



**COLORADO**

**Parks and Wildlife**

Department of Natural Resources

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## **MEMORANDUM**

**TO:** Colorado Parks and Wildlife Commissioners

**FROM:** Draw Working Group Members

**DATE:** July 2, 2024

**SUBJECT:** Draw Process Working Group Recommendations on the Reissue Process

At the May 2023 Parks and Wildlife Commission Meeting, the Commission directed staff to form a Draw Process Working Group (DWG or group). The purpose of the group is to analyze our current draw rules and processes in order to identify ways to reduce the complexities and find new solutions/alternatives to fix some of the issues within the Colorado draw system, as well as address biological and sociological concerns.

This memo provides the Commission with an update after the fourth and final DWG work session that took place on 5/29/2024, focused primarily on the reissue process. Questions and details remaining/carried over from the first three meetings were also addressed by the working group during the second part of the work session. This memo provides a brief summary of those discussion highlights as well as the recommendations that were supported by the group. These recommendations will also be shared with the Commission during an oral panel presentation/workshop at the July Commission meeting.



Jeff Davis, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Dallas May, Chair · Richard Reading, Vice-Chair · Karen Bailey, Secretary · Jessica Beaulieu  
Marie Haskett · Jack Murphy · Gabriel Otero · Duke Phillips, IV · James Jay Tutchton · Eden Vardy

## Work Session Part 1- Concerns with the Current Reissue Process

The first half of work session #4 focused on concerns with the current reissue process. This specifically included the following discussion topics:

1. Timing of release and having a preview list
2. Manual reissue criteria and process
3. Bots and how to combat them
4. Sell through dates and locations

**1. Timing of Release and Having a Preview List:** The group agreed that having a weekly reissue preview list (as is in place today) is helpful and makes the reissue process more transparent. The group also preferred having a set day of the week and time for licenses to be released (as is in place currently) vs. randomly releasing licenses throughout the week and at different times of the day (as was done previously). The possibility of having a third random draw as an option in the future was also briefly discussed. The group did raise concerns about the inequities the current process causes with customers who do not have office jobs, high speed internet, or cannot afford to pay for services to purchase licenses for them. The group also discussed the “mini leftover days” that the current process causes, with spikes in office and license system traffic when licenses are released each Wednesday.

**2. Manual reissue criteria and process:** In comparison, the group also discussed the pros and cons of the existing manual reissue process that is currently used to reissue all sheep, goat, and moose licenses as well as any deer, elk, bear or pronghorn license that took five or more resident preference points to draw. Positives included that the manual reissue process is perceived as the most fair option since the license is issued to the individual who would have drawn it next. The process is also more equitable as having access to a computer at a particular day and time or taking time off work are

not required. Manual reissue licenses also require using preference points, which helps combat preference point creep.

The cons/negatives of the existing manual reissue process are the heavy workload placed on CPW staff, delays in getting the license reissued, and the requirement on customers to check their email and respond quickly (within 24 hours).

The group's focus for solutions to these reissue problems was on how to improve the customer and staff experience, ensure a fair distribution of licenses, and wanting to see as many licenses issued/used as possible.

**The group unanimously agreed to automate the reissue process and use the same process for any license that is surrendered, not paid for by the payment deadline, or returned. Licenses would automatically be reissued to the applicant next up in line in the draw order (by residency) based on the next up report, and would require the use of preference points. Automatic reissue would stop two weeks prior to the start of the season listed on that license.**

#### *How will this work?*

When applying for licenses in the Primary Draw, customers will have the choice to opt in to being on this automated reissue list. If the customer opts out, they will be skipped over and not issued the license if it is returned. The customer will also be skipped over if they no longer can legally possess the license. For example, if the customer drew a list A elk license in the Secondary Draw before the list A elk license they applied for in the Primary Draw was reissued. In order for the customer to predict their possible chance of getting their desired auto-reissue license, their position on the next up list will be shared for transparency. This will be accomplished by either posting a next up report publicly sorted by application number (instead of the customer's name to protect PII) or by sharing those details in the customer's online account.

If a customer opted in, but circumstances changed and they no longer want the opportunity to be reissued the license, they can opt out at any time before being issued the license. **The group recommended that the opt in/opt out be offered during the Primary Draw application process by hunt code choice, but if that is not possible the group recommended by species with the option for only their first choice.** When a customer opts in to the automatic reissue, they agree to be charged for the license when it is put on their account and agree to forfeit all the preference points they hold for that species. If there is no one to auto reissue a returned license to (i.e. there are leftovers for that hunt code or no one opted in for reissue of that hunt code), then the returned license will be released for sale using our current reissue/leftover process. Additionally, if a license is returned during the two weeks prior to the start of the season, it will not be auto reissued, but instead will also be reissued using our current reissue/leftover process. Auto reissues will also be paused during the Secondary Draw application period to ensure bag limit rules are enforced.

For sheep, goat, and moose licenses that are returned after the auto-reissue time period ends (during the two weeks before the season starts), those licenses would be manually offered and reissued to the person next in line based on the next up report and using our existing manual reissue process.

### *Fail to Pay*

The group also discussed the current fail to pay policies because the majority of the group found those existing policies to be too strict. CPW currently reverses any license not paid for by the payment deadline and does not reinstate the customer's preference points used to draw that license. **The group agreed that if a customer's payment fails to go through during the Primary or Secondary Draw, and the customer fails to pay for the license before the respective payment deadline, that customer should lose the license, but felt that their points should be restored to the pre-draw level.** This allows the license to be quickly reissued to another customer through the auto reissue process and allows the customer who lost the

license, to potentially draw the license again in a future year (without losing all their points).

If a license is auto reissued to a customer and payment fails, the customer would get a 24 hour warning notification (ideally by email and text) to pay the balance before moving to the next customer in line.

In summary, the entire auto reissue process would be handled by the license system with no manual staff time necessary.

**3. Bots and How to Combat Them:** Numerous software programs have been developed to help clients quickly detect and purchase returned/reissued licenses giving them a purchasing advantage over the average human customer. These programs are generically referred to as bots. With the decision to auto reissue licenses, the concern with bots greatly diminishes. Highly desirable licenses would be issued to the next person in line instead of going to the weekly leftover license release list, thus preventing these licenses from going on sale to the general public online where bots could compete.

**4. Sell Through Dates and Locations:** Currently customers can buy available licenses anywhere, including online, until the end of the season. However, customers cannot buy duplicates from external agents after the season starts. The working group felt that this policy is working fairly well, with more purchasing options now available particularly to nonresidents. Law enforcement concerns have been minimal since sell through dates and locations were last modified in 2020. **Therefore, the working group recommended staying status quo for these policies.**

The group also decided to stay status quo with the current refund policies, which include the following:

- During the surrender period, allow customers to return a license for BOTH a monetary refund and restoration of preference points to the pre-draw level
- After the surrender period allowing a refund OR restoration of points through 30 days before the start of the season
- Continue to allow for approved exceptions to the refund policies which include for extreme medical, military deployment, death of the hunter or an immediate family member, or a jury duty summons.
- A hunter can surrender their license less than 30 days before the season, but will not receive a refund or restoration of points.

## Work Session Part 2-Outstanding Questions

This part of the work session focused on the following outstanding questions from the first three DWG work sessions:

1. Should residency allocation rules apply to all four choices in the primary draw?
2. Should the first choice in the primary draw be a hard cap? Switch to a soft cap for 2nd-4th (staff feedback)
3. Should residency allocation rules apply to the secondary draw?
4. Should points be used for all 4 choices? (revisited topic)
5. Should the draw recommendations made for deer, elk, bear, and pronghorn, also apply to turkey?

1. Apply Allocation Rules to all Four Choices: **The group unanimously agreed that residency allocation rules should apply to all four choices in the primary draw by removing “first choice only” from the current regulations.** This would ensure that residents receive preference throughout the draw, potentially including all the choices used on their application. The draw would be conducted similarly to how it is run today, just the allocation rules would apply to everyone who applied for that hunt

code, not just first choice applicants. A soft cap would be maintained for deer, elk, bear and pronghorn, meaning that if there was not enough resident demand after going through all four choices, then nonresidents could go over the 25% cap for those species.

2. Changes to Hard and Soft caps, by Choice: The group agreed that changes to hard and soft cap rules were no longer necessary due to applying residency allocation to all four choices before going overcap.

3. Allocation in the Secondary Draw: The group came up with two proposals regarding residency allocation rules in the Secondary Draw. Proposal A was to extend the 75% Resident /up to 25% Non Resident allocation to the Secondary Draw. Proposal B was to keep residency allocation confined to the Primary Draw. The group predicted that an automatic reissue process would preclude most high demand hunt codes from being included in the Secondary Draw. However, possibly requiring preference points for all 4 choices could drive more licenses and hunt codes to the Secondary Draw. For those reasons, **the majority of the group supported Proposal A, extending the 75% resident and up to 25% non-resident allocation to the Secondary Draw. Each draw (Primary and Secondary) will have the allocation percentages calculated separately.** The main differences between the two draws will be the use of preference points (only in the Primary Draw) and the 100% youth preference in the Secondary drawing.

4. Using Preference Points on all Four Choices in the Primary Draw: The group was split evenly on whether or not points should be used for all four choices in the Primary Draw. After receiving several public comments contrary to this initial group recommendation and with the Big Game Season Structure Over-the-Counter elk discussions still ongoing, the group was concerned with the impacts that this change could have on resident hunters. The group was also concerned with pushing more licenses to the Secondary Draw, where youth get 100% youth preference. Due to the

lack of consensus, **the group recommended that this issue be raised to the Commission for their further consideration and guidance.** Using points for just the 1st choice for the Primary Draw, or using points for only 1st and 2nd choices were both discussed as other potential alternatives.

**5. The group unanimously agreed that all draw recommendations for deer, elk, bear, and pronghorn should apply to turkey as well. This includes using a split draw method, applying a 75%/25% residency allocation and using an auto-reissue process for returned licenses. *Please note that youth preference, LPP, and other programs do not apply to turkey.***

An opportunity to further discuss these regulations and ask questions of the DWG panel will be a part of the July commission meeting. Thank you for your time and consideration. We look forward to this discussion in July.