June 29, 2012

RULE-MAKING NOTICE
PARKS AND WILDLIFE COMMISSION MEETING
August 9 & 10, 2012

In conformance with the State Administrative Procedures Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission (aka the Parks and Wildlife Board, 33-9-101, C.R.S.) gives notice herewith that regulations will be considered for adoption at their next meeting on **August 9 & 10, 2012. The Parks and Wildlife Commission meeting will be held at the Western State College, Aspinall-Wilson Center, 909 East Escalante Dr., Gunnison, CO 81231. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

FINAL REGULATORY ADOPTION – **August 9 & 10, 2012** beginning **at 8:30 a.m.**

EFFECTIVE DATE OF REGULATIONS approved during the August 2012 Parks and Wildlife Commission meeting: October 1, 2012, unless otherwise noted.

FINAL REGULATIONS:

Chapter 5 - "Small Game - Migratory Birds" 2 CCR 406-5

Open for consideration of annual changes to 2012 waterfowl and migratory bird hunting seasons for the Pacific and Central Flyway portions of Colorado and related provisions including, but not limited to, season dates, hunting zones, bag and possession limits and manner of take provisions, and other regulatory changes otherwise necessary to comply with federal requirements imposed by, or to take advantage of opportunity afforded by, the U.S. Fish and Wildlife Service pursuant to the Migratory Bird Treaty Act and other controlling federal laws.

DRAFT REGULATIONS:

No draft regulations have been identified for consideration as of the date of filing of this notice.

ISSUES IDENTIFICATION:

No issues have been identified for consideration as of the date of filing of this notice.

Except for the time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.

Viewing of Proposed Rules: copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and

distribution at the Office of the Wildlife Regulations Coordinator, Division of Parks and Wildlife, 6060 North Broadway Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

Modification of Proposed Rules prior to adoption: subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

Comment deadlines: Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

> **July 26, 2012,** for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **July 27, 2012.**

Comments received by the Division after noon on **July 26, 2012,** will be provided to the Commission on the day of the meeting.

Opportunity to submit alternate proposals and provide comment: the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 6060 Broadway, Denver, CO 80216; e-mailed to **CPWCommission@state.co.us**, or faxed to the Division of Parks and Wildlife at 303-291-7110.

Use of Consent Agenda:
In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

The process for placing matters on the Consent Agenda is as follows:
The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial. Staff will provide written memos to the Parks and Wildlife Commission members explaining the matters on the Consent Agenda. Copies of the memos will be available to the public.

Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other consent agenda items. If a member of the Commission requests further consideration of an item on the consent agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.

OTHER AGENDA ITEMS: The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at **www.wildlife.state.co.us**, on or after **July 30, 2012**.