October 14, 2026

The Honorable Phil Weiser
Attorney General
State of Colorado
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 10th Floor
Denver, CO 80203

Re: CPW Commission Authority and Suspension of the Chronic Depredation Directive

Dear Attorney General Weiser:

On behalf of the Associated Governments of Northwest Colorado (AGNC), we request your assistance in clarifying the authority and process behind Colorado Parks and Wildlife's September 30 suspension of its chronic depredation directive. AGNC represents Mesa, Moffat, Rio Blanco, and Garfield Counties, with Delta, Montrose, and Grand as associate members. Our region includes some of the counties most impacted by wolf reintroduction and repeated livestock depredations.

Our immediate concern is that we do not know who made the decision or under what authority. The Commission did not vote on the suspension; affected counties were not consulted, and commissioners and county officials were notified only hours before the public announcement. It is unclear whether the decision originated with CPW, DNR, the Commission, the Governor's Office, or elsewhere.

That uncertainty follows a pattern of Commission actions that has caused our members to question the integrity of its process and independence.

We have watched commissioners disregard CPW professional staff recommendations. In July, the public was asked to comment on furbearer bag limits of 15, or a tiered limit of 8 or 4. After public comment closed, Commissioner Niemiec proposed a limit of 2, which the Commission adopted that same meeting without public comment on the new proposal.

We have also seen repeated confusion over basic voting procedures, including new motions made while another motion was pending, creating uncertainty about what is properly before the Commission and what it is voting on.

Commissioner Niemiec has stated that stakeholder engagement can occur after a rule has been made. Public engagement should inform Commission decisions, not follow them.

We have also seen attempts to restrict public participation. Chair Tutchton attempted to change public comment procedures until other commissioners challenged his authority, and the restrictions were overturned.

P.O. Box 593, Grand Junction, CO 81502 Phone: 970-665-1095

Finally, Commissioner Le Coq stated his intended outcome on a matter and advocated accelerating the process so he could vote before Commission membership changed, expressly citing the approaching change in administration. CPW staff cautioned against a predetermined outcome and a process that would not allow meaningful stakeholder engagement.

These actions raise serious concerns about whether the Commission is independently exercising its authority as a Type 1 entity, particularly when decisions appear to be directed or influenced by the Governor's Office.

Our member counties need answers to evaluate what occurred and determine the appropriate course of action. We therefore ask your Office to address the following:

1. Who made the decision to suspend the chronic depredation directive?
2. Under what authority was the decision made?
3. What role did the Governor's Office or DNR play in the decision?
4. What did CPW's professional staff recommend before the directive was suspended?
5. Is the suspension consistent with the Colorado Wolf Restoration and Management Plan?
6. Does the suspension affect Colorado's Section 10(j) authority or obligations?
7. What chronic-depredation management standard is currently in effect?
8. What management response is available when repeated depredations continue despite appropriate nonlethal measures?
9. What action, if any, must the Commission take to approve, ratify, modify, or reverse the suspension?

We respectfully request your response before the November 4–5 Commission meeting so our member counties can determine the appropriate course of action.

Sincerely,

Cody Davis
AGNC Chair
Mesa County Commissioner

Doug Overton
AGNC Vice-Chair
Rio Blanco County Commissioner

cc:
The Honorable Jared Polis, Governor of Colorado
Laura Clellan, Director, Colorado Parks and Wildlife
Colorado Parks and Wildlife Commission

P.O. Box 593, Grand Junction, CO 81502 Phone: 970-665-1095