



COLORADO

Parks and Wildlife

Department of Natural Resources

TO: Colorado Parks and Wildlife Commission
FROM: Carrie Besnette Hauser, Chair
cc: Dan Prenzlöw, Director
RE: Notes from the Chair for the Sept. 1-2 Commission meeting
DATE: August 20, 2021

Overview of select agenda items

Final Regulations - W-16 Parks and Wildlife Procedural Rules (Step 1 of 1)

These procedural changes codify the Commission's longstanding practice of using the consent agenda to approve action items where an interested party has not availed themselves of the opportunity to address the Commission directly. Commission Rule #1601.A.1 enables interested parties, such as game damage claimants and those pursuing license suspension appeals, to address the Commission, but not all persons avail themselves of the opportunity. These changes make it clear that, absent an interested party addressing the Commission, the associated action item will be placed on the consent agenda for approval. Commissioners retain the ability to remove any item from the consent agenda for further discussion.

Emergency Regulations (Step 1 of 1)

There are two sets of "emergency" regulations on the agenda. The Administrative Procedure Act (APA) authorizes emergency rules where the Commission determines that "immediate adoption of the rule is imperatively necessary to comply with a state or federal law or federal regulation or for the preservation of public health, safety, or welfare" [§ 24-4-103(6)(a), CRS]. Emergency rules may be adopted without public notice or comment, may be effective immediately upon adoption, and expire in 180 days. The Commission adopts emergency rules infrequently and, when it does, it often adopts an identical permanent rule at the same time to be in place when the emergency rule expires.

The Commission typically adheres to the permanent rulemaking provisions of the APA. For permanent rules, the APA requires CPW to publish a notice of proposed rulemaking in the Colorado Register at least 20 days in advance of the rulemaking hearing, requires CPW to accept public comment on proposed rules, and requires CPW to publish the rules, as adopted, in the Colorado Register. Permanent rules become effective twenty days after publication [§ 24-4-103, CRS].

The first emergency rule on the agenda concerns the closure of the sage grouse hunting season in one Game Management Unit. Adopting this rule on an emergency basis is necessary to effectuate a timely closure prior to the scheduled opening of the season.

The second emergency rule on the agenda concerns the implementation of House Bill 21-1116, which grants Purple Heart recipients free access to state parks and state recreation areas, and enables Purple Heart recipients to obtain a transferable annual state parks pass, referred to as an Independence Pass, free of charge. Adopting this rule on an emergency basis is necessary to implement the bill prior to its September 6, 2021 effective date and in time for the Labor Day Holiday.



CPW's Mission

The mission of the thirteen members of the Colorado Parks & Wildlife Commission (Commission) and the hundreds of employees of the Division of Parks and Wildlife (Division), led by the Director, is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources [§ 33-9-101(12)(b), CRS].

Guiding principles of serving as a CPW Commissioner

We respect and fulfill CPW's mission.

We carry out our duties for the benefit of the people of Colorado.

We focus on strategic, policy-level work, and are dedicated to constant self-improvement.

We treat each other and the public with respect; when we disagree, we do so without rancor.

We come to meetings prepared and are attentive to our work.

We have deep regard for the rights and traditions of others.

We value ideas, opinions, and expertise that may be different than our own.

We are willing to adapt to benefit others.

We strive to be self-aware and conscious of our own character, feelings, biases, motives, and desires.

We listen and extend benefit of the doubt to others.

We are cognizant of processes, time, and content, and respect and accept the role of the Director and the Division.

Meetings shall be as informal as circumstances permit. The Chair may, in her/his/their discretion, invoke Robert's Rules of Order. If Commission action is clear, such action is not invalid if the action failed to strictly adhere to Robert's Rules of Order.

Behaviors to Avoid

Commissioners will not engage in name calling or personal attacks.

Commissioners will avoid bullying or abusive behavior towards each other, the public, and Division personnel, such as lecturing, speaking louder or longer than others, and interrupting.

Commissioners will not pursue an agenda that does not align with CPW's mission or use their status as a Commissioner as a platform for unrelated advocacy.

Commissioners will not delve into the minutiae of program implementation by the Division during Commission meetings.

Commissioners will avoid rushing to judgment or being impatient.