

AGENDA
PARKS AND WILDLIFE COMMISSION MEETING
January 13 & 14, 2021
Virtual Zoom Meeting



Wednesday: January 13th

<u>#</u>	<u>Time</u>		<u>AGENDA ITEM</u>
1	8:00	(I)	Welcome, Pledge of Allegiance and Roll Call
2	8:05	(A) Marvin McDaniel, Chair	Approve Minutes of the November 19-20, 2020 Virtual Parks and Wildlife Commission Meeting
3	8:10	(I) Marvin McDaniel, Chair	Corrections to Agenda Corrections/Removal of Consent Agenda Topics
4	8:15	(I) Marvin McDaniel, Chair	Commissioner's Questions and Comments
5	8:30	(I) Dan Gibbs, DNR Executive Director	Department of Natural Resources Update
6	8:40	(I) Kate Greenberg, Dept. of Ag. Commissioner	Department of Agriculture Update
7	8:50	(I) Dan Prenzlów, CPW Director	Director's Comments
8	9:05	(I) Justin Rutter, AD of Financial Services	Financial Update
9	9:35	(I) Emily Orbanek, Parks & Wildlife Program Manager, GOCO	GOCO Update
	9:50		Break

Final Regulations

10	10:05	(A) Krista Heiner, Regulations Manager	Chapter P-8 - "Aquatic Nuisance Species" 2 CCR 405-8 (Step 2 of 2) - Open for final consideration of regulatory changes based on a Citizen Petition for Rulemaking related to aquatic nuisance species regulations, as follows: <ul style="list-style-type: none"> • Adding rowing shells to the list of vessels that are exempt from the aquatic nuisance species inspection requirement.
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11	10:25	(A)	Krista Heiner, Regulations Manager	<p>Chapter W-1- "Fishing" 2 CCR 406-1 (Step 1 of 1)</p> <p>Open for final consideration of regulations including, but not limited to, clarifying the fishing closure dates on the Colorado River below Shadow Mountain Reservoir, including Lake Granby and Shadow Mountain Spillway (pp. 29, 46).</p>
12	10:35	(A)	Krista Heiner, Regulations Manager Andy Holland, Big Game Manager	<p>Chapter W-2 - "Big Game" 2 CCR 406-2 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) and Chapter W-3 ("Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3) necessary to accommodate changes to or ensure consistency with Chapter W-2 (Step 2 of 2)</p> <p>Open for annual review of the entire chapter, including, but not limited to:</p> <p><u>Multiple Species</u></p> <ul style="list-style-type: none"> • Annual changes to season dates, limited license areas, quotas and manner of take provisions for bighorn sheep and mountain goat (statewide) (throughout Chapter W-2). • Annual changes to season dates, limited license areas, and manner of take provisions for deer, elk, pronghorn antelope, moose and bear (statewide) (throughout Chapter W-2). • Changing the application deadline dates for the Secondary Draw and Fall Turkey Draw, and adding the fall turkey license to the list of eligible qualifying licenses for the Secondary Draw (statewide) (pp. 9, 20 in Chapter W-2, p. 1 in Chapter W-3). • Standardizing mandatory check form regulations across species (statewide) (pp. 60, 65 in Chapter W-2, p. 9 in Chapter W-0). • (Step 1 of 1) Creating a new season type "G" for guaranteed licenses due to natural disaster relief, adding "G" hunt codes and their quotas to denote guaranteed licenses corresponding to applicable sheep, goat and moose hunt codes, and adding regulations to indicate that returned guaranteed licenses will be manually reissued to applicants from the previous years' limited license drawing of the original hunt code (statewide) (pp. 34, 39-40, 46-47, 178, 183 in Chapter W-2, p. 1 in Chapter W-0). <p><u>Bighorn Sheep</u></p> <ul style="list-style-type: none"> • Invalidating the SMS4801R hunt code in select years to account for the Bighorn Sheep Access Program in GMU S48 (SE) Annual changes (p. 38 in Chapter W-2).
13	11:05	(A)	Krista Heiner, Regulations Manager Mark Vieira, Carnivore and Furbearer Program Manager	<p>Chapter W-2 - "Big Game" 2 CCR 406-2 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) and Chapter W-3 ("Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3) necessary to accommodate changes to or ensure consistency with Chapter W-2 (Step 2 of 2)</p>

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

Mountain Lion

- Annual changes to season dates, harvest limits and manner of take provisions for mountain lion (statewide) (pp. 60 - 64 in Chapter W-2).
- Implementing the West Slope Mountain Lion Management Plan, including changing harvest limit groups, making electronic calls legal for mountain lion hunting during open seasons only for harvest limit group L-50 and the Glenwood Springs Special Management Area, and creating an April hunting season for the Glenwood Springs Special Management Area (NW and SW) (pp. 60-64 in Chapter W-2, p. 11 in Chapter W-0).

11:55

Lunch

14 12:55 (A) Krista Heiner,
Regulations Manager

Chapter W-2 - "Big Game" 2 CCR 406-2 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) and Chapter W-3 ("Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3) necessary to accommodate changes to or ensure consistency with Chapter W-2 (Step 2 of 2)

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

Deer

- Creating 4th rifle season antlerless deer hunt codes in the northern portion of GMUs 4, 11, and 211 to manage high prevalence of chronic wasting disease (NW) (pp. 80, 81-82, 90).
- Creating a 4th rifle season antlered deer hunt in GMU 40 (NW) (p. 95).
- Eliminating the late season antlerless hunt code DF211L1R (NW) (p. 96).
- Converting hunt code DF481L1R to DF481P5R (SE) (pp. 4, 97, 107).
- Creating season choice whitetail-only deer licenses in GMUs 87 and 88 (NE) (pp. 3, 4, 99).
- Creating private land only either sex deer hunt codes for the 4th rifle season in GMUs 3, 301, 4, 441, 5, 11, 211, 12, 13, 23, and 24 (NW) (p. 101).
- Creating private land only antlered and antlerless licenses in GMU 102 (NE) (p. 106).
- Changing the season closure date for hunt code DM391P5R to November 30 (NE) (p. 106).

Elk

- Converting all antlerless elk list B licenses to list A in GMU 521 (SW) (pp. 4, 110, 113, 115, 125, 140). Converting either-sex muzzleloader, first season rifle, and fourth season rifle elk licenses in GMU 70 to sex specific licenses (SW) (p. 114).

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- Eliminating the hunt code EF074P5R (SW) (p. 149).
- Removing GMUs 105 and 106 from the EF104P5R hunt code (NE) (p. 150).
- Changing the season dates and license category for hunt code EF009L1R (NE) (pp. 4, 154).
- Changing the season dates for hunt code EF085L1R (SE) (p. 155).

15 1:05 (A) Krista Heiner,
Regulations Manager

Chapter W-2 - "Big Game" 2 CCR 406-2 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) and Chapter W-3 ("Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3) necessary to accommodate changes to or ensure consistency with Chapter W-2 (Step 2 of 2)

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

Pronghorn

- Changing PH-39 archery licenses from unlimited to limited draw licenses and removing GMU 561 from the list of valid units for the either-sex unlimited pronghorn archery license (SE) (p. 158, 159).
- Creating late season private land only doe pronghorn hunt codes for GMUs 89 & 95 (NE) (p. 170).
- Adding buck and doe private land only hunt codes for the PH-18 primary rifle season (SE) (p. 170).

Moose

- Creating bull and cow moose hunt codes for GMUs 25, 26, and 231 (NW) (pp. 174, 181).
- Creating bull and cow moose hunt codes in GMUs 47, 444, and 471 (NW) (pp. 176, 182).
- Creating cow moose hunt codes for GMU 43 (NW).
- Creating hunt code MM056O1X for GMUs 56 and 561 (SE) (p. 182).
- Allowing antlerless moose hunters to present either the entire head or an incisor during a mandatory inspection (statewide) (p. 184).

16 1:15 (A) Krista Heiner,
Regulations Manager

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

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

- Adding additional crustaceans to the list of aquatic wildlife that may be possessed (p. 3, 52).
- Implementing a ¼-mile hunting closure on public lands around both Guanella Pass and Kenosha Pass (p. 22).
- Creating the new bighorn sheep GMU S-86 (p. 49).

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| 17 | 1:40 | (A) | Krista Heiner,
Regulations Manager | Chapter W-16 - "Parks and Wildlife Procedural Rules" 2 CCR 406-16 (Step 2 of 2) |
| | | | | Open for final consideration of regulations including, but not limited to, clarifying the processes applicable to license suspension appeals. |

Draft Regulations

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| 18 | 1:50 | (I) | Krista Heiner,
Regulations Manager
JT Romatzke,
NW Regional Manager
Lauren Truitt,
Assistant Director
Information and Education | Chapter W-9 - "Wildlife Properties" 2 CCR 406-9 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) necessary to accommodate changes to or ensure consistency with Chapter W-9 (Step 1 of 2) |
| | | | | Open for consideration of draft regulations including, but not limited to, revising the requirements to access State Wildlife Areas and State Trust Lands leased by the Division and creating Colorado State Wildlife Area passes. |

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| 19 | 2:30 | (I) | Governor Jared Polis,
State of Colorado | Check-in from the Governor |
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2:45

Break

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| 20 | 3:05 | (I) | Krista Heiner,
Regulations Manager | Chapter W-16 - "Parks and Wildlife Procedural Rules" 2 CCR 406-16 (Step 1 of 2) |
| | | | | Open for consideration of draft regulations including, but not limited to, adding a process for a person to petition the commission to end or modify a current license suspension under certain conditions. |

Issues Identification

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| 21 | 3:25 | (I) | Krista Heiner,
Regulations Manager | Chapter W-3 - "Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3 (Step 1 of 2) |
| | | | | Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions. Specific regulatory changes include, but are not limited to, the following: |

- Modifying the harvest limit, season dates, and hunting area boundary for greater prairie chicken.

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| 22 | 3:45 | (I) | Krista Heiner,
Regulations Manager | Chapter W-5 - "Small Game - Migratory Game Birds" - 2 CCR 406-5 (Step 1 of 2) |
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Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions. Specific regulatory changes include, but are not limited, to the following:

- Eliminating the Northern Front Range goose zone and combining it with the Balance of the Central Flyway zone.

23	4:05	(I)	Krista Heiner, Regulations Manager	Chapter W-9 - "Wildlife Properties" 2 CCR 406-9 (Step 1 of 2)
				<p>Open for annual review of the entire chapter including, but not limited to, generally applicable and property-specific requirements for, or restrictions on use of wildlife properties controlled by the Division of Parks and Wildlife, including State Trust Lands leased by the Division. Specific regulatory changes include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Prohibiting all water contact activities at Douglas Reservoir State Wildlife Area unless actively fishing. (NE) • Prohibiting unsafe activities at Watson Lake State Wildlife Area. (NE) • Adding property-specific regulations for the Brett Gray Ranch State Trust Land to specify access points and parking areas, as well as clarifying camping restrictions on the property. (SE) • Prohibiting fires and hunting at Sands Lake State Wildlife Area and the adjoining CPW property located downstream of Colo. Hwy 291 bridge to Chaffee County Road 175. (SE) • Consolidating Burro Springs 1 & 2, Carnero, Biedel Creek, Mogotas Arroyo, Sanderson Gulch, and San Juan Creek State Trust Lands under one name and set of regulations. (SW)

24	4:30	(I)		Public Comments, Input and Presentations
	5:00			Recess

Thursday, January 14th

25	8:00	(I)	Lisa Reynolds, First Assistant Attorney General	Federal and State Wolf Listing Status and Litigation Update
26	8:15	(I)	Lisa Reynolds, First Assistant Attorney General	Briefing on Ballot Language and Applicability of 10(j)
27	9:00	(I)	Eric Odell, Species Conservation Program Manager	Wolf Biology and Basics
	10:00			Break
28	10:15	(I)	Dr. Mike Quartuch, Human Dimensions Specialist/Researcher	The Importance of Stakeholder Engagement: Overview and Best Practices
29	11:00	(A)	Reid DeWalt Assistant Director Aquatic, Terrestrial, and Natural Resources	Wolf Plan - Process and Timeline Proposal and Public Comment
	1:00			Lunch

Herd Management Plans

30	2:00	(I)	Brent Frankland, Wildlife Biologist	D-37 Sand Dunes Deer Herd Management Plan
31	2:30	(I)	Brent Frankland, Wildlife Biologist	E-11 Sand Dunes Elk Herd Management Plan
32	3:00	(A)	Ty Petersburg, Assistant Chief of Law Enforcement	PWC Housing Policy
	3:20			Break
33	3:35	(A)	Robert Walters, Invasive Species Specialist	PWC Invasive Species Policy
34	3:55	(I)	Katie Lanter, Policy and Planning Supervisor	Allocation Discussion
35	4:10	(I)		Public Comments, Input and Presentations
36	4:40	(A)	Luke Hoffman, Game Damage & Commercial Parks Manager Tom Kourlis, Claimant	Game Damage Claim Denial - 05-Y21-03, \$ 5,912.51, Horse by Bear
37	4:55	(A)	Marvin McDaniel, Chair	Consent Agenda
	5:00			Adjourn

37	(A)	Consent Agenda				
Proposed Parks and Wildlife Commission Consent Agenda January 13-14, 2021						
In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of wildlife policy and contested issues, the listed items are noticed for action by the Commission as part of the January, 2021 "Consent Agenda."						
<i>Note: The process for placing matters on the Consent Agenda is as follows: The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial. Staff will provide written memos to the Parks and Wildlife Commission members explaining the matters on the Consent Agenda. Copies of the memos will be available to the public.</i>						
<i>Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other agenda items. If a member of the Commission requests further consideration of an item on the consent agenda, that item will be withdrawn from the Consent Agenda and discussed and acted upon as determined by the Commission. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director for any matter on the Consent Agenda.</i>						
Citizen Petitions						
37.1	(A)	Chapter W-11 - "Wildlife Parks and Unregulated Wildlife" 2 CCR 406-11				
		At its January meeting, the Parks and Wildlife Commission will consider whether it should adopt the Director's written recommendation to DENY a petition for rulemaking requesting that the Commission revise the list of unregulated wildlife, as follows: <ul style="list-style-type: none"> A Citizen Petition for Rulemaking requesting that <i>Echinops telfairi</i> (lesser hedgehog tenrec) be added to the list of unregulated wildlife. 				
37.2		Chapter W-16 - "Parks and Wildlife Procedural Rules" 2 CCR 406-16				
		<ul style="list-style-type: none"> Removed at Petitioner Request 				
Habitat Partnership Program Committee Nominations						
37.3	(A)	<u>Name</u>	<u>Representing</u>	<u>Committee Name</u>	<u>Background</u>	<u>Starting Date</u>
	a.	Kristina Wood	USFS	Upper Yampa River	Replaces Kelsey Crane	Upon Appointment
Game Damage Claim - Recommended Denial						
37.4		08-Y21-05	Steve and Melinda Hammer	\$921.91	Calf by Bear	
		DWM: Dan Cacho	AWM: Matt Yamashita	RM: JT Romatzke		
License Suspension Appeals						
37.5	(A)	<u>Defendant Name</u>	<u>Hearings Case Number</u>	<u>Suspension Decision</u>		
	a.	Andrassi, Michael	FTC 9046	2 Years		
	b.	Brantley, Robert E.	DEN 8635	3 Years		
Real Estate						
37.6	(A)	<u>Project #</u>	<u>Project Name</u>			

	a.	16-025 - NW	Glenwood Springs Hatchery - Inverso - Pipeline Easement
	b.	17-063 - NW	Piceance SWA - XTO Energy - Fee Title Exchange
	c.	18-029 - NW	Willow Creek Public Access - Northern Colorado Water Conservancy District
	d.	18-030 - NE	Jackson Lake SP - Shoreline Marina
	e.	20-057 - NE	Roxborough SP - Stansfield - Mineral Rights Transfer

Herd Management Plans

37.7	(A)	D-5 North Tablelands Deer Herd Management Plan	
37.8	(A)	D-44 South Platte River Deer Herd Management Plan	
37.9	(A)	D-54 South Tablelands Deer Herd Management Plan	

End of Consent Agenda