

2024 DNR Regulatory Agenda

January 1, 2024 -December 31, 2024



2024 Regulatory Agenda - Colorado Department of Natural Resources

Overview

The Colorado Department of Natural Resources submits the following 2024 Regulatory Agenda in fulfillment of the statutory requirements set forth in Colo. Rev. Stat. §2-7-203(4). Pursuant to state law, annually on November 1 executive-branch agencies must file a Departmental Regulatory Agenda (DRA) containing:

- A list of new rules or amendments that the department or its divisions expect to propose in the next calendar year;
- The statutory or other basis for adoption of the proposed rules;
- The purpose of the proposed rules;
- The contemplated schedule for adoption of the rules;
- An identification and listing of persons or parties that may be affected positively or negatively by the rules; and
- A list and brief summary of all permanent and temporary rules adopted since the previous DRA was filed.

The Regulatory Agenda also includes, pursuant to Colo. Rev. Stat. §24-4-103.3, rules to be reviewed as part of the Department's "Regulatory Efficiencies Reviews" during 2024 (which are denoted as such in the "purpose" column). The DRA is to be filed with the Legislative Council staff for distribution to committee(s) of reference, posted on the department's web site, and submitted to the Secretary of State for publication in the Colorado Register. Each department must also present its DRA as part of its "SMART Act" hearing and presentation pursuant to Colo. Rev. Stat. §2-7-203(2)(a)(III). The following constitutes the Department's Regulatory Agenda for 2024 and is provided in accordance with Colo. Rev. Stat. §24-7-203(2)(a)(IV):

Colorado Parks and Wildlife

Anticipated Hearing or Adoption Date	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders Consider including high-level outreach bullets	List of all rules adopted since previous DRA was filed
11/16/2023	2 CCR-405-3	River Outfitters	Revision	33-32-101	Open annually for all issues. Changes may include, but are not limited to, regulations regarding river outfitter requirements.	River Outfitters	See below
11/16/2023	2 CCR-406-0 2 CCR-406-2 2 CCR-406-3 2 CCR-406-11 2 CCR-406-15 2 CCR-405-7	General Provisions	Revision	33-4-101 33-4-102(1.6)	Open annually for CPI adjustments to license fees and commission rates for license agents.	Hunters, Anglers, License Agents	See below

11/16/2023	2 CCR-406-0	General Provisions	Revision	33-1-101(2)	Open for revision of regulations pertaining to the importation, transportation and possession of red swamp crayfish and correction of a reference for the disability accommodation procedures.	Hunters, Anglers, License Agents	See below
11/16/2023	2 CCR-406-1	Fishing	Revision	33-1-101(4)	Open for annual review of the entire chapter including, but not limited to, consideration of regulations regarding season dates, bag and possession limits, licensing requirements, manner of take provisions and special conditions or restrictions applicable to waters of the state.	Anglers	See below
11/16/2023	2 CCR-406-2	Big Game	Revision	33-1-101(4)	Open for a cleanup of regulations relating to James John State Wildlife Area.	Hunters	See below
11/16/2023	2 CCR-406-3	Furbearers and Small Game, Except Migratory Birds	Revision	33-1-101(4)	Open annually for all issues related to turkey and annual changes to turkey seasons and quotas.	Hunters	See below
11/16/2023	2 CCR-406-15 and 2 CCR-405-7	Division Agents	Revision	33-1-101	Open for a cleanup of agent bulletin procedures.	License Agents	See below
01/10/2024	2 CCR-406-0	General Provisions	Revision	33-1-101(2)	Open annually for all issues. Changes may include, but are not limited to, Game	Hunters, Anglers	See below

					Management Unit boundaries, regulations relating to fish management, health, importation, prohibited species, and other annual changes.		
01/10/2024	2 CCR-406-2	Big Game	Revision	33-1-101(4)	Annual changes to deer, elk, pronghorn, bear, moose, sheep, goat, and lion seasons. Annual changes to sheep and goat quotas and lion harvest limits.	Hunters	See below
3/13/2024	2 CCR-405-4	Snowmobile Regulations	Revision	33-14-102	Open annually for all issues. Changes may include, but are not limited to, regulations pertaining to registration and required safety equipment of snowmobiles.	Snowmobile Users	See below
3/13/2024	2 CCR-405-7 , 2 CCR-406-0	Passes, Permits, and Registrations, General Provisions	Revision	33-12-100.2 , 33-1-107	Open for necessary changes to the poverty guidelines for applicable passes.	Park Users, State Wildlife Area Users	See below
3/13/2024	2 CCR-406-2	Big Game	Revision	33-1-101(4)	Annual big game clean up. Changes may include, but are not limited to, necessary corrections and administrative cleanups to regulations previously adopted by the Parks and Wildlife Commission.	Hunters	See below

3/13/2024	2 CCR-406-3	Furbearers and Small Game, Except Migratory Birds	Revision	33-1-101(4)	Open for annual review including all issues, except turkey. Changes may include, but are not limited to, annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions.	Hunters	See below
3/13/2024	2 CCR - 406-5	Small Game - Migratory Birds	Revision	33-1-101(4)	Open annually for all issues. Changes may include, but are not limited to, annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions.	Hunters	See below
3/13/2024	2 CCR - 406-9	Division Properties	Revision	33-1-107	Open annually for all issues. Changes may include, but are not limited to, generally applicable and property-specific requirements for, or restrictions on use of, wildlife properties controlled by Colorado Parks and Wildlife, including State Trust Lands leased by the Division.	Hunters, Anglers	See below

3/13/2024	2 CCR-406-11	Wildlife Parks and Unregulated Wildlife	Revision	33-1-101(2)	Open annually for all issues including unregulated wildlife requests. Changes may include, but are not limited to, regulations pertaining to wildlife parks, sanctuaries and unregulated wildlife.	General Public	See below
5/1/2024	2 CCR-406-2	Big Game	Revision	33-1-101(4)	Annual changes to deer, elk, pronghorn, bear, and moose quotas for all Game Management Units in the state that have limited licenses for these species.	Hunters	See below
5/1/2024	2 CCR-406-16	Parks and Wildlife Procedural Rules	Revision	SB23-276 and SB23-059	Open for changes pertaining to SB23-276 Chatfield State Park Water Quality Fee and SB23-059 Local Access Funding to State Parks and Wildlife Areas.	Hunters	See below
6/12/2024	2 CCR-406-2	Big Game	Revision	33-1-101(4)	Open for changes to the Big Game Season Structure.	Hunters	See below
7/18/2024	2-CCR-405-1	Parks and Outdoor Recreation Lands	Revision	33-10-101	Open for Golden Gate property specific regulation changes.	Hunters and Park Users	

7/18/2024	2 CCR-406-9	Division Properties	Revision	33-1-107	Open for wildlife property additions and deletions. Changes may include, but are not limited to, necessary cleanups to the list of wildlife properties in regulation.	Hunters, Anglers	See below
8/22/2024	2 CCR-405-1	Parks and Outdoor Rec Lands	Revision	33-10-101	Open annually for all issues. Changes may include, but are not limited to, generally applicable and property specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife.	Park Users	See below
8/22/2024	2 CCR-405-2	Boating	Revision	33-13-101	Open annually for all issues. Changes may include, but are not limited to, regulations pertaining to registration, required equipment and safe operation of vessels on waters within the state.	Boaters	See below
8/22/2024	2 CCR-405-5	Off-Highway Vehicles	Revision	33-14.5-107	Open annually for all issues. Changes may include, but are not limited to, regulations pertaining to registration, off-highway use permits and required equipment for safe operation of OHVs within the state.	OHV Users	See below

8/22/2024	2 CCR-405-7	Passes, Permits and Registrations	Revision	33-12-100.2	Open annually for all issues. Changes may include, but are not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes, use permits, vessel, snowmobile and off-highway vehicle registrations and license agent requirements.	Park Users	See below
8/22/2024	2 CCR-405-8	Aquatic Nuisance Species	Revision	33-10.5-107	Open annually for all issues. Changes may include, but are not limited to, regulations pertaining to inspections, decontaminations and impounding of vessels or other floatation devices, as well as establishing monitoring, identification and reporting procedures for suspected aquatic nuisance species.	Boaters	See below
11/14/2024	2 CCR-405-3	River Outfitters	Revision	33-32-101	Open annually for all issues. Changes may include, but are not limited to, regulations regarding river outfitter requirements.	River Outfitters	See below
11/14/2024	2 CCR-406-0 2 CCR-406-2 2 CCR-406-3 2 CCR-406-11	General Provisions	Revision	33-4-101 33-4-102(1.6)	Open annually for CPI adjustments to license fees and commission rates for license agents.	Hunters, Anglers, License Agents	See below

	2 CCR-406-15 2 CCR-405-7						
11/14/2024	2 CCR-406-1	Fishing	Revision	33-1-101(4)	Open annually for all issues. Changes may include, but are not limited to, season dates, bag and possession limits, licensing requirements, manner of take provisions and special conditions or restrictions applicable to waters of the state.	Anglers	See below
11/14/2024	2 CCR-406-2	Big Game	Revision	33-1-101(4)	Open for changes to the big game draw.	Hunters	See below
11/14/2024	2 CCR-406-3	Furbearers and Small Game, Except Migratory Birds	Revision	33-1-101(4)	Annual changes to turkey seasons and quotas.	Hunters	See below
January 2025	2 CCR-406-0	General Provisions	Revision	33-1-101(2)	Open annually for all issues. Changes may include, but are not limited to, Game Management Unit boundaries, regulations relating to fish management, health, importation, prohibited species, and other annual changes.	Hunters, Anglers	See below

January 2025	2 CCR-406-2	Big Game	Revision	33-1-101(4)	Annual changes to deer, elk, pronghorn, bear, moose, sheep, goat, and lion seasons. Annual changes to sheep and goat quotas, and lion harvest limits.	Hunters	See below
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Permanent and temporary rules adopted since the previous DRA was filed:

- [November 2022 Regulations Summary](#)
- [January 2023 Regulations Summary](#)
- [March 2023 Regulations Summary](#)
- [May 2023 Regulations Summary](#)
- [June 2023 Regulations Summary](#)
- [July 2023 Regulations Summary](#)
- [August 2023 Regulations Summary](#)

Colorado Energy and Carbon Management Commission

Schedule Anticipate d Hearing or Adoption Date	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high- level outreach bullets</i>	List of all rules adopted since previous DRE was filed
							<u>Update to High Priority Habitat Maps</u>
2023	Worker Certification	Worker Certification	New rule	s.34-60- 105(1), 106(2) C.R.S.	To adopt rules addressing worker certification as required by SB 19-181.	Industry, mineral owners, surface owners, environmentalist s, and ecologists.	None
2024	Fees	Fees	Revision	s.34-60- 105(1), 106(7) C.R.S.	Update rules to meet the mandate of SB 19-181.	Industry, mineral owners, surface owners, environmentalist s, and ecologists.	Unknown
2024	100-600, 800, 900 and 1200 Series Clean-up	Rule clean-up	Revision	s.34-60- 105(1)(a) C.R.S.	Finalize necessary corrections and administrative cleanups to regulations previously adopted by the COGCC	Industry; surface owners, environmentalist s, ecologists, and sportsmen/women	Unknown

2024	1000 Series Update	Reclamation	Revision	s.34-60-105(1), -106(2)(a), (c), and (2.5)(a) C.R.S.	Update rules to meet the mandate of SB 19-181.	Industry, mineral owners, surface owners, environmentalists, and ecologists.	Unknown
October 2023	Update High Priority Habitat Maps in Appendix VII	High Priority Habitat Maps	Revision	100 Series	Required by 100 Series Definition of High Priority Habitat Maps	Industry; surface owners, environmentalists, ecologists, and sportsmen/women	Revisions to Rule 205, Orphaned Wells Mitigation Enterprise

Colorado Division of Reclamation, Mining and Safety

Hearing or Adoption Date	Rule Number	Rule Title	New Rule, Revision, or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders Consider including high-level outreach bullets	Status Adopted/Not Adopted/ Withdrawn/ Ongoing
Hearing in February 2024	100, 300, 400, 500, 700, 900 Series	Geothermal	New	37-90.5-106(1)(b)(I)	Establish a regulatory program for the permitting of deep geothermal resources	Industry, surface owners, local governments, environmentalists, ecologists, and sportsmen/women	Ongoing
Hearings and adoption in April 2024	100, 300, 500, 700, 900 Series	Cumulative Impacts	Revision	34-60-106(11)(d)(I)	Define cumulative impacts	Industry, surface owners, local governments, environmentalists, ecologists, and sportsmen/women	Ongoing
2024	100, 300, 400, 500, 700, 900 Series	Carbon Capture and Sequestration	New	34-60-106(9)(c)(I)	seek class VI injection well primacy under the federal "Safe Drinking Water Act", 42 U.S.C. sec. 300f et seq, which requires a rulemaking	Industry, surface owners, local governments, environmentalists, ecologists, and sportsmen/women	Ongoing

Hearings and adoption in April 2024	100, 300, 500, 900 Series	NOx emission reductions	New	Governor's letter dated March 16, 2023	Require operators to reduce NOx emissions in the ozone nonattainment area	Industry, surface owners, local governments, environmentalists, ecologists, and sportsmen/women	Ongoing
2024	100, 300, 500, 900 Series	Produced water	New	34-60-134(5)(c)(l)	Reduce fresh water used in oil and gas operations and increase use of recycled produced water	Industry, surface owners, local governments, environmentalists, ecologists, and sportsmen/women	Ongoing
2024	100, 300, 400, 500, 700, 900 Series	Underground natural gas storage	New	34-64-108(1)(a)	Regulation of underground natural gas storage facilities	Industry, surface owners, local governments, environmentalists, ecologists, and sportsmen/women	Ongoing

Colorado Division of Water Resources

Hearing or Adoption Date	Rule Number	Rule Title	New Rule, Revision or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status <i>Adopted/Not Adopted/Withdrawn/ Ongoing</i>
In stakeholder process, hearing early 2024	2 CCR 402-2	Water Well Construction, Pump Installation, Cistern Installation and Monitoring and Observation Hole/Well Construction	Review for revision	Sections 37-91-104(1)(c), (J) and (k), 37-91-106(4) and 37-91-110(2)	<i>Sets standards for the construction and repair of wells, test holes, dewatering wells, monitoring and observation holes/wells, sealing and abandonment.</i>	Well users throughout the state, well constructors, water resource engineers, pump installers	Ongoing
Hearing previously scheduled for 01/20/21 terminated in April 2021. Litigation regarding the rulemaking is ongoing and no on appeal to Supreme Court in Case No. 2023SA0001 41.	2 CCR 402-7	Statewide Nontributary Rules	Review for revisions	Sections 37-90-137(9)(a) , (b) and 37-80-102(1)(g)	<i>Governs well permitting of nontributary water statewide. The review is being conducted to update the provisions of the rules.</i>	Water users throughout the state, water lawyers, water engineers, ground water modelers	Withdrawn

Colorado Division of Water Resources

Hearing or Adoption Date	Rule Number	Rule Title	New Rule, Revision or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status <i>Adopted/Not Adopted/Withdrawn/ Ongoing</i>
Rulemaking will not begin until case is completed.							
Stakeholder process held. Hearing to be held in early 2024.	2 CCR 402-9	Fees set and collected by the State Engineer for the Water Data Bank Cash Fund, the Division of Water Resources Publication Cash Fund, and the Satellite Monitoring System Cash Fund	Revisions	Sections 37-80-111.5, 37-80-102(1)(h) , 24-72-205, 24-4-103	<i>Governs fees charged for satellite system use, data and document costs to the public</i>	Water users, satellite system users, CWCB, water engineers and firms, public at large, water lawyers	Ongoing
Stakeholder process to begin after Energy and Carbon Management Commission	2 CCR 402-10	Rules for Permitting the Development and Appropriation of Geothermal Resources through the use of Wells	Review for revisions	Sections 37-80-102(1)(g) & (k), 37-90-138, 37-90.5-106 thru 108	<i>Governs geothermal well permitting and development.</i>	Water users, specific towns and areas of the state where geothermal resources exist water resources	Ongoing

Colorado Division of Water Resources

Hearing or Adoption Date	Rule Number	Rule Title	New Rule, Revision or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status <i>Adopted/Not Adopted/Withdrawn/ Ongoing</i>
n adopts Deep Geothermal Rules. Hearing likely in Fall of 2024		(Geothermal Rules)				engineers, geologists, geothermal resource developers, water lawyers, & public at large, Water users in the Yampa and White River basins. Water users in the Southwest basin	
Rules filed in Water Court, Water Division 6, Case No. 22CW3102. Trial set for 5 days starting February 26, 2024. Stakeholder process ongoing in Division 7.		Measurement rules for the western slope water divisions in Colorado. Rulemaking will begin with Water Division 6, then continue to Water Division 7, Division 4 and Division 5 in succession.	New Rules	Sections 37-80-102(1)(g), 37-80-104, 37-92-501, 37-92-502(5).	<i>Proposed rules will govern the requirements for the measurement and reporting of water diversions by water users on the western slope.</i>		Ongoing

Colorado State Board of Land Commissioners

Anticipate d Hearing or Adoption Date	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high-level outreach bullets</i>	Status <i>Adopted/N ot Adopted/ Withdrawn/ Ongoing</i>
2018	2 CCR 409-1;	State Forest Lands		§36-7-104; §36-7-201; §24-4-103		Colorado State Forest Service; Beneficiaries of affected land trusts; Jackson and Larimer County governments; State Forest Steering Committee; Colorado Parks and Wildlife; lessees of affected parcels; adjacent landowners to adjacent parcels; Natural Resources stakeholder notification groups	Ongoing (Last reviewed 2023)

Colorado Water Conservation Board

Anticipate d Hearing or Adoption Date	Rule Number	Rule Title	New rule, revision, or repeal?	Statutory or other basis for adoption or change to rule	Purpose of Proposed Rule	Stakeholders <i>Consider including high-level outreach bullets</i>	Status <i>Adopted/N ot Adopted/ Withdrawn/ Ongoing</i>
No rule changes or amendme nts							