



COLORADO

Parks and Wildlife

Department of Natural Resources

Director's Office
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Denver, CO 80216
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To: Colorado Parks and Wildlife Commission
From: Jeff Davis, Director
Date: October 31, 2024
Re: Division recommendation to deny petition to amend spearfishing regulations

Austin Rickard submitted a petition to amend the Parks and Wildlife Commission's statewide spearfishing regulations. The current regulations generally allow underwater spearfishing¹ statewide for carp and northern pike, and east of the continental divide for gizzard shad, white sucker, and long-nose sucker. 2 CCR 406-1:103.A.4.a. The petition proposes expanding the regulations to allow underwater spearfishing west of the continental divide for all game species as part of a three-year "impact study."²

The Division of Parks and Wildlife opposes the petition because it describes no outreach beyond the spearfishing community or support from other stakeholders. We recommend denying the petition on the consent agenda. If the Commission follows the Division's recommendation, this memo will express the Commission's rationale.

The idea of expanding spearfishing opportunities in Colorado isn't new. The Division considered proposing such a rule several years ago, but a wave of stakeholder opposition convinced us to abandon the effort. Three quarters of the public comments the Division received opposed expanding spearfishing opportunities. The comments raised a variety of concerns, including whether spearfishers (who can't just release undersized fish) could consistently determine a fish's size with enough accuracy to comply with size restrictions, whether law enforcement could effectively enforce harvest limits on spearfishers, and whether expanding spearfishing opportunities would conflict with other outdoor recreation.

The petition doesn't address these concerns or describe any outreach beyond the spearfishing community. The petition includes 13 letters of support, but only one from a non-spearfisher. Therefore, it is unclear whether the groups that opposed the Division's effort to expand spearfishing opportunities would also oppose this petition.

¹ Specifically, "[u]nderwater spearfishing, archery, slingbows and gigs." 2 CCR 406-1:103.A.4.a.

² The current regulations give spearfishers at least some opportunities to pursue game species. For example, spearfishing for wipers and all species of catfish is allowed in Pueblo Reservoir, see 2 CCR 406-1:108.B.326, and the Director can authorize any method of take—including spearfishing—for emergency public salvage of game species, see 2 CCR 406-1:104.G.



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 · Tai Jacober · Jack Murphy · Gabriel Otero · Murphy Robinson · James Jay Tutchton · Eden Vardy

While the Division can't support this petition, we encourage proponents of expanding spearfishing opportunities to collaborate with stakeholders outside the spearfishing community—regional angler roundtables, for example—to develop a proposal with broader stakeholder support.



Jeff Davis
Director, Colorado Parks and Wildlife