

CITIZEN PETITION FORM

Date: 4-26-2023

Issue:	Petition to expand daily and aggregate limits on Yellow Bellied Marmot
Which rule are you seeking to create or revise? Please include a copy of the rule you are proposing to create or change, preferably with the change made in redline format.	
▶ MARMOT SEASON: Aug. 10–Oct. 15, annually DAILY BAG LIMIT: 2 5 POSSESSION LIMIT: 4 10	
Why are you seeking to create or revise this rule? Please include a general statement of the reasons for the requested rule or revision and any relevant information related to the request.	
Because there are not very many hunters in the state that choose to hunt and eat this particular species and the population numbers can sustain an increase in bag and aggregate limits. The number of marmots harvested in the state is negligible to the population	
Petitioner's name:	David Spies



COLORADO

Parks and Wildlife

Department of Natural Resources

Policy and Planning
6060 Broadway
Denver, CO 80216

To: Mr. David Spies

RE: April 26, 2023 petition seeking to amend CPW regulation #311.B, relating to marmot bag and possession limits.

Dear Mr. Spies:

Colorado Parks and Wildlife (CPW) is in receipt of your petition seeking to amend CPW regulation #311.B, relating to marmot bag and possession limits (Petition). CPW denies the Petition.

Background

CPW regulation #311.B governs the possession of marmots and provides for a daily bag limit of two marmots and a possession limit of four marmots. The Petition seeks to increase these amounts to five and ten, respectively.

The entire substance of the Petition states *“Because there are not very many hunters in the state that choose to hunt and eat this particular species and the population numbers can sustain an increase in bag and aggregate limits. The number of marmots harvested in the state is negligible to the population.”*

CPW’s regulation concerning citizen petitions is regulation #1606. The CPW Commission’s policy implementing this regulation is available [here](#) and states that “If the Division opposes the petition, Division staff will recommend placing the petition on the consent agenda for denial with a memo from the Director or Division personnel explaining such opposition.” *Id.*, ¶ IV(B). Denial of a petition constitutes final action by the Commission. *Id.*, p. 3.

The Division recommends the CPW Commission deny the Petition via the consent agenda for the reasons stated below. If adopted, this recommendation will become the order of the CPW Commission denying the Petition and will be effective upon mailing.

Discussion and Bases for Denial

First, the Petition is conclusory and supplies no data or other information supporting its conclusions. The Petition states that there are “not very many” marmot hunters, but CPW’s hunter harvest survey data indicate that there are at least 400 hunters who hunt marmots annually. This is not a de minimis number of hunters.

Second, the existing bag and possession limits have been in place since at least 1994 and CPW staff do not recall receiving public comments in the past to the effect that the existing limits



are inappropriate or that adjustments should be made for wildlife management purposes. Accordingly, it appears the instant Petition is an isolated concern. CPW believes the existing limits strike the appropriate balance among numerous policy concerns and notes that additional lawful, unlicensed and unreported take may occur as authorized by § 33-6-107(9), CRS, which authorizes the removal of marmots causing damage on private lands.

Third, CPW is engaged in other regulatory priorities, which must take precedence at this time, including the agency's efforts to reintroduce gray wolves pursuant to § 33-2-105.8, CRS.

Thank you for your interest in CPW and your interest in this topic.

Very truly yours,

A handwritten signature in blue ink that reads "Jeff Davis". The signature is written in a cursive, flowing style.

Jeff Davis
Director, Division of Parks and Wildlife