



COLORADO

Parks and Wildlife

Department of Natural Resources

Director's Office
6060 Broadway
Denver, CO 80216
P 303.297.1192

TO: Mr. Thomas A. Schwein

RE: March 31, 2021 petition related to Colorado Parks and Wildlife regulation W-2, #206.B.5.d.1 regarding the allocation of moose, bighorn sheep and mountain goat licenses to nonresidents

Dear Mr. Schwein:

Colorado Parks and Wildlife (CPW) is in receipt of your March 31, 2021 petition requesting the Parks and Wildlife Commission (Commission) amend Ch. W-2, #206.B.5.d.1 by removing the separate 10% allocation of moose, bighorn sheep and mountain goat licenses to nonresident hunters. The Commission will consider your petition at its scheduled meeting on May 5, 2021. For the reasons explained below, the Division of Parks and Wildlife (Division) opposes your petition and will recommend the Commission deny it.

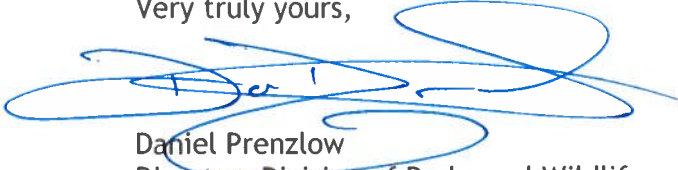
The Commission's regulation concerning citizen petitions is W-16, #1606. The Commission's policy implementing this regulation is available at: https://cpw.state.co.us/Documents/Commission/policy_procedures/POLICY-Public_Rulemaking_Petitions.pdf. The policy states, among other things, "If the Division opposes the petition, Division staff will recommend placing the petition on the consent agenda for denial with a memo from the Director or Division personnel explaining such opposition." Id., ¶ IV(B). Denial of a petition constitutes final action by the Commission. Id., p. 3. The Division recommends the Commission deny this petition. If adopted, this recommendation will become the order of the Commission denying the petition and will be effective upon mailing.

The Commission is engaged in an ongoing policy discussion on the topic of resident / nonresident allocation and the interrelated topic of preference points, having discussed these issues at its September 2020, November 2020, and January 2021 meetings. The Commission has expressed interest in reexamining its regulations on these topics, but likely only after gathering sufficient public input. At its January 2021 meeting, the Commission instructed the Division to initiate a "holistic public process" to inform future regulatory changes. In the event regulatory changes are made by the Commission, the Division believes that comprehensive changes to allocation *and* preference point regulations would be necessary. The Division does not support the piecemeal revisions proposed in your petition and believes the Commission should have the benefit of additional public input prior to making any regulatory changes. The next steps in the public process will be discussed at the May 2021 Commission meeting. For the forgoing reasons, the Division recommends the Commission deny your petition for rulemaking.

Thank you for your interest in CPW and your interest in this important topic.



Very truly yours,

A handwritten signature in blue ink, appearing to read "Dan Prenzlow", with several large, overlapping loops and flourishes.

Daniel Prenzlow
Director, Division of Parks and Wildlife