

ISSUES SUBMITTAL FORM

Date: 8/12/2020	
ISSUE:	Should there be emergency regulations effective on October 10, 2020 for Fishers Peak State Park?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>The 19,200-acre Fishers Peak State Park is located south of the City of Trinidad in Las Animas County, Colorado. CPW recently acquired the State Park in April 2020 from The Nature Conservancy (TNC) and The Trust for Public Land (TPL) to become Colorado's newest state park. CPW is now working with its partners (TNC, TPL, GOCO and the City of Trinidad) to develop a master plan for the state park.</p> <p>While the master planning process is taking place and in the interim, CPW wishes to offer limited public access to the park. The regulations proposed below are 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.</p> <p>These park-specific regulations pertain to individual passes, day-use and trail limitations, pets and livestock, raptor nest buffers and limited hunting access for the 2020 season.</p>	
<p>STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:</p> <p>*IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED*.</p>	
<p>Project partners including The Nature Conservancy, The Trust for Public Land, officials of the City of Trinidad, and GOCO: (no official comments to date).</p> <p>Public outreach is not likely appropriate at this time, prior to the structured public process that will come from the on-going master planning efforts.</p>	
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<p>1. *Preferred Alternative*:</p> <p style="padding-left: 40px;">a. Temporarily add park-specific regulations for Fishers Peak State Park starting on October 10, 2020. See Exhibit A.</p> <p style="text-align: center;">AND</p> <p style="padding-left: 40px;">b. Temporarily add Fishers Peak State Park to the list of state parks requiring an individual daily pass under #701.6, #701.7.a, & #708.2.c. starting on October 10, 2020. See Exhibit B.</p> <p>2. Status quo.</p>	
Issue Raised by:	Crystal Dreiling
Author of the issue paper	Crystal Dreiling, Brad Henley, Mike Trujillo, Julie Stiver

(if different than person raising the issue):	
CC:	SE Region Park and Area Wildlife Managers
APPROVED FOR FURTHER CONSIDERATION BY:	Brett Ackerman
REQUIRES NEW SPACE IN THE BROCHURE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION	SE
RECOMMENDED FOR CONSENT AGENDA?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

EMERGENCY REGULATIONS - CHAPTER P-1 - PARKS AND OUTDOOR RECREATION LANDS

ARTICLE I - GENERAL PROVISIONS APPLICABLE TO ALL PARKS AND OUTDOOR RECREATION LANDS AND WATERS

PARK-SPECIFIC RESTRICTIONS

D. In addition to the general land and water regulations, the following restrictions shall also apply:

1. Arkansas Headwaters Recreation Area

- a. Except in established campgrounds where toilet facilities are provided, all overnight campers must provide and use a portable toilet device capable of carrying human waste out of the Arkansas Headwaters Recreation Area. Contents of the portable toilet must be emptied in compliance with law and may not be deposited within the Arkansas Headwaters Recreation Area, unless at a facility specifically designated by the Arkansas Headwaters Recreation Area.
- b. Building or tending fires is allowed pursuant to regulation # 100b.7., except at the Arkansas Headwaters Recreation Area fire containers must have at least a two inch rigid side. Fire containers must be elevated up off the ground.
- c. Swimming is permitted in the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas within the boundaries of the Arkansas Headwaters Recreation Area. All persons swimming within designated whitewater parks and all persons under the age of 13 swimming anywhere in the Arkansas River within the Arkansas Headwaters Recreation Area must wear a properly fitting U.S. Coast Guard approved wearable personal flotation device.
- d. No motorboats shall be permitted on the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas to the west end of Pueblo Reservoir.
- e. Innertubes, air mattresses, and similar devices are permitted on the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas within the boundaries of the Arkansas Headwaters Recreation Area. All occupants of these devices must wear a U.S. Coast Guard approved wearable personal flotation device.
- f. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.
- g. Recreational gold mining within the Arkansas Headwaters Recreation Area is allowed, except where prohibited as indicated by posted signs.

2. Barr Lake State Park

- a. No dogs or other pets shall be permitted in the wildlife refuge area.
- b. Visitors shall be required to remain on designated trails and boardwalks in the wildlife refuge area.
- c. No fishing or boating shall be permitted in the wildlife refuge area.
- d. Visitors shall be required to remain on the designated trails on Barr Lake Dam.
- e. No horses shall be permitted on the Barr Lake Dam.
- f. Only hand-propelled craft, sailboats and boats with electric trolling motors or gasoline motors of 10 horsepower or less shall be permitted.
- g. Only shotguns loaded with birdshot may be used for waterfowl hunting during the regular waterfowl hunting seasons, in the areas and at the times posted.
- h. Shotguns loaded with birdshot may also be used for dove hunting in the areas and at the times posted.

- i. All hunters must register prior to beginning hunting and check out at the conclusion of hunting, at the hunter registration area.

3. Boyd Lake State Park

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

4. Cameo Shooting and Education Complex

- a. Public access is allowed only from sunrise to sunset, except as otherwise authorized by an approved Special Activity or Commercial Use Permit.
- b. All fires may be prohibited, as posted, to comply with current burn restrictions.
- c. Camping is prohibited, except when authorized by an approved Special Activity or Commercial Use Permit, and then only allowed in areas specifically designated on the permit.
- d. Dogs are prohibited outside of vehicles, unless specifically authorized by an approved Special Activity or Commercial Use Permit, and then only allowed in areas specifically designated on the permit.
- e. Hunting is prohibited, except in the area north of, and no closer than 100 yards of, the Coal Canyon Main Canyon Divide.
- f. All persons must adhere to range safety rules, as posted.
- g. The possession of marijuana is prohibited.
- h. Biking is allowed in designated areas only, as posted.

5. Castlewood Canyon State Park

- a. No dogs or other pets shall be permitted in the East Canyon area.
- b. No horses shall be permitted in the east canyon area.
- c. It shall be unlawful to climb, traverse, or rappel, on or from rock formations in the East Canyon area.
- d. Visitors shall be required to remain on the designated trails in the East Canyon area.

6. Chatfield State Park

- a. Entrance to and exit from the dog off leash areas are permitted only at designated access points.
- b. A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- c. Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- d. Sport dog trainers shall obtain a special use permit to access and use the designated upland and flat-water sport dog training areas.
- e. Handlers in the dog off leash area and the sport dog training areas must have a visible and valid dog off leash annual pass or dog off leash daily pass.
- f. Fishing is prohibited on the ponds within the dog off leash area.
- g. Only pistols or other mechanisms incapable of discharging live ammunition may be used at the dog training area.
- h. A valid permit is required to launch or land any hot-air balloon.
- i. Only float tubes or craft propelled by hand shall be permitted on the ponds within the park, excluding the main reservoir.

7. Cherry Creek State Park

- a. Entrance to and exit from the dog off leash areas is permitted only at designated access points.

- b. A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- c. Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- d. Sport dog trainers shall obtain a special use permit to access and use the designated upland sport dog training area.
- e. Handlers in the dog off leash area and the sport dog training area must have a visible and valid dog off leash annual pass or dog off leash daily pass.
- f. Use of shotgun shells on the trap/skeet range with shot size larger than size 7 is prohibited.
- g. Only pistols or other mechanisms incapable of discharging live ammunition may be used at the dog training area.

8. Cheyenne Mountain State Park

- a. Dogs and other pets shall be prohibited except leashed dogs and pets shall be permitted in the developed areas of the park and on the following select trails only: Acorn Alley, Bobcat Way, Raccoon Ridge, and that portion of Soaring Kestral west of the eastern most intersection with Bobcat Way. All visitors that have dogs or other pets on the select trails must have in their possession at least one waste bag per animal.
- b. Smoking shall be limited to developed areas only and shall not be permitted in the backcountry, or on the archery range, parking lot or trail system.
- c. Hunting shall be prohibited.
- d. It shall be unlawful to climb, traverse or rappel on or from rock formations.
- e. Any person 17 years of age or older who is shooting on the field/3D portion of the archery range must obtain and maintain on one's person a proper and valid daily or annual Cheyenne Mountain Park archery range individual permit.
- f. Public access is prohibited on the archery range from sunset to sunrise.
- g. Any person 16 years of age or younger entering the archery range must be under adult supervision at all times.
- h. Broadheads, crossbows, and firearms, including, but not limited to, BB guns, pellet guns, and air rifles, are prohibited on the archery range.
- i. No dogs or other pets shall be permitted on the archery range.

9. Crawford State Park

- a. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

10. Eldorado Canyon State Park

- a. The use of all portable grills and stoves (including, but not limited to, charcoal, gas, and wood) is prohibited outside of designated high-use pads.
- b. During the period beginning the Tuesday after Labor Day and continuing through March 31, only hand-held bows and shotguns loaded with birdshot may be used for hunting during hunting seasons in the western portion of the parks known as crescent meadows.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only primitive weapons (hand-held bow and muzzle-loading rifles) may be used to hunt big game animals in the western portion of Eldorado Canyon State Park known as Crescent Meadows.

11. Eleven Mile State Recreation Area

- a. It shall be unlawful, except by law enforcement officers on official duty, to operate or park snowmobiles on land or on the frozen water surface of the reservoir, unless otherwise posted at the park entrances.

- b. It shall be unlawful to operate or occupy boats on the surface of the reservoir from one-half hour after sunset until one-half hour before sunrise.
- c. It shall be unlawful to enter upon, use or occupy the islands on the reservoir.
- d. It shall be unlawful to enter, use or occupy the lands or waters of Eleven Mile State Recreation Area lying to the east of the restrictive buoy line.
- e. Water skiing is prohibited on Eleven Mile Reservoir.
- f. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

12. Fishers Peak State Park

a. Beginning October 10, 2020:

- (1) Public access is allowed only from sunrise to sunset, except as otherwise authorized in a Special Activity Permit issued in accordance with (8) of these regulations.
- (2) Visitors shall remain on the designated trails except as otherwise authorized in a Special Activity Permit issued in accordance with (8) of these regulations.
- (3) Trail use is restricted to pedestrian use only.
- (4) Pets or other domestic animals are prohibited outside of designated parking areas, except in accordance with (8) of these regulations.
- (5) Snowmobile and off-highway vehicle use are prohibited.
- (6) Parking is prohibited, except in designated areas.
- (7) Raptor nest buffers:
 - a. From December 15-July 15, all visitors must remain outside of the ½-mile buffer established for golden eagle nests as posted.
 - b. From March 15-July 15, all visitors must remain outside of a ½-mile buffer established for peregrine falcon nests as posted.
- (8) Hunting is permitted only in accordance with parts (a) through (f) below:
 - a. A Special Activity Permit authorizing access will be provided on a drawing basis as provided in these regulations. Failure to comply with the conditions stated in the permit, statutes or regulations may result in permit revocation.
 - b. Only the successful Special Activity Permit holder and one nonhunting companion are allowed on the property.
 - c. Vehicles involved in hunting use of the park are required to have a valid Colorado State Parks Pass, unless the vehicle displays a Disabled Veteran license plate.
 - d. Hired guides or outfitters are prohibited on the property.
 - e. Access is prohibited, except during the season dates specified in part (f).
 - f. For the 2020 big game season:
 - i. One (1) properly licensed EE085O1R license holder will be provided access to hunt elk during the first rifle season (10/10/2020-10/14/2020).
 - a. The EE085O1R successful Special Activity Permit holder can hunt bear on Fishers Peak State Park during the 1st rifle season if they hold a valid BE083O5R license.

- ii. One (1) properly licensed EM000U2R license holder will be provided access to hunt elk during the second rifle season (10/24/2020-11/1/2020).
 - a. The EM000U2R successful Special Activity Permit holder can hunt bear during the second rifle season on Fishers Peak State Park if they hold a valid BE083O5R license.
- iii. One (1) properly licensed DM140O3R license holder will be provided access to hunt deer during the third rifle season (11/7/2020-11/13/2020).
 - a. The DM140O3R successful Special Activity Permit holder can hunt bear during third rifle season on Fishers Peak State Park if they hold a valid BE083O5R license.
- iv. One (1) properly licensed EE085O4R license holder will be provided access to hunt elk during the fourth rifle season (11/18/2020-11/22/2020).
 - a. The EE085O4R successful Special Activity Permit holder can hunt bear on Fishers Peak State Park during the fourth rifle season if they hold a valid BE083O5R license.
- v. One (1) properly licensed LE000O1R license holder will be provided access to hunt mountain lion from 11/23/2020-3/31/2021, or until the hunter harvests a lion, or until the combined harvest limit for Game Management Units 85, 140, and 851 is filled, whichever comes first.

1342. Golden Gate Canyon

- a. No boats, rafts or other floating devices of any kind shall be permitted on lakes within Golden Gate Canyon State Park, except as part of an organized class in canoeing sponsored by the Division.
- b. In Jefferson County, excluding the 160-acre parcel known as the Vigil Ranch and the posted strip of land along Gilpin County Road 2: During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses. Provided further that hunters must visit the designated check station to check in prior to hunting and check out after hunting.

- c. During deer and elk seasons that are in the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting deer and elk may be used in areas not posted as prohibiting such use in that portion of Golden Gate Canyon State Park located in Gilpin County, otherwise known as the Green Ranch. Only hunters selected through a special drawing prior to the beginning of big game seasons are permitted to hunt the Green Ranch portion of Golden Gate Canyon State Park.

1413. Harvey Gap State Recreation Area

- a. Only hand-propelled craft, sailboats and boats with electric trolling motors or gasoline motors of 20 horsepower or less shall be permitted on Harvey Gap Reservoir.
- b. Water skiing is prohibited on Harvey Gap Reservoir.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

1514. Highline Canal State Trail

- a. No swimming, tubing or rafting shall be permitted.
- b. No fires shall be permitted.

1615. Highline Lake State Park

- a. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted on Mack Mesa Reservoir.
- b. Boats shall be prohibited on Highline Lake from the first day in October through the last day in February, except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl in the area open to hunting.
- c. Waterfowl hunting permitted in the areas and at the times posted. Only shotguns loaded with birdshot may be used for waterfowl hunting.
- d. Small game hunting permitted using only shotguns, in the areas and at the times posted.
- e. Reservations are required to hunt in accordance with #504.I.
- f. Big game hunting is prohibited.
- g. All hunters must register prior to beginning hunting and check out at the conclusion of hunting, at the hunter registration area.

1716. Jackson Lake State Park

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

1817. James M. Robb - Colorado River State Park

- a. **Colorado River Wildlife Area**
 - (1) In accordance with applicable management plans, no dogs or other pets shall be permitted, except on designated trails.
 - (2) No fires shall be permitted.
 - (3) No swimming shall be permitted.
 - (4) In accordance with applicable management plans, public access is restricted to designated roads and trails from March 15 to May 30 of each year.

- (5) No boats, rafts or other floating devices of any kind shall be permitted on lakes.
- b. Fruita, Connected Lakes, Corn Lake and Island Acres Sections**
 - (1) Except for the swim area at Island Acres, only hand-propelled craft, sailboats and boats with electric motors shall be permitted.
 - (2) Only waterfowl hunting permitted in the areas and at the times posted. All other hunting prohibited.
 - (3) Only shotguns loaded with birdshot may be used for waterfowl hunting.
 - (4) Waterfowl hunting from designated blinds only.
 - (5) Reservations are required to hunt in accordance with #504.I.
 - (6) Hunting is prohibited in Fruita and Connected Lakes sections.
- c. 34 Road Parcel**
 - (1) No public access except for waterfowl hunting on weekends during designated waterfowl hunting seasons.
 - (2) Only waterfowl hunting permitted in the areas and at the times posted. All other hunting prohibited.
 - (3) Only shotguns loaded with birdshot may be used for waterfowl hunting.
 - (4) Reservations are required to hunt in accordance with #504.I.
 - (5) Waterfowl hunting from designated blinds only.
- d. Pear Park Section**
 - (1) No boats, rafts or other floating devices of any kind shall be permitted on lakes between 30 Road and 29 Road.
 - (2) Only waterfowl hunting permitted in the areas and at the times posted. All other hunting prohibited.
 - (3) Only shotguns loaded with birdshot may be used for waterfowl hunting.
 - (4) Reservations are required to hunt in accordance with #504.I.
 - (5) Waterfowl hunting from designated blinds only.

1948. John Martin Reservoir State Recreation Area

- a. No public access shall be permitted on the north shore area of John Martin Reservoir State Recreation Area from the first day of November through March 15 of every year or as posted except to retrieve downed waterfowl.
- b. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted on Lake Hasty.
- c. No unauthorized boats, rafts, or other floating devices of any kind shall be permitted on the waters below John Martin Dam to the Arkansas River bridge.
- d. No public access shall be permitted east of the waterfowl closure line to the dam from the first day of November through March 15 of every year or as posted except to retrieve downed waterfowl.

2049. Lake Pueblo State Park

- a. Jumping, diving or swinging from cliffs, ledges or man-made structures is prohibited, including, but not limited to, boat docks, marina infrastructure and the railroad trestle in Turkey Creek.
- b. Innertubes, air mattresses and similar devices are permitted, below the dam on that part of the Arkansas River within the boundaries of Pueblo State Recreation Area. All occupants of these devices must wear a U.S. Coast Guard approved wearable personal flotation device.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

2120. Lathrop State Park

- a. Boats shall be prohibited on Horseshoe Reservoir from the first Monday in November through the last day of migratory waterfowl seasons, except as posted and except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl on the areas of such lakes open to hunting of migratory waterfowl.
- b. Water skiing is prohibited on Horseshoe Reservoir.
- c. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons west from a north-south line corresponding with the existing barbed-wire fence between Horseshoe Lake and Martin Lake.

2224. Lone Mesa State Park

- a. During any authorized big game hunting season, any lawful method of hunting deer, elk, and bear may be used in areas not posted as prohibiting such use in Lone Mesa State Park. Only hunters who possess a valid Lone Mesa State Park hunting permit are permitted to hunt.

2322. Lory State Park

- a. During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses; except that hunting is not permitted on Saturdays and Sundays.
- b. During the spring turkey hunt at Lory State Park, it shall be permitted to hunt turkey by legal methods on Mondays and Tuesdays only. All other days of the week shall be closed to spring turkey hunting.

2423. Mancos State Park

- a. Only hand-propelled craft, sailboats, boats with electric trolling motors and boats with gasoline motors operated at a wakeless speed shall be permitted on Mancos Reservoir.
- b. Water skiing is prohibited on Mancos Reservoir.

2524. Mueller State Park

- a. No dogs or other pets shall be permitted outside of the developed facilities area.
- b. It shall be unlawful, except by law enforcement officers on official duty, to operate snowmobiles and off-highway vehicles.
- c. No boats, rafts or other floating devices of any kind shall be permitted on lakes within Mueller State Park.
- d. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of controlled hunting may be used, during hunting seasons, in areas not prohibiting such use on Mueller State Park. Hunters may access the posted hunting area only from Trail 5 at the Visitor Center, Trail 11 at the Livery parking lot or Lost Pond Picnic Area and Trail 13 at the group campground. All weapons must be completely unloaded when the hunter is outside the posted hunting area boundary.

2625. Navajo State Park

- a. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

2726. North Sterling State Park

- a. Boats shall be prohibited on North Sterling Reservoir from the first Monday in November through the last day of migratory waterfowl seasons, except as posted and except that hand-propelled craft may be used to set out and pick up decoys and retrieve downed waterfowl on the areas of such lakes open to hunting of migratory waterfowl.
- b. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows and shotguns loaded with birdshot may be used for hunting in areas not prohibiting such use on North Sterling State Park, except as follows:
 - (i) Hunting is prohibited from the dam, and
 - (ii) Hunting is prohibited from the frozen surface of the lake.

2827. Paonia State Park

- a. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

2928. Pearl Lake State Park

- a. Only hand-propelled craft, sailboats, boats with electric trolling motors and boats with gasoline motors operated at a wakeless speed shall be permitted.
- b. Water skiing is prohibited on Pearl Lake.
- c. During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses.

3029. Ridgway State Park

- a. No boats, rafts, or other floating devices shall be permitted on any waters within the Pa-Co-Chu-Puk Recreation Site, below Ridgway Dam.
- b. On all areas of the park east of Highway 550: during deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and, during the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses.
- c. During any authorized hunting season from October 1 to April 30 of each year, and any approved special season, any lawful method of hunting may be used on all lands at Ridgway State Park open to public access west of Ridgway Reservoir, except that the area bounded by Dallas Creek on the south and the site closure signs on the north shall be closed to all hunting.
- d. During any authorized waterfowl hunting season from October 1 to April 30 of each year, and any approved special season, waterfowl hunting shall be permitted within the Dallas Creek Recreation Site at Ridgway State Park; except that hunting shall be prohibited between the park road and U.S. Highway 550 and in other areas posted as prohibiting such use.
- e. During approved special seasons, any lawful method of hunting may be used in the following areas (or special hunting zones) as defined:
 - (i) (Zone 1) Elk Ridge Mesa, including the closed Elk Ridge Campground, and
 - (ii) (Zone 2) That area bounded by a distance of 100 yards south of park headquarters, on the north; Ridgway Reservoir on the west; ¼ mile from Colorado Highway 550 on the south; and ¼ mile from the main park road on the east and,
 - (iii) That area bounded by Ridgway reservoir's main cove on the north; ¼ mile from the Elk Ridge road on the west; the intersection of the Elk

- Ridge and main park roads on the south; and ¼ mile from the main park road on the east at Ridgway State Park and,
- (iv) The Pa-Co-Chu-Puk Recreation site at Ridgway State Park.

3130. Rifle Falls State Park

- a. It shall be unlawful to climb, traverse, or rappel on or from rock formations.

3234. Rifle Gap State Park

- a. Hunting permitted in areas not prohibiting such use.

3332. Roxborough State Park

- a. No dogs or other pets shall be permitted.
b. No fires shall be permitted.
c. It shall be unlawful to climb, traverse or rappel on or from rock formations.

3433. Saint Vrain State Park

- a. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted, except on Blue Heron Reservoir.
b. Only hand or trailer launched vessels with electric or gasoline motors operated at a wakeless speed shall be permitted on Blue Heron Reservoir.

3534. Spinney Mountain State Recreation Area

- a. It shall be unlawful, except by law enforcement officers on official duty, to operate or park snowmobiles on land or on the frozen water surface of the reservoir, unless otherwise posted at the park entrances.
b. It shall be unlawful to operate or occupy boats on the surface of the reservoir from one-half hour after sunset until one-half hour before sunrise.
c. It shall be unlawful to enter upon, use or occupy the islands on the reservoir.
d. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between November 16 and April 30, unless the reservoir is ice-free and the area is otherwise posted as open for public use.
e. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between the hours of one hour after sunset and one-half hour before sunrise, or as otherwise posted.
f. Water skiing is prohibited on Spinney Mountain Reservoir.
g. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

3635. Stagecoach State Park

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons on the western half of the reservoir.

3736. State Forest State Park

- a. No boats, rafts or other floating devices of any kind shall be permitted on lakes within The State Forest, except that wakeless boating shall be allowed on North Michigan Reservoir.
b. Only hand-propelled craft, sailboats, boats with electric trolling motors and boats with gasoline motors operated at a wakeless speed shall be permitted on North Michigan Reservoir.
c. Water skiing is prohibited on North Michigan Reservoir.
d. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

3837. Staunton State Park

- a. No boats, rafts or other floating devices of any kind shall be permitted on lakes within the park.

3938. Steamboat Lake State Park

- a. During deer and elk seasons, any lawful method of hunting may be used for hunting such big game; and from the Tuesday after Labor Day through the Friday prior to Memorial Day, any lawful method of hunting may be used during hunting seasons for small game, in areas not posted as prohibiting such use or uses.

4039. Sweitzer Lake State Park

- a. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

4140. Sylvan Lake State Park

- a. Only hand-propelled craft, sailboats and boats with electric motors shall be permitted.
- b. Water skiing is prohibited on Sylvan Lake.
- c. During any hunting season all year, lawful methods of hunting may be used in areas not prohibiting such use.

4241. Trinidad Lake State Park, Archery Range

- a. Dogs or other pets are prohibited.
- b. Smoking is prohibited.
- c. Broadheads, crossbows, and firearms, including, but not limited to, BB guns, pellet guns, and air rifles are prohibited.
- d. Any person 16 years of age or younger, must be under the direct supervision of an adult at all times.
- e. Public access is prohibited between sunset and sunrise.
- f. During the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day, only bows and arrows including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

4342. Vega State Park

- a. Hunting permitted beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day.
- b. Only bows and arrows, including crossbow and hand-held bow, unless otherwise restricted, and shotguns loaded with birdshot may be used for hunting during hunting seasons, and only in areas not posted as prohibiting such use.

MAILING - 08/21/2020
Basis and Purpose
Chapter P-1 - Parks and Outdoor Recreation Lands

Basis and Purpose:

At its September 2-3, 2020 meeting, the Colorado Parks and Wildlife Commission adopted emergency rules affecting Chapter P-1 (Parks and Outdoor Recreation Lands, 2 CCR 405-1) and related provisions of Chapter P-7 (Passes, Permits and Registrations, 2 CCR 405-7). The emergency rules temporarily allow for park-specific 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.

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” 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 “[e]stablish parks and outdoor recreation uses for the areas, lakes, properties, and facilities under its control or which may be acquired or come under its control or supervision after July 1, 1972, where such areas, lakes, properties, or facilities are suitable for such uses” (CRS, § 33-10-106(1)(c)) and the duty to “promulgate rules and orders relating to parks...” (CRS, § 33-10-106(1)(a)).

The 19,200-acre Fishers Peak property is located south of the City of Trinidad in Las Animas County, Colorado. Colorado Parks and Wildlife (CPW) acquired the property on April 1, 2020 from The Nature Conservancy (TNC) and The Trust for Public Land (TPL) to become Colorado’s next state park. CPW is currently working with its partners (TNC, TPL and the City of Trinidad) to develop a master plan for the state park.

While the master planning process is taking place and in the interim, CPW wishes to offer some, limited day-use public access to the property beginning on October 10, 2020. The regulations adopted at the September 2-3, 2020 Commission meeting are necessary 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. These park-specific regulations pertain to individual passes, day-use and trail limitations, pets and livestock, raptor nest buffers and limited hunting access for the 2020 season. Adopting these emergency regulations, allows the Commission to open Fishers Peak State Park in time to allow hunters access for first rifle elk season, which starts on October 10, 2020.

Absent the emergency rules, the Division would be unable to offer this limited public access to the Fishers Peak property starting on October 10, 2020. Accordingly, the emergency rules are necessary for the use, benefit, and enjoyment of the people of this state.

Notice of the proposed emergency rule-making was posted on the CPW website, and at Regional Service Centers, and Area Service Centers (area offices) where possible, indicating the Commission would consider the emergency regulations at its meeting on September 2-3, 2020 and written comments would be accepted prior to that date.

The statements of basis and purpose for these regulations can be obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing dnr_cpw_planning@state.co.us. The statements of basis and purpose are 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.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Parks Act, §§ 33-10-101 to 33-33-113, C.R.S., and specifically including, but not limited to: §§ 33-10-106, 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 3RD DAY OF SEPTEMBER, 2020.

**APPROVED:
Marvin McDaniel
Chair**

**ATTEST:
Marie Haskett
Secretary**

EMERGENCY REGULATIONS - CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS

ARTICLE I - GENERAL PROVISIONS AND FEES RELATING TO PASSES, PERMITS AND REGISTRATIONS

INDIVIDUAL PASSES

701 - INDIVIDUAL PASSES

1. Individuals entering state recreation areas and state parks by means other than a motor vehicle, such as on foot, bicycle, horseback, etc., may enter without purchasing a parks pass, except as otherwise required by these regulations. No individual pass shall be required under the circumstances identified in regulation # 700-2.a. through # 700-2.e. and # 700-2.g. through # 700-2.i.
2. A Columbine, Centennial, Blue Spruce, Independence, Volunteer or Military Pass is issued to an individual person and not a specific vehicle. These shall authorize entrance by motor vehicle, when and where motor vehicle access is permitted, to all state recreation areas and state parks or for other forms of individual access, when in possession of the pass holder. Such authorization shall apply to the holder of the pass and all the passengers in, and the driver of, the motor vehicle carrying the holder of such pass. The pass must be continuously displayed in the manner described on the pass. A Columbine, Centennial, Blue Spruce, Independence, Volunteer or Military Pass is transferable from motor vehicle to motor vehicle as long as the pass holder is present in the vehicle.
3. Any resident of the state who is a first responder with a permanent occupational disability as defined in state statute 33-4-104.5 (2) may obtain, free of charge, a Blue Spruce annual pass, also known as a Columbine annual pass for first responders pursuant to 33-12-103.5 (2.5), C.R.S. The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-1-102 (38) (a), C.R.S.
 - a. In order to qualify for a Blue Spruce annual parks pass, a resident must provide the following written proof to the Division:
 - (1) The "Initial Disability Administration Decision" form from the Fire and Police Pension Association that specifies a permanent occupational disability; or
 - (2) For residents that are not members of the Fire and Police Pension Association, a fully completed Division "First Responder Affidavit" signed by the applicant attesting to the fact that their permanent disability or disease was obtained while on active-duty.
4. A disabled resident may obtain an Independence annual parks pass pursuant to 33-12-106 (1) (b), C.R.S. An Independence annual parks pass shall be issued following the Division's receipt of a completed application from a qualified resident of the state. The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-10-102 (21), C.R.S.
 - a. In order to qualify for an Independence annual parks pass, a resident must provide the following written proof to the Division:
 - (1) DD 214 Form or other documentation indicating the veteran received an Honorable Discharge from a branch of the Armed Services of the United States, **AND**

- (2) A qualification letter, on official stationary/letterhead, from the Veteran's Administration, Department of Veteran's Affairs, or the branch of service from which the veteran is receiving compensation that states one of the following:
 - a. 50% or greater, service-connected permanent disability;
 - b. Loss of use of one or both feet;
 - c. Loss of use of one or both hands; or a
 - d. Loss of vision in both eyes.

5. A disabled resident may obtain a Columbine annual pass pursuant to 33-12-103.5, C.R.S. A resident who qualifies for a Centennial annual pass may obtain such pass as provided for in this regulation. A Columbine or a Centennial annual parks pass shall be issued following the Division's receipt of a completed application from a qualified resident of the state and the payment of the necessary fee. The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-10-102 (21), C.R.S.

- a. In order to qualify for a Columbine annual parks pass, a resident must provide the following written proof to the Division:
 - (1) A "Final Admission of Liability" form from the Division of Workers Compensation that indicates a total and permanent disability; or
 - (2) A fully completed Division "Physician's Affidavit" signed by a licensed physician attesting that the resident meets the definition of a total and permanent disability. A "**total and permanent disability**" shall mean any physical or mental impairment which prevents substantial gainful employment, but only if it is reasonably certain that such a disability will continue throughout the lifetime of the disabled person.
- b. In order to qualify for a Centennial annual parks pass, a resident must show a photo identification card and provide written proof, in the form of a federal income tax return from the immediately preceding calendar year, that the federal total annual income of such individual is at or below the threshold amount, based on the number of dependents, for a state parks Centennial annual pass. The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-10-102 (21), C.R.S.

The federal total annual income amounts, based on the number of dependents, cannot be greater than those listed in the poverty guidelines set forth in the *Federal Register Volume 82, Number 19* (January 31, 2017) issued by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, Room 422F.5, Humphrey Building, Department of Health and Human Services, Washington, DC 20201 under the authority of 42 U.S.C. 9902(2). This federal guideline, but not later amendments to or editions thereof, has been incorporated by reference. Information regarding how and where the incorporated materials may be examined, or copies obtained, is available from:

Regulations Manager
Policy and Planning Unit
Colorado Division of Parks and Wildlife
1313 Sherman Street, Room 111
Denver, Colorado 80203

If the individual's income is at a level where he or she was not required to file a federal income tax return for the immediately preceding calendar year, such individual shall sign a statement under penalty of perjury in the second degree to such effect. No such affidavit shall be required to be notarized.

- c. The Columbine, Centennial, Independence, and Blue Spruce annual parks pass application shall be on a form provided by the Division. Blank applications shall be available, during regular business hours, at the Divisions' regional offices, Denver offices, and service centers.
- d. Individuals applying to the Division for a Columbine, Centennial, Independence, or Blue Spruce annual parks pass must provide the following information:
 - (1) Full name and address, including city, county, state and zip code; and
 - (2) Phone number, unless the phone number is unlisted or non-published; and
 - (3) Date of birth and age; and
 - (4) Physical description, including sex, height, weight, hair and eye color; and
 - (5) Applicant's signature and date of application; and
 - (6) If applying for a Columbine annual parks, information concerning the nature of the applicant's disability, together with supporting evidence of the same.
 - (7) If applying for a Centennial annual parks pass, information concerning the applicant's total annual income and number of dependents, together with supporting evidence of the same.
 - (8) If applying for a Blue Spruce annual parks pass, information concerning the applicant's first responder service and disability, together with supporting evidence of the same.
 - (9) If applying for an Independence annual parks pass, required documentation supporting veteran's status and disability qualifications.
- e. The Columbine, Centennial, Independence, and Blue Spruce annual parks pass application form shall contain language explaining that the completed and signed application, once submitted to the Division, will be treated in all respects as a sworn statement. The form shall also contain an oath that includes an affirmation attesting to the truth of that which is stated, the applicant is aware that statements made are intended to be represented as true and correct statements, and that false statements are punishable by law.
- f. At the time that an application for a Columbine or a Centennial annual parks pass is submitted to the Division, the appropriate fee shall also be paid.
- g. Pending the issuance of a Columbine, Centennial, Independence, or Blue Spruce annual parks pass, possession on the applicant of a bona fide copy of the application permits the applicant and others in the motor vehicle carrying the applicant entrance by motor vehicle to all state parks and state recreation areas, when and where motor vehicle access is permitted, for a period of thirty days following the date of filing the application with the

Division or until receipt of notice from the Division either granting or denying the application request, whichever period of time is shorter.

- h. Within 15 days of the Division's receipt of a completed Columbine or Centennial annual parks pass application and the appropriate fee payment, or Blue Spruce or Independence annual parks pass application, the Division shall review and approve or deny the application.
 - (1) Completed applications shall be approved if the minimum qualifications set forth in this regulation are met.
 - (2) Conversely, if the minimum qualifications are not met, then the application shall be denied. The applicant shall be notified in writing within five working days upon denial of a request. Such written notification shall include an explanation of the basis for denial and a refund of any fee paid.
 - (3) The applicant may appeal this decision to the Division Director by notifying the Director in writing within sixty days of the Division's mailing of the denial notice. A faster appeal will be necessary when the calendar year will end prior to the expiration of the sixty-day appeal period.
 - (4) The address utilized by the Division for all mailings associated with the processing of a Columbine, Centennial, Independence, or Blue Spruce annual parks pass application shall be the address indicated on the application.
- i. If a Columbine, Centennial, Independence, or Blue Spruce annual pass is lost or destroyed during the period of time that it would otherwise would have been valid, the person to whom the pass was issued may obtain a duplicate thereof, upon signing an affidavit reciting where and by whom it was issued and circumstances under which it was lost.
 - (1) Upon payment of a fee of \$5.00, a new pass may be issued only by the Division to the original owner of such Columbine or Centennial annual pass.
- 6. The receipt for the annual affixed vehicle pass or state parks annual transferable pass shall be used as an individual annual pass for visitors entering the Arkansas Headwaters Recreation Area, Barr Lake, Crawford, Colorado State Forest, Eldorado Canyon, Elkhead Reservoir, [Fishers Peak \(beginning October 10, 2020\)](#), Harvey Gap, Highline Lake, James M. Robb - Colorado River, Lory, Pearl Lake, Rifle Gap, Rifle Falls, Stagecoach, Steamboat Lake, Sweitzer Lake, Sylvan Lake, Trinidad Lake, Vega and Yampa River State Parks.
- 7. Individual daily pass fees are as follows:
 - a. A fee of \$4.00 per person for any person of the age of sixteen or more years shall be charged for a daily pass for all visitors entering Barr Lake, Crawford, Colorado State Forest, Eldorado Canyon, Elkhead Reservoir, [Fishers Peak \(beginning October 10, 2020\)](#), Harvey Gap, Highline Lake, James M. Robb - Colorado River, Lory, Pearl Lake, Rifle Gap, Rifle Falls, Stagecoach, Steamboat Lake, Sweitzer Lake, Sylvan Lake, Trinidad Lake, Vega and Yampa River State Parks, except those entering the park in a motor vehicle with a valid annual parks pass or state parks annual transferable pass.
 - b. A fee of \$4.00 per person for any person of the age of sixteen or more years shall be charged for a daily pass for all visitors entering the developed and posted fee sites of Arkansas Headwaters Recreation Area, except those entering the park in a motor vehicle with a valid annual parks pass or state parks annual transferable pass.

8. Volunteers for Colorado Parks and Wildlife are eligible for a volunteer park pass while serving in accordance with a signed individual volunteer agreement and after donating a minimum of 48 hours of approved volunteer service within a previous consecutive 12-month period.
 - a. The volunteer park pass is valid for one year from the date of issue.

9. Volunteers for Colorado Parks and Wildlife who are 64 years of age or older, regardless of their state of residence, are eligible for the senior volunteer park pass while serving in accordance with a signed individual volunteer agreement and after donating a minimum of 48 hours of approved volunteer service within a previous consecutive 12-month period.
 - a. The senior volunteer park pass is valid for one year from the date of issue.

10. A veteran is eligible for a no fee individual military pass during the month of August.
 - a. In order to qualify for the no fee individual military pass, a veteran, reserve, or active duty member of any branch of the armed forces of the United States, must provide at least one form of past or present military identification to the Division in order to receive the free Military pass. 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.

11. A no-fee individual "Check Out State Parks" Library Program Pass is available for check out from Colorado libraries.

708 - PASS AND PERMIT FEE SCHEDULE

1. The fees for the types of vehicle passes issued by the Division are as follows.
 - a. Aspen leaf annual pass.....\$70.00
 - b. Annual affixed vehicle pass.....\$80.00
 - c. State parks annual transferable pass\$120.00
 - d. Each additional annual affixed vehicle pass for noncommercial vehicles.....\$40.00
 - (1) Each additional Aspen Leaf vehicle pass for noncommercial vehicles.....\$35.00
 - e. Each replacement annual affixed vehicle pass.....\$5.00
 - f. Each replacement state parks annual transferable vehicle pass\$60.00

- g. Each daily vehicle pass (exceptions follow).....\$9.00
 - (1) At Cherry Creek, Chatfield, and Boyd Lake State Recreation Areas, and Eldorado Canyon State Parks.....\$10.00
 - h. Each daily vehicle pass for a passenger van or bus operated by a commercial business:
 - (1) carrying up to fifteen passengers.....\$10.00
 - (2) carrying sixteen to thirty passengers.....\$40.00
 - (3) carrying more than thirty passengers.....\$50.00
2. The fees for the types of individual passes issued by the Division are as follows. Eligibility requirements are stated in regulation # 701.
- a. Columbine or Centennial annual pass.....\$14.00
 - b. Each replacement Columbine or Centennial annual pass.....\$5.00
 - c. Individual daily passes (applies to persons sixteen years of age or older) for Barr Lake, Crawford, Colorado State Forest, Eldorado Canyon, Elkhead Reservoir, [Fishers Peak \(beginning October 10, 2020\)](#), Harvey Gap, Highline Lake, James M. Robb - Colorado River, Lory, Pearl Lake, Rifle Gap, Rifle Falls, Stagecoach, Steamboat Lake, Sweitzer Lake, Sylvan Lake, Trinidad Lake, Vega and Yampa River State Parks and Arkansas Headwaters Recreation Area.....\$4.00
3. The fees associated with special activities, as provided for in regulation # 703 are:
- a. Special activity alternate individual fee (applies to groups of twenty or more people in size).....\$4.00
 - b. Special activity application filing fee.....\$30.00
 - c. Arkansas Headwaters Recreation Area special activity application filing fees:
 - 1. Standard.....\$30.00
 - 2. Commercial boating.....\$400.00
 - 3. Other commercial activities, such as walk and wade fishing, shuttle services, imaging, vendor services, hiking, mountain biking and rock climbing.....\$250.00
4. The fees for the type of campground-use permits issued by the Division are as follows. Campground classes are defined in regulation # 704. These fees do not include any applicable accommodations tax.
- a. Campground-use permit for "Full Hookup Campgrounds"\$41.00/night
 - b. Campground-use permit for "Electrical Campgrounds"\$36.00/night
 - c. Campground-use permit for "Basic Campgrounds"\$28.00/night

- d. Campground-use permit for "Primitive Campgrounds"\$18.00/night
5. The fees for reduced rate Aspen Leaf and senior Columbine, Centennial, Independence, Blue Spruce or Volunteer park pass campground-use permits issued by the Division are as follows. Eligibility requirements are stated in regulation # 701, # 705 and # 712. Reduced rates are offered all days of the year when the campground is open, except weekends and holidays. These fees do not include any applicable accommodations tax.
- a. Campground-use permit for "Full Hookup Campgrounds"\$38.00/night
 - b. Campground-use permit for "Electrical Campgrounds"\$33.00/night
 - c. Campground-use permit for "Basic Campgrounds"\$25.00/night
 - d. Campground-use permit for "Primitive Campgrounds"\$15.00/night
6. The fees for types of campground-use areas are as follows. Campground classes are defined in regulation # 704. These fees do not include any applicable accommodations tax.
- a. In group camp areas of "Full Hookup Campgrounds," the fee shall be \$41.00 per night per campsite assigned to such group area.
 - b. In group camp areas of "Electrical Campgrounds," the fee shall be \$36.00 per night per campsite assigned to such group area.
 - c. In group camp areas of "Basic Campgrounds," the fee shall be \$28.00 per night per campsite assigned to such group area.
 - d. In group camp areas of "Primitive Campgrounds," the fee shall be \$18.00 per night per campsite assigned to such group area.
7. The fees for types of cabins and yurts are as follows. These fees do not include any applicable accommodations tax:
- a. For small cabins and yurts that may accommodate a maximum of six people:
 - (1) Standard.....\$90.00/night
 - (2) Premium.....\$120.00/night
 - b. For large cabins and yurts that may accommodate seven or more people:
 - (1) Standard.....\$120.00/night
 - (2) Premium two bedroom.....\$150.00/night
 - (3) Premium three bedroom.....\$190.00/night
 - (4) Premium four bedroom.....\$250.00/night
 - (5) Each additional premium bedroom over four bedrooms.....\$60.00/night
 - c. For Mueller State Park Cabins and Harmsen Ranch at Golden Gate Canyon State Park:

- (1) Premium two bedroom.....\$150.00/night
 - (2) Premium three bedroom.....\$210.00/night
 - (3) Premium four bedroom.....\$270.00/night
- d. The maximum occupancy shall be posted in each cabin and yurt.
 - e. There shall be an additional fee of \$10.00/night for pets where pets are allowed. For barn and corral facilities, there shall be a boarding fee of \$10.00/animal/night.
 - f. Premium facilities contain showers and flush toilets.
8. The fees associated with the reservation system for phone or internet sales are as follows:
- a. Each reservation change or cancellation.....\$6.00/each
 - (1) For cancellations made fourteen days or more prior to the beginning date of the reservation, the cancellation fee will be charged.
 - (2) For cancellations made less than fourteen days prior to the beginning date of the reservation, the cancellation fee will be charged as well as the first night's camping fee.
 - b. On-park facility reservation fee.....\$10.00/facility
 - (1) For group camping areas, group picnic areas, and event facilities, the cancellation fees shall be as described in regulations # 704, # 706, and # 708, respectively.
9. The group picnic area permit fees for the permits issued by the Division are as follows. Group picnic area classes are defined in regulation # 706.
- a. Permit for "Class A - Deluxe Group Picnic Area"\$150.00
 - b. Permit for "Class B - Improved Group Picnic Area"\$100.00
 - c. Permit for "Class C - Basic Group Picnic Area"\$50.00
10. Event facility permit fees are as follows.
- a. For Bridge Canyon Overlook and Pikes Peak Amphitheater at Castlewood Canyon State Park, Prairie Falcon Amphitheater at Cheyenne Mountain State Park, Panorama Point at Golden Gate Canyon State Park, Soldier Canyon Shelter at Lory State Park, and Lyons Overlook at Roxborough State Park:
 - (1) Monday through Friday.....\$150.00/2 HOURS
 - (2) Saturday and Sunday.....\$300.00/2 HOURS
 - b. For event facilities numbers 1 and 3 at Castlewood Canyon State Park and Timber Event Facility at Lory State Park:

- (1) Monday through Friday.....\$100.00
- (2) Saturday and Sunday.....\$150.00
- c. For event facility number 2 at Castlewood Canyon State Park, Fountain Valley Overlook at Roxborough State Park and South Eltuck Event Facility at Lory State Park:
 - (1) Monday through Friday.....\$75.00
 - (2) Saturday and Sunday.....\$125.00
- d. For the Red Barn at Golden Gate Canyon State Park:
 - (1) Monday through Friday.....\$150.00
 - (2) Saturday and Sunday.....\$200.00
- e. For Mariner Point at Boyd Lake State Park:
 - (1) Monday through Friday.....\$90.00
 - (2) Saturday, Sunday, and holidays.....\$180.00
- f. For Prairie Skipper event facility at Cheyenne Mountain State Park:
 - (1) Monday through Friday\$150.00/DAY
 - (2) Saturday and Sunday.....\$200.00/DAY
- g. For PA-CO-CHU-PUK event facilities at Ridgway State Park:
 - (1) Single event shelter A or B:
 - (a) Monday through Thursday.....\$125.00 plus \$10 non-refundable reservation fee/DAY
 - (b) Friday through Sunday and holidays\$190.00 plus \$10 non-refundable reservation fee/DAY
- h. For Overlook event facility at Ridgway State Park:
 - (1) Monday through Thursday.....\$190 plus \$10 non-refundable reservation fee/ 4 HOURS
 - (2) Friday through Sunday and holidays....\$240 plus \$10 non-refundable reservation fee/ 4 HOURS
- i. Conference and/or meeting rooms.....\$100.00/DAY
- j. Cancellation fees for event facility reservations are equal to 25% of the base fee if the cancellation is made more than fourteen days prior to the reserved date. If a cancellation is made within fourteen days prior to the event, the cancellation fee shall be 100% of the total event permit fee.

- k. The maximum occupancy and hours of operation shall be posted at each event facility.
11. The fees associated with dog off leash areas at Chatfield State Park and Cherry Creek State Park, as provided for in regulation # 100 are:
 - a. Dog off-leash annual pass.....\$25.00
 - b. Dog off-leash daily pass.....\$3.00
 12. The fee associated with the mandatory youth education course for motorboat operators...\$15.00
 13. The fees associated with the Cheyenne Mountain State Park Field/3D Archery Range are as follows:
 - a. Daily individual archery range permit.....\$3.00
 - b. Annual individual archery range permit.....\$30.00
 14. The fees associated with the Cameo Shooting and Education Complex are as follows:
 - a. Individual passes:
 - (1) Individual day use pass (single day)\$12.00
 - (2) Individual day use pass (5 consecutive days)\$48.00
 - (3) Individual day use pass (10 consecutive days)\$84.00
 - (4) Individual annual pass\$150.00
 - (5) Individual three-year pass\$400.00
 - b. Youth (ages 7-17) individual passes:
 - (1) Youth individual day use pass (single day)\$3.00
 - (2) Youth individual day use pass (5 consecutive days) \$12.00
 - (3) Youth individual day use pass (10 consecutive days).....\$21.00
 - (4) Youth individual annual pass \$50.00
 - c. Two adult (Buddy) passes:
 - (1) Two adult day use passes (single day)\$20.00
 - (2) Two adult day use passes (5 consecutive days)\$80.00
 - (3) Two adult day use passes (10 consecutive days)\$140.00
 - (4) Both adult passes must be used on the same day(s).
 - d. Family passes (Two adults and all children (ages 7-17) that live at the same address):

(1) Family annual pass\$300.00

(2) Family three-year pass\$600.00

e. Group day use passes:

(1) Day use passes for 10 to 19 individuals\$9.00/person

(2) Day use passes for 20 to 29 individuals\$7.00/person

(3) Day use passes for 30 or more individuals\$3.00/person

f. Corporate passes:

(1) Annual corporate pass (10 unassigned passes per day) ...\$3,000.00

g. All annual passes for the Cameo Shooting and Education Complex are valid 365 days from the date of purchase.

15. It is unlawful for any person to transfer, sell, or assign any pass or permit issued by the Division, including special activity permits, campground use permits, and group picnic area permits, unless otherwise permitted by these regulations.

Basis and Purpose:

At its September 2-3, 2020 meeting, the Colorado Parks and Wildlife Commission adopted emergency rules affecting Chapter P-1 (Parks and Outdoor Recreation Lands, 2 CCR 405-1) and related provisions of Chapter P-7 (Passes, Permits and Registrations, 2 CCR 405-7). The emergency rules temporarily allow for park-specific 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 year 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.

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” 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 “[e]stablish parks and outdoor recreation uses for the areas, lakes, properties , and facilities under its control or which may be acquired or come under its control or supervision after July 1, 1972, where such areas, lakes, properties, or facilities are suitable for such uses” (CRS, § 33-10-106(1)(c)) and the duty to “promulgate rules and orders relating to parks...” (CRS, § 33-10-106(1)(a)).

The 19,200-acre Fishers Peak property is located south of the City of Trinidad in Las Animas County, Colorado. Colorado Parks and Wildlife (CPW) acquired the property on April 1, 2020 from The Nature Conservancy (TNC) and The Trust for Public Land (TPL) to become Colorado’s next state park. CPW is currently working with its partners (TNC, TPL and the City of Trinidad) to develop a master plan for the state park.

While the master planning process is taking place and in the interim, CPW wishes to offer some, limited day-use public access to the property beginning on October 10, 2020. The regulations adopted at the September 2-3, 2020 Commission meeting are necessary 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. These park-specific regulations pertain to individual passes, day-use and trail limitations, pets and livestock, raptor nest buffers and limited hunting access for the 2020 season. Adopting these emergency regulations, allows the Commission to open Fishers Peak State Park in time to allow hunters access for first rifle elk season, which starts on October 10, 2020.

Absent the emergency rules, the Division would be unable to offer this limited public access to the Fishers Peak property starting on October 10, 2020. Accordingly, the emergency rules are necessary for the use, benefit, and enjoyment of the people of this state.

Notice of the proposed emergency rule-making was posted on the CPW website, and at Regional Service Centers and Area Service Centers (area offices) where possible, indicating the Commission would consider the emergency regulations at its meeting on September 2-3, 2020 and written comments would be accepted prior to that date.

The statements of basis and purpose for these regulations can be obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing dnr_cpw_planning@state.co.us. The statements of basis and purpose are 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.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Parks Act, §§ 33-10-101 to 33-33-113, C.R.S., and specifically including, but not limited to: §§ 33-10-106 and 33-10-107, 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 3RD DAY OF SEPTEMBER, 2020.

**APPROVED:
Marvin McDaniel
Chair**

**ATTEST:
Marie Haskett
Secretary**