



# COLORADO

## Parks and Wildlife

Department of Natural Resources

1313 Sherman St, Room 111  
Denver, CO 80203  
P 303.866.3203

TO: Members of the Colorado Parks and Wildlife Commission  
FROM: Krista Heiner, Regulations Manager  
RE: Update Chapter W-0 Emergency Regulations, March 2020 Parks and Wildlife Commission Meeting  
DATE: March 13, 2020

Emergency regulatory changes for Chapter W-0 - "General Provisions" - 2 CCR 406-0 and those related provisions of Chapter W-2 ("Big Game" 2 CCR 406-2) and Chapter W-3 ("Furbearers and Small Game, except Migratory Birds" 2 CCR 406-3) are summarized below. Redline versions of these proposed emergency regulatory changes are included. If there are questions about the agenda item below, or if additional information is needed, please feel free to contact me at 303-866-3203 x4609.

**Agenda Item 14: Chapter W-0 - "General Provisions" - 2 CCR 406-0 and those related provisions of Chapter W-2 ("Big Game" 2 CCR 406-2) and Chapter W-3 ("Furbearers and Small Game, except Migratory Birds" 2 CCR 406-3) necessary to accommodate changes to or ensure consistency with Chapter W-0.**

The emergency rules create a new product that allows resident senior lifetime fishing customers the opportunity to upgrade to an annual combination fishing and small game hunting license at a discounted rate of \$19.90. The emergency rules would be effective immediately upon adoption.

In January 2020, the Commission adopted rules to create the annual resident senior combination fishing and small game hunting license priced at \$28. In 2020, the resident annual senior fishing license is priced at \$8.10 and the resident annual small game hunting license is priced at \$28.36. In the Integrated Parks and Wildlife Licensing System (IPAWS), customers are restricted from purchasing licenses or passes which provide them the same benefit as something they already hold to reduce customer errors, refund requests and to make reporting clearer. As a result, resident senior customers who hold a lifetime fishing license or lifetime low income fishing license have to pay \$0.36 more for an annual small game hunting license than other senior customers who can purchase the newly created annual combination fishing and small game hunting license.

Creating a new product that allows resident senior lifetime fishing customers to upgrade to an annual combination fishing and small game hunting license priced at \$19.90, allows these customers to receive a similar discount as other resident senior customers. The price of \$19.90 equals the difference between the annual resident senior combination fishing and small game hunting license (\$28) and resident annual senior fishing license (\$8.10). This annual upgrade product counts as a qualifying license (#206.B.d). This only affects Lifetime Fishing and Lifetime Low-Income License holders as VA Fishing and First Responder Fishing License holders may upgrade to a free combination license at any time.

Absent the emergency rules, the new annual product would be unavailable and resident senior customers who hold a lifetime fishing license or lifetime low income fishing license would have to pay \$0.36 more for an annual small game hunting license than other senior customers who can purchase the newly created annual combination fishing and small game hunting license. It is important to make this product available as close to the time when other licenses go on sale (March 1, 2020) and in time for

applicants to use it as a qualifying license for the big game draw (March 1 - April 7, 2020). Accordingly, the emergency rules are necessary for the use, benefit, and enjoyment of the people of this state.

CPW has, to the extent it could, given notice of its emergency rule-making and allowed for public participation in the adoption of the emergency regulations. Notice of the proposed emergency rule-making was posted at the State Capitol, at the Division of Parks and Wildlife headquarters, Regional Service Centers, and Area Service Centers (area offices), indicating the Commission would consider the emergency regulations at its meeting on March 18-19, 2020, and an opportunity to comment was provided to members of the public at that time.

## EMERGENCY REGULATIONS- CHAPTER W-0 - GENERAL PROVISIONS

## Appendix F - Wildlife License Prices

(1) Resident and nonresident licenses

License	Residency	Fees
3-year possession/hunting raptor license	Resident	\$ 151.93***
Annual possession/hunting raptor license	Nonresident	\$ 81.03***
Peregrine falcon capture license	Resident	\$ 303.86***
Extra rod stamp	Resident	\$ 9.12**
Extra rod stamp	Nonresident	\$ 9.12**
Fishing - 1 day	Resident	\$ 12.15**
Fishing - 1 day	Nonresident	\$ 15.19**
Fishing - additional day	Resident	\$ 5.06**
Fishing - additional day	Nonresident	\$ 5.06**
Fishing - 5 day	Nonresident	\$ 30.39**
Fishing- annual	Resident	\$ 33.42**
Fishing - annual	Nonresident	\$ 96.22**
Youth (ages 16-17) annual fishing	Resident	\$ 8.10**
Senior annual fishing	Resident	\$ 8.10**
Small game hunting	Resident	\$ 28.36**
<u>Senior lifetime fishing upgrade to annual combination fishing and small game hunting^</u>	<u>Resident</u>	<u>\$19.90**</u>
Small game hunting	Nonresident	\$ 81.03**
Small game - 1 day	Resident	\$ 12.15**
Small game - 1 day	Nonresident	\$ 15.19**
Small game - additional day	Resident	\$ 5.06**
Small game - additional day	Nonresident	\$ 5.06**
Furbearer license	Resident	\$ 28.36**
Furbearer license	Nonresident	\$ 81.03**
Turkey, fall	Resident	\$ 23.30**
Turkey, fall	Nonresident	\$ 151.93**
Turkey, spring	Resident	\$ 28.36**
Turkey, spring	Nonresident	\$ 151.93**
Turkey (youth)	Resident	\$ 14.18**
Turkey (youth)	Nonresident	\$ 101.29**
Combination fishing and small game hunting	Resident	\$ 48.62**
Senior (ages 65 and older) combination fishing and small game hunting	Resident	\$ 28.00**
Pronghorn	Resident	\$ 38.49**
Pronghorn	Nonresident	\$ 400.08**
Bear, fall	Resident	\$ 38.00**
Bear, fall	Nonresident	\$ 100.00**
Bear, fall (youth)	Resident	\$ 14.00*
Bear, fall (youth)	Nonresident	\$ 50.00*
Deer	Resident	\$ 38.49**
Deer	Nonresident	\$ 400.08**
Elk	Resident	\$ 53.68**
Elk (antlered or either sex)	Nonresident	\$ 668.50**
Elk (antlerless)	Nonresident	\$ 501.37**
Mountain goat	Resident	\$ 303.86**
Mountain goat	Nonresident	\$ 2,238.45**
Moose	Resident	\$ 303.86**
Moose	Nonresident	\$ 2,238.45**

Mountain lion	Resident	\$ 48.62**
Mountain lion	Nonresident	\$ 350.00**
Rocky mountain bighorn sheep	Resident	\$ 303.86**
Rocky mountain bighorn sheep	Nonresident	\$ 2,238.45**
Desert bighorn sheep	Resident	\$ 303.86**
Desert bighorn sheep	Nonresident	\$ 2,238.45**

Resident low-income senior lifetime fishing	Resident	\$ 8.10**
Youth big game (deer, elk, pronghorn)	Resident	\$ 14.18 each*
Youth big game (deer, elk, pronghorn)	Nonresident	\$ 101.28 each*
Youth small game hunting	Resident	\$ 1.26
Youth small game hunting	Nonresident	\$ 1.26
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Resident	\$ 10.13
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Nonresident	\$ 10.13
"Lifetime" Colorado wildlife habitat stamp	Resident	\$ 303.86***
"Lifetime" Colorado wildlife habitat stamp	Nonresident	\$ 303.86***

\*Plus additional surcharge of \$1.50 for the Wildlife Management Public Education Fund.

\*\*Plus additional surcharge of \$1.50 for the Wildlife Management Public Education Fund and \$0.25 for the Search and Rescue Fund.

\*\*\*Plus additional surcharge of \$0.25 for the Search and Rescue Fund.

^Valid only for resident senior Lifetime Disability and Low Income Fishing license holders.

License prices established in this table are the actual license price. Some license prices have discounts applied from the statutory maximum price as provided for in Chapters W-2 and W-3.

(2) Special licenses

License	Fees
Scientific collecting license	\$ 28.00
Importation license	\$ 75.00
Field trial license	\$ 23.00
Commercial lake license	\$ 200.00
Private lake license	\$ 14.00
Commercial wildlife park license	\$ 150.00
Noncommercial park license	\$ 28.00
Wildlife sanctuary license	\$ 150.00
Zoological park license	\$ 150.00

(3) The fee for each migratory waterfowl stamp is \$10.13.

(4) The nonrefundable application-processing fee for each limited license is \$7.00 for resident applications and \$9.00 for nonresident applications.

**Basis and Purpose:**

At its March 18-19, 2020, regularly-scheduled meeting, the Colorado Parks and Wildlife Commission adopted emergency rules affecting Chapter W-0 (General Provisions, 2 CCR 406-0), Chapter W-2 (Big Game, 2 CCR 406-2), and Chapter W-3 (Furbearers and Small Game, Except Migratory Birds, 2 CCR 406-3). The emergency rules created a new product that allows resident senior lifetime fishing customers the opportunity to upgrade to an annual combination fishing and small game hunting license at a discounted rate of \$19.90.

The Commission adopted the foregoing rules on an emergency basis as authorized by the Colorado Administrative Procedures Act, 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). Offering discounted licenses or license combinations for “wildlife management or hunting and fishing recruitment purposes, including...the creation of a resident low-income license” is a statutory priority for the Commission. CRS, § 33-4-102(1.5)(b). In addition, the Commission has the authority to reduce a license fee “[i]f the commission determines that it would be beneficial to issue the license in conjunction with another type of license and creates a combination license;” CRS, § 33-4-102(1.6)(a)(l).

In January 2020, the Commission adopted rules to create the annual resident senior combination fishing and small game hunting license priced at \$28. In 2020, the resident annual senior fishing license is priced at \$8.10 and the resident annual small game hunting license is priced at \$28.36. In the Integrated Parks and Wildlife Licensing System (IPAWS), customers are restricted from purchasing licenses or passes which provide them the same benefit as something they already hold to reduce customer errors, refund requests and to make reporting clearer. As a result, resident senior customers who hold a lifetime fishing license or lifetime low income fishing license have to pay \$0.36 more for an annual small game hunting license than other senior customers who can purchase the newly created annual combination fishing and small game hunting license.

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Absent the emergency rules, the new annual product would be unavailable and resident senior customers who hold a lifetime fishing license or lifetime low income fishing license would have to pay \$0.36 more for an annual small game hunting license than other senior customers who can purchase the newly created annual combination fishing and small game hunting license. It is important to make this product available as close to the time when other licenses go on sale (March 1, 2020) and in time for applicants to use it as a qualifying license for the big game draw (March 1 – April 7, 2020). Accordingly, the emergency rules are necessary for the use, benefit, and enjoyment of the people of this state.

CPW has, to the extent it could, given notice of its emergency rule-making and allowed for public participation in the adoption of the emergency regulations. Notice of the proposed emergency rule-making was posted at the State Capitol, at the Division of Parks and Wildlife headquarters, Regional

Service Centers, and Area Service Centers (area offices), indicating the Commission would consider the emergency regulations at its meeting on March 18-19, 2020, and an opportunity to comment was provided to members of the public at that time.

**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: §§ 33-1-106, C.R.S. and 33-4-102, 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 18TH DAY OF MARCH, 2020.**

**APPROVED:  
Michelle Zimmerman  
Acting Chair**

**ATTEST:  
James Vigil  
Secretary**

**EMERGENCY REGULATIONS - CHAPTER W-2 - BIG GAME**

**ARTICLE I - GENERAL PROVISIONS**

**#206 - APPLICATIONS AND DRAWINGS FOR LIMITED LICENSES**

- A. Exceeding of Quota: The Division shall only exceed the number of licenses authorized by the Commission:
1. If there is proof of Division error in the application for or issuance of a limited license, provided that the director or his designee determines there will be no detrimental impact to the subject wildlife population.
  2. To issue licenses to hunters with mobility impairments or United States Armed Services Wounded Warrior hunters, who qualify for such licenses in accordance with regulation #206(B)(4)(e) or #206(B)(4)(f), provided there is no detrimental impact to the established herd population and sex ratio objectives. For each of these two programs:
    - no more than 100 limited antlerless deer, 100 limited doe pronghorn, and 200 limited antlerless elk licenses may be issued each year.
    - no more than 100 total antlered or either-sex licenses for deer or elk and buck pronghorn licenses in the aggregate may be issued each year.Provided further, that limited license numbers for wildlife ranching properties cannot exceed the levels established by the Division and the landowner on the Ranching for Wildlife Seasons Form.
- B. Application and Drawing Provisions and Restrictions:
1. General Provisions and Restrictions
    - a. Number of Applications: No person may submit more than one application per year for the regular drawing process for a limited license for any big game species, or more than one application per year for a leftover limited license draw for any species.
    - b. Additional Choice Applications: Any additional choice on any application must be for the same species as the first choice.
    - c. Valid Applications: Only complete and correct application forms will be accepted. Any forms involved in a violation of (a) or (b) above will be considered to be incorrect. Any incorrect application by one member of a group will invalidate the entire application.
    - d. To be eligible for any big game license draw an individual must have first purchased either a veterans lifetime resident combination license, a first responder lifetime resident combination license, a senior lifetime fishing upgrade to an annual combination small game/fishing combination license, an annual small game license, an annual small game/fishing combination license, or an annual spring turkey license valid for the same license year as the big game license for which they are applying. Individuals that do not hold one of these qualifying licenses may not apply.





a. Landowner Preference: General Provisions

1. Preference for hunting licenses under the Landowner Preference Program shall only be given to eligible landowners who apply using the Landowner registration form(s) provided by the division. Only complete and correct registration forms will be accepted. Except for the carryover registration provided in § 33-4-103(2)(c), C.R.S., registration in the Landowner Preference Program is valid for 5 years. All landowners shall re-register their properties every 5 years (or on or before July 1, 2016 for carryover registrations) to continue participation, if desired, in the Landowner Preference Program.
2. As a condition of registration and participation in the Landowner Preference Program, landowners shall provide and maintain accurate ownership information with the division for all lands registered in the Program. During the statutory period of carryover registration provided in §33-4-103(2)(c), C.R.S., and any five-year registration period, landowners shall notify the division of any changes to required registration information in writing within 30 days.
3. Landowner preference is species specific and available only in units that are totally limited for all rifle licenses for deer, elk or pronghorn and vouchers will be allocated to eligible landowners by unit, species, sex and season. In units where vouchers remain after the initial allocation, eligible landowners may apply for the unused vouchers and shall pay \$25 for each reallocated female (antlerless/doe) and \$40 for each either-sex or male (antlered/buck) voucher. Unsuccessful applicants will receive a refund check.
4. Vouchers not otherwise allocated to landowners as part of the Landowner Preference Program shall be made available as licenses to the general public in the remaining limited licenses draws or sales.
5. All landowners and hunters participating in the Landowner Preference Program shall file reports using the forms provided by the division. Reports must be complete and correct, and submitted to the Division by within 30 days after the close of the season.
6. Landowners and their registered properties may be audited for compliance with eligibility requirements of the Landowner Preference Program during any carryover or 5-year registration period. Notice of any noncompliance will be provided in writing to the landowner and the landowner shall have 30 days to resolve the noncompliance or withdraw the property from the Landowner Preference Program.

b. Landowner Preference: Voucher Requirements and Restrictions

1. Vouchers shall only be transferred by the landowner or the landowner's land manager, if any, directly to an individual to be used by that individual for the purchase of a license. Landowners may only designate one land manager for all lands registered in the Landowner Preference Program in any one unit.
2. The transfer of any voucher must include permission to access and hunt all lands in the unit registered in the Landowner Preference Program for the entire season for which the voucher was awarded. Such access

shall be allowed without discrimination between hunters accessing the property, and without restriction other than manner of access restrictions (foot, horseback, vehicular) that are reasonably necessary to prevent damage to property.

3. The transfer of a voucher by any person other than the landowner or the landowner's land manager to any person other than an individual for purchase of a license is prohibited. Violation of this prohibition shall void the voucher and any license purchased with it.
4. No person shall broker a voucher on behalf of any landowner or person, or use or possess any brokered voucher. Violation of this prohibition shall void the voucher and any license purchased with it.

c. Landowner Preference: Disqualification

1. Landowners, or the landowner's land manager, who fail to comply with any requirements of the Landowner Preference Program, may be disqualified from participation in the Program from one to five years. Disqualification of a joint or co-owner of property registered with the Landowner Preference Program shall disqualify all other joint or co-owners of the registered properties from participation in the Program.
2. Disqualification of a landowner from the Landowner Preference Program shall invalidate all preference points associated with property registered by the landowner in the Program.
3. Any landowner, or the landowner's land manager, that has been disqualified from the Landowner Preference Program shall not register properties, apply for vouchers or acquire or use any vouchers during the term of disqualification. Landowners that have been disqualified from participation in the Landowner Preference Program shall be required to re-register at the end of their period of disqualification and prior to further participation, if desired, in the Program.
4. Any other person that fails to comply with any requirements of the Landowner Preference Program may also be disqualified from participation in the Landowner Preference Program from one to five years. Any person disqualified shall not participate in the Landowner Preference Program in any manner, including, but not limited to, as a landowner, as a landowner's land manager, enrolling properties in any name, submitting applications for vouchers, receiving vouchers, transferring vouchers, redeeming vouchers or using licenses obtained with vouchers.
5. Any person convicted of a violation of the Landowner Preference Program will be given notice in writing of their possible disqualification from the Landowner Preference Program and the opportunity to appear and show cause why they should not be disqualified from participation in the Program. Any such disqualification hearing shall be held in the Denver office of the division, or at another location acceptable to the division. Notice of any resulting disqualification shall be sent to the person by certified mail, return receipt requested.

d. Youth Preference - a minimum of 15 percent of the number of the limited doe pronghorn licenses, limited either-sex and antlerless deer licenses and limited

antlerless elk licenses established for each GMU shall be made available for purchase by qualified youth applicants. Licenses shall be available through application and computer selection from the Division headquarters, 6060 Broadway, Denver, CO 80216. Licenses not allocated to youth shall be made available to the general public in the remaining drawings.

1. Any eligible hunter, ages 12-17 is entitled to youth hunt preference for all seasons and methods of take for the license types listed in the preceding paragraph, except that public Ranching for Wildlife and Air Force Academy licenses shall not be included in this preference. The applicant must submit an individual application for the desired, eligible license on forms provided by the Division. Group applications will not be accepted for youth preference. Where more than one (1) hunt code choice is shown on the application, all hunt codes must be youth preference-eligible hunt codes.
  2. Youth preference will be set at 50% for all antlerless deer licenses in GMUs 55, 66, 67, and 551.
- e. Youth Outreach Hunting Licenses – The Director may make additional youth outreach program deer, elk and pronghorn licenses available to qualified organizations sponsoring youth hunting activities.
1. There will be no more than 300 elk licenses (50 antlered or either-sex, 250 antlerless), no more than 200 deer licenses (50 antlered or either-sex, 150 antlerless) and no more than 200 pronghorn licenses (30 buck or either-sex, 170 doe) issued annually under this subsection.
  2. Licenses in game management units with at least one hunt code requiring 6 or more resident preference points to draw, excluding Ranching for Wildlife properties, will not be authorized for use under this subsection unless the request is for a hunt exclusively on private land.
  3. Licenses are issued on a first come, first served basis to qualified organizations. No more than 10 licenses may be issued per event to any single requesting organization.
  4. Requested dates for hunting events must occur between August 15 and January 31 each year.
  5. Organizations who wish to request a Youth Outreach license must submit the request in writing to Colorado Parks and Wildlife, State Hunter Outreach Coordinator, 6060 Broadway, Denver, Colorado 80216 no later than 60 days prior to the planned hunting event.
  6. Licenses are limited to youth hunters 12 to 17 years of age.
- f. Novice Adult Outreach Hunting Licenses – The Director may make additional novice adult outreach program deer, elk and pronghorn licenses available to qualified organizations sponsoring novice adult hunting activities.
1. For the purpose of these regulations a novice adult hunter is defined as a Colorado resident 18 years of age or older, who has either: no big game license purchase history, only held a big game hunting license(s) in the

previous year, or has no big game license purchase history in the previous five years.

2. There will be no more than 300 elk licenses (50 antlered or either-sex, 250 antlerless), no more than 200 deer licenses (50 antlered or either-sex, 150 antlerless) and no more than 200 pronghorn licenses (30 buck or either-sex, 170 doe) issued annually under this subsection.
  3. Licenses in game management units with at least one hunt code requiring 6 or more resident preference points to draw, excluding Ranching for Wildlife properties, will not be authorized for use under this subsection unless the request is for a hunt exclusively on private land.
  4. Licenses are issued on a first come, first served basis to qualified organizations. No more than 10 licenses may be issued per event to any single requesting organization.
  5. Requested dates for hunting events must occur between August 15 and January 31 each year.
  6. Organizations who wish to request a Novice Adult Hunter Outreach license must submit the request in writing to Colorado Parks and Wildlife, State Hunter Outreach Coordinator, 6060 Broadway, Denver, Colorado 80216 no later than 60 days prior to the planned hunting event.
- g. Hunting Licenses for Hunters with Mobility Impairments - The Director may make certain deer, elk, and pronghorn licenses available to qualified hunters with mobility impairments.
1. Applicants for hunting licenses for hunters with mobility impairments must have a mobility impairment resulting from permanent medical conditions, which makes it physically impossible for them to hunt without the assistance of an attendant. Evidence of an impossibility to participate in the hunt without the assistance of an attendant may include, but is not limited to, prescribed use of a wheel chair; shoulder or arm crutches; walker; two canes; or other prescribed medical devices or equipment.
  2. Applications for antlerless deer and elk and doe pronghorn licenses for hunters with mobility impairments shall be made on the form available from, and submitted with the applicable license fee to, the Division, Limited License Office, 6060 Broadway, Denver, Colorado, 80216. Applications for antlered deer and elk and pronghorn buck licenses for hunters with mobility impairments shall be made on the form available from, and submitted with the applicable license fee to, the applicable Division regional service center. Hunters may apply from the Monday after the May Commission meeting through the last day of the rifle seasons.
  3. Applications for hunting licenses for hunters with mobility impairments shall contain a statement from a licensed medical doctor or a certified physical, occupational, or recreational therapist describing the applicant's mobility impairment and the permanent medical condition which makes it impossible for the applicant to hunt without the assistance of an attendant. Additional documentation may be required if necessary to

establish the applicant's eligibility for a hunting license for hunters with mobility impairments. For the 2001 seasons and thereafter, once certified by the Division as mobility-impaired according to these regulations, applicants will not be required to submit the medical statement.

4. Antlerless deer and elk and doe pronghorn licenses will be available in all game management units with a total allocation of more than 100 antlerless deer or 100 antlerless elk or 50 doe pronghorn during the rifle seasons described in #250, #257, and #262 of these regulations. For any one game management unit no more than 10 licenses or 2 percent of the total number of limited antlerless deer or elk or doe pronghorn licenses for the game management unit, whichever number is greater, shall be issued as hunting licenses for hunters with mobility impairments for the species in question.
  5. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be private land only licenses and will be available for hunt codes requiring four or fewer resident preference points to draw in the previous year in all game management units with a total allocation of more than 100 antlered or either-sex deer, 100 antlered or either-sex elk, or 50 buck pronghorn during the rifle seasons described in #250, #257 and #262 of these regulations. For any one game management unit no more than 5 licenses or 2 percent of the total number of limited antlered, either-sex or buck licenses for the game management unit, whichever is greater, shall be issued as hunting licenses for hunters with mobility impairments for the species in question.
  6. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be approved by the applicable Regional Manager on a case-by-case basis for hunters who qualify as mobility-impaired in instances where an organization assisting hunters with mobility impairments has coordinated a hunting opportunity specifically for this program and where all other avenues of obtaining a license have been exhausted.
  7. Hunting licenses for hunters with mobility impairments will be valid only for the season dates and any units included in the authorized hunt code. Licenses for hunters with mobility impairments may not be issued for Ranching for Wildlife properties unless otherwise provided in the ranch contract.
- h. Wounded Warrior Hunting Licenses - The Director may make certain deer, elk, and pronghorn licenses available to qualified participants in any United States Armed Services Wounded Warrior programs.
1. Applicants must be members of the United States Armed Forces, who are residents of, or stationed in, Colorado returning from post-September 11, 2001 overseas contingency operations who have been so severely injured during combat, including combat-related support activities, that they will require years of intense, ongoing care or assistance. Additionally, applicants must be members of a United States Armed Services Wounded Warrior program, as defined in 33-4-102(1.9) C.R.S., and must be assigned to a military medical treatment facility at the time of application for this program.

2. Applications shall contain a statement from a licensed medical doctor certifying the applicant's eligibility under the criteria in 1 above. Additional documentation may be required if necessary to establish the applicant's eligibility under this program.
3. Applications for antlerless deer and elk and doe pronghorn licenses shall be made on the form available from the Division, Limited License Office, 6060 Broadway, Denver, Colorado. Applications for antlered deer and elk and pronghorn buck licenses shall be made on the form available from the applicable Division regional service center. Hunters may apply from the Monday after the May Commission meeting through the last day of the rifle seasons. Licenses issued under this program shall be issued as free licenses.
4. Antlerless deer and elk and doe pronghorn licenses will be available in all game management units with a total allocation of more than 100 antlerless deer or 100 antlerless elk or 50 doe pronghorn during the rifle seasons described in 250, 257, and 262 of these regulations. Licenses issued for military installations will be exempted from these minimum license requirements. Wounded Warrior licenses issued for military installation property will be approved by the applicable Regional Manager. For any one game management unit no more than 10 licenses or 2 percent of the total number of limited antlerless deer or elk or doe pronghorn licenses for the game management unit, whichever number is greater, shall be issued as Wounded Warrior hunting licenses for the species in question.
5. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be private land only licenses and will be available for hunt codes requiring four or fewer resident preference points to draw in the previous year in all game management units with a total allocation of more than 100 antlered or either-sex deer, 100 antlered or either-sex elk, or 50 buck pronghorn during the rifle seasons described in #250, #257 and #262 of these regulations. Licenses issued for military installations will be exempted from these preference point and minimum license requirements. Wounded Warrior licenses issued for military installation property will be approved by the applicable Regional Manager. For any one game management unit no more than 5 licenses or 2 percent of the total number of limited antlered, either-sex or buck licenses for the game management unit, whichever is greater, shall be issued as Wounded Warrior hunting licenses for the species in question.
6. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be approved by the applicable Regional Manager on a case-by-case basis for hunters who qualify under this program in instances where an organization assisting Wounded Warrior hunters has coordinated a hunting opportunity specifically for this program and where all other avenues of obtaining a license have been exhausted.
7. Wounded Warrior hunting licenses will be valid only for the season dates and any units included in the authorized hunt code. Wounded Warrior hunting licenses may not be issued for Ranching for Wildlife properties unless otherwise provided in the ranch contract.

- i. Dream Hunt Hunting Licenses – The Director may make available additional deer, elk, pronghorn, mountain lion and black bear licenses to individuals qualified under this subsection.
  - 1. Applicants for Dream Hunt licenses must be at least 12 and under 22 years of age, and must have a terminal illness or a life-threatening disease or injury.
  - 2. A request for a Dream Hunt license must be made, in writing, by a sponsoring organization, documenting the individual's life-threatening or terminal condition, desired, hunt experience, desired location, time frame and logistical considerations. Requests should be sent to the Division of Parks and Wildlife, Hunter Outreach Coordinator, 6060 Broadway, Denver, Colorado 80216.
  - 3. Requested dates for hunting events must occur between August 15 and January 31 each year, with preferred dates occurring during an existing season for the requested species. However, alternate dates may be approved by the Director on a case-by-case basis as an applicant's condition requires.
  - 4. Written landowner permission must be obtained prior to issuance of a license under this subsection if the individual will be hunting on private land.

j. Preference Points and Chances

- 1. Preference will be given for qualifying applications for first choice hunt codes only and shall be subject to the following provisions:
  - aa. Deer, Elk, Pronghorn, and Bear: one preference point will be awarded to each person who qualifies for and fails to draw a limited license for deer, elk, pronghorn, or bear as a first choice in the regular drawing or who applies using a first choice hunt code established for the purpose of accumulating a preference point only. Preference points will be used in future drawings for the same species and will accumulate until the applicant obtains a first choice license. When an applicant obtains a first choice license, all accumulated preference points for that species become void. If an applicant both fails to apply for a species and has not purchased a license for that same species during any given 10-year period, all accumulated preference points for that species become void. If an applicant accepts a first choice license that has been returned and reissued manually, all accumulated preference points for that species become void. No preference points are required for purchasing a returned license placed on the leftover list. In those hunt codes requiring 10 or more resident preference points to draw, up to 20 percent of available licenses for deer, elk, pronghorn and bear shall be issued through a random drawing. The number of preference points required to draw shall be determined by a three-year average for the 2007, 2008, and 2009 limited license draws. A minimum of five individual preference points is required for an applicant to participate in the random drawing. Group applications shall not be eligible to participate in the random drawing.

- bb. Rocky Mountain Bighorn Sheep, Mountain Goat, and Moose: One preference point will be awarded to each person who qualifies for and fails to draw a first choice license, until three preference points have been accumulated. Each time an applicant with three (3) points qualifies for and fails to draw a first choice license for rocky mountain bighorn sheep, mountain goat or moose the applicant will be awarded one (1) weighted preference point to be used in future drawings for that species. Applicants with at least three (3) preference points or any number of weighted preference points will be given weighted preference during the license drawings for each applicable species. Weighted preference is calculated by converting the applicant's original application number into a new random application number, then dividing that random application number by the number of weighted preference points the applicant currently has for that species plus one. The resulting number is the applicant's final and only application number. Final application numbers are sorted from lowest number to highest number, with licenses awarded to applicants starting on the top of the list (lowest number), working down the list until no licenses for that species remain. When an applicant obtains a first choice license, all accumulated preference points for that species become void. If an applicant both fails to apply for a species and has not purchased a license for that same species during any given 10-year period, all accumulated preference points for that species become void. If an applicant accepts a first choice license that has been returned and reissued, all accumulated preference points for that species become void.
- cc. In addition to the \$7 application fee, a resident applicant who is unsuccessful on their first choice (except youth as defined by 33-4-117 C.R.S., lifetime license holders, and Colorado resident military personnel on active duty outside Colorado), or a resident who applies using a first choice hunt code established for the purpose of accumulating a preference point or weighted preference point only, for moose, Rocky Mountain bighorn sheep, or mountain goat will be assessed a \$50 fee to receive a preference point or weighted preference point. In addition to the \$9 application fee, a nonresident applicant who is unsuccessful on their first choice (except youth as defined by 33-4-117 C.R.S.), or a nonresident who applies using a first choice hunt code established for the purpose of accumulating a preference point or weighted preference point only, for moose, Rocky Mountain bighorn sheep, or mountain goat will be assessed a \$100 fee to receive a preference point or weighted preference point. The fee, per species, shall entitle the hunter to preference points or weighted preference points for any unsuccessful first choice moose, Rocky Mountain bighorn sheep, or mountain goat application in that year. If the applicant chooses to not pay the preference point fee, the applicant will not receive a preference point or weighted preference point for that application.
- dd. Applications receiving preference points will be given priority over all applications with fewer points. Group applications will receive preference at the level of the group member with the fewest accumulated preference points, and, where applicable, the fewest accumulated chances, except that group applications will not be successful, regardless of preference point level or number of



chances, when there are fewer licenses remaining in the hunt code quota than the number of applicants in the group.

ee. In lieu of applying through the regular limited license draw, any active duty member of the United States Armed Forces who is stationed at any military facility in Colorado and actively deployed outside the United States, or any active duty member of the United States Armed Forces who is a Colorado resident and is deployed outside the United States, shall, upon their return to the United States, be eligible to apply for preference points for any regular limited license draw that occurred during their absence. Applications for preference points shall be made on forms provided by the Division and filed within six months upon the member's return to the United States.

## 5. Drawing Processes

- a. Applications using landowner preference and youth preference shall be drawn, in that order, prior to drawing general public applications for the same species.
- b. Except as otherwise provided, applicants who applied properly for deer, elk, or pronghorn in the regular drawing and are unsuccessful will be given the option to apply for a leftover drawing.
- c. Unsuccessful applicants will be notified of their accumulated preference points on their on-line account.
- d. Nonresident hunter drawing limitations (first choice applications only)
  1. Nonresidents hunters shall receive no more than 10% of available moose, bighorn sheep and mountain goat licenses for all hunt codes. In the event there are an insufficient number of nonresident applications for the allocated number of moose, bighorn sheep or mountain goat licenses in any hunt code, the excess nonresident licenses will be issued to residents through the regular drawing process. These drawing limitations do not apply to the issuance of Bighorn Sheep Access Program (BSAP) licenses.
  2. Unless there is an insufficient number of resident applications, nonresident hunters shall receive no more than 35% of available deer and elk licenses for hunt codes requiring fewer than six preference points for resident hunters to draw in the regular drawing, and no more than 20% of available deer and elk licenses for hunt codes requiring six or more preference points for resident hunters to draw in the regular drawing as calculated using a three-year average for the 2007, 2008, and 2009 limited license draws. These drawing limitations do not apply to the issuance of Private Land Only and Ranching for Wildlife licenses.

## 6. Leftover Licenses, Drawing Provisions and Restrictions

- a. Elk, deer, pronghorn and bear licenses which are not issued through the regular drawing will be issued as "leftover" licenses, (through one "leftover" drawing process if the number of "leftover" licenses is sufficient to justify the administrative cost).

- b. Only persons who apply for a limited license and who are unsuccessful are eligible for the leftover license drawing. Applicants for the leftover drawing may only apply for the same species that they applied for in the initial drawing.
  - c. Any eligible hunter, ages 12 – 17 shall receive preference for leftover deer and elk licenses.
  - d. Any active duty member of the United States Armed Forces stationed at any military facility in Colorado and actively deployed outside the United States, or any active duty member of the United States Armed Forces who is a Colorado resident and is deployed outside the United States, shall be allowed a preference for the purchase of leftover licenses prior to their sale to the general public.
  - e. Group applications are not accepted for leftover licenses.
  - f. Applicants must apply on-line or over the phone following the regular drawing.
  - g. Applications must be submitted no later than 8:00 PM Mountain Time on the first Tuesday in July, annually. Applications not submitted by this deadline are void.
  - h. Leftover Ranching for Wildlife licenses will not be available through the standard over-the-counter leftover process. For information regarding the availability of these licenses on a first-come, first-served basis, please refer to the big game drawing brochure or call the Division at (303) 297-1192.
7. 2020 Secondary Draw, Leftover Licenses, Drawing Provisions and Restrictions
- a. Starting in 2020, elk, deer, pronghorn and bear licenses which are not issued through the regular drawing will be issued through a secondary drawing process if the number of remaining licenses is sufficient to justify the administrative cost.
  - b. Any eligible hunter, ages 12 – 17 shall receive preference for the secondary draw for elk, deer, pronghorn and bear licenses.
  - c. There is no landowner preference for the secondary draw.
  - d. Any active duty member of the United States Armed Forces stationed at any military facility in Colorado and actively deployed outside the United States, or any active duty member of the United States Armed Forces who is a Colorado resident and is deployed outside the United States, shall be allowed a preference for the purchase of leftover licenses prior to their sale to the general public.
  - e. Group applications are not accepted for the secondary draw.
  - f. Applicants for the secondary draw must apply on-line or over the phone following the regular drawing.
  - g. Secondary draw applications must be submitted no later than 8:00 PM Mountain Time the first Tuesday in July. Applications not submitted by this deadline are void.
  - h. Secondary draw applications not submitted by 8:00 PM Mountain Time the first Tuesday in July, will become void.

- i. Except for Ranching for Wildlife licenses, any licenses remaining after the secondary draw, will be placed on the leftover license list and will become available through the standard over-the-counter leftover process. For information regarding the availability of leftover Ranching for Wildlife licenses available on a first-come, first-served basis, please refer to the big game drawing brochure or call the Division at (303) 297-1192.

**Basis and Purpose:**

At its March 18-19, 2020, regularly-scheduled meeting, the Colorado Parks and Wildlife Commission adopted emergency rules affecting Chapter W-0 (General Provisions, 2 CCR 406-0), Chapter W-2 (Big Game, 2 CCR 406-2), and Chapter W-3 (Furbearers and Small Game, Except Migratory Birds, 2 CCR 406-3). The emergency rules created a new product that allows resident senior lifetime fishing customers the opportunity to upgrade to an annual combination fishing and small game hunting license at a discounted rate of \$19.90.

The Commission adopted the foregoing rules on an emergency basis as authorized by the Colorado Administrative Procedures Act, 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). Offering discounted licenses or license combinations for “wildlife management or hunting and fishing recruitment purposes, including...the creation of a resident low-income license” is a statutory priority for the Commission. CRS, § 33-4-102(1.5)(b). In addition, the Commission has the authority to reduce a license fee “[i]f the commission determines that it would be beneficial to issue the license in conjunction with another type of license and creates a combination license;” CRS, § 33-4-102(1.6)(a)(I).

In January 2020, the Commission adopted rules to create the annual resident senior combination fishing and small game hunting license priced at \$28. In 2020, the resident annual senior fishing license is priced at \$8.10 and the resident annual small game hunting license is priced at \$28.36. In the Integrated Parks and Wildlife Licensing System (IPAWS), customers are restricted from purchasing licenses or passes which provide them the same benefit as something they already hold to reduce customer errors, refund requests and to make reporting clearer. As a result, resident senior customers who hold a lifetime fishing license or lifetime low income fishing license have to pay \$0.36 more for an annual small game hunting license than other senior customers who can purchase the newly created annual combination fishing and small game hunting license.

Creating a new product that allows resident senior lifetime fishing customers to upgrade to an annual combination fishing and small game hunting license priced at \$19.90, allows these customers to receive a similar discount as other resident senior customers. The price of \$19.90 equals the difference between the annual resident senior combination fishing and small game hunting license (\$28) and resident annual senior fishing license (\$8.10). This annual upgrade product counts as a qualifying license (#206.B.d). This only affects Lifetime Fishing and Lifetime Low-Income License holders as VA Fishing and First Responder Fishing License holders may upgrade to a free combination license at any time.

Absent the emergency rules, the new annual product would be unavailable and resident senior customers who hold a lifetime fishing license or lifetime low income fishing license would have to pay \$0.36 more for an annual small game hunting license than other senior customers who can purchase the newly created annual combination fishing and small game hunting license. It is important to make this product available as close to the time when other licenses go on sale (March 1, 2020) and in time for applicants to use it as a qualifying license for the big game draw (March 1 – April 7, 2020). Accordingly, the emergency rules are necessary for the use, benefit, and enjoyment of the people of this state.

CPW has, to the extent it could, given notice of its emergency rule-making and allowed for public participation in the adoption of the emergency regulations. Notice of the proposed emergency rule-

making was posted at the State Capitol, at the Division of Parks and Wildlife headquarters, Regional Service Centers, and Area Service Centers (area offices), indicating the Commission would consider the emergency regulations at its meeting on March 18-19, 2020, and an opportunity to comment was provided to members of the public at that time.

**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: §§ 33-1-106, C.R.S. and 33-4-102, 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 18TH DAY OF MARCH, 2020.**

**APPROVED:  
Michelle Zimmerman  
Acting Chair**

**ATTEST:  
James Vigil  
Secretary**

**EMERGENCY REGULATIONS- CHAPTER W-3 - FURBEARERS and SMALL GAME, EXCEPT MIGRATORY BIRDS**

**ARTICLE I - GENERAL PROVISIONS**

**#301 - LICENSE FEES**

**A. Furbearer License Fee**

**1. Furbearer License Fee Reduction:**

In accordance with the provisions of §33-4-102, C.R.S., the following furbearer license fees shall be reduced to the fee specified herein, from the level set forth in §33-4-102, C.R.S.:

License Type	License Fee
Nonresident Furbearer	\$81.03

**B. Resident senior combination fishing and small game hunting license fee**

**1. Resident senior combination fishing and small game hunting license fee reduction:**

In accordance with the provisions of §33-4-102, C.R.S., the following combination licenses shall be created with a reduced fee specified herein, from the level set forth in §33-4-102, C.R.S.:

License Type	License Fee
Resident senior combination fishing and small game hunting license	\$28.00
<u>Resident senior lifetime fishing upgrade to annual combination fishing and small game hunting license*</u>	<u>\$19.90</u>

\*Valid only for resident senior Lifetime Disability and Low Income Fishing license holders.

**MAILING – 03/13/2020**  
**Basis and Purpose**

**Chapter W-3 – Furbearers and Small Game, Except Migratory Birds**

**Basis and Purpose:**

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