



# COLORADO

## Parks and Wildlife

Department of Natural Resources

6060 Broadway  
Denver, CO 80216

TO: Members of the Colorado Parks and Wildlife Commission  
FROM: Hilary Hernandez, Regulations Manager  
RE: Chapter W-3 Final Regulations for the July 2022 Parks and Wildlife Commission Meeting  
DATE: July 8, 2022

Final regulatory change for Chapter W-3 is summarized below. If there are questions about the agenda item below, or if additional information is needed, please feel free to contact me at [hilary.hernandez@state.co.us](mailto:hilary.hernandez@state.co.us).

**Agenda Item 11: Chapter W-3 - “Furbearers and small game, except migratory birds” - 2 CCR 406-3 (Step 1 of 1)**

**Closing the 2022-hunting season for greater sage-grouse in Game Management Unit 2 pursuant to thresholds set forth in the Northwest Colorado Greater Sage-grouse Conservation Plan**

The Northwest Colorado Greater Sage-grouse Conservation Plan (NWCO GRSG Conservation Plan) recommends a 100-male minimum threshold based on a 3-year running average of the number of male grouse counted on leks for the management of sage-grouse hunting. The current 3-year running average of male sage-grouse counted at leks in Northwest Colorado Management Zone 2 is 80 males, which is below the threshold of 100 stipulated in the plan. The total number of male sage-grouse counted at leks in Zone 2 has declined by 88% over the past five years from an all-time high count of 480 in 2017 (when the Northwest Colorado Population as a whole was at a recent high) to 57 in 2022. Game Management Unit 2 aligns with Management Zone 2 in the NWCO GRSG Conservation Plan. As a result, regulation #315.A.1 was modified to remove GMU 2 from the 2022 hunting season for greater sage-grouse. GMU 2 will remain temporarily closed until lek counts result in a 3-year average of male lek attendance that exceeds 100.



**FINAL REGULATIONS - CHAPTER W-3 - FURBEARERS and SMALL GAME, EXCEPT MIGRATORY BIRDS**

**ARTICLE II - SMALL GAME SEASON DATES, UNITS (AS DESCRIBED IN CHAPTER 0 OF THESE REGULATIONS), BAG AND POSSESSION LIMITS, LIMITED LICENSES AND PERMITS**

**#315 - Greater Sage-grouse**

A. Season Dates, Units and Limits, Except North Park

1. Units ~~2~~, 3, 11, 13, 18 except that portion of unit 18 east of Colo 125 in Grand County, 27, 28 except that portion of GMU 28 north and east of Grand Co Rd 50 (Church Park Rd) and US 40, 37, 181, 201, 211, 301 and 441.
  - a. September 10 - September 16, 2022.
  - b. Extended Falconry Season: September 1 - January 31 annually.
2. Daily Bag and Possession Limits
  - a. Daily Bag Limit - Two (2) birds.
  - b. Possession Limit - Four (4) birds.

B. Season Dates, Units and Limits, North Park

1. Units 6, 16, 17, 161, and 171.
  - a. September 10 - September 11, 2022.
  - b. Extended Falconry Season: September 1 - January 31 annually.
2. Daily Bag and Possession Limits
  - a. Daily Bag Limit - Two (2) birds.
  - b. Possession Limit - Two (2) birds.

**Basis and Purpose:**

**Closing the 2022-hunting season for greater sage-grouse in Game Management Unit 2 pursuant to thresholds set forth in the Northwest Colorado Greater Sage-grouse Conservation Plan**

The Northwest Colorado Greater Sage-grouse Conservation Plan (NWCO GRSG Conservation Plan) recommends a 100-male minimum threshold based on a 3-year running average of the number of male grouse counted on leks for the management of sage-grouse hunting. The current 3-year running average of male sage-grouse counted at leks in Northwest Colorado Management Zone 2 is 80 males, which is below the threshold of 100 stipulated in the plan. The total number of male sage-grouse counted at leks in Zone 2 has declined by 88% over the past five years from an all-time high count of 480 in 2017 (when the Northwest Colorado Population as a whole was at a recent high) to 57 in 2022. Game Management Unit 2 aligns with Management Zone 2 in the NWCO GRSG Conservation Plan. As a result, regulation #315.A.1 was modified to remove GMU 2 from the 2022 hunting season for greater sage-grouse. GMU 2 will remain temporarily closed until lek counts result in a 3-year average of male lek attendance that exceeds 100.

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](mailto:dnr_cpw_planning@state.co.us) or by visiting the Division of Parks and Wildlife headquarters at 6060 Broadway, Denver, CO, 80216.

**The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-106, C.R.S.**

**EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE SEPTEMBER 1, 2022 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.**

**APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 21ST DAY OF JULY 2022.**

**APPROVED:  
Carrie Besnette Hauser  
Chair**

**ATTEST:  
Marie Haskett  
Secretary**

ISSUES SUBMITTAL FORM

Date: July 8, 2022

<b>ISSUE:</b>	Should the hunting season for greater sage-grouse in GMU 2 be closed in 2022?
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**DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):**

Greater sage-grouse hunting in northwestern Colorado has been conducted for many years in concert with recommendations in local conservation plans developed by CPW and a variety of local stakeholders. Carefully regulated sage-grouse hunting, as it has been conducted in Colorado and other western states, has been evaluated by the U.S. Fish and Wildlife Service and has been found not to increase the risk that the species could become Threatened or Endangered under the Endangered Species Act. The Service made this determination, in large part, due to the annual diligence exhibited by the states in regulating sport harvest of greater sage-grouse. In September 2015, the U.S. Fish and Wildlife Service released a finding that the greater sage-grouse is not warranted for listing under the Act.

The Northwest Colorado Greater Sage-grouse Conservation Plan (completed by the Northwest Colorado Local Working Group in 2008) includes recommended thresholds for the management of sage-grouse hunting based on a 3-year average of the number of male grouse counted on leks during annual spring monitoring. The conservation plan states “Maintain open hunting seasons by...Management Zone only if the previous 3 year running average (as monitored by spring lek surveys) meets a 100 male minimum.” CPW Game Management Unit (GMU) 2 aligns with Management Zone 2 as designated by the NWCO GRSG Conservation Plan.

The total number of male sage-grouse counted at leks in Northwest Colorado Management Zone 2 (located in western Moffat County and generally encompassing the Sand Wash and Powder Wash watersheds) has declined by 88% over the past five years from an all-time high count of 480 in 2017 (when the Northwest Colorado Population as a whole was at a recent high) to 57 in 2022. The current 3-year average high male count for this management zone is 80, below the 100 male minimum stipulated in the NWCO GRSG Conservation Plan. This is also the only management zone in the Northwest Colorado Population that has shown a consistent decline each year since the recent population peak in 2016/2017. This decline has been observed despite consistent inventory effort during spring lek counts.

GMU 2 is not considered a traditional greater sage-grouse hunting area in northwest Colorado. Instead, nearby GMUs 3, 10 (currently closed), 201, and 301 receive the majority of interest in, and recreation days for, greater sage-grouse hunting opportunity in northwest Colorado. By responding to the decline in male lek attendance in GMU 2 and closing the hunting season for 2022 we remain in compliance with the NWCO GRSG Conservation Plan while also having minimal impact on current greater sage-grouse hunting opportunity in northwest Colorado.

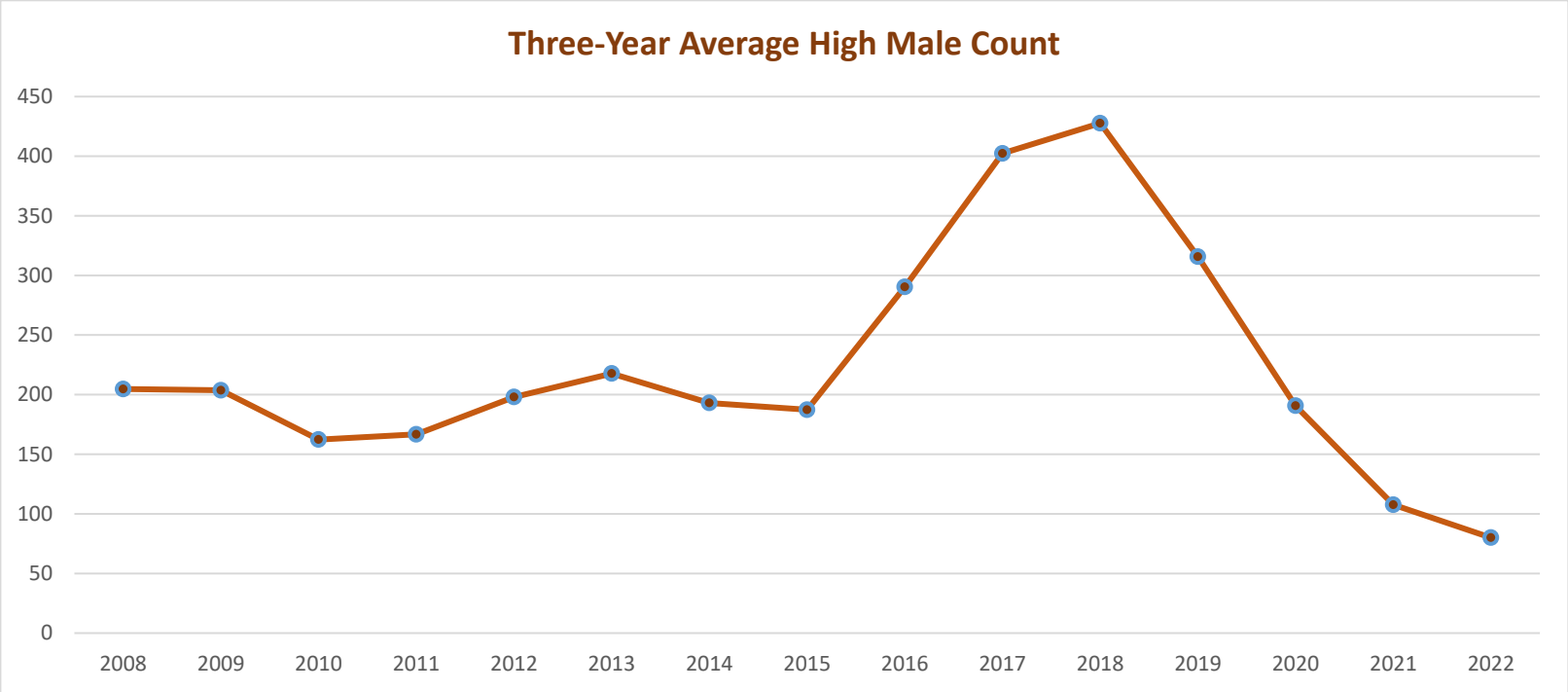
**STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:**

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

The hunting thresholds in the Northwest Colorado Greater Sage-grouse Conservation Plan were developed through an extensive public process with the Northwest Colorado Local Working Group. Although the conservation plan was not finalized until 2008, CPW has managed greater sage-grouse hunting annually under the terms of the conservation plan since the late 1990s. In general, stakeholders impacted by this proposal will include traditional sage-grouse hunters and members of the Northwest Colorado Greater Sage-grouse Local Working Group. Given that annual spring inventory data show a decline well below the threshold of a 3-year average of 100 males, there will be strong

<p>urging by members of the Working Group (that represent local government, federal government, agriculture, energy, and conservation interests) to close this GMU to hunting until lek data support re-opening the unit. CPW staff will notify Local Working Group members of the proposed change.</p>	
<p><b>ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):</b></p>	
<p>1. <b>*Preferred Alternative*:</b> Close GMU 2 in northwest Colorado to greater sage-grouse hunting in 2022 pursuant to thresholds set forth in the Northwest Colorado Greater Sage-grouse Conservation Plan. GMU 2 would remain temporarily closed until lek counts result in a 3-year average of male lek attendance that exceeds 100.</p> <p>2. Maintain the status quo – keep GMU 2 open to sage-grouse hunting even though sage-grouse lek counts in the affected Management Zone have fallen below the threshold of 100 males set forth in the Northwest Colorado Greater Sage-grouse Conservation Plan.</p>	
<p><b>Issue Raised by:</b></p>	<p>NW Terrestrial staff, SCON staff</p>
<p><b>Author of the issue paper (if different than person raising the issue):</b></p>	<p>Brian Holmes</p>
<p><b>CC:</b></p>	<p>Travis Black, Garrett Watson, Bill de Vergie, Brad Banulis, Kathy Griffin, Ed Gorman, Jeff Goncalves, Brian Dreher</p>
<p><b>APPROVED FOR FURTHER CONSIDERATION BY:</b></p>	<p><b>Brian Dreher</b></p>
<p><b>REQUIRES NEW SPACE IN THE BROCHURE?</b></p>	<p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
<p><b>ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?</b></p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p><b>REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION</b></p>	<p><b>Terrestrial</b></p>
<p><b>RECOMMENDED FOR CONSENT AGENDA?</b></p>	<p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>

Northwest Colorado Greater Sage-grouse Population, Management Zone 2 - Lek Count Trend 2008 to 2022



Map of Game Management Units that overlap the Northwest Colorado Greater Sage-grouse Population Area

