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**AGENDA**  
**PARKS AND WILDLIFE COMMISSION MEETING**  
**November 19 & 20, 2020**  
**Virtual Zoom Meeting**




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**Thursday: November 19<sup>th</sup>**

<u>#</u>	<u>Time</u>		<u>AGENDA ITEM</u>
1	8:00	(I)	Welcome, Pledge of Allegiance and Roll Call
2	8:05	(A) Marvin McDaniel, Chair	Approve Minutes of the September 2-3, 2020 Virtual Parks and Wildlife Commission Meeting
3	8:10	(I) Marvin McDaniel, Chair	Corrections to Agenda Corrections/Removal of Consent Agenda Topics
4	8:15	(I) Marvin McDaniel, Chair	Commissioner's Questions and Comments
5	8:30	(I) Dan Gibbs, DNR Executive Director	Department of Natural Resources Update
6	8:40	(I) Kate Greenberg, Dept. of Ag. Commissioner	Department of Agriculture Update
7	8:50	(I) Dan Prenzlou, CPW Director	Director's Comments
8	9:05	(I) Marvin McDaniel, Chair Dan Prenzlou, CPW Director	Wolf Ballot Proposition 114 - Next Steps
9	9:20	(I) Justin Rutter, AD of Financial Services	Financial & Capital Update
10	9:50	(I) Emily Orbanek, Parks & Wildlife Program Manager, GOCO	GOCO Update
	10:05		Break

Final Regulations

11	10:20	(A) Krista Heiner, Regulations Manager	Chapter W-0 - "General Provisions" 2 CCR 406-0, and those related provisions of Chapter W-2 ("Big Game" 2 CCR 406-2), Chapter W-3 ("Furbearers and Small Game,
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Except Migratory Birds” 2 CCR 406-3), Chapter W-11 (“Wildlife Parks and Unregulated Wildlife” 2 CCR 406-11), Chapter W-15 (“License Agents” 2 CCR 406-15), and Chapter P-7 (“Passes, Permits and Registrations” - 2 CCR 405-7) necessary to accommodate changes to or ensure consistency with Chapter W-0 (Step 2 of 2)

Open for final consideration of regulations including, but not limited to, adjusting license fees and license agent commission rates according to adjustments to the Denver-Aurora-Lakewood Consumer Price Index.

12 10:55 (A) Krista Heiner,  
Regulations Manager  
Brian Dreher,  
Terrestrial Section Manager

Chapter W-2 - “Big Game” 2 CCR 406-2 (Step 2 of 2/3)

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

- Reconsidering the method used to determine the resident/nonresident allocation of licenses in the regular limited license draw, including but not limited to, the following options:
  - Updating the years used to calculate the three-year average for hunt codes requiring six or more preference points; and/or
  - Updating the threshold for the number of preference points required to determine the resident/nonresident allocation of licenses; or
  - Updating the allocation percentage for certain Game Management Units and/or hunt codes based on relevant criteria.

13 12:00 (I) Mark Leslie  
NE Region Manager

Awards and Recognition

12:30

Lunch

Final Regulations

14 1:30 (A) Krista Heiner,  
Regulations Manager

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) - (Step 1 of 1)

Open for final consideration of regulations for Fishers Peak State Park necessary to ensure public safety, to protect natural and cultural resources, and for CPW and its partners to continue collecting further cultural and biological data while allowing for some limited trail and public hunter access during the master planning process. This includes regulations requiring a \$4 daily pass per person for all visitors sixteen years of age or older entering Fishers Peak State Park, except those entering the park in a motor vehicle with a valid and applicable parks pass or those entering the park with a valid and applicable annual parks pass receipt.

15 1:50 (A) Krista Heiner,  
Regulations Manager

## Chapter P-7 - " Passes, Permits and Registrations" - 2 CCR 405-7 (Step 2 of 2)

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

- Increasing daily vehicle pass fees by \$1 at several high-use parks, including Castlewood Canyon, Golden Gate Canyon, Highline Lake, Lake Pueblo, Roxborough and Staunton State Parks (p. 3, 4).
- Removing the time restrictions for a Regional Manager to reduce the fees for the use of campsites, cabins, yurts and event facilities by up to 50% when determined necessary to encourage occupancy and otherwise increase use (p. 11).

16 2:00 (A) Krista Heiner,  
Regulations Manager

## Chapter W-1- "Fishing" 2 CCR 406-1 (Step 2 of 2)

Open for annual review and final consideration of the entire chapter including, but not limited to, consideration of regulations regarding season dates, bag and possession limits, licensing requirements, manner of take provisions and special conditions or restrictions applicable to waters of the state. Specific considerations include, but are not limited to, the following:

- Clarifying the criteria for establishing an emergency closure of fishing waters (p. 6).
- Establishing a limited harvest of mountain whitefish statewide (p. 10).
- Changing fishing regulations for selected streams in the Southwest region to protect Colorado River cutthroat trout and Rio Grande cutthroat trout conservation populations (throughout).
- Restricting bass fishing, and revising bag and possession limits and minimum size restrictions for crappie and redear sunfish at Berthoud Reservoir (p. 15).
- Implementing a 10" minimum size limit for black and white crappie at Boedecker Reservoir (p. 17).
- Shortening the fishing closure dates on the Colorado River below Shadow Mountain Reservoir (p. 22).
- Implementing minimum size and bag limit regulations for walleye at Horseshoe Reservoir (p. 35).
- Eliminating the special regulation for largemouth and smallmouth bass at Lagerman Reservoir (p. 39).
- Implementing minimum size and bag limit regulations for walleye at Lake Loveland (p. 40).
- Revising the bag and possession limit and minimum size regulation for tiger trout at Meadow Creek Reservoir (Grand County) to one fish greater than 18 inches in length (p. 42).
- Reducing bag and possession limits for trout at Meadow Creek Reservoir (Jackson County) (p. 42).
- Prohibiting fishing at Webster Pond in Boulder County (p. 47).
- Adding East Fork Roaring Creek to the current Roaring Creek regulations limiting fishing to artificial fly and lure only, and requiring that cutthroat trout be returned to the water immediately (p. 53).

17 2:10 (A) Krista Heiner,  
Regulations Manager

Chapter W-3 - "Furbearers and Small Game, except Migratory Birds" 2 CCR 406-3 (Step 2 of 2)

Open for annual review and final consideration of regulations regarding turkey hunting, including but not limited to, license areas, season dates, and manner of take provisions for the 2021 turkey hunting seasons. Specific considerations include, but are not limited to, the following:

- Splitting the regular turkey season on the Beaver Creek State Wildlife Area and Table Mountain State Trust Land into two seasons to reduce hunter crowding and creating a youth-only turkey license for this area (p. 5-6).

Citizen Petitions

18 2:20 (I) Guy Weaser,  
Petitioner

Chapter P-8 - "Aquatic Nuisance Species" 2 CCR 405-8 (Step 1 of 2/3)

At its November meeting, the Parks and Wildlife Commission will hear a Citizen Petition for Rulemaking related to aquatic nuisance species regulations, as follows:

- A Citizen Petition for Rulemaking requesting that the Commission exempt rowing shells from the aquatic nuisance species inspection requirement.

Issue Identification

19 2:35 (I) Krista Heiner,  
Regulations Manager

Chapter W-0 - "General Provisions" 2 CCR 406-0 (Step 1 of 2)

Open for annual review of the entire chapter, including but not limited to, Game Management Unit (GMU) boundary modifications, regulations relating to fish management, health, importation, prohibited species, and other annual changes. Specific considerations include, but are not limited to, the following:

- Adding additional crustaceans to the list of aquatic wildlife that may be possessed.
- Implementing a ¼-mile hunting closure around both Guanella Pass and Kenosha Pass.
- Creating the new bighorn sheep GMU S-86.

Break

2:45

20 3:00 (I) Krista Heiner,  
Regulations Manager

Chapter W-2 - "Big Game" 2 CCR 406-2 and those related provisions of Chapter W-3 ("Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3) (Step 1 of 2)

Open for annual review of the entire chapter, including, but not limited to:

Multiple Species

- Changing the application deadline dates for the Secondary Draw and Fall Turkey Draw (statewide).
- Standardizing mandatory check form regulations across species (statewide).

(Continued on following page)

Deer

- Changing the season closure date for hunt code DM391P5R to November 30 (NE).
- Creating private land only antlered and antlerless licenses in GMU 102 (NE).
- Creating season choice whitetail-only deer licenses in GMUs 87 and 88 (NE).
- Creating 4th season antlerless deer hunt codes in the northern portion of GMUs 4, 11, and 211 to manage high prevalence of chronic wasting disease (NW).
- Creating private land only either sex deer hunt codes for the 4th rifle season in GMUs 3, 301, 4, 441, 5, 11, 211, 12, 13, 23, and 24 (NW).
- Converting hunt code DF481L1R to DF481P5R (SE).

Elk

- Changing the season dates and license category for hunt code EF009L1R (NE).
- Changing the season dates for hunt code EF085L1R (SE).
- Converting either-sex muzzleloader, first season rifle, and fourth season rifle elk licenses in GMU 70 to sex specific licenses (SW).
- Eliminating the hunt code EF074P5R (SW).
- Converting all antlerless elk list B licenses to list A in GMU 521 (SW).

Pronghorn

- Creating late season private land only doe pronghorn hunt codes for GMUs 89 & 95 (NE).
- Changing PH-39 archery licenses from unlimited to limited draw licenses and removing GMU 561 from the list of valid units for the either-sex unlimited pronghorn archery license (SE).
- Adding buck and doe private land only hunt codes for the PH-18 primary rifle season (SE).

Moose

- Creating bull and cow moose hunt codes for GMUs 25, 26, and 231 (NW).
- Creating bull and cow moose hunt codes in GMUs 47, 444, and 471 (NW).
- Creating cow moose hunt codes for GMU 43 (NW).
- Creating hunt code MM056O1X for GMUs 56 and 561 (SE).

Bighorn Sheep

- Invalidating the SMS48O1R hunt code in select years to account for the Bighorn Sheep Access Program in GMU S48 (SE).

21	3:50	(A)	Marvin McDaniel, Chair
22a	3:55	(I)	Amanda Nims, Land Protection Specialist
22b	4:05	(I)	Jake Matter, Assistant Attorney General

Consent Agenda

Overview: Colorado Wildlife Habitat Program / RFP: 2020 Final Funding Recommendations

Executive Session: to consider the purchase of private RFP properties for public purposes as authorized by the Open Meetings Law, § 24-6-402(3)(a)(I), CRS

22c	4:55	(A)	Amanda Nims, Land Protection Specialist	Approval of Colorado Wildlife Habitat Program / RFP: 2020 Final Funding Recommendations
	5:00			Recess

### Friday, November 20<sup>th</sup>

23	8:00	(I)		Welcome and Roll Call
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#### Draft Regulations

24	8:05	(I)	Krista Heiner, Regulations Manager	Chapter W-16 - "Parks and Wildlife Procedural Rules" 2 CCR 406-16 (Step 1 of 2)
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Open for consideration of regulations including, but not limited to, clarifying the processes applicable to license suspension appeals.

25	8:25	(I)	Mark Leslie, NE Region Manager Marty Stratman, Wildlife Biologist Todd Schmidt, Area Wildlife Manager	D- 5 North Tablelands Deer Herd Management Plan
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26	8:50	(I)	Marty Stratman, Wildlife Biologist Todd Schmidt, Area Wildlife Manager	D-44 South Platte River Deer Herd Management Plan -
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27	9:10	(I)	Marty Stratman, Wildlife Biologist Todd Schmidt, Area Wildlife Manager	D-54 South Tablelands Deer Herd Management Plan
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28	9:30	(I)	Alice Cosgrove, Legislative Liaison	Overview, Legislative Liaison Role & Policy Development
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9:50 **Break**

29	10:05	(A)	Kim Rogers, CPW Real Estate Section Manager David Piper, North Sterling SP, Park Manager Mark Leslie, NE Region Manager	North Sterling SP Boat Club - Fee Title Exchange - Project #19-085
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30	10:20	(A)	Steve Cooley, CPW State Hearing Examiner John J. Marvin, Appellant	License Suspension Appeals - Marvin, John J., DEN 9022, 1 Year
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31	10:35	(I)	Heather Dugan, AD Field Services Gerald Rasmussen Jr, Citizen Presenter	Boat Registration Fees
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32	10:45	(I)		Public Comments, Input and Presentations
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33 11:00 (I) Jake Matter,  
Assistant Attorney General

## Legal Update

Executive Session: To receive legal advice and a status update regarding CPW v.5 Star Feedlot, Inc., 2019SC986 and regarding compliance with HB18-1198 (Best Practices for Boards and Commissions) as authorized by the Open Meetings Law, § 24-6-402(3)(a)(II), CRS.

12:00

## Adjourn

21 (A) Consent Agenda

Proposed Parks and Wildlife Commission Consent Agenda  
November 19-20, 2020

In order to increase the Parks and Wildlife Commission’s efficiency and allow more time for consideration of wildlife policy and contested issues, the listed items are noticed for action by the Commission as part of the November, 2020 “Consent Agenda.”

*Note: 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. Staff will provide written memos to the Parks and Wildlife Commission members explaining the matters on the Consent Agenda. Copies of the memos will be available to the public.*

*Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other 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 and acted upon as determined by the Commission. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director for any matter on the Consent Agenda.*

Issues Identification

21.1 (A) Chapter W-2 - “Big Game” 2 CCR 406-2

Open for annual review of the entire chapter, including, but not limited to:

- Allowing antlerless moose hunters to present either the entire head or an incisor during a mandatory inspection (statewide).
- Creating a fourth rifle season antlered deer hunt in GMU 40 (NW).
- Eliminating the late season antlerless hunt code DF211L1R (NW).
- Removing GMUs 105 and 106 from the EF104P5R hunt code (NE).

Citizen Petitions

21.2 (A) Chapter W-2 - “Big Game” 2 CCR 406-2

At its November meeting, the Parks and Wildlife Commission will **consider whether it should adopt the Director’s written recommendation to DENY 2 petitions for rulemaking** requesting that the Commission revise the regulation requiring a firearm to be completely enclosed and unloaded while being transported on an off-highway vehicle during big game seasons:

- Two Citizen Petitions for Rulemaking requesting that the Commission revise the regulation requiring a firearm to be completely enclosed and unloaded while being transported on an off-highway vehicle during big game seasons.

21.3 Chapter W-9 – “Wildlife Properties” 2 CCR 406-9

At its November meeting, the Parks and Wildlife Commission will **consider whether it should adopt the Director’s written recommendation to DENY a petition for rulemaking** requesting that the Commission revise the license requirement to access state wildlife areas and state trust lands, as follows:

- A Citizen Petition for Rulemaking requesting that the Commission repeal the license requirement to access state wildlife areas and state trust lands.

Habitat Partnership Program Committee Nominations

21.4	(A)	Name	Representing	Committee		
				Name	Background	Starting Date
a.	Thane Stranathan	BLM	Uncompahgre	Replaces Angela Losasso	Upon Appointment	
b.	Conway Farrell	Sportsperson Colorado Parks & Wildlife	Middle Park	Replaces GW Horine	Upon Appointment	
c.	Brian Dreher	Wildlife	State Council	Replaces Ken Morgan	Upon Appointment	



d.	Heidi Plank	USFS	Grand Mesa North Fork	Replaces Bob Mosher	Upon Appointment
e.	Kyler McCarrel	USFS	Gunnison	Replaces Dennis Garrison	Upon Appointment

**Game Damage Claim - Recommended Denial**

21.5	(A)	Denial				Growing Lavender by Deer
		15-Y20-23	Lorna Bulwan	\$1,863.20		
		DWM: Ty Smith	AWM: Matt Thorpe	RM: Cory Chick		
21.6	(A)	Denial				Horse by Bear
		05-Y21-03	Tom Kourlis	\$5,912.51		
		DWM: Katie Doyle	AWM: Matt Martinez	RM: Mark Leslie		

**License Suspension Appeals**

21.7	(A)	<u>Defendant Name</u>	<u>Hearings Case Number</u>	<u>Suspension Decision</u>
	a.	De Hart, Russell F.	GDJ 8892	2 Years
	b.	Draper, Timothy	DEN 8724	20 Years (Atty. Jeff Weeden)
	c.	Smith, Herbert "Wesley"	DEN 9000	2 Years

**Real Estate**

21.8	(A)	<u>Project #</u>	<u>Project Name</u>
	a.	19-085 - SW	Sweitzer Lake SP - Morfitt Property - Fee Title
	b.	19-096 - NW	Slash EV Ranch - 3rd Party CE - RFP
	c.	19-097 - NW	Coal Creek Ranch - CPW CE & AE - RFP
	d.	19-098 - NW	Strawberry Ranch - 3rd Party CE & AE - RFP
	e.	19-104 - NE	Brower SWA - Greeley and Evans - Disposition
	f.	20-023 - SW	Cross Canyon SWA - Miller - Fee Title Acquisition
	g.	20-024 - SW	BODO SWA - La Plata Electric Association - Easement
	h.	20-046 - NE	South Republican SWA - Jones - Hale Ditch Exchange
	f.	20-061 - SE	Arkansas River - Southern Lake County - Access Easement

**Herd Management Plans**

21.9	(A)	D-7 White River Deer Herd Management Plan
21.10	(A)	D-8 State Bridge Deer Herd Management Plan
21.11	(A)	D-9 Middle Park Deer Herd Management Plan
21.12	(A)	D-16 Cripple Creek Deer Herd Management Plan
21.13	(A)	D-34 Wet Mountain Deer Herd Management Plan
21.14	(A)	PH-37 Middle Park Pronghorn Herd Management Plan

**End of Consent Agenda**