

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 23-0795.01 Jery Payne x2157

SENATE BILL 23-256

SENATE SPONSORSHIP

Will and Roberts, Baisley, Hinrichsen, Marchman, Mullica, Pelton B., Pelton R., Rich, Simpson, Gardner, Ginal, Kirkmeyer, Liston, Lundeen, Smallwood, Van Winkle

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Agriculture, Water & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING PREREQUISITES TO THE MANAGEMENT OF GRAY WOLVES**
102 **PRIOR TO THE WOLVES BEING REINTRODUCED.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill prohibits the introduction of gray wolves into an area if:

- The United States secretary of the interior has not made a final determination as to whether the gray wolf population in the area is experimental, which gives the state greater flexibility to manage the wolves; or
- The United States secretary of the interior or the United

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
May 2, 2023

SENATE
3rd Reading Unamended
April 17, 2023

SENATE
Amended 2nd Reading
April 14, 2023


States department of agriculture has not completed an environmental impact study under federal law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The citizens of Colorado passed Proposition 114 in the
5 November 2020 election;

6 (b) Proposition 114 is codified as section 33-2-105.8, Colorado
7 Revised Statutes, which mandates that the parks and wildlife commission
8 restore the gray wolf to the state;

9 
10 (c) The passage of Proposition 114 requires that the parks and
11 wildlife commission, after holding statewide hearings and using scientific
12 data, implement a plan to restore and manage gray wolves;

13 (d) The primary goal of the planning process is to recover and
14 maintain a viable, self-sustaining gray wolf population in Colorado, while
15 concurrently working to minimize wolf-related conflicts with domestic
16 animals, other wildlife, and people;

17 (e) Concurrent with this planning process, the United States fish
18 and wildlife service has embarked on a rule-making designed to provide
19 management flexibility by designating Colorado's wolves as a
20 nonessential experimental population under 16 U.S.C. sec. 1539 (j);

21 (f) The United States fish and wildlife service seeks to complete
22 this rule-making prior to the reintroduction of gray wolves into the state,
23 as was done when wolves were reintroduced into Yellowstone National
24 Park in 1995;

25 (g) A determination made under 16 U.S.C. sec. 1539 (j) would

1 provide management flexibility, which is a critical component to
2 successful management of gray wolves in accordance with the planning
3 required by section 33-2-105.8 (2)(a), Colorado Revised Statutes;

4 (h) In accordance with the planning conducted by the parks and
5 wildlife commission, wolf releases will occur on state or private lands,
6 and releasing wolves on federal land is not currently contemplated
7 because the Colorado division of parks and wildlife does not have the
8 staffing or financial resources to undertake the analysis required by the
9 federal "National Environmental Policy Act of 1969", Pub.L. 91-190, for
10 the release;

11 (i) Based on gray wolf travel patterns after their release in
12 Yellowstone National Park, when wolves traveled an average distance of
13 approximately fifty miles, with actual travel distances ranging from
14 approximately twenty-two to one hundred forty miles from the release
15 sites, the Colorado division of parks and wildlife anticipates that gray
16 wolves will travel substantial distances in the months immediately after
17 their release in Colorado; and

18 (j) Because of gray wolf mobility, it is anticipated that wolves will
19 occupy federal land areas after they are released.

20 (2) Therefore, it is critical that, before gray wolves are
21 reintroduced in Colorado, a determination is made under 16 U.S.C. sec.
22 1539 (j) and that the analysis required by the federal "National
23 Environmental Policy Act of 1969", Pub.L. 91-190, for the release of gray
24 wolves is completed in order to enable the Colorado division of parks and
25 wildlife to implement best management practices in light of the
26 endangered species status of the gray wolf.

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1 **SECTION 2.** In Colorado Revised Statutes, 33-2-105.8, **add** (3.5)
2 as follows:

3 **33-2-105.8. Reintroduction of gray wolves on designated lands**
4 **west of the continental divide - public input in commission**
5 **development of restoration plan - limits on release - compensation to**
6 **owners of livestock - definitions.** (3.5) NOTWITHSTANDING ANY
7 OTHER PROVISION OF THIS SECTION, THE COMMISSION SHALL NOT
8 AUTHORIZE THE RELEASE OF, AND THE DEPARTMENT SHALL NOT RELEASE,
9 FEDERALLY ENDANGERED GRAY WOLVES INTO DESIGNATED LANDS PRIOR
10 TO THE EFFECTIVE DATE OF A FINAL RULE, PUBLISHED IN THE FEDERAL
11 REGISTER, THAT DEEMS THE GRAY WOLF POPULATION IN THE DESIGNATED
12 LANDS A NONESSENTIAL EXPERIMENTAL POPULATION IN ACCORDANCE
13 WITH 16 U.S.C. SEC. 1539 (j).

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16 **SECTION 3. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.