

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 14-1267

BY REPRESENTATIVE(S) Fischer, Becker, Ginal, Hulinghorst, Labuda, Lebsock, Pettersen, Salazar, Schafer, Tyler;
also SENATOR(S) Jones, Crowder, Guzman, Kefalas, Rivera, Schwartz, Todd.

CONCERNING AUTHORIZATION FOR A POLITICAL SUBDIVISION OF THE STATE
TO RELEASE BLACK-FOOTED FERRETS ON ITS LAND.

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

SECTION 1. Legislative declaration. (1) The Colorado General Assembly hereby determines and declares that, in regard to the possible re-introduction of the black-footed ferret on land owned by a political subdivision of the state:

(a) Land leased for livestock grazing when the black-footed ferret is reintroduced should continue to be managed to maintain and enhance the value of the land for livestock grazing, agricultural use, wildlife habitat, open space, and recreation;

(b) The reintroduction of the black-footed ferret is intended to be carried out in a manner that is sensitive to ongoing livestock grazing as described by existing grazing leases;

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

(c) The prairie dog population should be controlled and maintained within the perimeter of a reintroduction site to prevent the expansion of the prairie dog population onto adjacent land without the consent of the landowner;

(d) No reintroduction of the black-footed ferret on land owned by a political subdivision of the state may occur without a safe harbor agreement in place on land potentially affected by the reintroduction;

(e) A political subdivision of the state that reintroduces black-footed ferrets on its land shall not require any additional approval or impose higher standards than exist in rule or statute on account of the reintroduction for a person to utilize water or minerals, including accessing, removing, or transporting water or minerals on or from lands containing black-footed ferrets or adjacent to lands containing black-footed ferrets.

(f) As part of the planning to reintroduce the black-footed ferret on land owned by political subdivisions of the state, the appropriate political subdivision and reintroduction site owners shall hold an adequate number of stakeholder meetings with lessees and adjacent land owners before the reintroduction; and

(g) Education and outreach components should be incorporated into any reintroduction project on land owned by a political subdivision of the state.

SECTION 2. In Colorado Revised Statutes, 33-2-105.6, **amend** (4) (b) introductory portion and (4) (e); and **add** (4) (f) as follows:

33-2-105.6. Reintroduction of the bonytail fish and the black-footed ferret. (4) In addition to the requirements of paragraph (b) of subsection (1) of this section, the reintroduction of the black-footed ferret shall be conducted in accordance with the following requirements:

(b) Any effort to reintroduce the black-footed ferret in any areas outside the experimental population boundaries described in the black-footed ferret cooperative management plan, AS AMENDED, dated June 1995, ~~shall require~~ REQUIRES further legislative approval; except that a reintroduction of black-footed ferrets occurring on or after August 7, 2013,

~~as amended~~; does not require further legislative approval if the reintroduction occurs on private land with landowner consent ~~pursuant to~~ OR ON THE LAND OF A POLITICAL SUBDIVISION OF THE STATE WITH THE SUBDIVISION'S APPROVAL, AND THE REINTRODUCTION IS IN ACCORDANCE WITH a programmatic safe harbor agreement and an enhancement-of-survival permit under 16 U.S.C. sec. 1539 (a) (1) (A) that:

(e) Nothing in the black-footed ferret cooperative management plan, AS AMENDED, dated June 1995, ~~shall affect~~ AFFECTS current prairie dog management efforts on private lands OR ON THE LAND OF A POLITICAL SUBDIVISION OF THE STATE.

(f) (I) UNTIL JULY 1, 2019, ONLY THREE POLITICAL SUBDIVISIONS ARE AUTHORIZED TO REINTRODUCE BLACK-FOOTED FERRETS UNDER THIS SECTION. A POLITICAL SUBDIVISION OF THE STATE SHALL NOT REINTRODUCE BLACK-FOOTED FERRETS UNDER THIS SECTION UNLESS THE DIVISION OF PARKS AND WILDLIFE CERTIFIES THAT THE AUTHORIZATION WOULD NOT RESULT IN MORE THAN THREE POLITICAL SUBDIVISIONS OF THE STATE REINTRODUCING BLACK-FOOTED FERRETS UNDER THIS SECTION.

(II) THE DIVISION SHALL ADMINISTER THIS SUBSECTION (f) BY:

(A) TRACKING THE NUMBER OF POLITICAL SUBDIVISIONS THAT ARE AUTHORIZED TO RELEASE BLACK-FOOTED FERRETS UNDER THIS SECTION; AND

(B) DENYING CERTIFICATION TO A POLITICAL SUBDIVISION OF THE STATE IF CERTIFICATION WOULD RESULT IN MORE THAN THREE POLITICAL SUBDIVISIONS INTRODUCING BLACK-FOOTED FERRETS UNDER THIS SECTION.

(III) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Morgan Carroll
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO