

ISSUES SUBMITTAL FORM

Date:		December 9, 2020
ISSUE:	Should all water contact activities at Douglas Reservoir SWA be prohibited unless actively fishing?	
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):		
<p>Douglas Reservoir SWA is a 765-acre SWA located north of the city of Fort Collins in Larimer County. CPW leases the property from the Windsor Canal Company. The lease states only fishing and watchable wildlife recreational uses are permitted. The lease further prohibits water sports recreation.</p> <p>Over the last several years, as the population in and around Fort Collins has grown so too have the recreational demands on Douglas Reservoir. There has been a dramatic increase in water sports recreational, such as stand up paddleboards, which has led to conflicts on the lake and with the surrounding neighbors. Area 4 officers and other field staff cannot keep up with the recreational pressure and are continually fielding complaints from the public and neighbors. Area 4 officers have worked hard to educate the public about the property but it has not solved the issue.</p> <p>CPW was served papers on June 8, 2020 from the Dow Law Firm, representing the Windsor Canal Company, in regards to recreational activities at Douglas Reservoir that were allegedly in violation of the lease.</p> <p>We propose adding more specific language to Chapter 9 regulations prohibiting activities not allowed in the lease. Specifically, vessels and single chambered air inflated devices, and all other water contact should be prohibited unless actively fishing.</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>		
Internal- Field personnel		
External- Windsor Canal Company, General public, anglers, adjacent landowners		
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):		
<p>1. *Preferred Alternative*: prohibit the use of vessels, single chambered air inflated devices, and all water contact at Douglas Lake State Wildlife Area unless actively fishing.</p> <p>2. Status quo - continue to allow all general water recreation sports.</p>		
Issue Raised by:	Area 4 Field Staff	
Author of the issue paper (if different than person raising the issue):	Jason Surface	
CC:	Mark Leslie, Kristin Cannon	
APPROVED FOR FURTHER CONSIDERATION BY:	Mark Leslie	
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	Northeast Region/Area 4	
RECOMMENDED FOR CONSENT AGENDA?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

ISSUES SUBMITTAL FORM

	Date: December 9, 2020
ISSUE: Should unsafe activities be prohibited at Watson Lake State Wildlife Area?	
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>Watson Lake State Wildlife Area is a 44-acre fee title property outside of Bellvue in Larimer County. The property is along the Poudre River and in 2018 in partnership with Morning Fresh Dairy/Noosa yogurt, Northern Water, and other NGOs, CPW constructed a fish passage ladder on an existing diversion. Since the installation of the fish ladder, there have been some safety issues that have arisen in terms of recreation around the fish ladder. CPW staff added signs to the property to advise the public of these issues and feels it is appropriate to add language to Chapter 9 regulations to prohibit the unsafe activities.</p> <p>There are two sets of stairs that were put in to allow someone floating the river to take out before encountering one of two low head dams in the river. Low head dams are extremely dangerous and there was a drowning along this stretch of the river that led to a lawsuit filed against CPW. These steps are not intended to be used to launch anything on the river. CPW has installed signs but added language in Chapter 9 prohibiting the launching of any vessel or inflatable device could further protect the safety of visitors to the SWA.</p> <p>Additional regulations prohibiting climbing on or fishing from the fish ladder are also necessary to ensure safety of visitors to the SWA. The velocity of water that can travel through the ladder at times can be extremely dangerous if someone were to fall in. It is also a concrete structure and someone could be severely injured if they fell from the structure.</p> <p>We propose adding language to the regulations for Watson Lake SWA that would prohibit unsafe behavior on or around the fish passage ladder.</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:	
IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED.	
Internal: CPW Field Staff and hatchery staff	
External: General public and anglers	
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<p>1. *Preferred Alternative*: Add the following language to 901.B.249:</p> <ul style="list-style-type: none"> ● The launching of any vessel or inflatable single chambered flotation device is prohibited on the stretch of the Cache La Poudre River that runs through Watson SWA. ● Access onto the fish passage structure located on the northeast side of the SWA is prohibited. ● Fishing from the walls or fishing in the fish passage is prohibited. <p>2. Status quo: Use educational signage to warn visitors to Watson Lake SWA of potential risks associated with the river and structures only.</p>	
Issue Raised by:	Area 4 field staff
Author of the issue paper (if different than person raising the issue):	Jason Surface
CC:	Mark Leslie, Kristin Cannon
APPROVED FOR FURTHER CONSIDERATION BY:	Mark Leslie

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	Northeast Region/Area 4
RECOMMENDED FOR CONSENT AGENDA?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

ISSUES SUBMITTAL FORM

Date:

December 9, 2020

ISSUE:	Should property-specific regulations be added for the Brett Gray Ranch State Trust Land to specify access points and parking areas as well as clarifying camping restrictions on the property?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>The Brett Gray Ranch is a 49,501-acre parcel of State Trust Land leased by Colorado Parks and Wildlife for big game and small game hunting. It is currently open for hunting from September 1 to the end of February. The parcel is in Game Management Unit (GMU) 119 in Lincoln County near the town of Rush, and it is the only piece of public land accessible to hunters in the GMU. The property opened to the public in October 2019.</p> <p>Prior to the opening of the property to the public, Colorado Parks and Wildlife had several meetings with the State Land Board (SLB), The Nature Conservancy (TNC), and Round River Cattle Company. TNC has the primary agricultural lease and Round River Cattle Company has the secondary agricultural lease. In the initial meetings, the lessees expressed concerns about overcrowding and property damage. Additionally, TNC noted that they hold a 23,000-acre conservation easement on the property and would not allow establishment of parking areas on the easement. To address these concerns, CPW agreed that sportspeople would be required to access the property through four designated parking areas outside of the easement for the 2019 season. These parking areas were maintained by CPW, including mowing vegetation to prevent grass fires and providing access through or over the fence to eliminate potential fencing damage.</p> <p>All established parking areas also featured signs explaining access and use restrictions. Throughout the 2019 hunting seasons, CPW Wildlife Officers educated sportspeople about the access and parking restrictions through verbal warnings to dozens of hunters who accessed the property from outside of the established parking areas. However, several hunters expressed concern about the limited number of access points on the property.</p> <p>In August 2020, CPW was able to install three additional designated roadside parking areas for the ranch, which did not impact the conservation easement as they were within the county road easement. However, during the 2020 season, hunters continued to park and access the property from outside the established parking areas. This was a concern for both CPW and the Round River Cattle Company. The concerns included 1) potential for grass fires caused by hot undercarriages, 2) damage to the boundary fences, and 3) people shooting from the boundary fence. In addition, vehicles blocked gates and pulled campers onto the property.</p> <p>The property-specific restriction in the Colorado State Recreation Lands brochure states, "Foot access only, through designated parking areas only." It was brought to our attention that the restriction only specified the access of the property but not the parking or camping. Under these restrictions, an individual could park outside of the established parking area as long as they were accessing through the designated parking areas.</p> <p>Since 2019, access to the Brett Gray Ranch has always been a concern as well as an issue. Since we now have 7 designated parking areas, we feel that the access and amount of access is adequate. We think that by rewording the regulation to access AND parking in designated parking areas only, would clarify any confusion on where sportspeople need to park and access the property. The regulation prohibiting camping on the property is already covered under the state trust lands access program rules (2 CCR 406 9-#902 C.4) and in the Colorado State Recreation Lands Brochure. However, staff feel that if the restriction is spelled out for the specific property in 2 CCR 406 9-#903A, along with prohibited overnight parking, this will help sportspeople better understand the regulations and minimize violations.</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:

***IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED*.**

Stakeholders include:

- 1) State Land Board: See discussion above for outreach efforts.
- 2) Round River Cattle Company: We have had discussions with Louis Martin, who is the ranch manager.
- 3) GMU 119 hunters: We contacted hunters during the 2019 and 2020 hunting seasons. We listened to their frustrations and concerns and proposed solutions. The hunters were very receptive to the solutions that were given.

ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):

- 1) **Preferred Alternative:** Add the following to property-specific regulations (2 CCR 406 9-#903 A)

Brett Gray Ranch – Lincoln County

- a. Access to the property is from designated parking areas only
- b. Parking is in designated parking areas only
- c. Camping prohibited on the property
- d. Foot access only
- e. No overnight parking

- 2) Status Quo: No change in regulations for the Brett Gray.

**Author of the issue paper
(if different than person raising the issue):**

Philip Gurule

CC:

APPROVED FOR FURTHER CONSIDERATION BY:

Brett Ackerman

REQUIRES NEW SPACE IN THE BROCHURE?

YES NO

ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?

YES NO

REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION

SE Region

RECOMMENDED FOR CONSENT AGENDA?

YES NO

ISSUES SUBMITTAL FORM

Date: December 9, 2020

ISSUE:	Should fires and hunting be prohibited at Sands Lake State Wildlife Area and the adjoining CPW property located downstream of Colo. Hwy 291 bridge to Chaffee County Road 175?
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DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):

The Sands Lake State Wildlife Area (SWA) is a small parcel of property northeast of Chaffee County Road 175 that is owned in fee title by CPW. The parcel is a narrow strip of land bordered on the north by the Arkansas River and the west by Colorado Highway 291. Camping is currently prohibited at Sands Lake SWA.

Sands Lake SWA adjoins the Salida city limits and fires on this SWA would pose a potential risk or hazard to nearby structures and homes. There are no developed fire rings or infrastructure to allow for safe and contained building of an outdoor fire.

This past big game season, two deer were harvested in this small wildlife area prompting calls from concerned citizens about the safety of allowing the discharge of firearms adjacent to the Salida city limits and across the highway from the Heart of the Rockies Regional Medical Center. This strip of land is approximately 200 yards in width and does not provide a safe area for the discharge of firearms or the possibility of hunting by means of archery equipment without the distinct possibility of an animal leaving the property and entering onto Colo. Hwy 291, hospital grounds or entering the city limits of Salida.

Therefore, this issue paper suggests adding additional language to 2 CCR 406 9-#901 B.206 to prohibit fires and all hunting on the Sands Lake SWA property downstream from Colorado Highway 291 bridge, and between Colorado Highway 291, the Arkansas River and Chaffee County Road 175.



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:

IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED.	
CPW Area 13	
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<p>1. *Preferred Alternative*: 901B.206 Sands Lake State Wildlife Area – Chaffee County a. Camping is prohibited. b. Fires are prohibited. c. Hunting is prohibited at Sands Lake SWA and that portion of property downstream from Colo. Highway 291 Bridge and between Colo. Highway 291, the Arkansas River and Chaffee County Road 175.</p> <p>2. Status Quo</p>	
Issue Raised by:	CPW Area 13
Author of the issue paper (if different than person raising the issue):	James L. Aragon
CC:	Ackerman, Black, Stiver
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 Region
RECOMMENDED FOR CONSENT AGENDA?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

ISSUES SUBMITTAL FORM

Date:

December 9, 2020

ISSUE:	Should Burro Springs 1 & 2, Carnero, Biedel Creek, Mogotas Arroyo, Sanderson Gulch, and San Juan Creek State Trust Lands be consolidated under one name and set of regulations?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>Currently, with the Public Access Program (PAP) expansion of CPW leased State Trust Land (STL) in GMU 68 near the community of La Garita, there are six adjoining STL parcels enrolled in PAP totaling approximately 28,905 acres. Between the six properties (Burro Springs 1 & 2, Carnero, Biedel Creek, Mogotas Arroyo, Sanderson Gulch, and San Juan Creek STL), there are different regulations. For example: San Juan Creek, Carnero, and Biedel Creek are open September 1 – end of February; Sanderson Gulch and Burro Springs 1 & 2 are open August 15th – May 31st; Mogotas Arroyo is open August 15th – end of February. Since multiple county roads are present on the property and the boundaries between STL's are not easily defined, the difference in regulations provides an opportunity for unnecessary confusion. Most of the public treat the properties as one piece of land, or even a continuation of the neighboring BLM land and use it almost year-round. From a wildlife perspective, there is no advantage to having different regulations between these six properties, especially considering the individual properties have tracts of land separated by the other STL properties. In addition to the diverse regulations on the landscape, some open seasonal periods and/or daily open time-periods for STL properties do not benefit wildlife during critical times of the year and do not benefit law-abiding sportsmen.</p> <p>The property is mainly used by big-game hunters in the fall and shed antler collectors in the spring. The first big game season during which hunters might utilize the six STL properties is pronghorn archery season starting August 15th. The last big game season during which hunters could utilize the properties is mountain lion season ending March 31st in unit 68. These properties receive little, to no, pressure from mountain lion hunters, especially later in the season (February- March) as the six properties have variable snow coverage in that time frame. Additionally, over the past few years for GMU 68, the mountain lion harvest limit has been reached well before March 1st.</p> <p>From a wildlife perspective, particularly deer and elk, the most critical usage period on the six properties is January – April. These properties, for the most part, are low elevation and typically do not maintain meaningful snow coverage through April. Many of the migrating ungulates move to higher elevations by April.</p> <p>As mentioned earlier, shed antler collection is popular on the six STL properties. Shed antler collectors do not cause mentionable impacts during the summer months, but can negatively impact ungulates on the property during the early spring months. The current regulations that allow the public to be on the property in the months of March and April do not provide real benefits to legal sportsman, but do allow an excuse for shed hunters to be on the property illegally picking up sheds.</p> <p>Currently, the properties are open to the public ½ hour before sunrise until ½ hour after sunset. With the size of the combined six STL properties (28,905 acres), legal access to many areas of the properties is unattainable during optimal hunting periods (early morning and late evening) with current rules.</p> <p>The six adjoining STL properties each have their own description and regulations in the recreational lands brochure, taking up valuable space and adding cost to the price of printing the brochure. Additionally, the six adjoining STL properties require separate ground signage.</p> <p>Colorado Parks and Wildlife laws and regulations should provide the best benefit to wildlife while also maximizing sportsmen's legal recreational opportunities. Having laws and regulations that protect</p>	

wildlife and wildlife habitat, especially during critical times and that are reasonable in the eyes of the public, should achieve the highest amount of compliance and self-policing.

I propose that all six STL properties are combined into one property name, Burro Springs STL, and adopt one set of regulations as follows:

OPEN: May 1st – end of February. These dates allow big game and small game hunters to take advantage of all seasons, only excluding a small portion of mountain lion season. These dates also protect ungulates during two of their most important months for survival (March and April), while also allowing legal shed hunters an opportunity to utilize the property once a majority of the migrating ungulates have left the property.

RESTRICTIONS:

- a) **Public access open 1 1/2 hours before sunrise to 1 1/2 hours after sunset during big game hunting seasons.** This will allow the public to legally access some of the harder to reach areas during preferred hunting times (over 28,000 acres of STL).
- b) **Closed to shed antler collection January 1st – April 30th.** Having this information in the regulation and in the Recreational Land Brochure will help with educating the public, enforcement operations, and wildlife protection.
- c) **All motorized traffic limited to county roads and marked STL roads. No OHV big game retrieval allowed on the property.** Having this information in the regulations will help with educating the public and enforcement operations. Currently, the Rio Grande National Forest allows big game retrieval with ATV's during certain parts of the day. Much of the public still think they can drive their ATV's on any public land to retrieve big game, and this compounds the road problems we have on the STL properties.
- d) **No camping or campfires allowed.** Although this is a generic rule for all STL PAP properties unless otherwise posted, historical use on the property has included camping. The potential for wildfire being spread from campfires on the property is a big concern for the lessees. Additionally, the amount of trash left at the campsites has also been brought up as an issue by some of the lessees and local sportsman. Having this in regulations and the regulation brochure will help emphasize the rule and help with enforcement operations.

State Land Board (SLB) Staff have mentioned support for the changes mentioned with one caveat. With the long open season during the summer, SLB would like to ensure it clearly reserves the right to short-term recreational leases/permits outside the big game seasons. Clearly defining the right of the SLB to rec leases/permits outside the big game seasons does not pose any concern for local CPW staff.

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:

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Internal- Area 17 staff

External – The three lessees that run cattle on the six STL properties were contacted by CPW. None of the lessees had a problem with the May 1st opening since we are participating in a HPP project to restrict some of the unwanted motorized travel.

External – SLB staff has expressed support for changes mentioned with one caveat. With the long open season during the summer, SLB would like to ensure it clearly reserves the right to short-term recreational leases/permits outside the big game seasons.

External – Some big game hunters and shed antler collectors have expressed approval of the changes.

ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<p>1. *Preferred Alternative*: Combine the six STL properties into one property, Burro Springs STL. Change property-specific restrictions to: a) public access open to 1 ½ hour before sunrise to 1 ½ hour after sunset during big game seasons; b) Closed to shed-antler collection January 1st – April 30th; c) All motorized traffic limited to county roads and marked STL roads. No OHV big game retrieval allowed on the property; d) No camping or campfires allowed.</p> <p>2. Status Quo.</p>	
Issue Raised by:	DWM Clayton BonDurant – Area 17
Author of the issue paper (if different than person raising the issue):	
CC:	
APPROVED FOR FURTHER CONSIDERATION BY:	Cory Chick
REQUIRES NEW SPACE IN THE BROCHURE?	<input type="checkbox"/> YES <input checked="" 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	SW Region
RECOMMENDED FOR CONSENT AGENDA?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO