

CITIZEN PETITION FORM

Date: March 31, 2021

Issue:	The draw process for moose, bighorn sheep and mountain goat licenses gives preferential treatment to nonresident hunters over resident hunters and needs to be changed.
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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.

Regulation #206. B.5.d.1 provides nonresident hunters 10% of available moose, bighorn sheep or mountain goat licenses for all hunt codes and does not require these nonresident hunters to have preference points and weighted preference points to successfully draw a license. "Nonresident hunters shall receive no more than 10% of available moose, bighorn sheep and mountain goat licenses for all hunt codes. In the event there are an insufficient number of nonresident applications for the allocated number of moose, bighorn sheep or mountain goat licenses in any hunt code, the excess nonresident licenses will be issued to residents through the regular drawing process. These drawing limitations do not apply to the issuance of Bighorn Sheep Access Program (BSAP) licenses."

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.

This regulation allows nonresident hunters the ability to apply and receive licenses WITHOUT any preference points or weighted preference points. Resident hunters are REQUIRED to purchase and accumulate preference points AND weighted preference points just to have a chance at drawing a license. By allowing non-resident hunters the ability to apply and obtain licenses without any preference points and weighted preference points, there is no "level playing field" between resident and nonresident hunters. Residents of the State of Colorado pay state park fees and vehicle license registration fees which are used to fund Colorado Parks and Wildlife. Nonresident hunters do not pay Colorado vehicle license registration fees.

I am proposing a change to Regulation #206. B.5.d.1 to read as follows:

"All moose, bighorn sheep, and mountain goat license applicants, whether resident and nonresident, will be required to use the same draw process under Regulation #206. B.4.j.1.b which determines how licenses are awarded based on preference points and weighted preference points. There shall be no separate license allocation to nonresident hunters. Through the draw process, nonresident hunters shall receive no more than 10% of available moose, bighorn sheep and mountain goat licenses for all hunt codes. In the event there are an insufficient number of nonresidents awarded licenses based on the draw process under Regulation #206. B.4.j.1.b, the excess nonresident licenses will be issued to residents through the regular draw process. These drawing limitations do not apply to the issuance of Bighorn Sheep Access Program (BSAP) licenses."

My experiences for hunt code M-F-171-01-R include:

1. In 2010, I drew a rifle cow license. I had 3 preference points and 5 weighted preference points that year. During the hunt, I spoke with another hunter that claimed to be a nonresident who had obtained a license with no preference points and no weighted preference points.
2. In 2018, I drew a rifle cow license. I had 3 preference points and 5 weighted preference points that year. During the hunt, I spoke with two hunters that claimed to be nonresidents who had obtained a license with no weighted preference points.
3. In 2019, son-in-law, Lyle Bauman, drew a rifle cow license. He had 3 preference points and 6 weighted points that year. During the hunt, we spoke with two different hunters that claimed to be nonresidents who had obtained a license with no preference points and no weighted preference points.

I have included in the Citizen's Petition the Moose Post Draw Reports for 2018, 2019, and 2020 that include the draw results for moose in area 171.

1. In 2018, 181 residents and 3 nonresidents applied for a moose license; 79 residents had weighted points and 0 nonresidents had weighted points. 3 of the 16 licenses (19%) were awarded to nonresident hunters, all with no weighted points.
2. In 2019, 178 residents and 3 nonresidents applied for a moose license; 89 residents had weighted points and 0 nonresidents had weighted points. 2 of the 16 licenses (12.5%) were awarded to nonresident hunters, all with no weighted points.
3. In 2020, 184 residents and 6 nonresidents applied for a moose license; 86 residents had weighted points and 0 nonresidents had weighted points. 3 of the 14 licenses (21.5%) were awarded to nonresident hunters, all with no weighted points.

Petitioner's name:

Thomas A. Schwein



Colorado Parks and Wildlife 2018 Primary MOOSE Post Draw Report

MF17101A MF17101M MF17101R

Total Quota Amount		
16		
Remaining Balance		
0		
# Drawn	Hunt Code	List
5	MF17101A	A
0	MF17101M	A
11	MF17101R	A

	Regulation Level	# Drawn
LPP Unrestricted (up to)	N/A	N/A
LPP Restricted (up to)	N/A	N/A
Youth Preference (up to)	N/A	N/A
NonResident Cap (up to)	3	3
Hybrid Draw (up to)	N/A	N/A
	General Apps	LPP Apps
Total Choice 1	201	0
Total Choice 2	254	0
Total Choice 3	67	0
Total Choice 4	63	0

Pre-Draw Quotas	Quota		Adult		Youth		Landowner (LPP)	
	Original	General Draw	Res	NonRes	Preference	Unrestricted	Restricted	
	16	16	13	3	N/A	N/A	N/A	

Post-Draw Successful	# Drawn	Balance	Res	NonRes	Res	NonRes	Unrestricted	Restricted
	16	0	13	3	0	0	0	0
			81%	19%	0%	0%	0%	0%

Drawn Out At	Res	NonRes	Res	NonRes	Unrestricted	Restricted
	3+ Pref Points	0 Pref Points	None Drawn	None Drawn	N/A	N/A
	# Drawn at Final Level	13 of 100	1 of 1	N/A	N/A	N/A
% Drawn at Final Level	13%	100%	N/A	N/A	N/A	N/A

Pre-Draw Applicants								
Choice	Preference Points	Weighted Points	Adult		Youth		Landowner (LPP)	
			Res	NonRes	Res	NonRes	Unrestricted	Restricted
1	3	15	1	-	-	-	-	-
	3	14	-	-	-	-	-	-
	3	13	1	-	-	-	-	-
	3	12	1	-	-	-	-	-
	3	11	1	-	-	-	-	-
	3	10	3	-	-	-	-	-
	3	9	1	-	-	-	-	-
	3	8	5	-	-	-	-	-
	3	7	2	-	-	-	-	-
	3	6	9	-	-	-	-	-
	3	5	7	-	-	-	-	-
	3	4	12	-	-	-	-	-
	3	3	8	-	-	-	-	-
	3	2	11	-	-	-	-	-
	3	1	17	-	1	-	-	-
	3	0	21	-	1	-	-	-
	2	0	14	-	3	-	-	-
	1	0	21	2	3	-	-	-
0	0	46	1	8	1	-	-	
Total Choice 1			181	3	16	1	0	0
Total Choice 2			226	8	18	2	0	0
Total Choice 3			60	2	5	0	0	0
Total Choice 4			60	2	1	0	0	0
Grand Total			527	15	40	3	0	0

Post-Draw Successful								
Choice	Preference Points	Weighted Points	Adult		Youth		Landowner (LPP)	
			Res	NonRes	Res	NonRes	Unrestricted	Restricted
1	3	15	-	-	-	-	-	-
	3	14	-	-	-	-	-	-
	3	13	1	-	-	-	-	-
	3	12	1	-	-	-	-	-
	3	11	-	-	-	-	-	-
	3	10	1	-	-	-	-	-
	3	9	-	-	-	-	-	-
	3	8	2	-	-	-	-	-
	3	7	-	-	-	-	-	-
	3	6	1	-	-	-	-	-
	3	5	1	-	-	-	-	-
	3	4	3	-	-	-	-	-
	3	3	-	-	-	-	-	-
	3	2	2	-	-	-	-	-
	3	1	-	-	-	-	-	-
	3	0	1	-	-	-	-	-
	2	0	-	-	-	-	-	-
	1	0	-	2	-	-	-	-
0	0	-	1	-	-	-	-	
Total Choice 1			13	3	0	0	0	0
Total Choice 2			0	0	0	0	0	0
Total Choice 3			0	0	0	0	0	0
Total Choice 4			0	0	0	0	0	0
Grand Total			13	3	0	0	0	0

Landowner Leftover Choice 1	0	0
Landowner Leftover Choice 2	0	0
Landowner Leftover Choice 3	0	0

Landowner Leftover Choice 1	0	0
Landowner Leftover Choice 2	0	0
Landowner Leftover Choice 3	0	0



Colorado Parks and Wildlife 2019 Primary MOOSE Post Draw Report

MF17101A MF17101M MF17101R

Total Quota Amount		
16		
Remaining Balance		
0		
# Drawn	Hunt Code	List
3	MF17101A	A
1	MF17101M	A
12	MF17101R	A

	Regulation Level	# Drawn
LPP Unrestricted (up to)	N/A	N/A
LPP Restricted (up to)	N/A	N/A
Youth Preference (up to)	N/A	N/A
NonResident Cap (up to)	2	2
Hybrid Draw (up to)	N/A	N/A
General Apps LPP Apps		
Total Choice 1	189	0
Total Choice 2	158	0
Total Choice 3	53	0
Total Choice 4	67	0

Pre-Draw Quotas	Quota		Adult		Youth	Landowner (LPP)	
	Original	General Draw	Res	NonRes	Preference	Unrestricted	Restricted
	16	16	14	2	N/A	N/A	N/A

Post-Draw Successful	# Drawn	Balance	Res	NonRes	Res	NonRes	Unrestricted	Restricted
		16	0	14	2	0	0	0
			88%	13%	0%	0%	0%	0%

Drawn Out At	Res	NonRes	Res	NonRes	Unrestricted	Restricted
	3+ Pref Points	0 Pref Points	None Drawn	None Drawn	N/A	N/A
	# Drawn at Final Level	14 of 111	2 of 3	N/A	N/A	N/A
% Drawn at Final Level	13%	67%	N/A	N/A	N/A	N/A

Pre-Draw Applicants								
Choice	Preference Points	Weighted Points	Adult		Youth		Landowner (LPP)	
			Res	NonRes	Res	NonRes	Unrestricted	Restricted
1	3	18	1	-	-	-	-	-
	3	17	3	-	-	-	-	-
	3	16	-	-	-	-	-	-
	3	15	-	-	-	-	-	-
	3	14	1	-	-	-	-	-
	3	13	-	-	-	-	-	-
	3	12	1	-	-	-	-	-
	3	11	2	-	-	-	-	-
	3	10	1	-	-	-	-	-
	3	9	4	-	-	-	-	-
	3	8	2	-	-	-	-	-
	3	7	9	-	-	-	-	-
	3	6	4	-	-	-	-	-
	3	5	4	-	-	-	-	-
	3	4	12	-	-	-	-	-
	3	3	12	-	-	-	-	-
	3	2	17	-	1	-	-	-
	3	1	16	-	-	-	-	-
	3	0	22	-	1	-	-	-
	2	0	17	-	2	-	-	-
1	0	33	-	3	-	-	-	
0	0	17	3	1	-	-	-	
Total Choice 1			178	3	8	0	0	0
Total Choice 2			141	8	8	1	0	0
Total Choice 3			50	1	2	0	0	0
Total Choice 4			57	2	8	0	0	0
Grand Total			426	14	26	1	0	0

Post-Draw Successful								
Choice	Preference Points	Weighted Points	Adult		Youth		Landowner (LPP)	
			Res	NonRes	Res	NonRes	Unrestricted	Restricted
1	3	18	-	-	-	-	-	-
	3	17	2	-	-	-	-	-
	3	16	-	-	-	-	-	-
	3	15	-	-	-	-	-	-
	3	14	1	-	-	-	-	-
	3	13	-	-	-	-	-	-
	3	12	1	-	-	-	-	-
	3	11	2	-	-	-	-	-
	3	10	-	-	-	-	-	-
	3	9	-	-	-	-	-	-
	3	8	1	-	-	-	-	-
	3	7	2	-	-	-	-	-
	3	6	2	-	-	-	-	-
	3	5	2	-	-	-	-	-
	3	4	-	-	-	-	-	-
	3	3	-	-	-	-	-	-
	3	2	-	-	-	-	-	-
	3	1	1	-	-	-	-	-
	3	0	-	-	-	-	-	-
	2	0	-	-	-	-	-	-
1	0	-	-	-	-	-	-	
0	0	-	2	-	-	-	-	
Total Choice 1			14	2	0	0	0	0
Total Choice 2			0	0	0	0	0	0
Total Choice 3			0	0	0	0	0	0
Total Choice 4			0	0	0	0	0	0
Grand Total			14	2	0	0	0	0

Landowner Leftover Choice 1 | 0 | 0

Landowner Leftover Choice 1 | 0 | 0



Colorado Parks and Wildlife 2020 Primary MOOSE Post Draw Report

MF17101A MF17101M MF17101R

Total Quota Amount		
14		
Remaining Balance		
0		
# Drawn	Hunt Code	List
1	MF17101A	A
2	MF17101M	A
11	MF17101R	A

	Regulation Level	# Drawn
LPP Unrestricted (up to)	N/A	N/A
LPP Restricted (up to)	N/A	N/A
Youth Preference (up to)	N/A	N/A
NonResident Cap (up to)	3	3
Hybrid Draw (up to)	N/A	N/A
General Apps LPP Apps		
Total Choice 1	210	0
Total Choice 2	159	0
Total Choice 3	56	0
Total Choice 4	36	0

Pre-Draw Quotas	Quota		Adult		Youth	Landowner (LPP)	
	Original	General Draw	Res	NonRes	Preference	Unrestricted	Restricted
	14	14	11	3	N/A	N/A	N/A

Post-Draw Successful	# Drawn	Balance	Res	NonRes	Res	NonRes	Unrestricted	Restricted
		14	0	11	3	0	0	0
			79%	21%	0%	0%	0%	0%

Drawn Out At	Res	NonRes	Res	NonRes	Unrestricted	Restricted
	3+ Pref Points	0 Pref Points	None Drawn	None Drawn	N/A	N/A
	# Drawn at Final Level	11 of 105	3 of 6	N/A	N/A	N/A
% Drawn at Final Level	10%	50%	N/A	N/A	N/A	N/A

Pre-Draw Applicants								
Choice	Preference Points	Weighted Points	Adult		Youth		Landowner (LPP)	
			Res	NonRes	Res	NonRes	Unrestricted	Restricted
1	3	19	1	-	-	-	-	-
	3	18	1	-	-	-	-	-
	3	17	1	-	-	-	-	-
	3	16	1	-	-	-	-	-
	3	15	-	-	-	-	-	-
	3	14	-	-	-	-	-	-
	3	13	1	-	-	-	-	-
	3	12	1	-	-	-	-	-
	3	11	1	-	-	-	-	-
	3	10	5	-	-	-	-	-
	3	9	2	-	-	-	-	-
	3	8	5	-	-	-	-	-
	3	7	3	-	-	-	-	-
	3	6	4	-	-	-	-	-
	3	5	6	-	-	-	-	-
	3	4	7	-	-	-	-	-
	3	3	12	-	2	-	-	-
	3	2	15	-	-	-	-	-
	3	1	20	-	3	-	-	-
	3	0	19	-	2	-	-	-
2	0	27	-	5	-	-	-	
1	0	29	-	4	-	-	-	
0	0	23	6	4	-	-	-	
Total Choice 1			184	6	20	0	0	0
Total Choice 2			137	7	14	1	0	0
Total Choice 3			51	4	1	0	0	0
Total Choice 4			31	4	1	0	0	0
Grand Total			403	21	36	1	0	0

Post-Draw Successful								
Choice	Preference Points	Weighted Points	Adult		Youth		Landowner (LPP)	
			Res	NonRes	Res	NonRes	Unrestricted	Restricted
1	3	19	1	-	-	-	-	-
	3	18	-	-	-	-	-	-
	3	17	-	-	-	-	-	-
	3	16	1	-	-	-	-	-
	3	15	-	-	-	-	-	-
	3	14	-	-	-	-	-	-
	3	13	1	-	-	-	-	-
	3	12	-	-	-	-	-	-
	3	11	-	-	-	-	-	-
	3	10	2	-	-	-	-	-
	3	9	-	-	-	-	-	-
	3	8	1	-	-	-	-	-
	3	7	1	-	-	-	-	-
	3	6	-	-	-	-	-	-
	3	5	2	-	-	-	-	-
	3	4	-	-	-	-	-	-
	3	3	1	-	-	-	-	-
	3	2	-	-	-	-	-	-
	3	1	1	-	-	-	-	-
	3	0	-	-	-	-	-	-
2	0	-	-	-	-	-	-	
1	0	-	-	-	-	-	-	
0	0	-	3	-	-	-	-	
Total Choice 1			11	3	0	0	0	0
Total Choice 2			0	0	0	0	0	0
Total Choice 3			0	0	0	0	0	0
Total Choice 4			0	0	0	0	0	0
Grand Total			11	3	0	0	0	0