

CHAPTER 194

NATURAL RESOURCES

HOUSE BILL 00-1322

BY REPRESENTATIVES McKay, Dean, Webster, and Young;
also SENATORS Musgrave, Dennis, Epps, Hillman, Lamborn, and Tebedo.

AN ACT

CONCERNING ADDITIONAL REQUIREMENTS FOR THE INTRODUCTION OF SPECIES INTO COLORADO.

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

SECTION 1. Article 2 of title 33, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

33-2-105.7. Reintroduction of species - legislative declaration - report.

(1) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "INTRODUCTION" MEANS THE RELEASE OF A NONAQUATIC WILDLIFE SPECIES THAT IS CURRENTLY NOT FOUND OR NO LONGER FOUND IN THIS STATE INTO THE ENVIRONMENT OF COLORADO, AND SHALL INCLUDE REINTRODUCTION; EXCEPT THAT INTRODUCTION SHALL NOT INCLUDE ANY NONAQUATIC WILDLIFE SPECIES THE ACTUAL INITIAL RELEASE OF WHICH OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT OR ANY RELEASE THAT HAS PREVIOUSLY BEEN APPROVED BY THE GENERAL ASSEMBLY ACTING BY BILL.

(b) THE GENERAL ASSEMBLY DETERMINES AND DECLARES THAT THE INTRODUCTION OF SPECIES IS A MATTER OF STATEWIDE CONCERN AND SHOULD BE CONDUCTED BY THE STATE THROUGH SPECIFIC LEGISLATION. SUCH INTRODUCTION MAY CAUSE SUBSTANTIAL HARM TO THE STATE'S OVERALL ECOSYSTEM, INCLUDING NATIVE PLANTS AND ANIMAL WILDLIFE. THE INTRODUCTION OF WILDLIFE SPECIES ALSO HAS FAR-REACHING IMPACTS ON BENEFITS FROM THE USE OF BOTH PUBLIC AND PRIVATE LANDS WITHIN THE STATE.

(2) BEFORE ANY WILDLIFE SPECIES MAY BE INTRODUCED, THE DEPARTMENT SHALL PREPARE A REPORT THAT INCLUDES, AT A MINIMUM, THE FOLLOWING INFORMATION:

(a) THE POTENTIAL ECOLOGICAL AND ECONOMIC IMPACTS, INCLUDING WHETHER

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE INTRODUCTION OF A WILDLIFE SPECIES WILL PREVENT OR IMPAIR THE THEN-EXISTING USE OR USES OF PRIVATE LAND, AND THE BENEFITS OF THE INTRODUCTION;

(b) THE PROBABLE SURVIVAL RATES OF THE INTRODUCED ANIMALS;

(c) THE POSSIBLE IMPACTS SHOULD THE INTRODUCTION NOT TAKE PLACE; AND

(d) AN ASSESSMENT EVALUATING WHETHER THE INTRODUCTION OF THE WILDLIFE SPECIES WILL IMPAIR ANY USE OF PRIVATE LAND OR BENEFICIAL USE OF WATER EXISTING AT THE TIME OF SUCH INTRODUCTION. IF THE ASSESSMENT CONCLUDES THAT ANY SUCH USE WILL BE IMPAIRED BY THE INTRODUCTION, THE REPORT SHALL ALSO DESCRIBE THE REASON FOR THE IMPACT AND POSSIBLE ACTIONS TO REDUCE SUCH IMPACT.

(3) THE DEPARTMENT SHALL DELIVER THE REPORT PREPARED PURSUANT TO SUBSECTION (2) OF THIS SECTION TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH SECTION 24-1-136 (9), C.R.S., WITHIN THIRTY DAYS AFTER ITS COMPLETION.

(4) THE DEPARTMENT SHALL ANNUALLY PREPARE A REPORT FOR EACH OF THE FIVE YEARS AFTER AN INTRODUCTION OCCURS THAT SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING INFORMATION:

(a) THE STATUS OF THE INTRODUCTION EFFORT;

(b) A REPORT ON THE ESTIMATED SURVIVAL RATES OF THE INTRODUCED WILDLIFE SPECIES AND THEIR PROGENY;

(c) IF THE SURVIVAL RATE OF THE INTRODUCED WILDLIFE SPECIES AND THEIR PROGENY IS BELOW THE INITIAL PROJECTED RANGE, AN ASSESSMENT OF WHY THE SURVIVAL RATE IS LOWER THAN EXPECTED AND THE STEPS THAT HAVE BEEN CONSIDERED AND PUT IN PLACE TO INCREASE SURVIVAL RATES; AND

(d) THE RECOVERY GOALS AND ANTICIPATED TIMELINES OF THE RECOVERY PROGRAM.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 24, 2000