

April 30, 2024

**RULE-MAKING NOTICE
PARKS AND WILDLIFE COMMISSION MEETING
June 12-13, 2024**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **June 12-13, 2024 with a virtual participation option. The Parks and Wildlife Commission meeting will be held at Winter Park Mountain Lodge, 81699 US-40, Winter Park, 80482. For up-to-date information on the meeting, please refer to the Parks and Wildlife Commission website:**

<https://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>. The public is encouraged to comment before the meeting by submitting written comments to the Commission's email address at: dnr_cpwcommission@state.co.us.

Comment deadlines: Written comments will be accepted at any time. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

May 30, 2024, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **May 31, 2024**.

Comments received by the Division between noon on **May 30, 2024**, and noon on **June 7, 2024**, will be provided to the Commission two business days before the meeting. Comments received after noon on **June 7, 2024**, will be held and shared with the Commission as part of the subsequent meeting mailing.

More information on submitting public comments is available at:
<https://cpw.state.co.us/aboutus/Pages/Submit-Public-Comments.aspx>.

The following regulatory subjects and issues shall be considered pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-105, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

FINAL REGULATORY ADOPTION – June 12-13, beginning at 8:00 a.m.*

EFFECTIVE DATE OF REGULATIONS approved during the June 2024 Parks and Wildlife Commission meeting: August 1, 2024, unless otherwise noted.

FINAL REGULATIONS

Chapter W-10 - "Nongame Wildlife" 2 CCR 406-10 and those related provisions of Chapter W-17 ("Damage caused by Wildlife" 2CCR 406-17) necessary to accommodate changes to or ensure consistency with Chapter W-10

**Please reference the Commission agenda, to be posted on or after June 3, 2024, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <https://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

Open for final consideration of changes to allow the use of artificial light, electronic night vision equipment, electronically enhanced light-gathering optics, and thermal imaging devices for the lawful take of depredating gray wolves, allowing pooled grazers to apply for wolf permits and damage compensation, and defining domestic bison as livestock for purposes of wolf depredation compensation.

(Issue stage May 2024 -

https://cpw.state.co.us/Documents/Commission/2024/May/Item.18W-10_Issue.pdf)

FINAL POLICY CHANGES

At the June 2024 Commission meeting, the Commission will consider and is expected to adopt the policy framework for the 2025-2029 Big Game Season Structure. Then at the November 2024 Commission meeting, the Commission will consider formal regulations implementing the BGSS framework for the 2025 hunting season.

Although the five-year BGSS is not codified in regulation, it does establish CPW's long term framework for hunting season dates, license sale processes, and details how hunting opportunities will be divided amongst methods of take. CPW implements the five-year structure incrementally through annual regulatory changes.

(Draft stage May 2024 -

https://cpw.state.co.us/Documents/Commission/2024/May/Item.19BGSS_Policy_Draft.pdf)

ISSUES IDENTIFICATION

Chapter W-10 - "Nongame Wildlife" 2 CCR 406-10 and those related provisions of Chapter W-17 ("Damage caused by Wildlife" 2CCR 406-17) necessary to accommodate changes to or ensure consistency with Chapter W-10

Open for consideration of changes to define chronically depredating gray wolves. The new rule would give meaning to "chronically depredating wolves" as used in current rule 1001.C (Injurious and Lethal Take of Chronically Depredating Gray Wolves).

Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.

For Viewing of Proposed Rules or Questions: copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection online at <https://cpw.state.co.us/aboutus/pages/commission.aspx> and copies can be obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing **dnr_cpw_planning@state.co.us** at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife. Questions may be sent to the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing **dnr_cpw_planning@state.co.us** as well.

Modification of Proposed Rules prior to adoption: subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

Opportunity to submit alternate proposals and provide comment: the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally, if time permits, at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be e-mailed to dnr_cpwcommission@state.co.us.

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

The process for placing matters on the Consent Agenda is as follows:

The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.

Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.

OTHER AGENDA ITEMS: The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda can be viewed on the Division of Parks and Wildlife's internet home page at <https://cpw.state.co.us>, on or after **June 3, 2024**.