

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0828.01 Jery Payne x2157

HOUSE BILL 14-1267

HOUSE SPONSORSHIP

Fischer,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

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

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://www.leg.state.co.us/bills summaries>.)

Current law requires legislative approval for the introduction or reintroduction of a threatened or endangered species that is not present in Colorado. The law has an exception for the black-footed ferret if introduced on private land and under a permit granted by the federal fish and wildlife service using a "safe harbor" agreement between the federal

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

government and a consenting landowner.

The bill broadens the exception to allow a political subdivision of the state to introduce the ferrets on its own land if done in accordance with the same type of agreement.

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

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

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

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

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

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

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

1 before the reintroduction; and

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

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

7 **33-2-105.6. Reintroduction of the bonytail fish and the**
8 **black-footed ferret.** (4) In addition to the requirements of paragraph (b)
9 of subsection (1) of this section, the reintroduction of the black-footed
10 ferret shall be conducted in accordance with the following requirements:

11 (b) Any effort to reintroduce the black-footed ferret in any areas
12 outside the experimental population boundaries described in the
13 black-footed ferret cooperative management plan, AS AMENDED, dated
14 June 1995, ~~shall require~~ REQUIRES further legislative approval; except that
15 a reintroduction of black-footed ferrets occurring on or after August 7,
16 2013, ~~as amended,~~ does not require further legislative approval if the
17 reintroduction occurs on private land with landowner consent ~~pursuant to~~
18 OR ON THE LAND OF A POLITICAL SUBDIVISION OF THE STATE WITH THE
19 SUBDIVISION'S APPROVAL, AND THE REINTRODUCTION IS IN ACCORDANCE
20 WITH a programmatic safe harbor agreement and an
21 enhancement-of-survival permit under 16 U.S.C. sec. 1539 (a) (1) (A)
22 that:

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

27 **SECTION 3. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2014 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.