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

#322 - Wild Turkey

A. Season Bag and Possession Limits

- 1. The bag and possession limit for each season annually shall be as provided below.
 - a. Spring Season The limit shall be two bearded turkeys in the spring for those persons who possess a limited spring license. One turkey must be harvested on the limited license and in the limited area. The additional bearded turkey must be harvested with an over-the-counter license.
 - b. Fall Season The limit shall be one turkey of either sex.
 - c. Late Season The limit shall be two beardless turkeys.
- 2. In addition to the above bag and possession limits, a hunter may obtain any number of nuisance turkey licenses as provided in #322(F).
- 3. In addition to the above bag and possession limits, a hunter may take one additional turkey with a Turn In Poachers (TIPS) license as provided in #002(H)(11)(b).

B. Applications for Limited Licenses

- 1. Application requirements
 - a. No person shall submit more than one (1) application per season.
 - b. Incomplete applications will not be accepted.
 - c. Applications not submitted by the deadline date and time are void.
- 2. Drawing applications submittal
 - a. Applications will be accepted by phone or internet only through the Division's electronic licensing system.
 - Each drawing application shall include payment of a non-refundable application fee
 for residents or a non-refundable application fee for nonresidents, found in Chapter
 W-0 Appendix F. Individuals successful in the draw will be charged for the limited
 license as well as applicable surcharges found in Chapter W-0 Appendix F.
 - c. Spring season
 - 1. Applications for limited licenses must be received by phone or online no later than 8:00 PM Mountain Time, on the first Tuesday in February annually.
 - d. Fall season
 - 1. Applications for limited licenses must be received by phone or online no later than 8:00 PM Mountain Time, on the last business day in May annually.
- 3. Preference systems
 - a. Preference Points: Preference will be given for correct applications for first choice hunt codes only and shall be subject to the following provisions:
 - 1. One preference point will be awarded to each person who qualifies for and fails to draw a limited license as a first choice in the drawing or who applies using a first choice hunt code established for the purpose of accumulating a preference point only. However, no applicant may accumulate more than two turkey preference points per calendar year.
 - Preference points will be used in future drawings for the same species and will
 continue to accumulate until the applicant draws a license as a first choice. If an
 applicant both fails to apply for a turkey license and has not purchased a turkey
 license during any given 10-year period, all accumulated preference points for
 turkey become void.

- 3. Applications receiving preference will be given priority over all applications with fewer points.
- 4. Group applications will receive preference at the level of the group member with the fewest accumulated points.
- 5. Unsuccessful and successful applicants in the drawing can check their current accumulated preference point totals online.
- b. Hunting Licenses for Hunters with Mobility Impairments The Director may make licenses valid in certain GMU's available to qualified hunters with mobility impairments.
 - Applicants for hunting licenses for hunters with mobility impairments must have a
 mobility impairment resulting from permanent medical conditions, which makes it
 physically impossible for them to hunt without the assistance of an attendant.
 Evidence of an impossibility to participate in the hunt without the assistance of an
 attendant may include, but is not limited to, prescribed use of a wheel chair;
 shoulder or arm crutches; walker; two canes; or other prescribed medical devices
 or equipment.
 - Applications for hunting licenses for hunters with mobility impairments shall be made on the form, available from and submitted with the applicable license fee to, Colorado Parks and Wildlife, Limited License Office, 6060 Broadway, Denver, Colorado 80216. Hunters may apply from the Monday after the November Commission meeting through the last day of the spring season.
 - 3. Applications for hunting licenses for hunters with mobility impairments shall contain a statement from a licensed medical doctor or a certified physical, occupational, or recreational therapist describing the applicant's mobility impairment and the permanent medical condition which makes it impossible for the applicant to hunt without the assistance of an attendant. Additional documentation may be required, if necessary to establish the applicant's eligibility for a hunting license for hunters with mobility impairments. Once certified by the Division as mobility-impaired according to these regulations, applicants will not be required to submit the medical statement.
 - 4. Ten (10) hunting licenses for hunters with mobility impairments will be available for the spring season, valid only on private lands in units 91, 92, and 96. The licenses will be valid for the season dates established for the authorized hunt code. Licenses for hunters with mobility impairments may not be issued for Ranching for Wildlife properties unless otherwise provided in the ranch contract.
- c. Youth Outreach Hunting Licenses The Director may make additional youth outreach program turkey licenses available to qualified organizations sponsoring youth hunting activities.
 - 1. There will be no more than 200 licenses issued annually under this subsection.
 - Licenses will be approved by the applicable Regional Manager on a case-bycase basis.
 - 3. Licenses are issued on a first come, first served basis to qualified organizations.
 - 4. Organizations who wish to request a Youth Outreach license must submit the request in writing to Colorado Parks and Wildlife, State Hunter Outreach Coordinator, 6060 Broadway, Denver, Colorado 80216 no later than 60 days prior to the planned hunting event.
 - 5. Licenses are limited to youth hunters under 18 years of age.
- d. Novice Outreach Hunting Licenses- The Director may make additional outreach program turkey licenses available to qualified organizations sponsoring novice adult hunting activities.
 - 1. There will be no more than 200 licenses issued annually under this subsection.
 - Licenses will be approved by the applicable Regional Manager on a case-bycase basis.
 - 3. Licenses are issued on a first-come, first-served basis to qualified organizations.

- 4. Organizations who wish to request an Outreach License must submit the request in writing to Colorado Parks and Wildlife, State Hunter Outreach Coordinator, 6060 Broadway, Denver, Colorado 80216 no later than 60 days prior to the planned hunting event.
- 5. Licenses are limited to novice hunters. For the purpose of these regulations a novice adult hunter is defined as a Colorado resident 18 years of age or older, who has either: no turkey license purchase history, only held a turkey license(s) in the <u>current or</u> previous year, or has no turkey license purchase history in the previous five years.

C. Special Restrictions

1. Tagging Requirements

- a. When any person kills a turkey, that person must immediately detach, sign, and date the carcass tag. Such tags must be attached to the carcass of the bird while it is transported in any vehicle, while in camp, at a residence, or other place of storage.
- b. Such tags, when dated, signed and attached to the turkey lawfully taken or killed and lawfully in possession, authorizes the possession, use, storage, and transportation of the carcass, or any part thereof, within the state.
- c. If the carcass tag is inadvertently or accidentally detached from the license or is lost or destroyed, the licensee must obtain a duplicate carcass tag before he can lawfully hunt with such license. The duplicate carcass tag may be obtained upon furnishing satisfactory proof as to the inadvertent or accidental nature of the detachment, loss, or destruction to Colorado Parks and Wildlife.

2. Spanish Peaks SWA

- a. Hunting during the spring turkey season shall be permitted only on Saturdays, Sundays, Mondays and Tuesdays on the Spanish Peaks State Wildlife Area, except as provided in subparagraph b of this subsection.
- b. For hunters with mobility impairments, hunting during the spring turkey season shall be permitted after the second weekend of the season on Wednesdays, Thursdays and Fridays, by special access permit only. For the purposes of this subparagraph, the following restrictions shall apply:
 - 1. Applicants for access permits for hunters with mobility impairments must have a mobility impairment resulting from permanent medical conditions, which makes it physically impossible for them to hunt without the assistance of an attendant. Evidence of an impossibility to participate in the hunt without the assistance of an attendant may include, but is not limited to, prescribed use of a wheelchair; shoulder or arm crutches; walker; two canes; or other prescribed medical devices or equipment. Applications will be accepted until the last day of the spring turkey season. Permits will be issued on a first-come, first-served basis, and will be limited to two (2) individuals during each Wednesday through Friday time period during the spring season.
 - 2. Applications for access permits for hunters with mobility impairments shall be made on the form available from, and submitted to, Colorado Parks and Wildlife, Limited License Office, 6060 Broadway, Denver, Colorado 80216.
 - 3. Applications for access permits for mobility-impaired hunters shall contain a statement from a licensed medical doctor or a certified physical, occupational, or recreational therapist describing the applicant's mobility impairment and the permanent medical condition which makes it impossible for the applicant to hunt without the assistance of an attendant. Additional documentation may be required if necessary to establish the applicant's eligibility for an access permit for hunters with mobility impairments. Once certified by the Division as mobility-impaired according to these regulations, applicants will not be required to submit the medical statement.

3. Higel and Rio Grande SWAs

- a. Turkey hunting access during the spring turkey season requires an access permit. Access permits will be issued for each property, from the Division Office in Monte Vista through a hand drawing. Permit applications may be obtained from CPW, 0722 S. Road 1E, Monte Vista, CO 81144. Group applications will be accepted. No more than two (2) applicants per group. Application deadline is January 31 of each year. Successful applicants will be notified by mail. The date, time and location of the drawing will be included on the application.
- 4. Horsethief Canyon State Wildlife Area
 - a. Turkey hunting access is limited to the spring turkey season and is restricted to youth mentor turkey hunting only, by access permit only. Mentors are not allowed to hunt. Permit applications are available from Colorado Parks and Wildlife Northwest Region Service Center at 711 Independent Ave., Grand Junction, CO 81505, 970-255-6100. The application deadline is March 31. Successful applicants will be notified by mail.
- 5. Youth Turkey Extended Season

Youths under 18 years of age may hunt turkey from the Saturday before Thanksgiving through the Sunday after Thanksgiving, provided they possess an unfilled youth fall turkey license (including, but not limited to, hunt code TE000U3R). Youths may only hunt in the GMU their original unfilled license was valid in; youths with unfilled OTC licenses may hunt in any OTC GMU but may not hunt in a limited unit that the original OTC license was not valid in. All hunters must comply with applicable regulations for the hunt in which they participate, and are accompanied by a mentor. A mentor must be at least 18 years of age and comply with hunter education requirements. The mentor may not hunt.

D. Season Dates and Units - Unlimited Licenses.

Spring Seasons

Units	Hunt Code	Date Open	Date Closed	Licenses
001, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 016, 017, 018, 019, 020, 022, 024, 028, 029, 030, 031, 032, 033, 038, 039, 040, 041, 042, 046, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059 except on the Beaver Creek SWA and the Table Mountain State Trust Land Lease, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 082, 083, 084, 085, 086, 087, 088, 089, 090, 093, 094, 095, 097, 098, 099, 100, 104, 105, 106, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 126, 128, 130, 131, 133, 134, 135, 136, 137, 138, 140 except on James M. John and Lake Dorothey State Wildlife Areas, 141, 142, 143, 144, 145, 146, 147, 161, 171, 181, 191, 211, 214, 231, 301, 391, 411, 421, 441, 461, 481, 500, 501, 511, 512, 521, 551, 561, 581, 591, 681, 682, 691, 711, 741, 751, 771, 791, 851 except the Bosque del Oso SWA, 861, 951, and private land portions of 91, 92, 101, 102, 103, 107, 109, 124, 125, 127, 129, 132, 139.	TM000U1R	04/08/2023	05/31/2023	Unlimited

2. Fall Seasons

 2: 1 411 00430113				
Unit	Hunt Code	Open Date	Close Date	Licenses

001, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 016, 017, 018, 019, 020, 022, 023, 024, 028, 029, 031, 032, 033, 038, 039, 040, 041, 042, 043, 046, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059 except on the Beaver Creek SWA and the Table Mountain State Trust Land Lease, 060, 061, 062, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 082, 083, 084, 085 except on the Spanish Peaks State Wildlife Area, 086, 087, 088, 094, 104, 105, 110, 112, 113, 114, 116, 117, 118, 119, 121, 122, 123, 128, 130, 131, 133, 134, 135, 136, 137, 138, 140 except on the James M. John and Lake Dorothey State Wildlife Areas, 141, 142, 143, 144, 145, 147, 161, 171, 181, 191, 211, 214, 231, 301, 391, 411, 421, 441, 461, 481, 500, 501, 511, 512, 521, 551, 561, 581, 591, 681, 682, 691, 711, 741, 751, 771, 791, 851 except on the Bosque del Oso SWA, 861, 951, and private land portions of 101, 102,.	TE000U2R	9/1/2023	10/01/2023 and 10/27/2023	Unlimited West of I- 25 and GMU 140 and East of I- 25 (excluding GMU 140)
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3. Private Land Only Late Seasons

a. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Hunt Code	Open Date	Close Date	Licenses
112, 113	TF000U2R	12/15/2023	01/15/2024	Unlimited

E. Season Dates and Units - Limited Licenses and Limited License Areas. Limited licenses shall be valid only for the time period and game management unit(s) or area(s) indicated on the license.

1. Spring Season.				
	Date	Date	Licenses	
Unit	Hunt Code	Opened	Closed	Bearded Turkey Only
2	TM002O1R	04/08/2023	05/31/2023	15
15, 27,37 and 361	TM015O1R	04/08/2023	05/31/2023	15
21	TM021O1R	04/08/2023	05/31/2023	15
23	TM023O1R	04/08/2023	05/31/2023	15
23 – private land only	TM023P1R	04/10/2023	05/31/2023	25
25	TM025O1R	04/08/2023	05/31/2023	40
34	TM034O1R	04/08/2023	05/31/2023	40
35, 36	TM035O1R	04/08/2023	05/31/2023	20
43	TM043O1R	04/08/2023	05/31/2023	60
44	TM044O1R	04/08/2023	05/31/2023	80
47	TM047O1R	04/08/2023	05/31/2023	15

1. Spring Season.				
		Date	Date	Licenses
Unit	Hunt Code	Opened	Closed	Bearded Turkey Only
59 - Beaver Creek State Wildlife Area and Table Mountain State Trust Land Lease only	TM059O1R	04/08/2023	04/28/2023	5
59 - Beaver Creek State Wildlife Area and Table Mountain State Trust Land Lease only	TM059O2R	04/29/2023	5/31/2023	10
59 - Beaver Creek State Wildlife Area and Table Mountain State Trust Land Lease only – youth only	TM059K1R	04/08/2023	05/31/2023	10
80	TM080O1R	04/08/2023	05/31/2023	10
81	TM081O1R	04/08/2023	05/31/2023	10
91	TM091O1R	04/08/2023	04/28/2023	50
91, 92, 96, 101, 102-youth only	TM091K1R	04/08/2023	05/31/2023	200
91	TM091O2R	04/29/2023	05/31/2023	50
92	TM092O1R	04/08/2023	04/28/2023	50
92	TM092O2R	04/29/2023	05/31/2023	50
96	TM096O1R	04/08/2023	04/28/2023	100
96 - private land only	TM096P1R	04/08/2023	04/28/2023	150
96	TM096O2R	04/29/2023	05/31/2023	100
96 - private land only	TM096P2R	04/29/2023	05/31/2023	125
101, 102	TM101O1R	04/08/2023	04/28/2023	30
101, 102	TM101O2R	04/29/2023	05/31/2023	30
103, 107, and 109	TM103O1R	04/08/2023	04/28/2023	45
103,107, and 109	TM103O2R	04/29/2023	05/31/2023	45
103, 107, 109 - youth only	TM103K1R	04/08/2023	05/31/2023	40
124, 125, and 129	TM124O1R	04/08/2023	05/31/2023	25
124, 125, and 129 - youth only	TM124K1R	04/08/2023	05/31/2023	15
127, 132	TM127O1R	04/08/2023	05/31/2023	30
139	TM139O1R	04/08/2023	05/31/2023	15
140 - Lake Dorothey State Wildlife Area only	TM140O1R	04/08/2023	05/31/2023	30
140 - James John State Wildlife Area only	TM140O2R	04/08/2023	05/31/2023	20
444	TM444O1R	04/08/2023	05/31/2023	45
444 – Private Land Only	TM444P1R	04/08/2023	05/31/2023	30
851 - Bosque del Oso State Wildlife Area only	TM851O1R	04/08/2023	05/31/2023	20
Total				1680

2. Fall Season						
Unit	Hunt Code	Date Opened	Date Closed	Licenses Either Sex		
15, 27, 37 and 361	TE015L1R	09/01/2023	10/01/2023	15		
25	TE025L1R	09/01/2023	10/01/2023	15		
34	TE034L1R	09/01/2023	10/01/2023	25		
47	TE047L1R	09/01/2023	10/01/2023	25		
59 - Beaver Creek State Wildlife Area and Table Mountain State Trust Land Lease only	TE059L1R	09/01/2023	10/01/2023	15		
85 - Spanish Peaks State Wildlife Area - Oberosler Tract only	TE085L1R	09/01/2023	10/01/2023	10		
85 - Spanish Peaks State Wildlife Area – Dochter Tract only	TE085L2R	09/01/2023	10/01/2023	10		
85 -Spanish Peaks State Wildlife Area - Sakariason Tract only	TE085L3R	09/01/2023	10/01/2023	10		
91	TE091L1R	09/01/2023	10/27/2023	50		
91, 92, 96, 101, and 102 – youth only	TE091K1R	09/01/2023	10/27/2023	50		
92	TE092L1R	09/01/2023	10/27/2023	50		
96	TE096L1R	09/01/2023	10/27/2023	150		
101, 102	TE101L1R	09/01/2023	10/27/2023	30		
103, 107, and 109	TE103L1R	09/01/2023	10/27/2023	10		
103, 107, 109 - youth only	TE103K1R	09/01/2023	10/27/2023	10		
124, 125 and 129	TE124L1R	09/01/2023	10/27/2023	15		
124, 125 and 129 - youth only	TE124K1R	09/01/2023	10/27/2023	15		
126, 146	TE126L1R	09/01/2023	10/27/2023	20		
127, 132	TE127L1R	09/01/2023	10/27/2023	20		
139	TE139L1R	09/01/2023	10/27/2023	10		
140 - Lake Dorothey State Wildlife Area only	TE140L1R	09/01/2023	10/01/2023	10		
140 - James John State Wildlife Area only	TE140L2R	09/01/2023	10/01/2023	10		
444	TE444L1R	09/01/2023	10/01/2023	20		
851 - Bosque del Oso State Wildlife Area only	TE851L1R	09/01/2023	10/01/2023	10		
Total				605		

F. Special Licenses for Nuisance Turkeys

- 1. The Director shall have the authority to establish special hunting seasons for turkeys, between December 1 and March 31 on an annual basis, when necessary to control nuisance turkeys. The Area Wildlife Manager will determine the type of license(s) (eithersex or hen only) most appropriate to control the conflict.
 - a. Nuisance turkey hunts are limited to a maximum of 50 licenses per landowner, per year.

- The Area Wildlife Manager shall provide the landowner with special application forms for distribution to individuals of their choice. Participants shall submit the completed application form with payment to the Division office indicated on the application. Nuisance turkey licenses shall be sold at the fall season license price.
- b. Prior to approving the hunt, the Division shall:
 - 1. Verify that conflicts are occurring.
 - 2. Designate what area shall be open to hunting.
 - 3. Determine the manner of hunting that will be permitted.
 - 4. Determine the number of hunters allowed to hunt in each designated area.
- c. Hunting will be done under the direction of a District Wildlife Manager, following approval by the owner of land where such conflict is occurring.
- d. Hunters shall hunt in designated areas and on the dates indicated on the license.
 - A map or a written description of the designated area open to hunting (which would include, but would not be limited to landowner(s) name, game management unit, township, range and section(s) and/or identification of landmarks such as roads, rivers, or fence lines which coincide with boundaries), will be provided to each licensed hunter by the Division.
- e. Any person who purchases a license for a nuisance turkey season shall be required to complete a Division harvest survey form and return it to the Area office that is nearest the location of the hunt no later than 5 days after the season ends.

AS APPROVED 01/17/2023

Basis and Purpose
Chapter W-3 - Small Game - Furbearers

Basis and Purpose:

Revising the definition of a novice hunter

Revising the definition of a novice hunter keeps the definition of a novice turkey hunter the same as the definition of a novice big game hunter.

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 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 March 2, 2023, 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 ON THIS 17TH DAY OF JANUARY 2023.

APPROVED: Carrie Besnette Hauser Chair

ATTEST: Marie Haskett Secretary 1/31/23, 11:01 AM AGOpinion

Philip J. Weiser Attorney General

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Office of the Attorney General

Tracking Number: 2022-00757

OPINION OF THE ATTORNEY GENERAL RENDERED IN CONNECTION WITH THE RULES ADOPTED BY THE Colorado Parks and Wildlife (406 Series, Wildlife) ON 01/17/2023

2 CCR 406-3 CHAPTER W-3 - FURBEARERS AND SMALL GAME, EXCEPT MIGRATORY BIRDS

The above-referenced rules were submitted to this office on 01/20/2023 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 27, 2023 10:26:41 MST

Philip J. Weiser Attorney General by Eric R. Olson Solicitor General