



COLORADO

Parks and Wildlife

Department of Natural Resources

Policy and Planning
6060 Broadway
Denver, CO 80216

TO: Members of the Colorado Parks and Wildlife Commission
FROM: Hilary Hernandez, Regulations Manager
RE: Chapter P-7 and Chapter W-0 Final Regulations for the March 2023 Parks and Wildlife Commission Meeting
DATE: March 3, 2023

Final regulatory changes for Chapter P-7 and Chapter W-0 are 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.

Agenda Item 23.1: Chapter P-7 - “Passes, Permits and Registrations” 2 CCR 405-7 and Chapter W-0 - “General Provisions” 2 CCR 406-0

Updating the income requirements for the income eligible passes and licenses offered by the Division

The income requirements for the income eligible passes and licenses have been updated to incorporate the most recent version of the income guidelines set forth in the Annual Update of the HHS Poverty Guidelines, 88 Fed. Reg. 3424 (January 19, 2023) issued by the U.S. Department of Health and Human Services. The language on dependents has also been updated to match the language used in the Annual Update of the HHS Poverty Guidelines.



FINAL REGULATIONS - CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS

ARTICLE I - GENERAL PROVISIONS AND FEES RELATING TO PASSES, PERMITS AND REGISTRATIONS

INDIVIDUAL PASSES

#701 - INDIVIDUAL PASSES

1. Individuals sixteen years of age or older entering any state recreation area or state park by means other than a motor vehicle, such as on foot, bicycle, horseback, etc., shall have a valid parks pass issued by the Division or DOR carried on their person. Individuals entering by means other than a motor vehicle into Boyd Lake, Cameo Shooting and Education Complex, Chatfield, Cherry Creek, Cheyenne Mountain, Lake Pueblo, and Lone Mesa state parks may enter without purchasing a parks pass. Individual passes are not required at any state recreation area or state park under the circumstances identified in regulation # 700-2.a. through # 700-2.e. and # 700-2.g. through # 700-2.l or for individuals under the age of sixteen.
2. A Columbine, Centennial, Blue Spruce, Independence, Volunteer or Military Pass is issued to an individual person and not a specific vehicle. These shall authorize entrance by motor vehicle, when and where motor vehicle access is permitted, to all state recreation areas and state parks or for other forms of individual access, when in possession of the pass holder. Such authorization shall apply to the holder of the pass and all the passengers in, and the driver of, the motor vehicle carrying the holder of such pass. The pass must be continuously displayed in the manner described on the pass. A Columbine, Centennial, Blue Spruce, Independence, Volunteer or Military Pass is transferable from motor vehicle to motor vehicle as long as the pass holder is present in the vehicle. The Centennial pass may also be associated with the Centennial pass holder's vehicle, if desired, at no additional cost.
3. Any resident of the state who is a first responder with a permanent occupational disability as defined in state statute 33-4-104.5 (2) may obtain, free of charge, a Blue Spruce annual pass, also known as a Columbine annual pass for first responders pursuant to 33-12-103.5 (2.5), C.R.S. The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-1-102 (38) (a), C.R.S.
 - a. In order to qualify for a Blue Spruce annual parks pass, a resident must provide the following written proof to the Division:
 - (1) The "Initial Disability Administration Decision" form from the Fire and Police Pension Association that specifies a permanent occupational disability; or
 - (2) For residents that are not members of the Fire and Police Pension Association, a fully completed Division "First Responder Affidavit" signed by the applicant attesting to the fact that their permanent disability or disease was obtained while on active-duty.
4. A resident who is a disabled veteran or a resident who is a purple heart recipient may obtain an Independence annual parks pass pursuant to 33-12-106 (1) (b), C.R.S and 33-12-106 (1) (c), C.R.S. An Independence annual parks pass shall be issued following the Division's receipt of a completed application from a qualified resident of the state. The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-10-102 (21), C.R.S.

- a. In order to qualify for an Independence annual parks pass, a resident must provide the following written proof to the Division:
 - (1) DD 214 Form or other documentation indicating the veteran received an Honorable Discharge from a branch of the Armed Services of the United States, **AND**
 - (2) A qualification letter, on official stationary/letterhead, from the Veteran's Administration, Department of Veteran's Affairs, or the branch of service from which the veteran is receiving compensation, that states one of the following:
 - a. 50% or greater, service-connected permanent disability;
 - b. Loss of use of one or both feet;
 - c. Loss of use of one or both hands; or a
 - d. Loss of vision in both eyes, **OR**
 - (3) A DD 214 Form indicating the applicant has been awarded a purple heart, or a letter of verification from the appropriate branch of the armed forces of the United States that the applicant has been awarded a purple heart.

5. A disabled resident may obtain a Columbine annual pass pursuant to 33-12-103.5, C.R.S. A resident who qualifies for a Centennial annual pass may obtain such pass as provided for in this regulation. A Columbine or a Centennial annual parks pass shall be issued following the Division's receipt of a completed application from a qualified resident of the state and the payment of the necessary fee. The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-10-102 (21), C.R.S.
 - a. In order to qualify for a Columbine annual parks pass, a resident must provide the following written proof to the Division:
 - (1) A "Final Admission of Liability" form from the Division of Workers Compensation that indicates a total and permanent disability; or
 - (2) A fully completed Division "Physician's Affidavit" signed by a licensed physician attesting that the resident meets the definition of a total and permanent disability. A "**total and permanent disability**" shall mean any physical or mental impairment which prevents substantial gainful employment, but only if it is reasonably certain that such a disability will continue throughout the lifetime of the disabled person.

 - b. In order to qualify for a Centennial annual parks pass, a Colorado resident must show a photo identification card and:
 - (1) Provide written proof in the form of a federal or state income tax return from the immediately preceding calendar year that the federal taxable income of such individual is at or below one hundred percent of the official poverty line for an individual or a family, as appropriate to the applicant. If said tax return is not available, a return for the year immediately preceding such year shall suffice. Or,
 - (2) If an individual's income is at a level where such individual was not required to file a federal income tax return for the immediately preceding calendar year, such individual shall sign a statement under penalty of perjury in the second degree to such effect. No such affidavit shall be required to be notarized. Or,

- (3) Documentation in the form of a card or other verifiable written materials that the resident is currently enrolled in any one of the following programs: TANF (Temporary Assistance to Needy Families), WIC (Special Supplemental Nutrition Program for Women, Infants and Children), Health First Colorado (Colorado's Medicaid program), SNAP (Supplemental Nutrition Assistance Program), FDPIR (Food Distribution Program on Indian Reservations), or LEAP (Low-income Energy Assistance Program).

The pass will only remain valid as long as the individual maintains their Colorado residency as defined in 33-10-102 (21), C.R.S. The federal taxable income amounts, based on the number of ~~dependents~~people in the family/household, cannot be greater than those listed in the poverty guidelines set forth in the Annual Update of the HHS Poverty Guidelines, ~~87 88~~ Fed. Reg. ~~3315-3424~~ (January ~~21, 2022~~19, 2023) issued by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201. This federal guideline, but not later amendments to or editions thereof, has been incorporated by reference. Information regarding how and where the incorporated materials may be examined, or copies obtained, is available from:

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Colorado Division of Parks and Wildlife
6060 Broadway
Denver, Colorado 80216

- c. The Columbine, Centennial, Independence, and Blue Spruce annual parks pass application shall be on a form provided by the Division. Blank applications shall be available, during regular business hours, at the Divisions' regional offices, Denver offices, and service centers.
- d. Individuals applying to the Division for a Columbine, Centennial, Independence, or Blue Spruce annual parks pass must provide the following information:
 - (1) Full name and address, including city, county, state and zip code; and
 - (2) Phone number, unless the phone number is unlisted or non-published; and
 - (3) Date of birth and age; and
 - (4) Physical description, including sex, height, weight, hair and eye color; and
 - (5) Applicant's signature and date of application; and
 - (6) If applying for a Columbine annual parks, information concerning the nature of the applicant's disability, together with supporting evidence of the same.
 - (7) If applying for a Centennial annual parks pass, information concerning the applicant's total annual income and number of ~~dependents~~people in the family/household, together with supporting evidence of the same or supporting evidence the applicant is currently enrolled in one of the programs listed in these regulations.

- (8) If applying for a Blue Spruce annual parks pass, information concerning the applicant's first responder service and disability, together with supporting evidence of the same.
 - (9) If applying for an Independence annual parks pass, required documentation supporting veteran's status and disability qualifications or verification that the applicant has been awarded a purple heart.
- e. The Columbine, Centennial, Independence, and Blue Spruce annual parks pass application form shall contain language explaining that the completed and signed application, once submitted to the Division, will be treated in all respects as a sworn statement. The form shall also contain an oath that includes an affirmation attesting to the truth of that which is stated, the applicant is aware that statements made are intended to be represented as true and correct statements, and that false statements are punishable by law.
- f. At the time that an application for a Columbine or a Centennial annual parks pass is submitted to the Division, the appropriate fee shall also be paid.
- g. Pending the issuance of a Columbine, Centennial, Independence, or Blue Spruce annual parks pass, possession on the applicant of a bona fide copy of the application permits the applicant and others in the motor vehicle carrying the applicant entrance by motor vehicle to all state parks and state recreation areas, when and where motor vehicle access is permitted, for a period of thirty days following the date of filing the application with the Division or until receipt of notice from the Division either granting or denying the application request, whichever period of time is shorter.
- h. Within 15 days of the Division's receipt of a completed Columbine or Centennial annual parks pass application and the appropriate fee payment, or Blue Spruce or Independence annual parks pass application, the Division shall review and approve or deny the application.
 - (1) Completed applications shall be approved if the minimum qualifications set forth in this regulation are met.
 - (2) Conversely, if the minimum qualifications are not met, then the application shall be denied. The applicant shall be notified in writing within five working days upon denial of a request. Such written notification shall include an explanation of the basis for denial and a refund of any fee paid.
 - (3) The applicant may appeal this decision to the Division Director by notifying the Director in writing within sixty days of the Division's mailing of the denial notice. A faster appeal will be necessary when the calendar year will end prior to the expiration of the sixty-day appeal period.
 - (4) The address utilized by the Division for all mailings associated with the processing of a Columbine, Centennial, Independence, or Blue Spruce annual parks pass application shall be the address indicated on the application.
- i. If a Columbine, Centennial, Independence, or Blue Spruce annual pass is lost or destroyed during the period of time that it would otherwise would have been valid, the person to whom the pass was issued may obtain a duplicate thereof, free of charge, upon signing an affidavit reciting where and by whom it was issued and circumstances under which it was lost.

6. The types of non-motor vehicle individual passes available from the Division are as follows:
 - a. A non-motor vehicle individual daily pass, for all persons sixteen years of age or older, shall be carried on the individual's person for all visitors entering state recreation areas and state parks as provided in regulation #701-1 and regulation #701-6.d.
 - b. A non-motor vehicle individual annual pass issued to one pass holder, may be used for the pass holder and up to three additional visitors sixteen years of age or older. Such pass, shall be carried on the pass holder's person for visitors entering state recreation areas and state parks as provided in regulation #701-1 and regulation #701-6.d.
 - c. The receipt for an annual pass, a copy of the individual's vehicle registration displaying a Keep Colorado Wild annual pass, a Division sponsored mobile application showing active status of a Keep Colorado Wild annual pass or other Division annual pass shall be carried on the pass holder's person to be used as an individual annual pass, for the pass holder and up to three additional visitors sixteen years of age or older, for visitors entering all state recreation areas and state parks as provided in regulations #701-1 and regulation #701-6.d.
 - d. The following rules apply to non-motorized access to Arkansas Headwaters Recreation Area:
 - (1) A non-motor vehicle individual daily pass, for all persons sixteen years of age or older, shall be carried on the individual's person for all visitors entering the developed and posted fee sites of Arkansas Headwaters Recreation Area.
 - (2) Or the receipt for an annual pass, or a copy of the individual's vehicle registration displaying a Keep Colorado Wild annual pass shall be carried on the pass holder's person to be used as an individual annual pass, and may be used for the pass holder and up to three additional visitors sixteen years of age or older for visitors entering the developed and posted fee sites of Arkansas Headwaters Recreation Area.
 - e. If a non-motor vehicle individual annual pass is lost or destroyed during the period of time that it would otherwise would have been valid, the person to whom the pass was issued may obtain a duplicate thereof, free of charge, upon signing an affidavit reciting where and by whom it was issued and circumstances under which it was lost.
7. Volunteers for Colorado Parks and Wildlife are eligible for a volunteer park pass while serving in accordance with a signed individual volunteer agreement and after donating a minimum of 48 hours of approved volunteer service within a previous consecutive 12-month period.
 - a. The volunteer park pass is valid for one year from the date of issue.
8. Volunteers for Colorado Parks and Wildlife who are 64 years of age or older, regardless of their state of residence, are eligible for the senior volunteer park pass while serving in accordance with a signed individual volunteer agreement and after donating a minimum of 48 hours of approved volunteer service within a previous consecutive 12-month period.
 - a. The senior volunteer park pass is valid for one year from the date of issue.
9. A veteran is eligible for a no fee individual military pass during the month of August.

- a. In order to qualify for the no fee individual military pass, a veteran, reserve, or active duty member of any branch of the armed forces of the United States, must provide at least one form of past or present military identification to the Division in order to receive the free Military pass. Acceptable forms of military identification include:
 - (1) DD214;
 - (2) DD Form 2;
 - (3) DD Form 2765;
 - (4) Active, retired or veteran military identification cards;
 - (5) A current Colorado Driver's License or state issued identification card with the word 'Veteran' printed on it as specified in 42-2-303 (5)(a), C.R.S.;
 - (6) VA medical card.
10. A no-fee individual "Check Out State Parks" Library Program Pass is available for check out from Colorado libraries.

Basis and Purpose:

Updating the income requirements for the Centennial Pass to correspond with the requirements of other income eligible licenses and passes offered by the Division

The income requirements for the Centennial annual parks pass have been updated to incorporate the most recent version of the income guidelines set forth in the Annual Update of the HHS Poverty Guidelines, 88 Fed. Reg. 3424 (January 19, 2023) issued by the U.S. Department of Health and Human Services. These income requirements correspond to the requirements of other income eligible licenses and passes offered by the Division. The language on dependents has also been updated to match the language used in the Annual Update of the HHS Poverty Guidelines.

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 MAY 1, 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 15TH DAY OF MARCH 2023.

APPROVED:
Carrie Besnette Hauser
Chair

ATTEST:
Marie Haskett
Secretary

FINAL REGULATIONS - CHAPTER W-0 - GENERAL PROVISIONS

Appendix F - Wildlife License and Pass Prices

(1) Resident and nonresident licenses

License	Residency	Fees
3-year possession/hunting raptor license	Resident	\$172.55***
Annual possession/hunting raptor license	Nonresident	\$92.03***
Peregrine falcon capture license	Resident	\$345.11***
Extra rod stamp	Resident	\$10.35**
Extra rod stamp	Nonresident	\$10.35**
Fishing - 1 day	Resident	\$13.80**
Fishing - 1 day	Nonresident	\$17.26**
Fishing - additional day	Resident	\$5.75**
Fishing - additional day	Nonresident	\$5.75**
Fishing - 5 day	Nonresident	\$34.51**
Fishing- annual	Resident	\$37.96**
Fishing - annual	Nonresident	\$109.28**
Youth (ages 16-17) annual fishing	Resident	\$9.20**
Senior annual fishing	Resident	\$9.20**
Small game hunting	Resident	\$32.21**
Senior lifetime fishing upgrade to annual combination fishing and small game hunting^	Resident	\$22.59**
Small game hunting	Nonresident	\$92.03**
Small game - 1 day	Resident	\$13.80**
Small game - 1 day	Nonresident	\$17.26**
Small game - additional day	Resident	\$5.75**
Small game - additional day	Nonresident	\$5.75**
Furbearer license	Resident	\$32.21**
Furbearer license	Nonresident	\$92.03**
Turkey, fall	Resident	\$26.46**
Turkey, fall	Nonresident	\$172.55**
Turkey, spring	Resident	\$32.21**
Turkey, spring	Nonresident	\$172.55**
Turkey (youth)	Resident	\$16.11**
Turkey (youth)	Nonresident	\$115.04**
Combination fishing and small game hunting	Resident	\$55.22**
Senior (ages 65 and older) combination fishing and small game hunting	Resident	\$31.79**
Pronghorn	Resident	\$43.71**
Pronghorn	Nonresident	\$454.39**
Bear, fall	Resident	\$42.03**
Bear, fall	Nonresident	\$110.59**
Bear, fall (youth)	Resident	\$15.48*
Bear, fall (youth)	Nonresident	\$55.30*
Deer	Resident	\$43.71**
Deer	Nonresident	\$454.39**
Elk	Resident	\$60.97**
Elk (antlered or either sex)	Nonresident	\$759.24**
Elk (antlerless)	Nonresident	\$759.24**
Mountain goat	Resident	\$345.11**
Mountain goat	Nonresident	\$2,542.29**
Moose	Resident	\$345.11**
Moose	Nonresident	\$2,542.29**
Mountain lion	Resident	\$55.22**

Mountain lion	Nonresident	\$387.08**
Rocky mountain bighorn sheep	Resident	\$345.11**
Rocky mountain bighorn sheep	Nonresident	\$2,542.29**
Desert bighorn sheep	Resident	\$345.11**
Desert bighorn sheep	Nonresident	\$2,542.29**
Resident low-income senior lifetime fishing	Resident	\$8.96**
Youth big game (deer, elk, pronghorn)	Resident	\$16.07 each *
Youth big game (deer, elk, pronghorn)	Nonresident	\$115.00 each*
Youth small game hunting	Resident	\$1.40
Youth small game hunting	Nonresident	\$1.40
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Resident	\$11.50
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Nonresident	\$11.50
"Lifetime" Colorado wildlife habitat stamp	Resident	\$345.11***
"Lifetime" Colorado wildlife habitat stamp	Nonresident	\$345.11***

*Plus additional surcharge of \$1.50 for the Wildlife Management Public Education Fund.

**Plus additional surcharge of \$1.50 for the Wildlife Management Public Education Fund and \$0.25 for the Search and Rescue Fund.

***Plus additional surcharge of \$0.25 for the Search and Rescue Fund.

^Valid only for resident senior Lifetime Disability and Low Income Fishing license holders.

License prices established in this table are the actual license price. Some license prices have discounts applied from the statutory maximum price as provided for in Chapters W-2 and W-3.

(2) Special licenses

License	Fees
Scientific collecting license	\$32.21
Importation license	\$86.28
Field trial license	\$26.46
Commercial lake license	\$230.07
Private lake license	\$16.11
Commercial wildlife park license	\$172.55
Noncommercial park license	\$32.21
Wildlife sanctuary license	\$172.55
Zoological park license	\$172.55

(3) The fee for each migratory waterfowl stamp is \$11.50.

(4) The fee for each Federal Waterfowl Stamp is \$31.00.

(5) The nonrefundable application-processing fee for each limited license is \$8.00 for resident applications and \$10.00 for nonresident applications.

(6) Colorado State Wildlife Area passes

Pass	Fees
Colorado State Wildlife Area Pass - annual	\$38.21**
Colorado State Wildlife Area Pass - 1 day	\$8.50*
Youth (ages 16-17) annual Colorado State Wildlife Area Pass	\$9.45*
Senior (ages 65 and older) annual Colorado State Wildlife Area Pass	\$9.45*
Low-income annual Colorado State Wildlife Area Pass	\$9.45*

*Plus a surcharge of \$1.50 for the wildlife management public education fund.

**Plus a surcharge of \$1.50 for the wildlife management public education fund and a fee of \$11.50 for a Colorado wildlife habitat stamp.

In order to qualify for an annual low-income Colorado State Wildlife Area Pass an individual must show a photo identification card and:

Provide written proof, in the form of a federal or state income tax return from the immediately preceding calendar year, that the federal taxable income of such individual is at or below one hundred percent of the official poverty line for an individual or a family, as appropriate to the applicant. If said tax return is not available, a return for the year immediately preceding such year shall suffice. Or,

If an individual's income is at a level where such individual is not required to file an income tax return, such individual shall sign a statement under penalty of perjury in the second degree to such effect. No such affidavit shall be required to be notarized. Or,

A Colorado resident may provide documentation in the form of a card or other verifiable written materials that the resident is currently enrolled in any one of the following programs: TANF (Temporary Assistance to Needy Families), WIC (Special Supplemental Nutrition Program for Women, Infants and Children), Health First Colorado (Colorado's Medicaid program), SNAP (Supplemental Nutrition Assistance Program), FDPIR (Food Distribution Program on Indian Reservations), or LEAP (Low-income Energy Assistance Program).

The federal taxable income amounts, based on the number of ~~dependents~~people in the family/household, cannot be greater than the applicable guideline set forth in the Annual Update of the HHS Poverty Guidelines, ~~87-88~~ Fed. Reg. ~~3345-3424~~ (January ~~24~~19, 20223) issued by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201. This federal guideline, but not later amendments to or editions thereof, has been incorporated by reference. Information regarding how and where the incorporated materials may be examined, or copies obtained, is available from:

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Denver, Colorado 80216

Basis and Purpose:

Updating the income requirements for the low-income annual Colorado State Wildlife Area Pass to correspond with the requirements of other income eligible licenses and passes offered by the Division

The income requirements for the low-income annual Colorado State Wildlife Area Pass have been updated to incorporate the most recent version of the income guidelines set forth in the Annual Update of the HHS Poverty Guidelines, 88 Fed. Reg. 3424 (January 19, 2023) issued by the U.S. Department of Health and Human Services. These income requirements correspond to the requirements of other low-income licenses and passes offered by the Division. The language on dependents has also been updated to match the language used in the Annual Update of the HHS Poverty Guidelines.

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 statutory authority for these regulations includes, but is not limited to:

- § 24-4-103, C.R.S.
- § 33-1-105(1)(c), C.R.S. (Commission has the power to “Construct or otherwise establish public facilities and conveniences at any site or on any land in which the commission holds an interest ... and, when appropriate, make reasonable fees or charges for their use....”).
- §§ 33-1-101 to 33-6-209, C.R.S., particularly §§ 33-1-105, -106, -107, and 33-4-102, C.R.S.
- § 33-9-102, C.R.S.

EFFECTIVE DATE – THE REGULATIONS HEREIN SHALL BECOME EFFECTIVE MAY 1, 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 15TH DAY OF MARCH, 2023.

APPROVED:
Carrie Besnette Hauser
Chair

ATTEST:
Marie Haskett
Secretary