



COLORADO

**Department of
Natural Resources**

2026 Regulatory Agenda - Colorado Department of Natural Resources

January 1, 2026 - December 31, 2026

Overview

The Colorado Department of Natural Resources submits the following 2026 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 2026. 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 2026 and is provided in accordance with Colo. Rev. Stat. §24-7-203(2)(a)(IV):

Colorado Parks and Wildlife

Permanent and temporary rules adopted since the previous DRA was filed:

- [November 2024 Regulations Summary](#)
- [January 2025 Regulations Summary](#)
- [March 2025 Regulations Summary](#)
- [May 2025 Regulations Summary](#)
- [July 2025 Regulations Summary](#)
- [August 2025 Regulations Summary](#)
- [October 2025 Regulations Summary](#)

Anticipated Hearing or Adoption Date: 01/14/2026

Rule Number(s): 2 CCR 406-0

Rule Title & Status: General Provisions - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(2)

Purpose of Proposed Rule: 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.

Interested Parties: Hunters, Anglers

Anticipated Hearing or Adoption Date: 01/14/2026

Rule Number(s): 2 CCR 406-2

Rule Title & Status: Big Game - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(4)

Purpose of Proposed Rule: Annual changes to deer, elk, pronghorn, bear, moose, sheep, goat, and lion seasons. Annual changes to sheep and goat quotas and lion harvest limits.

Interested Parties: Hunters

Anticipated Hearing or Adoption Date: 03/04/2026

Rule Number(s): 2 CCR 405-4

Rule Title & Status: Snowmobile Regulations - Revision

Statutory or Other Basis for Adoption or Change: 33-14-102

Purpose of Proposed Rule: Open annually for all issues. Changes may include, but are not limited to, regulations pertaining to registration and required safety equipment of snowmobiles.

Interested Parties: Snowmobile Users

Anticipated Hearing or Adoption Date: 03/04/2026

Rule Number(s): 2 CCR 405-7; 2 CCR 406-0

Rule Title & Status: Passes, Permits, and Registrations; General Provisions - Revision

Statutory or Other Basis for Adoption or Change: 33-12-100.2; 33-1-107

Purpose of Proposed Rule: Open for necessary changes to the poverty guidelines for applicable passes.

Interested Parties: Park Users, State Wildlife Area Users

Anticipated Hearing or Adoption Date: 03/04/2026

Rule Number(s): 2 CCR 406-2

Rule Title & Status: Big Game - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(4)

Purpose of Proposed Rule: 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.

Interested Parties: Hunters

Anticipated Hearing or Adoption Date: 03/04/2026

Rule Number(s): 2 CCR 406-5

Rule Title & Status: Small Game - Migratory Birds - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(4)

Purpose of Proposed Rule: 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.

Interested Parties: Hunters

Anticipated Hearing or Adoption Date: 03/04/2026

Rule Number(s): 2 CCR 406-9

Rule Title & Status: Wildlife Properties - Revision

Statutory or Other Basis for Adoption or Change: 33-1-107

Purpose of Proposed Rule: 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.

Interested Parties: Hunters, Anglers

Anticipated Hearing or Adoption Date: 03/04/2026

Rule Number(s): 2 CCR 406-11

Rule Title & Status: Wildlife Parks and Unregulated Wildlife - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(2)

Purpose of Proposed Rule: 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.

Interested Parties: General Public

Anticipated Hearing or Adoption Date: 05/06/2026

Rule Number(s): 2 CCR 406-2

Rule Title & Status: Big Game - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(4)

Purpose of Proposed Rule: 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.

Interested Parties: Hunters

Anticipated Hearing or Adoption Date: 05/06/2026

Rule Number(s): 2 CCR 406-3

Rule Title & Status: Furbearers and Small Game, Except Migratory Birds - Revision 4

Statutory or Other Basis for Adoption or Change: 33-1-101(4)

Purpose of Proposed Rule: 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.

Interested Parties: Hunters

Anticipated Hearing or Adoption Date: 07/16/2026

Rule Number(s): 2 CCR 406-9

Rule Title & Status: Wildlife Properties - Revision

Statutory or Other Basis for Adoption or Change: 33-1-107

Purpose of Proposed Rule: 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.

Interested Parties: Hunters, Anglers

Anticipated Hearing or Adoption Date: 09/02/2026

Rule Number(s): 2 CCR 405-1

Rule Title & Status: Parks and Outdoor Recreation Lands - Revision

Statutory or Other Basis for Adoption or Change: 33-10-101

Purpose of Proposed Rule: 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.

Interested Parties: Park Users

Anticipated Hearing or Adoption Date: 09/02/2026

Rule Number(s): 2 CCR 405-2

Rule Title & Status: Boating - Revision

Statutory or Other Basis for Adoption or Change: 33-13-101

Purpose of Proposed Rule: 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.

Interested Parties: Boaters

Anticipated Hearing or Adoption Date: 09/02/2026

Rule Number(s): 2 CCR 405-5

Rule Title & Status: Off-highway Vehicles - Revision

Statutory or Other Basis for Adoption or Change: 33-14.5-107

Purpose of Proposed Rule: 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.

Interested Parties: OHV Users

Anticipated Hearing or Adoption Date: 09/02/2026

Rule Number(s): 2 CCR 405-7

Rule Title & Status: Passes, Permits and Registrations - Revision

Statutory or Other Basis for Adoption or Change: 33-12-100.2

Purpose of Proposed Rule: 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.

Interested Parties: Park Users

Anticipated Hearing or Adoption Date: 09/02/2026

Rule Number(s): 2 CCR 405-8

Rule Title & Status: Aquatic Nuisance Species - Revision

Statutory or Other Basis for Adoption or Change: 33-10.5-107

Purpose of Proposed Rule: 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.

Interested Parties: Boaters

Anticipated Hearing or Adoption Date: 11/04/2026

Rule Number(s): 2 CCR 405-3

Rule Title & Status: River Outfitters - Revision

Statutory or Other Basis for Adoption or Change: 33-32-101

Purpose of Proposed Rule: Open annually for all issues. Changes may include, but are not limited to, regulations regarding river outfitter requirements.

Interested Parties: River Outfitters

Anticipated Hearing or Adoption Date: 11/04/2026

Rule Number(s): 2 CCR 406-0; 2 CCR 406-2; 2 CCR 406-3; 2 CCR 406-16; 2 CCR 405-7

Rule Title & Status: General Provisions; Big Game; Furbearers and Small Game, Except Migratory Birds; Parks and Wildlife Procedural Rules; Passes, Permits and Registrations - Revision

Statutory or Other Basis for Adoption or Change: 33-4-101; 33-4-102(1.6)

Purpose of Proposed Rule: Open annually for CPI adjustments to license fees and commission rates for license agents.

Interested Parties: Hunters, Anglers, License Agents

Anticipated Hearing or Adoption Date: 11/04/2026

Rule Number(s): 2 CCR 406-1

Rule Title & Status: Fishing - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(4)

Purpose of Proposed Rule: 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.

Interested Parties: Anglers

Anticipated Hearing or Adoption Date: 11/04/2026

Rule Number(s): 2 CCR 406-3

Rule Title & Status: Furbearers and Small Game, Except Migratory Birds - Revision

Statutory or Other Basis for Adoption or Change: 33-1-101(4)

Purpose of Proposed Rule: Annual changes to turkey seasons and quotas.

Interested Parties: Hunters

Colorado Energy and Carbon Management Commission

Permanent and temporary rules adopted since the previous DRA was filed:

- Carbon Capture & Sequestration (Class VI) - Adopted December 16, 2024
- High Priority Habitat Maps - Adopted February 26, 2025
- Produced Water - Adopted March 12, 2025
- Statutory Alignment (adopting conforming statutory changes surrounding

worker certification, enforcement, and Enviroscreen 2.0) - Adopted September 3, 2025

Anticipated Hearing or Adoption Date: March 4, 2026

Rule Number(s): 2 CCR 404-1

Rule Title & Status: High Priority Habitat Maps - Revision - Not adopted

Statutory or Other Basis for Adoption or Change: C.R.S. §§ 34-64-105, 106, 128, ECMC 100-Series

Purpose of Proposed Rule: Annual Update of High Priority Habitat Maps

Interested Parties: Industry, Mineral Owners, Surface Owners, Environmentalists, Ecologists, Sportsmen/women

Anticipated Hearing or Adoption Date: September 30, 2026

Rule Number(s): 2 CCR 404-1

Rule Title & Status: Migration Pinch Points - New Rule & Revision - Not adopted

Statutory or Other Basis for Adoption or Change: C.R.S. §§ 34-64-105, 106, 128, ECMC 100-Series, ECMC 1200-Series

Purpose of Proposed Rule: Identify/Incorporate migration pinch points, bottlenecks, and stopover areas within big game migration corridors in High Priority Habitat maps.

Interested Parties: Industry, Mineral Owners, Surface Owners, Environmentalists, Ecologists, Sportsmen/women

Anticipated Hearing or Adoption Date: Q4 2026

Rule Number(s): 2 CCR 404-1

Rule Title & Status: Produced Water - New Rule & Revision - Not Adopted

Statutory or Other Basis for Adoption or Change: ECMC Rule 907.b.(5).H; C.R.S. §34-60-134(5)(d)(II); Pending Anticipated Legislation

Purpose of Proposed Rule: To implement any changes to produced water legislation made in the 2026 legislative session.

Interested Parties: Industry, Mineral Owners, Surface Owners, Environmentalists, and Ecologists

Anticipated Hearing or Adoption Date: Q4 2026

Rule Number(s): 2 CCR 404-1

Rule Title & Status: Full Underground Injection Control Primacy - New Rule & Revision
- Not Adopted

Statutory or Other Basis for Adoption or Change: Pending Anticipated Legislation

Purpose of Proposed Rule: Promulgate rules to seek full UIC Well primacy from U.S. Environmental Protection Agency (EPA).

Interested Parties: Industry, Mineral Owners, Surface Owners, Environmentalists, and Ecologists

Colorado Division of Reclamation, Mining and Safety

Anticipated Hearing or Adoption Date: 11/19/2025

Rule Number(s): 2 CCR 407-6

Rule Title & Status: Mine Safety and Training Program for Tourist Mines

Statutory or Other Basis for Adoption or Change: 34-21-110

Purpose of Proposed Rule: Amend Rule 13 relating to Tourist Mine Conveyance systems, and to clarify that the agency with regulatory oversight over conveyance systems is the Colorado Division of Oil and Public Safety.

Interested Parties: Tourist Mine Operators, and the public at large.

Anticipated Hearing or Adoption Date: 02/18/2026

Rule Number(s): 2 CCR 407-1

Rule Title & Status: Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations.

Statutory or Other Basis for Adoption or Change: 34-32-106(1)(c), 34-32-108(1), 34-32-110, 116, 117, 118 and 122.

Purpose of Proposed Rule: Implement the new areas of authority and regulation set forth in SB 25-054, including the creation of the 110 Reclamation-Only permit type, to modernize the Act and clarify and/or codify current Division procedures and regulatory practices, and to clarify or eliminate types of Financial Warranties.

Interested Parties: Mine Operators, Mining Representative Groups, Environmental Groups

Anticipated Hearing or Adoption Date: 01/21/2026

Rule Number(s): 2 CCR 407-4

Rule Title & Status: Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials.

Statutory or Other Basis for Adoption or Change: 34-32-106(1)(c), 34-32.5-108(1), 34-32.5-117, 118 and 122.

Purpose of Proposed Rule: Implement the new areas of authority and regulation set forth in SB 25-054. The amended Rules seek to modernize the regulatory authority of the Division and Board and clarify and/or codify current Division procedures and regulatory practices. Finally, the amended Rules seek to create consistency with the Hard Rock Regulations, where appropriate.

Interested Parties: Mine Operators, Mining Representative Groups, Environmental Groups

Anticipated Hearing or Adoption Date: Stakeholder process to begin in 2026; hearing will not occur until 2027.

Rule Number(s): 2 CCR 407-2

Rule Title & Status: Regulations for Coal Mining

Statutory or Other Basis for Adoption or Change: 34-33-133.5

Purpose of Proposed Rule: Implementation of recommendations from the Office of the State Auditor

Interested Parties: Insurance Companies and Public at Large

Colorado Division of Water Resources

Permanent and temporary rules adopted since the previous DRA was filed:

- Division 7 Measurement Rules Adopted July (24CW3042)
- Water Well Construction Rules (2 CCR 402-2)

Anticipated Hearing or Adoption Date: January 1, 2026 or when all protests to the Water Court Case are resolved

Rule Number(s): N/A (Water Court Process rather than APA)

Rule Title & Status: Rules and Regulations Governing the Measurement of Surface Water and Groundwater Diversions and Storage, Release, and Delivery of Water Located in Water Division 4

Statutory or Other Basis for Adoption or Change: 37-80-102(1)(g), 37-92-501, provisions of article 92 of title 37, the Water Rights Determination Act of 1969, 37-92-502(5)(a), and 37-92-502(5)(b)

Purpose of Proposed Rule: To provide consistent rules governing measurement across Division 4, laying out clear expectations for water users as required by the State Engineer for the purpose of administration of water.

Interested Parties: Water Users in Division 4

Anticipated Hearing or Adoption Date: Stakeholder process began in 2025, aiming to file in Water Court and finalize in 2026

Rule Number(s): N/A (Water Court Process rather than APA)

Rule Title & Status: Rules and Regulations Governing the Measurement of Surface Water and Groundwater Diversions and Storage, Release, and Delivery of Water Located in Water Division 5

Statutory or Other Basis for Adoption or Change: 37-80-102(1)(g), 37-92-501, provisions of article 92 of title 37, the Water Rights Determination Act of 1969, 37-92-502(5)(a), and 37-92-502(5)(b)

Purpose of Proposed Rule: To provide consistent rules governing measurement across Division 5, laying out clear expectations for water users as required by the State Engineer for the purpose of administration of water.

Interested Parties: Water Users in Division 5

Anticipated Hearing or Adoption Date: Stakeholder Process has been ongoing in 2025, aiming to file in the Water Court and finalize in 2026

Rule Number(s): 2017CW3152 (Water Court Process rather than APA)

Rule Title & Status: Rules Governing the Review of a Substitute Water Supply Plan for the Lease, Loan, or Trade of a Decreed Agricultural Water Protection Water Right

Statutory or Other Basis for Adoption or Change: 37-80-123, 37-92-308(12), 37-80-102(1)(g), 37-80-123, 37-92-501, HB-16-1228, SB-24-197

Purpose of Proposed Rule: To update the Agricultural Water Protection Water Right Process created through House Bill 16-1228 per Senate Bill 24-197 which expanded the use of this water right from just Water Divisions 1 and 2 to all Water Divisions in the state.

Interested Parties: Water Users across the state

Anticipated Hearing or Adoption Date: Stakeholder Process will be ongoing in 2026, potentially file with the Secretary of State depending on results of stakeholding

Rule Number(s): 2 CCR 410-1

Rule Title & Status: Rules and Regulations for the Management and Control of Designated Ground Water

Statutory or Other Basis for Adoption or Change: 37-90-107, 37-90-108, 37-90-109, and 37-90-111

Purpose of Proposed Rule: Governs the use of ground water within the Designated Basins. Review aims to add a process for the correction of clerical errors to the Designated Basin Rules

Interested Parties: Water Users within the Designated Basins

Anticipated Hearing or Adoption Date: Stakeholder Process will be ongoing in 2026, potentially file with the Secretary of State depending on results of stakeholding

Rule Number(s): 2 CCR 402-14

Rule Title & Status: Rules and Regulations for Administration of Licensing, Financial Responsibility, Continuing Education, and Remedial Action for Well Construction and Pump Installation Contractors

Statutory or Other Basis for Adoption or Change: 37-91-104(1)(c), HB25-1165

Purpose of Proposed Rule: To set standards and processes for the Board of Examiners to administer licensing, continuing education, and remedial action as necessary. Rules are being updated to include ground heat exchanger contractors as a result of HB25-1165.

Interested Parties: licensed well contractors, pump install contractors, well owners, and ground heat exchange contractors.

Anticipated Hearing or Adoption Date: Stakeholder Process will be ongoing in 2026, potentially file with the Secretary of State depending on results of stakeholding

Rule Number(s): 2 CCR 402-10

Rule Title & Status: Rules and Regulations for Permitting the Development and Appropriation of Geothermal Resources Through the Use of Wells

Statutory or Other Basis for Adoption or Change: 37-80-102(1)(g) and (k), 37-90-138, 37-90.5-106, 107, and 108, SB23-285, and HB25-1165

Purpose of Proposed Rule: These rules were originally promulgated when all geothermal resources were handled by the State Engineer. Now, the administration of geothermal resources is split between ECMC and the SEO so the rules need to be updated to reflect these changes in authority.

Interested Parties: Parties interested in developing geothermal resources, operators of geothermal resources, and parties interested in the deployment of renewable energy

Anticipated Hearing or Adoption Date: Stakeholder Process will be ongoing in 2026, potentially file with the Secretary of State depending on results of stakeholding

Rule Number(s): 2 CCR 204-7

Rule Title & Status: Statewide Nontributary Groundwater Rules

Statutory or Other Basis for Adoption or Change: 37-90-137(9)(a) and 37-80-102(1)(g)

Purpose of Proposed Rule: These rules apply to all applications and permits for the withdrawal of groundwater from nontributary sources. The revisions aim to expedite the permitting process by prescribing reasonable criteria and procedures for evaluations of these applications.

Interested Parties: Water users with access to nontributary groundwater, water well drillers, water consultants, and any other entities looking to develop nontributary groundwater resources

Anticipated Hearing or Adoption Date: Begin stakeholding process in 2026, potentially file with the Secretary of State depending on results of stakeholding

Rule Number(s): 2 CCR 402-9

Rule Title & Status: 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

Statutory or Other Basis for Adoption or Change: 37-80-111.5, 37-80-102(1)(h), 24-72-205, 24-4-103

Purpose of Proposed Rule: Governs fees charged for satellite system use, data, and document costs to the public. The review will update the rules to reflect current operating procedures.

Interested Parties: Water users, satellite system users, CWCB

Colorado State Board of Land Commissioners

Permanent and temporary rules adopted since the previous DRA was filed:

- None
- Note: No new rules anticipated in 2026

Colorado Water Conservation Board

Permanent and temporary rules adopted since the previous DRA was filed:

- Rules Concerning the Colorado Instream Flow and Natural Lake Level Program (ISF Rule 6k) was adopted on July 17, 2025 subject to SB 24-197, C.R.S. 37-83-105. SB 24-197, C.R.S. 37-83-105 requires the Board to promulgate rules as applicable regarding the following necessary steps for its review and acceptance of loans for instream flow use pursuant to Subsections (1)(b)(II) AND (1)(c)(I). Interested parties included Water users throughout the state, water lawyers, water engineers
- Note: No new rules anticipated in 2026