May 28, 2021

RULE-MAKING NOTICE
PARKS AND WILDLIFE COMMISSION MEETING
July 15-16, 2021

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 **July 15-16, 2021. The Parks and Wildlife Commission meeting will be held virtually in accordance with guidance from the Colorado Department of Public Health and Environment (CDPHE) and the Centers for Disease Control and Prevention, related to the COVID-19 pandemic. If circumstances change, there may also be in person public comment in Durango, CO. 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 Parks and Wildlife Commission will make every attempt to conduct the July 15-16, 2021 meeting on Zoom or a similar platform in order to allow virtual public comment. However, 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:**

July 1, 2021, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **July 2, 2021.**

Comments received by the Division between noon on **July 1, 2021** and noon on **July 9, 2021,** will be provided to the Commission two business days before the meeting. Comments received after noon on **July 9, 2021** 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 – **July 15-16, 2021,** beginning **at 8:00 a.m.***

EFFECTIVE DATE OF REGULATIONS approved during the July 2021 Parks and Wildlife Commission meeting: September 1, 2021, unless otherwise noted.

**Please reference the Commission agenda, to be posted on or after July 6, 2021, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx.*

FINAL REGULATIONS

WILDLIFE REGULATIONS

Chapter W-9 - "Wildlife Properties" – 2 CCR 406-9

Open for final consideration of regulations including, but not limited to:

- Creating property-specific regulations pertaining to safety zones and methods of take on Lost Creek State Trust Land.
- Creating property-specific regulations pertaining to methods of take on Copper Gulch State Trust Land.

DRAFT REGULATIONS

WILDLIFE REGULATIONS

Chapter W-16 - "Park and Wildlife Procedural Rules" – 2 CCR 406-16

Open for consideration of regulations including, but not limited to, modifying general refund procedures, the restoration of preference points, and the Director's disaster relief authority.

ISSUES IDENTIFICATION

PARK REGULATIONS

Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife.

Chapter P-2 - "Boating" - 2 CCR 405-2

Open for annual review of the entire chapter including but not limited to, regulations pertaining to registration, required equipment and safe operation of vessels on waters within the state.

Chapter P-5 - "Off-Highway Vehicle Regulations" - 2 CCR 405-5

Open for annual review of the entire chapter including but not limited to, regulations pertaining to registration, off-highway use permits and required equipment for safe operation of OHV's within the state.

Chapter P-7 - "Passes, Permits and Registrations" - 2 CCR 405-7

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes, use permits, vessel, snowmobile and off-highway vehicle registrations and license agent requirements.

Chapter P-8 - "Aquatic Nuisance Species" 2 CCR 405-8

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to inspections, decontaminations and impounding of vessels or other floatation devices, as well as establishing monitoring, identification and reporting procedures for suspected aquatic nuisance species.

WILDLIFE REGULATIONS

Chapter W-0 - "General Provisions" - 2 CCR 406-0 and those related provisions of Chapter W-2 ("Big Game" - 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-0

Open for consideration of regulations including, but not limited to, the following:

- Selling an annual preference point per species as a product not connected to the limited license draws and removing preference-point-only hunt code applications from the draws.
- Raising the fee for the Federal Duck Stamp to include administrative costs and adding the fee for the Federal Duck Stamp to Appendix F of Chapter W-0.

Chapter W-3 - "Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3

Open for consideration of regulations including, but not limited to, the following:

- Closing the 2021 hunting season for greater sage-grouse in Game Management Unit 10 pursuant to thresholds set forth in the Northwest Colorado Greater Sage-grouse Conservation Plan.

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.

Viewing of Proposed Rules: 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 Krista Heiner at krista.heiner@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.

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 **http://cpw.state.co.us**, on or after **July 6, 2021**.