

**COLORADO
STATE REPORT**
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AQUATIC NUISANCE SPECIES (ANS)

Zebra mussels were discovered in Pueblo Reservoir, in November 2007 and verified through DNA testing in January 2008. Since then, zebra or quagga mussels have been detected in 6 additional waters (Lake Granby, Shadow Mountain Reservoir, Willow Creek Reservoir, Tarryall Reservoir and Jumbo Reservoir), and a 7th reservoir (Blue Mesa) is being characterized as a “suspect” water.

Planning

The State Zebra and Quagga Mussel Management Plan was completed in December 2008. The Plan was then reviewed by the State ANS Task Force consisting of 42 members from federal, state and local governments, along with non-governmental organizations and private industry. The final draft was completed in April 2009.

Regulatory

On February 20, 2009 the State Parks Board passed regulations regarding ANS, specifically watercraft inspection and decontamination. The regulations require all trailered watercraft to be inspected prior to leaving an infested water, or prior to entering any water of the state if coming from out-of-state waters. The rules set the standards for watercraft inspection and decontamination, certification, sampling and monitoring and reporting. They enable private industries to assist the state with inspection and decontamination services. The rules also created a new AIS list that targets species that can be transported on a boat overland. The animal species listed are New Zealand mudsnail, zebra mussels, quagga mussels, rusty crayfish, and three species of waterfleas. The plant species listed are African elodea, Brazilian egeria, Eurasian watermilfoil, giant salvinia, hydrilla, parrotfeather, yellow floating heart and water hyacinth.

Rapid Response – Containment

In May 2009, the CDOW implemented containment protocols for watercraft inspection and decontamination at Lake Granby, Grand Lake, Shadow Mountain Reservoir, Tarryall Reservoir and Jumbo Reservoir. Willow Creek Reservoir will be closed to trailered watercraft in 2009. The CDOW and NPS partnered to implement both prevention and containment protocols at Blue Mesa Reservoir. State Parks continues to oversee the containment program at Lake Pueblo.

Watercraft Inspection and Decontamination – Prevention

Beginning in May 2009, the CDOW has staffed prevention watercraft inspection and decontamination stations at 15 reservoirs. The CDOW is also cost-sharing and supporting

prevention efforts at 5 additional locations. There are also 5 CDOW offices with inspection and decontamination facilities. A standardized “tag” and reporting system has been implemented at all 88 inspection locations statewide (others are run by parks, municipalities, counties, marinas or private industry).

The CDOW provides the follow services to all inspection locations in Colorado: coordination of site specific plans for invasive mussel management, certification and training of watercraft inspectors and decontaminators, supporting materials for watercraft inspection and decontamination stations (i.e. forms, signage), law enforcement support for watercraft inspection and decontamination stations, cost share opportunities for watercraft inspection and decontamination station staffing, Motorboat Colorado grants for decontamination units, educational materials (i.e. brochures, rack cards, website information, boat ramp signs), education events (i.e. workshops and trainings) and sampling and monitoring for zebra and quagga mussels and other aquatic nuisance species.

Program Review

A “Blue Ribbon” report on CDOW’s sampling program was completed in February 2009 by a panel of national experts who reviewed the CDOW’s zebra/quagga mussel early detection and response program. The purpose of the panel was to analyze current procedures and critique processes in order to help make Colorado’s early detection efforts the most efficient and reliable by utilizing the best available science. The report is available on our website at: <http://wildlife.state.co.us/WildlifeSpecies/Profiles/InvasiveSpecies/ZebraandQuaggaMussels.htm>.

Regional Participation

Colorado hosted the 100th Meridian Initiative’s annual meeting and mussel sampling/monitoring symposium in February. Colorado participated in the drafting of the Interagency *Dreissena* Monitoring Plan for Western Waters, which is now available online as draft at <http://www.musselmonitoring.com/>. Colorado also served on both the steering committee and the writing team for the Quagga/Zebra Mussel Action Plan. This process was overseen by the Western Regional Panel and submitted to the ANS Task Force on May 19th.

URBAN COYOTE ATTACKS

Coyote attacks on people and pets in the Denver metro area increased significantly in 2009. The CDOW is recommending the lethal removal of offending individual coyotes. The multi-jurisdictional nature of urban wildlife conflicts and the differences in value systems between various sectors of the public makes resolving problems like this particularly challenging.

WILDLIFE & ENERGY IMPACTS

In 2007, the Colorado General Assembly passed House Bill 1298. In part, the bill declared that it is in the public interest to “*plan and manage oil and gas operations in a manner that balances development with wildlife conservation in recognition of the State’s obligation to protect wildlife resources and the hunting, fishing, and recreation traditions they support, which are an important part of Colorado’s economy and culture.*” The bill directed the Colorado Oil

and Gas Conservation Commission (COGCC) to “*administer this article so as to minimize the adverse impacts to wildlife resources affected by oil and gas operations.*” Furthermore, the COGCC was directed to “*establish a timely and efficient procedure for consultation with the Wildlife Commission and Division of Wildlife on decision-making that impacts wildlife resources.*”

The bill also required the COGCC to “*Implement, whenever reasonably practicable, best management practices and other reasonable measures to conserve wildlife resources;*” and to “*Promulgate rules by July 1, 2008, in consultation with the Wildlife Commission, to establish standards for minimizing adverse impacts to wildlife resources affected by oil and gas operations and to ensure the proper reclamations of wildlife habitat during and following such operations.*”

After many months of contentious debate and compromise (the rulemaking process began in March 2008) and 21 hearings, the COGCC approved by an 8-1 vote in September 2008, a number of new interim rules and provisions for protecting wildlife and wildlife habitat. Final rules and regulations were amended and adopted unanimously by the COGCC on December 11, 2008 and were intended to take effect on federal land on May 1, 2009 and on all other land in Colorado on April 1, 2009. The record contains thousands of pages of public comment, written testimony, and exhibits, and the process included 12 days of public and party hearings. Considerable additional detail and background can be found on the COGCC’s website at <http://cogcc.state.co.us/> under the link titled “Final Statement of Basis and Purpose.”

The final rules had two key components: *Restricted Surface Occupancy* areas for key species (e.g., prairie grouse, raptors, bighorn sheep, native cutthroat trout) that require energy companies to not drill except in situations where the energy resource cannot be obtained in any other fashion and *Sensitive Wildlife Habitats* (e.g., big game winter ranges, elk production areas, grouse nesting habitat) which require the energy operator to consult with the CDOW to try and reach agreement on drilling requirements prior to the issuance of a permit. These rules have been approved by the legislature and the Governor. The Colorado Oil and Gas Association, an energy lobbying group, has sued the COGCC over the legality of these rules. That suit is still pending. Implementation of the rules on Federal lands is on hold as discussions are still occurring about an implementation MOU between the state and the Bureau of Land Management. The CDOW is consulting with various entities on permits and is also aggressively pursuing Consolidated Development Plans (CDPs) with numerous companies in an attempt to deal with development on a larger landscape scale.

The Acting Director of the COGCC was quoted as saying “*These rules are the first of their kind in the West, and they will provide enhanced protection for wildlife in Colorado while allowing the oil and gas industry to continue to meet our energy needs.*” Drilling permits have fallen dramatically in the past 60 days, primarily as a result of market issues.

SPECIES OF CONCERN

Black-tailed Prairie Dog

Aerial surveys completed in 2006-2007 were published in the Journal of Wildlife Management 72(6):1311–1317; 2008. Results indicated approximately 788,000 acres of occupied BTPD acreage in eastern Colorado, a 29% increase since the survey was initially completed in 2002. The Division submitted comments and data in response to the recent petition stressing that our data clearly indicate that black-tail prairie dog populations are stable to increasing and not in danger of becoming extirpated or threatened in the state of Colorado.

White-tailed and Gunnison's Prairie Dog

The CDOW is developing a state conservation plan for both white-tailed prairie dog (WTPD) and Gunnison's prairie dog (GUPD). The review process for agency and public comment is ongoing. A series of public stakeholder workshops are underway to develop population-specific action plans for each prairie dog population, which will result in identification of the most important management actions to take in each area. The workshops will include landowners, conservationists, agency personnel, and other involved publics. A second survey for WTPD occupancy monitoring was completed in 2008, resulting in an occupancy rate of .23 (23% of potential plots were occupied). This represents a decrease from 2004 though the decline was not statistically significant. Preliminary sampling has been conducted to investigate GUPD genetic variation, subspecies status and plague potential in the candidate and non-candidate portion of the range in Colorado. Fleas from prairie dogs were also collected to evaluate plague potential within colonies.

Black-footed Ferret

Spotlight surveys conducted in late summer of 2008 resulted in detection of 10 individual ferrets, including the first full-size litter (3 kits) documented in Wolf Creek. When combined with ferrets located in the spring of 2008, a minimum of 15 individual adult ferrets were present in the population in the spring of 2008. This number represents approximately 1/3 of the long-term conservation goal for Wolf Creek. Sylvatic plague was detected at low levels in Wolf Creek prairie dogs in the summer and fall of 2008. Preventative dusting of prairie dog burrows with insecticides to reduce the prevalence of plague in colonies occupied by BFF was initiated in the fall of 2008 and will be completed in June 2009. The CDOW has established a research project in Wolf Creek to evaluate the effectiveness of this intervention.

Greater Sage-grouse

The CDOW participated in the USFWS status review for greater sage-grouse (GrSG) in 2008, reporting more than 100 individual conservation actions completed to protect or enhance GrSG habitat completed since 2005. The CDOW is developing an Implementation Plan for the statewide conservation plan in conjunction with a multi-agency Implementation Team and in consultation with the five local GrSG work groups in Colorado. This plan will enumerate statewide and local population priorities for conservation actions when completed in mid-2009. GrSG habitat suffered a 25,000 acre fire in the summer of 2008, located in the heart of some of the most productive habitat in Colorado. The CDOW has worked actively with BLM to aggressively pursue rapid restoration of this key habitat.

Gunnison Sage-grouse

Ongoing lek counts suggest that population levels are similar to those over the last 3 years. The Division continues to implement a Candidate Conservation Agreement with

Assurances through enrolling individual landowners via Certificates of Inclusion (CI). Development of the implementation and review process for certificates proved to be complicated. Two CIs have been finalized, and we anticipate that future CIs will be finalized relatively quickly. A range-wide database is being created with information on conservation actions. An initial version was completed in early 2009. The Division is continuing habitat enhancement and protection projects, including weed control, seeding of native species in degraded areas, fencing for grazing control, and acquisition of easements.

Pika

In response to the 2007 petition to list five subspecies of pika in California under the ESA, two assessment efforts were initiated in Colorado. Historic pika locations within the Southern Rocky Mountain region were compiled, resulting in 62 historical sites to resurvey in Colorado to determine current pika occupancy and evaluate status of the species. Of the 62 sites visited in 2008, only 4 (6%) were found to be unoccupied. An additional 164 occupied pika sites were located during surveys. A separate pilot project was initiated to determine occupancy rates, probability of detection, abundance, and distribution of pikas in the subalpine and alpine areas of the Mt. Evans wilderness, and repeated across northeast Colorado. The overall detectability was 86-93%, and the overall occupancy rate was 53%. The results suggest that spatially-balanced sampling stratified by elevation could be used to monitor pika. Design of a long-term monitoring program for pika in Colorado is underway to determine population trends and evaluate the impact of climate change on the species distribution and status.

Eastern Plains Fishes

Colorado's efforts towards conservation of fish species in the Eastern Plains included completion of a draft recovery report titled "Conservation Assessment and Recovery Goals for the Fishes of the South Platte Drainage", monitoring over 100 historic and randomly selected sites, using a standardized protocol to sample fishes, including collection of water quality data, creation of refugia populations of four special status species established at CSU's Foothills Fishery Facility, translocation of state-endangered northern redbelly dace and state-threatened Arkansas darter to multiple sites, and research projects to evaluate (1) reintroduction success after translocation of fishes, (2) competition between native plains topminnow and introduced mosquitofish, (3) impacts of recharge projects on water quality, quantity and timing of flows and its influence on native fishes, and (4) continued study of impacts of barriers on plains fishes. Research on impacts of irrigation on plains fish stream habitat has been completed and published.

Private Lands Conservation

Private Lands Wildlife Biologists led development of four SAFE proposals in Colorado targeting greater sage-grouse, Gunnison sage-grouse, plains sharp-tailed grouse, lesser prairie chicken and shortgrass prairie. These biologists obligated 1,475 acres for plains sharp-tailed grouse and 1,200 acres of shortgrass prairie. Acres for lesser prairie chicken will be obligated, but are on hold due to the unavailability of CRP contract extensions in counties that are currently at acreage cap. The State Wildlife Subcommittee of the NRCS Technical Committee successfully drafted an EQIP Special Initiative to allow producers an additional incentive for not plowing out expiring CRP contact acreages. The plan was presented to and accepted by the State Technical Committee and is now incorporated into the full state EQIP guidelines.

Colorado Roadless Area (CRA) Designation

Public comments are being processed by the USFS-Region 2 concerning the draft rules and a draft environmental impact statement (DEIS). The Colorado Department of Natural Resources and Division of Wildlife are cooperating agencies in this federal rule-making process. The Division reviewed the boundary designations for Colorado Roadless Areas as determined by the USFS in the DEIS. Starting with 4.25M acres designated under the 2001 Inventoried Roadless Areas, 530,000 acres were removed by the FS. The Division and FS staffs have come to agreement on at least 4.1M acres to be included in CRAs, including about 75,000 acres restored via Division review and 397,000 new acres recommended by FS staff. NEPA analysis is underway.

BIG GAME MANAGEMENT

Deer, Elk and Pronghorn 5-Year Season Structure Implementation

In September 2009, the Wildlife Commission will approve Colorado's big game season structure for 2010-2014. Contentious issues include requests by organized bow hunters for more opportunity (they presently have a 30-day hunt in September), designation of additional areas for totally limited elk hunting (there are 2 requests from citizen groups for elk units in southwest Colorado) and changes to the preference point system. In general though, public comments have been to retain the existing structure and it appears the status quo is generally supported by hunters, business owners, outfitters and landowners.

Landowner Vouchers

Presently the legislature grants 15% of all totally-limited licenses to landowners. These licenses can either be used by the landowner or they can be sold as a means of supplementing landowner income. These licenses can be used on all lands within the hunt code for which they are issued, both public and private. The increased use of vouchers has become an extremely controversial issue in Colorado over the past 10 years. The CDOW has been directed by the legislature to work with competing stakeholders to try and craft some new legislative language to deal with long-standing issues. The process will begin this summer. Some of the issues include desires from certain landowner groups for a larger allocation of licenses (>15% in some areas that are largely private land, such as eastern Colorado) and concern from sportsmen that these licenses should only be used on private land and that they not be available for sale, but only for use by the landowner's family or friends.

ECONOMY

As in many other states, the economy has struck state budgets hard. The CDOW fended off suggestions to use license revenues to help offset state deficits, but spending and vacancies were frozen throughout most of the current fiscal year and employee furloughs are scheduled for coming fiscal year.