

EMERGENCY REGULATIONS - CHAPTER W-5 - MIGRATORY BIRDS

ARTICLE II – REGULAR SEASONS, AREAS, DATES AND LIMITS

#505 – SORA AND VIRGINIA RAIL

- A. Statewide:
 - 1. Dates: September 1 - November 9 annually.
 - 2. Daily Bag Limit: Twenty-five (25) soras or Virginia rails singly or in the aggregate.
 - 3. Possession Limit: Three (3) daily bag limits.

#506 – SANDHILL CRANE

- A. All areas east of the Continental Divide except North Park (Jackson County) and the San Luis Valley.
 - 1. Dates: ~~October 3 – November 29, 2020.~~ ~~October 5 – December 1, 2019.~~
 - 2. Daily Bag Limit: Three (3).
 - 3. Possession Limit: Three (3) daily bag limits.

#507 – WILSON’S SNIPE

- A. Statewide
 - 1. Dates: September 1 - December 16 annually.
 - 2. Daily Bag Limit: Eight (8).
 - 3. Possession Limit: Three (3) daily bag limits.

#508 – MOURNING DOVE AND WHITE-WINGED DOVE

- A. Statewide.
 - 1. Dates: September 1 - November 29 annually.
 - 2. Daily Bag Limit:
 - a. Fifteen (15) mourning doves or white-winged doves singly or in the aggregate.
 - 3. Possession Limit:
 - a. Three (3) daily bag limits.
 - 4. Special Conditions and Restrictions
 - a. While in the field or during transport, all dressed (not fully feathered) doves shall be counted against the daily bag or possession limit for mourning and white-winged doves.

#509 – BAND-TAILED PIGEON

- A. Statewide.
 - 1. Dates: September 1 - 14 annually.
 - 2. Daily Bag Limit: Two (2).
 - 3. Possession Limit: Three (3) daily bag limits.

#510 – CROW

- A. Statewide.

1. Dates: November 1, ~~2020~~2019 – February 28, 2021~~February 29, 2020~~.
2. Daily Bag Limit: Unlimited.
3. Possession Limit: Unlimited.
4. Special Conditions and Restrictions - Recorded or electronically amplified calls may be used during this season.

#511 – DUCK AND COOT

- A. Central Flyway Northeast Zone – All areas east of Interstate 25 and north of Interstate 70.
 1. Dates:
 - a. First season: October 10 – November 30, 2020~~October 12 – December 2, 2019~~.
 - b. Second season: December 19, 2020 – January 31, 2021~~December 19, 2019 – January 31, 2020~~.
 2. Daily Bag Limit:
 - a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1)~~three (3)~~ scaup.
 - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
 - c. Coots: Fifteen (15).
 3. Possession limit: Three (3) daily bag limits.
- B. Central Flyway Southeast Zone – All areas east of Interstate 25 and south of Interstate 70, and all of El Paso, Pueblo, Huerfano and Las Animas Counties.
 1. Dates:
 - a. October 28, 2020 – January 31, 2021~~October 28, 2019 – January 31, 2020~~.
 2. Daily Bag Limit:
 - a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1)~~three (3)~~ scaup.
 - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
 - c. Coots: Fifteen (15).
 3. Possession limit: Three (3) daily bag limits.
- C. Central Flyway Mountain/Foothills Zone – All areas west of Interstate 25 and east of the Continental Divide, except El Paso, Pueblo, Huerfano and Las Animas Counties.
 1. Dates:
 - a. First season: October 3 – November 30, 2020~~October 5 – December 2, 2019~~.
 - b. Second season: December 26, 2020 – January 31, 2021~~December 26, 2019 – January 31, 2020~~.
 2. Daily Bag Limit:
 - a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1)~~three (3)~~ scaup.
 - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
 - c. Coots: Fifteen (15).
 3. Possession limit: Three (3) daily bag limits.
- D. Pacific Flyway Western Zone – All areas west of the Continental Divide not included in the Eastern Zone.
 1. Dates:
 - a. First season: October 3 – October 21, 2020~~October 5 – October 23, 2019~~.
 - b. Second season: November 7, ~~2020~~2019 - January 31, 2021~~2020~~.
 2. Daily Bag Limit:

- a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) ~~three (3)~~-scaup. No scaup may be taken after January 12, 2021~~2020~~.
 - b. Coots: Twenty-five (25).
 - 3. Possession limit:
 - a. Three (3) daily bag limits.
- E. Pacific Flyway Eastern Zone - All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
 - 1. Dates:
 - a. First season: October 3, 2020 – January 15, 2021~~October 5, 2019 – January 17, 2020~~.
 - 2. Daily Bag Limit:
 - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) ~~three (3)~~-scaup. No scaup may be taken after December 27, 2020~~December 29, 2019~~.
 - b. Coots: Twenty-five (25).
 - 3. Possession limit:
 - a. Three (3) daily bag limits.

#512 – GOOSE

- A. North Park – Jackson County
 - 1. Dates:
 - a. Dark goose:
 - 1. First season: October 3, 2020 – January 15, 2021~~October 5, 2019 – January 17, 2020~~.
 - b. Light goose: October 31, 2020 – February 14, 2021~~November 2, 2019 – February 16, 2020~~.
 - 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Fifty (50).
 - 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.
- B. South Park – All of Chafee, Custer, Fremont, Lake, Park, and Teller Counties..
 - 1. Dates:
 - a. Dark goose:
 - 1. First season: October 3, 2020 – January 15, 2021~~October 5, 2019 – January 17, 2020~~.
 - b. Light goose: October 31, 2020 – February 14, 2021~~November 2, 2019 – February 16, 2020~~.
 - 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Fifty (50).
 - 3. Possession limit:

- a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.

- C. San Luis Valley - All of Alamosa, Conejos, Costilla, and Rio Grande counties, and those portions of Archuleta, San Juan, Saguache, Mineral, and Hinsdale counties east of the Continental Divide.
 - 1. Dates:
 - a. Dark goose:
 - 1. First Season: ~~October 3 – October 21, 2020~~October 5 – October 23, 2019.
 - 2. Second Season: ~~November 21, 2020 – February 14, 2021~~November 23, 2019 – February 16, 2020.
 - b. Light goose: ~~October 31, 2020 – February 14, 2021~~November 2, 2019 – February 16, 2020.
 - 2. Daily bag limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Fifty (50).
 - 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.

- D. Northern Front Range - All areas in Boulder, Larimer and Weld Counties from the Continental Divide east along the Wyoming border to Highway 85, south on Highway 85 to the Adams County Line, and all lands in Adams, Arapahoe, Broomfield, Clear Creek, Denver, Douglas, Gilpin, and Jefferson Counties.
 - 1. Dates:
 - a. Dark goose:
 - 1. First Season: ~~October 3 – October 21, 2020~~October 5 – October 23, 2019.
 - 2. Second Season: ~~November 21, 2020 – February 14, 2021~~November 23, 2019 – February 16, 2020.
 - b. Light goose: ~~October 31, 2020 – February 14, 2021~~November 2, 2019 – February 16, 2020.
 - 2. Daily bag limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Fifty (50).
 - 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.

- E. Balance of Central Flyway - All areas east of the Continental Divide, except North Park, Northern Front Range, South Park and San Luis Valley.
 - 1. Dates:
 - a. Dark goose: ~~November 2, 2020 – February 14, 2021~~November 4, 2019 – February 16, 2020.
 - b. Light goose: ~~October 31, 2020 – February 14, 2021~~November 2, 2019 – February 16, 2020.
 - 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose Fifty (50).
 - 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.

- F. Pacific Flyway Western Zone - All areas west of the Continental Divide not included in the Eastern Zone.

1. Dates:
 - a. First season: ~~October 3 – October 12, 2020~~~~October 5 – October 14, 2019.~~
 - b. Second season:- ~~November 7, 2020 – January 31, 2021~~~~November 2, 2019 – January 26, 2020.~~
 2. Daily Bag Limit:
 - a. Dark goose: Four (4).
 - b. Light goose: Ten (10).
 3. Possession Limit: Three (3) daily bag limits.
- G. Pacific Flyway Eastern Zone - All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
1. Dates:
 - a. First season:-~~October 3, 2020 – January 6, 2021~~~~October 5, 2019 – January 8, 2020.~~
 2. Daily Bag Limit:
 - a. Dark goose: Four (4).
 - b. Light goose: Ten (10).
 3. Possession Limit: Three (3) daily bag limits.

ARTICLE III - SPECIAL SEASONS, AREAS, DATES AND LIMITS

#513 - YOUTH, VETERAN AND ACTIVE MILITARY PERSONNEL WATERFOWL HUNTING DAYS

- A. Central Flyway Northeast Zone – All areas east of Interstate 25 and north of Interstate 70.
 1. Dates: ~~October 3 – October 4, 2020~~~~October 5 – October 6, 2019.~~
 2. Daily bag limit:
 - a. Ducks: Six (6), excluding mergansers. Of the 6 (six), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and ~~one (1) three (3)~~ scaup.
 - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
 - c. Coots: Fifteen (15).
 - d. Dark Goose: Five (5).
 3. Possession limit: Three (3) daily bag limits.
- B. Central Flyway Southeast Zone – All areas east of Interstate 25 and south of Interstate 70, and all of El Paso, Pueblo, Huerfano and Las Animas Counties.
 1. Dates: ~~October 24 – October 25, 2020~~~~October 19 – 20, 2019.~~
 2. Daily bag limit:
 - a. Ducks: Six (6), excluding mergansers. Of the 6 (six), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and ~~one (1) three (3)~~ scaup.
 - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
 - c. Coots: Fifteen (15).
 - d. Dark Goose: Five (5).
 3. Possession limit: Three (3) daily bag limits.

- C. Central Flyway Mountain/Foothills Zone – All areas west of Interstate 25 and east of the Continental Divide, except El Paso, Pueblo, Huerfano and Las Animas Counties.
1. Dates: ~~September 26 – September 27, 2020~~~~September 28–29, 2019.~~
 2. Daily Bag Limit:
 - a. Ducks: Six (6), excluding mergansers. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1) ~~three (3)~~ scaup.
 - b. Mergansers: Five (5), of which no more than two (2) may be hooded mergansers.
 - c. Coots: Fifteen (15).
 - d. Dark Goose: Five (5).
 3. Possession limit: Three (3) daily bag limits.
- D. Pacific Flyway Western Zone – All areas west of the Continental Divide not included in the Eastern Zone.
1. Dates: ~~October 24 – October 25, 2020~~~~October 26 – 27, 2019.~~
 2. Daily bag limit:
 - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) ~~three (3)~~ scaup.
 - b. Coots: Twenty-five (25).
 - c. Dark Goose: Four (4).
 - d. Light Goose: Ten (10).
 3. Possession limit:
 - a. Three (3) daily bag limits.
- E. Pacific Flyway Eastern Zone – All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
1. Dates: ~~September 26 – September 27, 2020~~~~September 28–29, 2019.~~
 2. Daily bag limit:
 - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) ~~three (3)~~ scaup.
 - b. Coots: Twenty-five (25).
 - c. Dark Goose: Four (4).
 - d. Light Goose: Ten (10).
 3. Possession limit:
 - a. Three (3) daily bag limits.
- F. Youth seasons are restricted to hunting by youth 17 years of age and younger accompanied by a mentor. A mentor must be 18 years of age or older and hold a valid hunter education certificate or be born before January 1, 1949, and must accompany the youth while in the act of hunting. Mentors are not authorized to hunt ducks, geese, mergansers, or coots during this season.
- G. Veteran and active military personnel seasons are restricted to hunting by veterans and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than training). For the purposes of this rule, the term “veteran” means a person who served in the active military, naval or air service, and who was

discharged or released therefrom under conditions other than dishonorable. Acceptable forms of military identification include:

1. DD214;
2. DD Form 2;
3. DD Form 2765;
4. Active, retired or veteran military identification cards;
5. A current Colorado Driver's License or state issued identification card with the word 'Veteran' printed on it as specified in 42-2-303 (5)(a), C.R.S.;
6. VA medical card; or
7. For members of the National Guard and Reserves, current military orders for active duty other than training.

#514 – SEPTEMBER TEAL

A. Lake and Chaffee counties and all areas east of I-25.

1. Dates: ~~September 12 – September 20, 2020~~ ~~September 14 – 22, 2019.~~
2. Daily bag limit: Six (6).
3. Possession Limit: Three (3) daily bag limits.

#515 – EARLY CANADA GOOSE

A. Pacific Flyway - All areas west of the Continental Divide.

1. Dates: September 1 - 9 annually.
2. Daily bag limit: Four (4).
3. Possession limit: Three (3) daily bag limits.

ARTICLE IV – CONSERVATION ORDER SEASONS, AREAS, DATES AND LIMITS

#516 – LIGHT GOOSE

A. Central Flyway – All areas east of I-25.

1. Dates:
 - a. ~~February 15 – April 30, 2021~~ ~~February 17 – April 30, 2020.~~
2. Daily bag limit: Unlimited.
3. Possession limit: Unlimited.
4. Special Conditions and Restrictions
 - a. Recorded or electronically amplified calls may be used to take light geese during the conservation order season.
 - b. Hunting of light geese is allowed from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.
 - c. A Federal Migratory Bird Hunting and Conservation Stamp is not required to take light geese during the conservation order season.
 - d. Shotguns capable of holding more than three rounds in the magazine and chamber combined may be used to take light geese during the conservation order season.
 - e. All other regulations applicable to hunting migratory waterfowl in Colorado apply to taking light geese during the conservation order season.

Basis and Purpose:

At the March 30, 2020 emergency rulemaking hearing, the Colorado Parks and Wildlife Commission adopted emergency rules affecting Chapter W-5 (Small Game – Migratory Game Birds, 2 CCR 406-5). The emergency rules related to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, as well as expanding current youth waterfowl days to permit waterfowl hunting by veterans and active military members.

The Commission adopted the foregoing rules on an emergency basis as authorized by the Colorado Administrative Procedures Act (APA), CRS § 24-4-103(6)(a). This section authorizes emergency rules where “the agency finds that immediate adoption of the rule is imperatively necessary ... for the preservation of public health, safety, or welfare and compliance” where the APA’s standard rulemaking requirements “would be contrary to the public interest.” The Commission finds such standards are satisfied here.

The Commission is required to manage wildlife and their environment for “the use, benefit, and enjoyment of the people of this state and its visitors” (CRS, § 33-1-101(1)) and it has the responsibility to “...develop, manage, and maintain sound programs of hunting, fishing, trapping, and other wildlife-related outdoor recreational activities.” C.R.S § 33-1-104(2). In addition, the Commission has the authority to “[d]etermine under what circumstances, when, in which localities, by what means, what sex of, and in what amounts and numbers the wildlife of this state may be taken...” C.R.S § 33-1-106(1)(a).

These regulations reflect the upcoming 2020-2021 migratory bird seasons and are the result of an annual review of the entire chapter related to migratory birds. The established seasons are necessary to manage migratory bird populations in Colorado in accordance with federal laws regulating migratory birds. These regulations allow migratory birds to be harvested in a manner, which helps maintain the biological integrity of the migratory bird population while at the same time providing recreational opportunity for hunters and wildlife viewers. The regulations are also consistent with Federal guidelines provided by the U.S. Fish and Wildlife Service and the Migratory Bird Treaty Act.

These regulations also expand the current youth waterfowl days to also permit waterfowl hunting by veterans and active duty military members. New federal regulations allow states to have up to two additional days to allocate to veterans and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than training). To provide this extra opportunity to veterans/active duty military while minimizing the impact on the length of the regular waterfowl seasons, the existing youth waterfowl hunting weekends have been modified to also allow hunting by veterans and active military personnel on the same days. This includes members of the National Guard and Reserves on active duty other than for training.

In addition, these regulations update the current description of the San Luis Valley goose zone to include portions of Archuleta and San Juan counties east of the Continental Divide. Due to a historical oversight, there are small portions of Archuleta and San Juan counties east of the Continental Divide that were not included within this zone. The existing San Luis Valley goose zone description (#512.C.) has been modified to include areas of Archuleta and San Juan counties east of the Continental Divide.

These regulatory changes were scheduled to be considered at the March 2020 Parks and Wildlife Commission meeting, which was cancelled due to the COVID-19 pandemic. Absent the emergency rules, the Division would be unable to certify its 2020-2021 migratory bird seasons with the U.S. Fish and Wildlife Service by its April 30 deadline. Accordingly, the emergency rules are necessary for the use, benefit, and enjoyment of the people of this state.

The Division has, to the extent it could, given notice of its emergency rulemaking. Notice of the proposed emergency rulemaking was posted online on the CPW website, indicating the Commission would

consider the emergency regulations on March 30, 2020 and written comment would be accepted prior to that date. The notice was not posted at the State Capitol, at the Division of Parks and Wildlife headquarters, Regional Service Centers, and Area Service Centers (area offices) due to the closure of these facilities to the public in light of the COVID-19 pandemic and Executive Order D 2020 017, which orders Coloradans to stay at home through April 11, 2020.

The statements of basis and purpose for these regulations can be viewed 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. The statement of basis and purpose is not available at the Division of Parks and Wildlife headquarters due to the closure of these facilities to the public in light of the COVID-19 pandemic and Executive Order D 2020 017, which orders Coloradans to stay at home through April 11, 2020.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-104, C.R.S. and 33-1-106, C.R.S.

EFFECTIVE DATE - THESE EMERGENCY REGULATIONS SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION AND SHALL REMAIN IN EFFECT FOR NO MORE THAN 120 DAYS OR UNTIL PERMANENT REGULATIONS TAKE EFFECT, WHICHEVER OCCURS FIRST, OR THE EMERGENCY REGULATIONS ARE OTHERWISE REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 30TH DAY OF MARCH, 2020.

**APPROVED:
Michelle Zimmerman
Acting Chair**

**ATTEST:
James Vigil
Secretary**