

CITIZEN PETITION FORM

DATE: - Received by CPW on 07/06/2022

ISSUE: Adding air guns as a legal method of take for turkey hunting.

WHICH RULE ARE YOU SEEKING TO CREATE OR REVISE?

Current regulation found in commission rule 300(C) do not allow the use of air guns for the legal take of wild turkey.

Amend rule 303(C)(4) to read:

"Airguns for dusky (blue) grouse, ptarmigan. **PCP airguns of at least .25 caliber or larger during the fall or late seasons for turkey.**"

WHY ARE YOU SEEKING TO CREATE OR REVISE THIS RULE?

In the last 15 to 20 years public interest and available air gun technology have combined to change the face of hunting with air guns. Improvements to air guns and their subsequent increase in popularity alongside the diversity of game species in Colorado, and the addition of air guns as a method of take for small game mammal and furbearing species in the State, has increased the interest in Colorado as a destination for air gun hunting.

The Merriam turkey is native only to Colorado, New Mexico and Arizona. Due to wildlife management and transplants they are now available in other states but hunting them in Colorado is special due to their native origins. While Colorado's Rio Grande turkey is not a native species, the ability of Colorado to offer two species of turkey makes it a desirable turkey hunting state. Making these species available to hunt with an air gun in Colorado would further attract hunters and promote wildlife management through hunting in our State.

In the past 40 years Colorado Parks and Wildlife has worked proactively to increase wild turkey populations for the benefit of the public and CPW has seen the success of their turkey management efforts result in abundant populations. Success has been so great that some turkey populations have risen to levels of nuisance conflicts. Conflicts have been defined as property damage, disease transmission among wild and domestic animals, and human health and safety concerns regarding bird droppings and vehicle strikes. In response CPW regulations have been liberalized to encourage additional harvest via the addition of seasons and quotas established by CPW.

In considering this issue it is important to understand how airguns function and are used by hunters in the field. Air guns are unique in their design: quick ethical killing requires (1) precise shot placement on a vital organ like the brain or heart, or (2) sufficient projectile energy to create a wound channel that is large enough - or long enough - to cause fatality through immediate blood loss. Air gun hunting requires application of limited range hunting skills and ethics similar to those of archery, handgun, and muzzleloader hunting. Modern archery equipment, and shotgun turkey loads and chokes have increased the ability for harvesting turkey beyond distances typically acceptable to air gun hunters. Close range hunting skills, marksmanship, and ethical shot placement are even more vital to being a successful air gun hunter. Air gun hunting is primarily about accuracy and shot placement. The current fraternities of air gun hunting enthusiasts understand, practice and pride themselves on these skills and principles.

Concern over wounding loss is often expressed by those opposed to hunting with air guns. In hunting turkey specifically there is concern about wounding a bird by attempting to shoot them in the body when the heart is a small target. At the same time some contend that headshots are too difficult to make. Air gun hunters like all hunters are driven to obtain their quarry as humanely and efficiently as possible not to wound or lose it. To an air gun hunter this translates to knowing the abilities and limitations of their equipment and their proficiency. As a result, based upon personal communications, websites, videos, etc...the majority of turkeys killed with air guns are shot in the head at distances under 30 yards. These conditions lead to either a killing shot or a complete miss, minimizing wounded animals.

Colorado and several other states allow the use of single projectile weapons (archery equipment, crossbows, rifles, handguns, atlatl, and hand thrown spear) for the harvest of turkey. Very often these single projectiles are designed for or target the head rather than the body of the bird. There are archery broadheads specifically designed to target the head of turkey and while not legal in CO there are several states that allow the use of blunt arrows which are used in targeting the head for the taking of turkey. Colorado allows the use of rifles and handguns in their fall season for harvesting turkey. This is obviously a single projectile and depending on the rifle used may not necessarily be used exclusively to target the head of a turkey. Smaller caliber rifles are often used to target the head in part due to their accuracy from reduced recoil but mainly in order to preserve breast meat. An argument can be made that head shots on turkey are the only truly ethical shot placement in an effort to preserve the majority of edible meat from the bird. Air guns can and are shot with extreme accuracy due to their inexpensive ammunition facilitating range practice, their lack of recoil, and modern engineering and technologies used in their manufacture.

Currently 4 other states allow the take of turkey with air rifles and at least 6 other states allow the use of air bows (air rifle that shoots an arrow rather than a pellet or slug). Generally, California is considered the leader in providing air gun hunting opportunities for turkey and is recognized as a nationwide hunting destination location because of the regulations they have adopted. California's regulations provide a possible model for the adoption of air guns for this species. Specific to the air gun take of turkey CA allows "air rifles powered by compressed air or gas and used with any caliber or pellet, except that wild turkey may only be taken with a pellet that is at least 0.177 caliber" (CDFW regulation 311(f)).

Nationally, air guns are recognized as having hunter recruitment, retention, and marksmanship training benefits. This is evident by their use in 4-H, Junior ROTC, and Olympic shooting sports programs as well as others. From conversations held in 2020 Colorado's Cameo shooting facility intends to incorporate an area dedicated to the use, competition, and promotion of air guns. The unique character of hunting with air guns (quiet, limited range projectiles, etc...) not only attracts hunters but also increases hunting opportunity and in many cases access for hunting. Changing Colorado turkey hunting regulations to allow air guns as a lawful manner of take will benefit the agency, management of the species, and the public.

DEFINITIONS PER CPW REGULATIONS REFERENCED ABOVE:

000(2) "Air gun" means any rifle or handgun .177 caliber or larger firing pellets, slugs, or round ball ammunition powered by high pressure air or compressed inert gas. This includes devices referred to as pellet guns or pneumatic weapons.

000(13) "Pre-charged pneumatic air gun" means an air gun that is charged from an external high compression source such as an air compressor, air tank, or external hand pump.

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