ARTICLE I - DEFINITIONS

#000 – The following definitions supplement the statutory definitions found in the Wildlife Act including, but not limited to, those definitions found in section 33-1-102, C.R.S.

B. Definitions related to Aquatic Species or Fish Health

1. “Aquatic Nuisance Species” (ANS) means exotic or nonnative aquatic wildlife and or any plant species that the Director determines poses a significant threat to aquatic wildlife or their habitats have been determined by the Commission to pose a significant threat to the aquatic resources or water infrastructure of the state.

2. "Best management practices” means the most effective, practicable (including technological, economic, constructible, and institutional considerations) means of preventing or minimizing the presence or spread of ANS, parasites, or diseases in a fish production facility.

3. “Certification” means a document issued by the Division certifying that the facility and the fish located thereon, have been tested for regulated fish pathogens in the numbers and by methods meeting the minimum standards established by these regulations, or any analogous document issued by a qualified fish health official from a recognized state, federal, or foreign fish and wildlife agency.

4. "Coldwater stream"- means a segment or reach of a creek, stream, or river that has water temperatures that do not exceed 68 degrees F for 24 consecutive hours.

5. "Critical Habitat"- means the following river reaches and their 100 year floodplains: the Gunnison River downstream of the Uncompahgre River confluence, the Colorado River downstream of the exit 90 north bridge from I-70, the White River downstream of Rio Blanco Dam, the Green River downstream of the Yampa River confluence, and the Yampa River downstream of the Colo 394 bridge.

6. “Direct connection” means waters in the Upper Colorado River Basin that flow directly into critical habitat. This does not include reservoirs, and waters above such reservoirs, where fish escapement has been addressed according to a management plan approved by the Division.

67. "Drainages"- means sub-sets of the USGS hydrologic code system as set forth in the Hydrologic Unit Maps (U.S. Geological Survey Water Supply Paper 2294, U.S. Dept. of Interior U.S. Geological Survey, 1974, State of Colorado section reprinted 1992). This document, but not later amendments or editions, have been incorporated by reference and can be viewed and copies obtained at the Division as set forth in the “Incorporated References” section of Chapter 0 of these regulations.

78. "Gametes"- means eggs or sperm.

89. "Inlets" - means the bay or recess at the confluence of a stream with the surface of a lake or reservoir.

910. "Isolated Water"- means ponds, lakes, or reservoirs that have no outlet.
"Myxobolus cerebralis intensity" means average spore levels in salmonid fish as determined by standardized testing in accordance with the provisions of #014 Aquatic Wildlife Health Management.

"Myxobolus cerebralis negative salmonid fish production facility" means a facility in which Myxobolus cerebralis has never been found or in which Myxobolus cerebralis has been eliminated in accordance with the provisions of #014 Aquatic Wildlife Health Management.

"Myxobolus cerebralis negative water" means a lake, pond or coldwater stream segment sampled for a statistically valid number of fish that do not test positive for Myxobolus cerebralis, or a water that has not been tested and has not been stocked with salmonid fish from a Myxobolus cerebralis positive facility.

"Myxobolus cerebralis positive water" means a lake, pond or coldwater stream segment sampled and found to have salmonids that test positive for Myxobolus cerebralis, or which has been stocked with salmonid fish from a Myxobolus cerebralis positive facility.

"Myxospore (spore)" means the stage of Myxobolus cerebralis formed in the cartilage of infected fish which re-infects the alternate host, the Tubifex tubifex worm.

"Nonsalmonid fish" means all species of fish and their hybrids that are not in the family Salmonidae.

"Ordinary high water line" means the point where perennial, hydrophytic plant life converges with bare substrate (rock, gravel, sand, fines) or with substrate interspersed with annual vegetation.

"Polymerase Chain Reaction (PCR) Technique", as pertains to Myxobolus cerebralis, causative agent of Whirling Disease, means a test as described in:


These documents, but not later amendments or editions, have been incorporated by reference and can be viewed and copies obtained as set forth in the “Incorporated References” section of Chapter 0 of these regulations.
"Prevalence" is the percentage of individuals in a population found to be infected with a pathogen as determined by standardized testing in accordance with the provisions of #014 Aquatic Wildlife Health Management.

"Qualified fish health pathologist" means an individual approved by the Director, who meets professional standards equivalent to those set forth in the Fish Health Inspector Certification Standards of 1978 (Fish Health Section, American Fisheries Society, 5410 Grosvenor Lane, Suite 110, Bethesda, MD 20814), and who conducts inspections as set forth in #014 Aquatic Wildlife Health Management. This document, but not later amendments or editions, have been incorporated by reference and can be viewed and copies obtained as set forth in the “Incorporated References” section of Chapter 0 of these regulations.

"Salmonid fish" - means all species of fish and their hybrids in the family Salmonidae, including but not limited to trout, salmon, char, whitefish, and grayling

"Salmonid fish production facility" - means one or more lakes, ponds, raceways, tanks or other containers in a single location and under the same ownership and management in which salmonid fish are reared for eventual live shipment or release.

"Salmonid habitat" means any water that supports, is capable of supporting, or is upstream of a water that supports a self-sustaining population of trout, salmon, char, whitefish, or grayling; and includes the drainages listed in Appendix D.

"Spore concentration technique (SCT)" means tests conducted according to:

These documents, but not later amendments or editions, have been incorporated by reference and can be viewed and copies obtained as set forth in the “Incorporated References” section of Chapter 0 of these regulations.

"Triactinomyxon (TAMS)" are a stage of Myxobolus cerebralis formed in the gut lining of the Tubifex tubifex (tubifex) worm, and which are then released into the water column and re-infect fish with Myxobolus cerebralis.

"Upper Colorado River Basin" - means that portion of the Colorado River drainage excluding the San Juan River basin that lies within the boundaries of the State of Colorado. This includes all waters in the Yampa, White, Gunnison, Dolores, San Juan, and Colorado River basins.

"50 and 100-year floodplains" - for the upper Colorado River Basin means river floodplains 5 and 5.5 vertical feet, respectively, above the ordinary high water line (OHWL).

C. Definitions related to Terrestrial Species or Wildlife Health

1. "Pelt" means the skin of a furbearer with pelage intact on the skin.

ARTICLE II - LICENSE TYPES AND REQUIREMENTS

#001 - Hunt Codes
A. Hunt Codes are a series of eight sequential letters and numbers which denote the species, sex of animal, unit number, season, and hunt type for each choice shown on the application:

1. Species - The first character of the hunt code is a letter denoting species:
   - A for pronghorn
   - B for black bear
   - C for desert bighorn sheep
   - D for deer
   - E for elk
   - G for mountain goat
   - H for small game or furbearer
   - L for mountain lion
   - M for moose
   - P for greater prairie-chicken
   - S for rocky mountain bighorn sheep
   - T for wild turkey

2. Sex of Animal - The second character of the hunt code is a letter denoting the sex of the animal for which the license is valid:
   - E for either-sex (antlerless or antlered) of animal, as defined in #200
   - F for antlerless or doe animals, as defined in #200
   - M for antlered or buck animals, as defined in #200

3. Unit Number - The third through fifth characters are numbers denoting the unit or group of units in which the license is valid. Units are numbered sequentially beginning with the number 1. Zeros appear before the unit number when it is less than three characters in length, i.e. 001, 023, etc. Where the license is valid in more than one unit, the lowest numbered complete unit in the group is used, and the season table shows the complete list of valid units or portions thereof. When the limited license is valid statewide, the unit number is 000. In the case of sheep and goat, the three characters are a letter denoting the species (C, S, or G) followed by the two digit unit number.

4. Season Dates or Type - The sixth and seventh characters are a letter and number (0 and up) or two numbers (1 and up) denoting the season and hunt number within the season type (chronologically):

<table>
<thead>
<tr>
<th>Letter</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>for Auction season/licenses + number</td>
</tr>
<tr>
<td>C</td>
<td>for private (match for public) combined ranches Ranching for Wildlife licenses + number</td>
</tr>
<tr>
<td>D</td>
<td>for game damage or distribution management hunts + number</td>
</tr>
<tr>
<td>E</td>
<td>for early seasons + number</td>
</tr>
<tr>
<td>F</td>
<td>for East of I-25 Family Only Landowner Pilot seasons + number</td>
</tr>
<tr>
<td>H</td>
<td>for seasons for hunters with mobility impairments /licenses + number</td>
</tr>
<tr>
<td>J</td>
<td>for public combined ranches Ranching for Wildlife licenses + number</td>
</tr>
<tr>
<td>K</td>
<td>for youth only season/licenses + number</td>
</tr>
<tr>
<td>L</td>
<td>for late seasons + number</td>
</tr>
<tr>
<td>M</td>
<td>for private (match for public) Ranching for Wildlife licenses + number</td>
</tr>
<tr>
<td>N</td>
<td>for private (match for public) special population Ranching for Wildlife licenses + number</td>
</tr>
<tr>
<td>O</td>
<td>for combined or regular seasons + number</td>
</tr>
<tr>
<td>P</td>
<td>for private land only (PLO) seasons + number (when simultaneous with a regular season, uses the same number as the regular season)</td>
</tr>
<tr>
<td>R</td>
<td>for replacement license for CWD positive animals + number, for Raffle season/licenses + number, or TIPs license + number</td>
</tr>
<tr>
<td>S</td>
<td>for split seasons (either by time, location, or other listed criteria) + number</td>
</tr>
</tbody>
</table>
#002 - License Requirements

J. Turning In Poachers (TIPS) Reward Program

11. Applications for TIPS rewards must be made on forms provided by the Division, must be filed within 90 days of the judicial disposition of the charges and all applicants are subject to the following eligibility requirements:

a. To be eligible for a TIPS reward, a person must voluntarily come forward and report the violation, and must be willing to testify, and testify if requested, in any subsequent criminal prosecution. Information obtained through criminal investigation or court process is not considered “voluntary” for the purposes of the TIPS Reward Program.

b. A person is eligible for only one TIPS reward per year.

c. A person is ineligible to receive a TIPS reward if they have received any other reward for reporting the violation(s), including but not limited to a monetary payment under the Operation Game Thief program.

d. A person must be eligible to apply for, possess or exercise the benefits of any license or preference point conferred through the TIPS Reward Program and must otherwise comply with all other generally applicable hunting requirements and restrictions.

e. All Division employees, and peace officers that report violation(s) to the Division as part of their law enforcement duties, are ineligible for the TIPS Reward Program.

K. Feral Hogs

1. Feral hogs are hereby declared to be detrimental to Colorado’s wildlife and habitat. Feral hogs may be seized, captured or destroyed by the Division or its authorized agents whenever and wherever found.

2. No license is required for a person to hunt or take feral hogs. However, commercial hunting or taking of feral hogs is prohibited. No person shall receive compensation or attempt to receive compensation from the hunting of feral hogs in Colorado. Feral hogs may be taken year-round in any number by any method allowed for the take of big game. In addition, feral hogs may be taken at night with the use of artificial light and night vision equipment.

3. No person shall release species or hybrids of species in the families Suidae or Tayassuidae in Colorado for the purpose of allowing them to run at large or otherwise facilitating the distribution or abundance of feral hogs in Colorado.

ARTICLE IV - MANNER OF TAKING WILDLIFE

#004 - AIDS IN TAKING WILDLIFE
A. Aids Used in Taking Big Game, Small Game and Furbearers - Except as expressly authorized by these regulations, the use of baits and other aids in taking big game, small game and furbearers is prohibited.

1. Baits
   a. Furbearers may be taken with the aid of baiting. Where permitted, baits shall consist solely of material of animal or plant origin and shall not contain any materials of metal, glass, porcelain, plastic, cardboard or paper. Wildlife used as bait shall be the carcass, or parts thereof, of legally taken furbearers, carp, shad, white and longnose suckers, and nonedible portions of legally obtained game mammals, birds and game fish.

2. Dogs
   a. Use of dogs in the taking of wildlife is prohibited except as authorized in Commission Regulations. (See also: §33-4-101.3, C.R.S.)
      1. Dogs may be used to hunt or take mountain lion, small game, waterfowl, and furbearers, only as an aid to pursue, bring to bay, retrieve, flush or point, but not otherwise. Further as provided in (2) of this subsection, dogs shall not be used to hunt or take cottontail rabbits, snowshoe hares, and tree squirrels where a regular deer, elk, pronghorn or moose season is in progress.
      2. Organized dog pursuit events involving the hunting of rabbits or hares conducted by state or nationally-recognized sporting associations may be conducted on private lands or public lands not concurrently open to big game hunting during the extended dog pursuit season for such species.
      3. A valid small game license is required for all dog handlers participating in any dog pursuit event.

ARTICLE VI - TERRESTRIAL WILDLIFE

#009 - RELEASE OF TERRESTRIAL WILDLIFE

A. Except as allowed by these regulations it shall be unlawful for any person to release or possess for release any species of wildlife (native or non-native). Provided further, that as concerns licensed wildlife rehabilitators, possession and release of native species listed on the Division prohibited list (#008(B)) must be pursuant to prior authorization in writing from the Division. Such authorization may include restrictions regarding the location or timing of any release.

B. Only the following live game birds may be released in Colorado: ring-necked pheasants, Gambel's, scaled, and bobwhite quail, chukar, gray partridge, and mallard ducks. Release is prohibited on public lands unless authorized in Chapter 9 of these regulations. Release is prohibited during any established season for that species. Exceptions to this species list may occur with the approval of the Director Division. Any exceptions, granted by the Director must follow the criteria established by the Commission for the release of wildlife pursuant to this subsection.

1. Up to 25 privately-owned game birds may be released on private land.

2. Privately-owned game birds may be released on State Wildlife Areas specifically authorized for that purpose in #901 of these regulations. Up to 25 game birds may be released for dog training. More than 25 game birds may be released for field trials authorized under #801 of these regulations.

3 Privately-owned game birds may only be hunted on the day of release, and there is no hunting license required except as required by #804 of these regulations. The total number of game birds taken shall not exceed the number of birds released.
4. All released privately-owned game birds not taken by hunting on the day of release shall become property of the state.

5. Such wildlife shall be accompanied by a receipt showing that the wildlife have been lawfully acquired, to include the source and the purchase or acquisition date.

6. Migratory birds shall be banded with a USFWS band except for falconry activities authorized by Chapter 6 of these regulations.

C. Except for falconry activities authorized by Chapter 6 of these regulations the release of species and hybrids of raptors not native to Colorado is prohibited.

ARTICLE VII - AQUATIC WILDLIFE

#012 – POSSESSION OF AQUATIC WILDLIFE

A. Except as provided in these regulations or authorized by the Division or under Title 33 or Title 35 C.R.S., it shall be unlawful for any person to possess any live native or nonnative aquatic wildlife in Colorado.

B. No person shall, at any time, have in possession or under their control any wildlife caught, taken or killed outside of this state which were caught, taken or killed at a time, in a manner, for a purpose, or in any other respect which is prohibited by the laws of the state, territory or country in which the same were caught, taken or killed; or which were shipped out of said state, territory or country in violation of the laws thereof.

C. Except as provided herein, possession of the following species, their hybrids or viable gametes is prohibited:

1. Amphibians
   a. Frog, African clawed.
   b. Frog, Green.
   c. Toad, Marine.

2. Crustaceans
   a. Crayfish, Rusty.
   b. Ponto-Caspian echinogammarid amphipod.
   c. Shrimp, Killer of the genus Dikerogammarus, including, but not limited to, *Dikerogammarus villosus*.
   d. Water Fleas, Fish Hook and Spiny: *Cercopagis pengoi*, *Bythotrephes longimanus*, and *Daphnia lumholtzii*.

3. Fish
   a. Alewife.
   b. Bass, Butterfly peacock of the genus *Cichla*, including, but not limited to, *Cichla ocellaris*.
   c. Bitterling.
   d. Bowfins: *Amiidae*.
   e. Burbot (Ling, Freshwater cusk).
   f. Carp of the following genera: *Aristichthys* (including but not limited to bighead carp); *Catla* (including but not limited to catla); *Catlocarpio* (including but not limited to giant barb); *Carrassius*; *Cirrhus* (including but not limited to mrigal); *Cyprinus*; *Hypophthalmichthys* (including but not limited to silver carp and largescale silver carp); *Labeo* (including but not limited to rohu); *Mylopharyngodon* (including but not limited to black carp); and *Tor* (including but not limited to mahseers). However, grass carp and common carp, including koi and goldfish may be possessed as otherwise provided for in these regulations.
g. Catfish, Walking.
h. Eel, Asian Swamp.
i. Gars: *Lepisosteidae*.
j. Gobies: *Gobiidae*.
k. Ide.
l. Loaches of the genus *Misgurnus*, including, but not limited to, Oriental weatherfish, Chinese fine-scaled loach, and the Eurasian weatherfish.
m. Perch, African of the genus *Lates*, including, but not limited to, Nile perch.
n. Perch, White
o. Pickerel, Chain.
p. Piranha: Including members of the genera *Serrasalmus* and *Pygocentrus*.
q. Rudd.
r. Ruffe, Eurasian.
s. Snakeheads or murrels: Members of the genera *Channa*, *Parachanna* and *Ophicephalus*.
t. Sticklebacks: Members of the genera *Apeltes*, *Aulorhynchus*, *Gasterosteus* and *Pungitius*.
u. Tilapia: All species. However, blue tilapia, Mozambique tilapia, Nile tilapia, and their hybrids may be imported and possessed for fish culture and educational purposes, provided the fish and their progeny are held in facilities screened or otherwise designed to prevent their escape and are not otherwise released into waters of the state. Screen mesh size shall be no larger than 1/4” diameter. For the purposes of this regulation, “fish culture” means the raising of fish for sale as food or for export, by a licensed aquaculturist, and “educational purposes” means the raising of fish by educational facilities or for public display in public aquaria, zoos, or other similar facilities.
v. Trahira.
w. Zander.

4. Mollusks
a. Apple snails: *Pomacea*.
b. European valve snail (European stream valvata).
c. Giant rams-horn snail.
d. Mussel, Quagga.
e. Mussel, Zebra.
f. Mysternsnails of the genera *Cipangopaludina* and *Viviparus*, including but not limited to Japanese mysterysnail, Chinese mysterysnails, Banded mysterysnail, Olive mysterysnail, and *Viviparus viviparus*.
g. New Zealand mudsnail.

Possession of the above species may be authorized as provided by Chapter 13 of these regulations (“Possession of Wildlife, Scientific Collecting and Special Licenses”) or Title 35, Article 80, C.R.S. (“Pet Animal Care and Facilities Act”), or as pets in private aquaria. However, release of any of the above species into waters of the state is prohibited. **Any person who takes any of the above fish species from the wild in Colorado may take and possess them in any number year round for personal use, provided that the fish are killed prior to transportation from the point of take.**

D. No person shall import, transport, possess, or release any aquatic nuisance species (ANS) except as authorized by the Division or permit issued under Title 35 C.R.S.

E. Any species on the prohibited list in #012(C) that escapes the owner’s or guardian’s control will be deemed to be detrimental to native wildlife and can be removed from the wild by the Division as per these Regulations.
#013 - RELEASE OF AQUATIC WILDLIFE

A. Except as provided herein, it shall be unlawful for any person to release any native or nonnative aquatic wildlife in Colorado.

B. Except as otherwise restricted by these regulations, and provided a person possesses the appropriate stocking permit, letter of authorization or commercial or private lake license, the following species are authorized for release in the drainages indicated:

1. All drainages statewide – rainbow, brook, brown, and cutthroat trout, (and their hybrids), crappie, fathead minnow, bluegill, channel catfish, largemouth and smallmouth bass, green sunfish and grass carp.

2. All drainages statewide, except for salmonid habitat east of the continental divide – crappie, bluegill, channel catfish, largemouth and smallmouth bass, and green sunfish.

3. All drainages east of the continental divide and outside of salmonid habitat - tiger muskie, walleye, gizzard shad, yellow perch, and wipers.

C. Owners or lessees of property may release or otherwise provide for or allow the release of any of the above species of fish into waters of the state (flowing or standing) located on property they own or lease provided they have obtained a stocking permit, or a commercial or private lake license from the Division, or if such activities are performed by a Colorado permitted aquaculture facility or licensed aquatic wildlife importer, unless the person is exempt under Chapter 12, to release such fish. Stocking permits and lake licenses will be approved or denied based on compliance with all other applicable regulations and a determination by the Division that such stocking will not otherwise negatively impact management of the state’s wildlife resources in the water under consideration.

D. Licensed aquaculturists may release any of the above species listed in #013.B of these regulations of fish into waters of the state (flowing or standing), upon receipt of an annual letter of authorization from the Division to be sent upon issuance or renewal of the aquaculture license, provided that such release is in accordance with the provisions of regulations #011, #012, #013 and #014, and provided that aquaculturists submit an annual report on a form provided by the Division, containing information regarding the facility of origin, date, species, size, number and stocking location of all fish released by the aquaculturist in the previous calendar year. Provided further, however, that the stocking of the following species is allowed only if the owner or lessee of the property first obtains a stocking permit, or private or commercial lake license, for that purpose from the Division:

1. Non-salmonid species, at elevations below 6500 feet in the Upper Colorado River Basin, except for fathead minnow and grass carp into ponds, lakes or reservoirs outside of critical habitat, or

2. Northern pike, or tiger muskies, or prohibited species, anywhere in the state, or

3. Salmonid species in the mainstem of the Colorado River below Windy Gap Reservoir downstream to the confluence with the Williams Fork River, or

4. Any fish in native cutthroat waters is allowed only if the owner or lessee of the property first obtains a stocking permit, or private or commercial lake license, for that purpose from the Division.

The waters identified in Appendix C, including the upstream tributaries and drainages, are designated as stocking restricted cutthroat trout waters. Maps and a copy of Appendix C will be provided to all salmonid fish production facilities and with each salmonid importation permit issued by the Division.

E. Except as otherwise provided in these regulations for the Upper Colorado River Basin below 6500' elevation, diploid or triploid grass carp may be released into waters of the state in accordance with the following restrictions:
1. All shipments of triploid grass carp must be accompanied by a copy of the original certificate of triploidy issued by the U.S. Fish and Wildlife Service for that lot of fish.
   a. Aquaculture facilities which do not hold diploid grass carp and which have been designated by the Dept. of Agriculture on their aquaculture permits for grass carp as "triploid grass carp only" facilities may hold triploid grass carp over from year to year and release these fish in triploid waters. The triploidy certificate will be accepted for the lot until all fish have been released.
   b. The triploid certificate for triploid grass carp held in aquaculture facilities which hold both diploid and triploid fish will be accepted until the end of the calendar year. If stocked after that date, the fish must be stocked as diploid grass carp. Triploid grass carp acquired after January 1 of each year must have a new triploidy certificate for each lot of fish.
   c. Diploid grass carp can only be held in facilities on the east slope. If triploid grass carp are held in the same aquaculture facility prior to release, they must be held in containers separate and distinct from those holding diploid grass carp. When diploid and triploid grass carp are held in separate cages in the same raceway, any fish which escapes from a cage will be considered a diploid.
   d. Diploid grass carp may be transported through the west slope (west of the Continental Divide and in the Rio Grande Basin) only when the destination is on the eastern slope or in another state.

2. Diploid or triploid grass carp may be released into standing water or irrigation ditches east of the Continental Divide, except in the Rio Grande Basin.

3. West of the Continental Divide and in the Rio Grande Basin:
   a. Only certified triploid grass carp may be released into standing waters and must be at least eight inches in length at the time they are released.
   b. Such waters must be screened prior to stocking to prevent escape of fish. All screens shall be maintained so as to prevent such escape, and at least one measurement of the gap size shall not exceed one & one-quarter (1 1/4) inch. All such screens may be inspected on an annual basis by the Division or its designated representative.
   c. Grass carp to be held in aquaculture facilities west of the Continental Divide and in the Rio Grande Basin must be a minimum of 8" in length at the time they are placed in the facility. Any undersized fish that are inadvertently present in a shipment must be removed or handled in a manner to ensure that such fish cannot escape from the facility.

F. Upper Colorado River Basin

1. Except as provided herein, within the Upper Colorado River Basin, and except as provided herein, no person shall release any species or subspecies of fish within the Upper Colorado River Basin below 6500 feet in elevation which did not originate naturally, either presently or historically, in Colorado.
   a. Rainbow, brook, brown, and cutthroat trout (and their hybrids) may be released within the Upper Colorado River Basin pursuant to a licensed aquaculturist’s letter of authorization, except in those river reaches defined as critical habitat.
   b. Fathead minnow or triploid grass carp may be released into ponds, lakes or
reservoirs outside of critical habitat pursuant to a licensed aquaculturist’s letter of authorization as described in #013.D of these regulations.

**bc.** Channel catfish and fathead minnow may be released into ponds, lakes and reservoirs below 6500’ in elevation, except in critical habitat, provided the receiving water is isolated or its outlet(s) are screened prior to stocking to prevent escape of fish or their progeny. Except as provided in #013.F.1.b of this regulation, stocking of nonnative, nonsalmonid fishes in private waters must be approved by the Division on a case-by-case basis after receipt of a stocking permit application to evaluate potential negative impacts to the state’s wildlife resources. Stocking permit applications must include, at a minimum:

1. Location of the proposed stocking.
2. Species, sizes, numbers, and rationale for selecting the desired species.
3. Specific measures to be implemented to reduce the risk of escapement.

**b.d.** Mosquitofish may be released into ponds, lakes and reservoirs below 6500’ in elevation but above the 50 year floodplain of those river reaches defined as critical habitat, provided the receiving water is isolated, or its outlet(s) are screened prior to stocking to prevent escape of fish or their progeny. Except as provided below, stocking of nonnative, nonsalmonid fish species within critical habitat or in a body of water having direct connection to critical habitat of the Upper Colorado basin is not allowed.

1. The stocking of nonnative, nonsalmonid fish species into private waters is allowed if the water is bermed and the outlet is screened according to the specifications of these regulations prior to stocking. Provided further that stocking of fathead minnows within critical habitat is only allowed if the entire perimeter of the water is bermed according to the specifications of these regulations, with no inlet or outlet of any type. A screen or berm is not required when stocking fathead minnows outside of critical habitat.

2. No screening or berming is required to stock trout.

3. Where berms and/or screens are required, private waters must be screened and bermed according to the following standards, and must be approved by the Division prior to stocking.

   **aa.** When screens are required, at least one measurement of the gap size shall not exceed one-quarter (1/4) inch, except as provided above.

   **bb.** Minimum berm standards are as follows:
   
   i. The berm must be designed and constructed in accordance with recognized and accepted engineering practices.

   ii. The berm must be capable of withstanding the hydrodynamic and hydrostatic forces and the effects of buoyancy associated with a 100-year flood.

   iii. The berm must be 5.5 vertical feet above the ordinary high water line.

   iv. Prior to stocking, the Division may require that all berms be certified in writing as meeting these standards by a licensed engineer. The report shall be submitted to the Division and shall include a consideration of depth and duration of flooding, floodplain elevation, berm geometry, berm and foundation materials, berm compaction, penetrations, and other factors affecting penetrations, localized river channel constrictions and
conditions, and any other factors which may affect the ability of the berm to withstand flood events.

4. Except for the annual inspection that may be required by these regulations, stocking of a previously-approved species in a previously-approved water may continue under its initial authorization with no subsequent approval provided all berms and screening continue to prevent escapement of fish. If failure of the berm(s) or screen(s) to prevent escapement occurs, stocking of that water will require Division review and new Division approval prior to additional stocking.

5. Nonnative, nonsalmonid fish species may be released into receiving waters located above existing reservoirs where populations of that species exist and the reservoir is managed according to a management plan approved by the Division, and the management plan allows for the species to be released.

c. Certified triploid grass carp at least 8 inches in length, bluegill, black crappie, and largemouth bass may be released into ponds, lake and reservoirs below 6500' in elevation, including waters located within the 50 year floodplain of those river reaches defined as critical habitat, provided the receiving water is isolated or its outlet(s) are screened prior to stocking to prevent the escape of fish or their progeny. Provided further, that all ponds, lakes or reservoirs within the 50 year floodplain must have an existing, modified or constructed dike meeting standards sufficient to resist at least the 50 year flood. Minimum dike standards include the following:

1. The dike must be designed and constructed in accordance with recognized and accepted engineering practices;

2. The dike must be capable of withstanding the hydrodynamic and hydrostatic forces, and the effects of buoyancy associated with a 50 year flood.

3. The dike must be five feet above the ordinary high water line (OHWL).

   All dikes must be certified in writing as meeting these standards by a qualified engineer, prior to stocking. The report shall be submitted to the Division and shall include a consideration of depth and duration of flooding, floodplain elevation, dike geometry, dike and foundation materials, dike compaction, penetrations, and other factors affecting penetrations, localized river channel constrictions and conditions, and any other factors that may affect the ability of the dike to withstand flood events.

2. Salmonids may be released within the Upper Colorado River Basin except in those river reaches defined as critical habitat.

32. Smallmouth bass, and northern pike, and tiger muskie may be released except in critical habitat, within the Upper Colorado River Basin, except in critical habitat, and then only if:

   a. The fish are acquired within the basin from an existing population below 6500' in elevation within critical habitat; and

   b. The receiving water already contains the species and is isolated or its outlets are screened to prevent the escape of the fish or their progeny.

   All such relocations of fish must be authorized in advance and in writing by the Division.

43. All ponds, lakes or reservoirs within the Upper Colorado River Basin which require, or rely upon, dikeberms or screens to prevent the escape of stocked fish and their progeny will may be inspected on an annual basis by the Division or its designated representative.
All dikeberms and screens shall be maintained to prevent the escape of fish and their progeny. Whenever screens are required, at least one measurement of the gap size shall not exceed one-quarter (1/4) inch.

54. Except as otherwise prohibited by these regulations, isolated private waters having no direct connection to critical habitat and that are above the 100-year floodplain can be stocked under the authority of a licensed aquaculturist’s letter of authorization as described in #013.D of these regulations.

G. Release of aquatic wildlife must comply with all applicable regulations including but not limited to the restrictions in #011, #012, and #014 of these regulations.

ARTICLE XI - SPECIAL RESTRICTIONS

#020 -

E. Closures

1. Federal fish hatcheries and rearing units except that persons designated by the United States Fish and Wildlife Service may take fish or amphibians within the boundaries of said hatcheries or rearing units.

2. Except as otherwise provided in these regulations all Division hatcheries, rearing units and holding basins shall be closed to the taking of fish and amphibians.

3. State Refuges, Parks and Monuments - Public access to any refuge, park or monument, the jurisdiction over which is by law given to any federal or state agency or municipality, may be limited by order of said agency or municipality to the same extent as if said agency or municipality were a private person.

4. Hunting with rifles, handguns or shotguns firing a single slug, or archery equipment is prohibited within an area fifty (50) feet on each side of the center line of any state highway or municipal or county road as designated by the county. In the case of a divided road or highway this shall include the entire median area and the fifty (50) feet shall be measured from the center line of both roads.

5. Hunting is prohibited on Mt. Evans Summit Lake cirque, and within 1/2 (one-half) mile of either side of the centerline of the Mt. Evans Highway (Colorado 5) while the road is open to motor vehicle traffic, from its intersection with Colo 103 to the summit of Mt. Evans, from its junction with Colorado 103 to the summit, from said highway to the top of the Summit Lake cirque. When Colo 5 is closed to motor vehicle traffic, this hunting closure is lifted, except that the closure will remain in place year-round for ptarmigan hunting and on the Summit Lake flats, all as depicted on the map (figure 1) at the end of this chapter. The Division shall post said map at the beginning of the Mt. Evans Highway for the purpose of further advising the public of the closure boundaries. (Information note: maps are also available from the Division, Northeast Region Service Center Office, 6060 Broadway, Denver, Colorado 80216.)

6. The Director of the Division may establish and enforce temporary closures of, or restrictions on, lands and waters of the state to hunting, fishing or other wildlife-related recreation, including but not limited to the collection of shed antlers, for a period not to exceed 9 months. Such temporary closures may be established and enforced only where necessary to protect public safety, protect threatened or endangered wildlife species, protect wildlife resources from significant natural or manmade threats, such as the introduction or spread of disease or nuisance species, changing environmental conditions or other similar threats, protect time-sensitive wildlife use of lands or waters, protect
against additional and significant environmental damage after an area has sustained a natural or manmade disaster, or to facilitate Division-sponsored wildlife research projects or management activities. Whenever such closure is established, public notice of the closure shall be given, including the posting of the lands and waters affected, indicating the nature and purpose of the closure. Upon posting, it shall be unlawful to hunt, fish or engage in any other designated wildlife-related recreation on such lands or waters or enter the lands or waters for the purpose of hunting, fishing or any other designated wildlife-related recreation.

F. Incorporated References

1. Materials incorporated by reference in these regulations only include the edition of the material specifically identified by date in the incorporation by reference. The incorporation by reference does not include later amendments to, or editions of, the incorporated materials. Information regarding how and where the incorporated materials may be examined, or copies obtained, is available from:

   Regulations Coordinator
   Policy and Regulations Section
   Regulations Manager
   Policy and Planning Unit
   Colorado Division of Parks and Wildlife
   6060 Broadway
   Denver, Colorado 80216

Appendix E - Species Scientific Name Index

A. The following is a list of species referred to in Wildlife Commission Regulations (see Chapter 11 for domestic animals and unregulated wildlife.)

1. Amphibians

<table>
<thead>
<tr>
<th>Species</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>African clawed frog</td>
<td><em>Xenopus laevis</em></td>
</tr>
<tr>
<td>Boreal (Western) toad</td>
<td><em>Anaxyrus (Bufo)-boreas boreas</em></td>
</tr>
<tr>
<td>Boreal chorus frog</td>
<td><em>Pseudacris maculata</em></td>
</tr>
<tr>
<td>Bullfrog</td>
<td><em>Rana Lithobates catesbeiana</em></td>
</tr>
<tr>
<td>Canyon treefrog</td>
<td><em>Hyla arenicolor</em></td>
</tr>
<tr>
<td>Couch’s spadefoot</td>
<td><em>Scaphiopus couchii</em></td>
</tr>
<tr>
<td>Great Basin spadefoot</td>
<td><em>Spea intermontana</em></td>
</tr>
<tr>
<td>Great Plains toad</td>
<td><em>Anaxyrus (Bufo)-cognatus</em></td>
</tr>
<tr>
<td>Green frog</td>
<td><em>Rana Lithobates clamitans</em></td>
</tr>
<tr>
<td>Green toad</td>
<td><em>Anaxyrus (Bufo)-debilis</em></td>
</tr>
<tr>
<td>Marine toad</td>
<td><em>Bufo marinus</em></td>
</tr>
<tr>
<td>Mexican spadefoot</td>
<td><em>Spea multiplicata</em></td>
</tr>
<tr>
<td>Northern cricket frog</td>
<td><em>Acris crepitans</em></td>
</tr>
<tr>
<td>Northern leopard frog</td>
<td><em>Lithobates (Rana)-pipiens</em></td>
</tr>
<tr>
<td>Plains leopard frog</td>
<td><em>Lithobates (Rana)-blairi</em></td>
</tr>
<tr>
<td>Plains spadefoot</td>
<td><em>Spea bombifrons</em></td>
</tr>
<tr>
<td>Red-spotted toad</td>
<td><em>Anaxyrus (Bufo)-punctatus</em></td>
</tr>
<tr>
<td>Tiger salamander</td>
<td><em>Ambystoma californiense spp.</em></td>
</tr>
<tr>
<td>Western narrow-mouthed toad</td>
<td><em>Gastrophryne olivacea</em></td>
</tr>
<tr>
<td>Wood frog</td>
<td><em>Lithobates (Rana)-sylvatica</em></td>
</tr>
<tr>
<td>Woodhouse’s toad</td>
<td><em>Anaxyrus (Bufo)-woodhousii</em></td>
</tr>
</tbody>
</table>
Basis and Purpose:

Feral Hogs
These regulations clarify that any lawful method may be used to take feral hogs. The original intent of these regulations was not to encourage any degree of recreational feral hog hunting in Colorado, but instead to provide every avenue possible for anyone in the state to take a feral hog should they encounter one. As such, these regulations are intended to allow for liberal take of this species. This modification is intended to be cleanup in nature and non-substantive from a user standpoint.

Dogs to Take Rabbits and Hares During Big Game Seasons
These regulations allow the take of rabbits and hares during big game seasons on private lands and lands otherwise closed to big game hunting as part of organized dog pursuit events. These regulations are the result of a petition from a citizen affiliated with Fort Carson Hounds. Fort Carson Hounds has a special use permit with Fort Carson that allows the group to hunt coyotes on the military installation using their pack. Previous hunting regulations limited the use of a beagle pack for hunting cottontail, jackrabbits and hares by prohibiting the use of dogs to take these animals during big game seasons. The purpose for this restriction is that big game are very sensitive to the presence of dogs and using dogs for big game hunting is illegal. These regulations intend to allow limited and controlled, organized use of dogs to take these species during big game seasons during organized, sponsored events, thus allowing this recreational pursuit while minimizing disturbance to big game.

Angler Control of Prohibited Aquatic Species
Colorado previously had no regulations allowing for anglers to catch and dispose of any species on the prohibited species list. To the contrary, any private possession was explicitly prohibited, thereby immediately placing anglers who caught a prohibited species in violation of existing regulation. This issue was raised in response to the recent threat of accidental establishment of burbot in Colorado waters. However, these regulations allow removal of any prohibited species by anglers in the event that one is caught, so long as they are killed before they are transported, as none of the species on the list are desired in Colorado’s waters.

Modification of Regulations in Accordance with the 2009 Non-Native Fish Stocking Cooperative Agreement
A cooperative agreement between the Directors of the state wildlife agencies of Colorado, Utah, and Wyoming, and the Regional Director of the U.S. Fish and Wildlife Service, Region 6, was signed in April 2009 to implement the revised “Procedures for Stocking Nonnative Fish Species in the Upper Colorado River Basin.” The purpose of the procedures is to ensure that all future stocking of nonnative fish is consistent with recovery of the endangered fishes within the Upper Basin to fulfill the requirement established by the Recovery Program. The provisions of the procedures work to minimize conflicts between recreational fisheries and the Endangered Species Act, and are intended to help enhance existing fisheries, provide for additional future recreational fishing, and contribute to the recovery of the endangered Colorado River fishes. Chapter 0, #13 was modified previously to incorporate provisions consistent with the original version of the Procedures agreed to in September 1996. These regulations are updated to reflect the current agreement.

Modification of Mount Evans Highway Closure
During the 1990s, a hunting closure was established along a portion of Colo 5 on Mt. Evans to minimize conflict between general recreationists/motorists and hunters. This closure precludes hunting for ½ mile on either side of the highway for approximately 15 miles. During most years, Colo 5 closes at Summit Lake around the day after Labor Day/early September and at the intersection of Colo 5 and 103 around the 1st of October. Traditionally, the summer tourist season concludes by Labor day and visitors to Mt. Evans significantly reduce in number at this time. The majority of people that access the mountain once the road closes are high country deer, elk, bighorn sheep and mountain goat hunters. (It should be noted
that mountain goat hunting is only allowed during the weekdays.) The closure significantly reduces the amount of area available for sportsmen, with very little indication that it reduces conflict with the non-hunting public. These regulations remove that closure during times the highway is closed to vehicular traffic to allow sportsmen access to those hunting areas while complying with the initial intent of the closure by minimizing conflict with other recreationalists during periods of high use.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-106, C.R.S.

EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE MARCH 2, 2013 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.


APPROVED:
John W. Singletary
Chairman

ATTEST:
Mark Smith
Secretary
ARTICLE I - GENERAL PROVISIONS

#303 - Manner of Take:

The following are legal methods of take for game species listed in this chapter. Any method of take not listed herein shall be prohibited, except as otherwise provided by Statute or Commission regulation or by 35-40-100.2-115, C.R.S.

E. Furbearers

9. **Artificial light** (private land) may be used at night to take beaver, bobcat, coyote, feral hogs, gray fox, raccoon, red fox, striped skunk and swift fox on private land with permission of the landowner or his designated agent.

10. **Artificial light** (public land) may be used at night to take beaver, bobcat, coyote, feral hogs, gray fox, raccoon, red fox, striped skunk and swift fox on public lands by permit only, as follows:

   a. Each permit shall be valid only for the time, species, and location specified on the permit. No permit will be valid during any deer, elk or antelope rifle season or during the 24-hour period prior to the opening weekend; nor during the opening weekend of any grouse, pheasant, quail, turkey or waterfowl season in those areas where such seasons are in progress.

   b. An artificial light which is permanently attached to, or projected from within a vehicle is prohibited.

   c. Taking shall not be permitted within 500 yards of a dwelling, building, or other structure, or in any area of public concentration where human safety would be jeopardized.

   d. Such permit shall be carried while hunting and available for inspection upon demand.

   e. Area wildlife managers and district wildlife managers may deny a permit where there is a potential that night hunting activities may result in significant adverse impact on wildlife resources by causing movement of large numbers of big game or otherwise. Provided further that night hunting permits for bobcat will not be issued on public lands in the Canada lynx recovery area where Canada lynx are known to be present. When one Canada lynx has been taken by a bobcat hunter during the current year's hunting season no night hunting permits for bobcat will be issued for the remainder of the calendar year in the Canada lynx recovery area or in the area outside the Canada lynx recovery area where the Canada lynx was taken. In such instance, any night hunting permits for bobcat already issued under this provision shall be terminated.

   f. A permit shall not be required of any person, member of the person's family, lessee, agent, designee, or any employee of the person when necessary to protect such person's property.

ARTICLE II - SMALL GAME SEASON DATES, UNITS (AS DESCRIBED IN CHAPTER 0 OF THESE REGULATIONS), BAG AND POSSESSION LIMITS, LIMITED LICENSES AND PERMITS

#306 - Special Conditions

A. Exemption for wildlife in conflict with people
In addition to the authority granted in subsection 33-6-107(9) C.R.S. to take wildlife causing damage; any person, members of their family, or their agents may, without securing licenses to do so, take:

1. Tree squirrels and cottontail rabbits on property owned or administered by them whenever such wildlife is causing damage on such property.
2. Marmots, opossums and porcupines which are causing damage to such person's personal property.

Methods of take used must be in accordance with federal, state, and local law.

#307 - Cottontail Rabbit, Snowshoe Hare, White-tailed & Black-tailed jackrabbit

A. Season Dates and Units

1. Statewide: October 1 - end of February.
2. Extended Falconry and Dog Pursuit Season - Statewide: September 1 - March 31

B. Daily Bag and Possession Limits

1. Daily Bag Limit - Ten (10) cottontail rabbits, ten (10) snowshoe hares, ten (10) jackrabbits.
2. Possession Limit: Twenty (20) cottontail rabbits, twenty (20) snowshoe hares, and twenty (20) jackrabbits.
Basis and Purpose:

This administrative clean-up removes mention of feral hogs from Chapter 3 - Small Game and Furbearers. Feral hogs are not classified as small game or furbearers, and are regulated in Chapter 0 - General Provisions. This modification is non-substantive from a user standpoint.

These regulations extend the season during which hunters may use dogs to take rabbits and hares. These regulations are the result of a petition from a citizen affiliated with Fort Carson Hounds. They accompany concurrent Chapter 0 regulatory changes allowing the use of dogs to take these species during big game seasons in certain locations and under certain conditions.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-106, C.R.S.

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APPROVED:
John W. Singletary
Chairman

ATTEST:
Mark Smith
Secretary