



COLORADO

Parks and Wildlife

Department of Natural Resources

Director's Office
6060 Broadway
Denver, CO 80216
P 303.297.1192

TO: Mr. Clint Webb

RE: January 7, 2021 petition related to Colorado Parks and Wildlife regulation W-2, #206.B.d.1.d regarding qualifying licenses for the big game draw

Dear Mr. Webb:

Colorado Parks and Wildlife (CPW) is in receipt of your January 7, 2021 petition requesting the Parks and Wildlife Commission (Commission) amend Ch. W-2, #206.B.1.d to include fall turkey licenses as a qualifying license for the big game primary draw. The Commission will consider your petition at its scheduled meeting on May 5, 2021. For the reasons explained below, the Division of Parks and Wildlife (Division) opposes your petition and will recommend the Commission deny it.

The Commission's regulation concerning citizen petitions is W-16, #1606. The Commission's policy implementing this regulation is available at: https://cpw.state.co.us/Documents/Commission/policy_procedures/POLICY-Public_Rulemaking_Petitions.pdf. The policy states, among other things, "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 Commission deny your petition. If adopted, this recommendation will become the order of the Commission denying the petition and will be effective upon mailing.

Chapter W-2, #206.B.1.d states "to be eligible for any big game license draw an individual must have first purchased either a lifetime resident combination license, a first responder lifetime resident combination license, an annual small game license, an annual small game/fishing combination license, an annual senior small game/fishing combination license, a senior lifetime fishing upgrade to an annual combination small game/fishing license, or an annual spring turkey license valid for the same license year as the big game license for which they are applying" (emphasis added).

When the Commission adopted the above rule in November 2018, the Commissioners specifically discussed and subsequently supported requiring a qualifying license be purchased for the current year in order to apply for a big game license (as opposed to requiring a qualifying license from the previous license year). Since the primary big game application drawing deadline is the first Tuesday in April annually, and fall turkey licenses are not awarded or available to purchase until June at the earliest, there is no way to include a fall turkey license from the same license year as a qualifying license for the primary draw. A fall

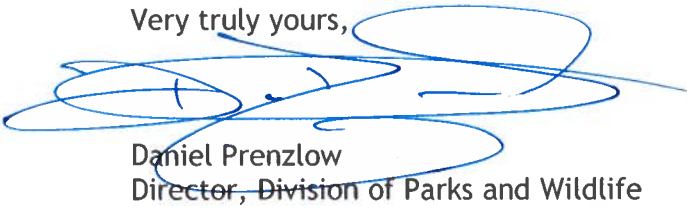


turkey license is allowed as a qualifying license for the secondary draw however, since those applications are not due until the end of June.

Moreover, CPW's current computer system cannot "look back" to the prior license year to determine whether an individual previously purchased an otherwise qualifying license. Creating such functionality within CPW's computer system would be costly. Additionally, to avoid confusion with the spring turkey season, the Division does not support putting fall turkey licenses for the current license year on sale before the big game primary license draw deadline. For all of these reasons, the Division recommends the Commission deny your petition for rulemaking.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read "Daniel Prenzlow", is written over a large, circular blue scribble.

Daniel Prenzlow
Director, Division of Parks and Wildlife