March 31, 2022

RULE-MAKING NOTICE
PARKS AND WILDLIFE COMMISSION MEETING
May 4-5, 2022

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 **May 4-5, 2022. The Parks and Wildlife Commission meeting will be held at Northeastern Junior College, Hays Student Center Ballroom, 100 College Avenue, Sterling, CO 80751, with a virtual participation option in accordance with guidance from the Governor's Office of Operations Addressing Boards and Commissions Vaccination Policy. 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:**

> **April 21, 2022,** for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **April 22, 2022.**
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> Comments received by the Division between noon on **April 21, 2022** and noon on **April 29, 2022** will be provided to the Commission two business days before the meeting. Comments received after noon on **April 29, 2022** 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 – **May 4-5, 2022,** beginning **at 8:00 a.m.***

EFFECTIVE DATE OF REGULATIONS approved during the May 2022 Parks and Wildlife Commission meeting: July 1, 2022, unless otherwise noted.

FINAL REGULATIONS

WILDLIFE REGULATIONS

**Please reference the Commission agenda, to be posted on or after April 26, 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.*

Chapter W-0 – "General Provisions" – 2 CCR 406-0 and those related provisions of Chapter W-11 ("Wildlife Parks and Unregulated Wildlife" 2 CCR 406-11) necessary to accommodate changes to or ensure consistency with Chapter W-0

Open for final consideration of the following regulations:

- Updating the disease testing requirements for cervids in commercial parks to maintain consistency with the revised requirements of the Colorado Department of Agriculture.
- Updating the common name of Ptychocheilus lucius.

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

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

- Adoption of all limited license numbers for black bear, deer, elk, pronghorn and moose for all Game Management Units in the state that have limited licenses for these species for the 2022 big game seasons.

Chapter W-10 - "Nongame Wildlife" 2 CCR 406-10

Open for final consideration of the following regulations:

- Removing rubber buckshot and rubber slugs from the list of authorized hazing techniques codified in W-1000.A.10.a.
- Repealing and restating emergency regulation W-1005.1.a to remove rubber buckshot and rubber slugs from the list of authorized hazing techniques.
- Updating the common name of Ptychocheilus lucius codified in W-1003.A.1.
- Updating the common name of Ptychocheilus lucius codified in W-1004.A.1.

PARKS REGULATIONS

Chapter P-1 - "Parks and Outdoor Recreation Lands" - 2 CCR 405-1 and those related provisions of Chapter P-7 ("Passes, Permits and Registrations" 2 CCR 405-7) necessary to accommodate changes to or ensure consistency with Chapter P-1

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

- Pilot testing a timed entry reservation system at Eldorado Canyon State Park.

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 **May 2, 2022**.