, it is unlawful for any person to fail to complete the removal and disposal of aquatic nuisance species if such removal and disposal is requested by an authorized agent of the division or required by any sign posted by the Division.
6. It is unlawful for any person to, or to attempt to, launch onto, operate on or remove from any Parks and Outdoor Recreation water or vessel staging area any vessel or other floating device if they know the vessel or other floating device, including their contents, motors, trailers, or other associated equipment contain any aquatic nuisance species.

#### **ARTICLE IV – GENERAL RESTRICTIONS RELATING TO HUNTING, TRAPPING AND THE DISCHARGE OF FIREARMS AND OTHER WEAPONS ON PARKS AND OUTDOOR RECREATION LANDS**

##### **# 106**

- A. It shall be unlawful:

##### **WEAPONS, FIREARMS, AND FIREWORKS**

1. To possess, carry, or discharge explosives, firearms and/or other weapons on Parks and Outdoor Recreation Lands or Waters in any manner that violates Title 18, C.R.S., or any other applicable law. The lawful carry of concealed handguns by persons in possession of a valid concealed handgun permit, together with valid photo identification, is permitted. The possession or discharge of fireworks is prohibited. The lawful possession and/or discharge of firearms on designated shooting ranges is permitted. Other exceptions pertaining to the possession and/or discharge of firearms on Parks and Outdoor Recreation Lands or Waters are as follows:

##### **HUNTING/DOG TRAINING**

- a. Shotguns loaded with birdshot or pistols loaded with blank charges may be used during authorized regattas and field trials or during the training of dogs on designated dog-training areas, except as restricted by park-specific regulations in 100.C.
  - (i) The use of live birds during the training of dogs is prohibited unless approved by the Division through a Special-Activities Permit.

##### **BOW FISHING (Archery) and Spearfishing:**

- b. Bows and arrows may be used on designated archery ranges or as a method of fishing in accordance with fishing regulations. Underwater spearfishing may be used as a method of fishing in accordance with fishing regulations. Underwater spearfishing is prohibited within 100 feet of any marina, boat ramp, swim beach or dam infrastructure.

#### **HUNT AREAS**

- c. Park Managers may post an area on a park or recreation area as being closed to hunting due to public safety considerations or sound park management practices.
- d. To discharge explosives, firearms, and/or other weapons within 100 yards of any designated campground, picnic area, boat ramp, swimming or water skiing beach or nature trail and study area, except as may be otherwise posted.
- e. To discharge explosives, firearms, and/or other weapons from any location so that projectiles are caused to cross over or fall upon Parks and Outdoor Recreation Lands.

#### **TRAPPING**

- f. To place or set traps on Parks and Outdoor Recreation Lands and Waters, except as authorized by wildlife regulations and with a valid Special-Activities Permit.

#### **RAPTOR HUNTING**

- g. To hunt by the use of raptors on Parks and Outdoor Recreation Lands and Waters, except as authorized by wildlife regulations and with a valid Special-Activities Permit.



**Basis and Purpose:**

**Updating swimming regulations to allow swimming in state park-managed areas with some exceptions and changing the age restrictions for swimming unaccompanied by an adult from 12 to 13 years old**

Previously, swimming in any state park-managed areas was prohibited, except in designated swim beaches. However, enforcement and interpretation of this regulation was inconsistent, and the previous prohibition on swimming generated public confusion, frustration, and dissatisfaction. As a result, regulation #100.C.14 has been modified, which pertains to designated swim beaches under the Water Quality Control Division's regulation, and regulation #100.C.29 has been added to allow swimming broadly on state park-managed waters with some exceptions and unless otherwise posted. This allows for swimming in most state park-controlled waters, and allows park managers to keep the designated swim beaches in their parks. Additionally, regulation #100.C.14.d has been changed to make the age restrictions for swimming unaccompanied by an adult consistent with the statutory language regarding wearing personal floatation devices on vessels (33-13-106 (4.5)).

**Modifying seasonal restrictions for peregrine falcons at Fishers Peak State Park to correspond with Colorado Parks and Wildlife's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors**

Previously, regulation #100.D.12.g specified the peregrine falcon nest buffer closure for Fishers Peak State Park (FPSP) as March 15 - July 15. However, in Colorado Parks and Wildlife's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors, the recommended dates for peregrine falcon nest buffer closures are March 15 - July 31. For consistency with the CPW's recommended raptor guidelines, the closure date for the peregrine falcon nest buffer has been extended to July 31 annually.

**Implementing House Bill 21-1116 to provide Purple Heart recipients free access state parks and recreation areas with a Purple Heart license plate or Independence Parks Pass**

With the passage of House Bill 21-1116, resident Purple Heart recipients are eligible for free access to state parks and recreation areas with a Purple Heart license plate and are eligible for a free Independence Park Pass. These regulatory changes permanently implement House Bill 21-1116.

**Creating a wakeless day (Wednesday) for boaters at Highline Lake State Park**

Smaller vessels such as kayaks, jon boats, and sailboats have difficulty navigating on Highline Lake due to an increase in traffic from ski boat, wakeboard boats, and personal watercraft causing wake, especially because Highline Lake is only 160 surface-acres. To cut down on the confusion to the public and to staff, one day a week was designated for wakeless operation. After analyzing boat inspection data, staff found that Wednesday was one of the slowest days for powerboat usage, minimizing the impact of a "Wakeless Wednesday" on motorized users. Regulation #100.D.16.h was created to restrict vessels from traveling at speeds above "wakeless" on Wednesdays, but it does not eliminate motorized boating on those days.

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 REGULATIONS SHALL BECOME EFFECTIVE NOVEMBER 1, 2021 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL 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**