

FINAL REGULATIONS - CHAPTER W-0 - GENERAL PROVISIONS

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 hunting or 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. Except 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 V – ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

#007 – IMPORTATION OF TERRESTRIAL WILDLIFE

- D. Except as authorized in writing by the Director for research purposes or immediate slaughter, aAll wildlife imported into Colorado must be examined by an accredited veterinarian prior to importation and must be accompanied by a valid, preapproved health certificate certifying disease-free status. Minimum specific disease testing results and/or health statements must be included on health certificates for:
 - 1. All captive wild ungulates shall:
 - a. Test negative for brucellosis. The health certificate completed by an accredited veterinarian must include the signed statement that "To the best of my knowledge, animals listed herein are not infected with Paratuberculosis (Johnes Disease) and have not been exposed to animals infected with Paratuberculosis."
 - b. Test negative for bovine tuberculosis using USDA-approved testing procedures appropriate for species in question not more than 60 days prior to importation and must originate from a herd which has had a negative complete herd test for tuberculosis within the past 12 months. A "complete herd test" is defined as tuberculosis testing of all ruminants and camelids on a premises (except domestic cattle, Bison, sheep and goats) using USDA-approved testing procedures appropriate for species in question where all testing is completed during a period not exceeding six (6) consecutive months; or

- c. Originate from a bovine tuberculosis-free herd accredited by another state or province which meets the standards for testing or their equivalent as set forth in (b) above.
- d. Appropriate USDA-approved testing procedures are limited to those referenced in section #006(B)(5) above and others prescribed by the federal Veterinary Service as set forth in Appendix B to this regulation.
- e. If in the family Cervidae, originate from a herd that has been under surveillance for Chronic Wasting Disease for a period of at least 60 months unless the Division and the Colorado Department of Agriculture agree that the associated risk is negligible.
2. Testing for bovine tuberculosis in other mammalian species may be required prior to importation if there is reason to suspect that such animals may be infected with the disease.
3. All wild species in the sub families Meleagridinae (wild turkey) and Tetraoninae (grouse): Tested negative for *Mycoplasma gallisepticum*, *M. synoviae*, *M. meleagridis* and *Salmonella pullorum*. For groups of grouse imported from the same source in a single shipment, testing is required for only 25% (one of every four) of those birds.
4. All elk must be tested prior to importation for evidence of red deer hybridization. Any animal testing positive for red deer hybridization shall not be allowed to be imported into Colorado.
5. The offspring of any female elk must be tested for red deer hybridization, at the owner's expense, by December 31 of the year of birth if the calf results from a pregnancy which existed prior to the female elk being imported into Colorado.
6. Any offspring, described in 4(e) above, testing positive for red deer hybridization, must be removed from the State of Colorado, at the owner's expense, by June 1 of the year following the year of birth. In all cases, the Division will not compensate owners for these animals.

ARTICLE VII - AQUATIC WILDLIFE

#012 – POSSESSION OF AQUATIC WILDLIFE

- 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*.
 - 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: *Catla* (including but not limited to catla); *Catlocarpio* (including but not limited to giant barb); *Carrassius*; *Cirrhinus* (including but not limited to silver carp mrigal); *Cyprinus*; *Hypophthalmichthys* (including but not limited to silver carp, bighead 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*, and *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: Family Erythrinidae
 - 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. Mysterysnails of the genera *Cipangopaludina* and *Viviparus*, including but not limited to Japanese mysterysnail, Chinese mysterysnails, Banded mysterysnail, and 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.

#013 - RELEASE OF AQUATIC WILDLIFE

- D. Licensed aquaculturists may release any species listed in #013.B of these regulations 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 non-salmonid fish, other than grass carp and fathead minnow, released into waters west of the Continental Divide 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, in the Upper Colorado River Basin, except for fathead minnow and grass carp into ponds, lakes or reservoirs outside of critical habitat.
2. Northern pike, or tiger muskies, or prohibited species, anywhere in the state.
3. Salmonid species in the mainstem of the Colorado River below Windy Gap Reservoir downstream to the confluence with the Williams Fork River.
4. Any fish in native cutthroat waters.

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.

#014 – AQUATIC WILDLIFE HEALTH MANAGEMENT

A. Inspection and Certification for Prohibited and Regulated Fish Diseases

3. Testing procedures.

- a. Except for Viral Hemorrhagic Septicemia Virus (VHSV) and as otherwise provided in these regulations, all inspections and testing procedures must be conducted as set forth in the Blue Book: USFWS and AFS-FHS (U.S. Fish and Wildlife Service and American Fisheries Society-Fish Health Section)- Current edition~~2012~~. Standard procedures for aquatic animal health inspections. *In* AFS-FHS. FHS Blue Book: Suggested procedures for the detection and identification of certain finfish and shellfish pathogens, ~~2014~~2012 edition. AFS-FHS, Bethesda, Maryland. This document can be viewed and copies obtained at the Division as set forth in the "Incorporated References" section of Chapter 0 of these regulations.
- b. Testing for Viral Hemorrhagic Septicemia Virus (VHSV) shall be conducted by the protocols and procedures of:
 1. The Blue Book: USFWS and AFS-FHS (U.S. Fish and Wildlife Service and American Fisheries Society-Fish Health Section) 2014 edition-~~2012~~. Standard procedures for aquatic animal health inspections. *In* AFS-FHS. FHS Blue Book: Suggested procedures for the detection and identification of certain finfish and shellfish pathogens, ~~2014~~2012 edition. AFS-FHS, Bethesda, Maryland, or
 2. The Manual of diagnostics for aquatic animals 2014 edition-~~2012~~. of the OIE - World Organisation for Animal Health, 12 rue de Prony 75017 Paris, France. These documents can be viewed and copies obtained at the Division as set forth in the "Incorporated References" section of Chapter 0 of these regulations.

C. Management of Prohibited and Regulated Fish Diseases.

2. Regulated Disease Agents

a. *Myxobolus cerebralis* (Whirling Disease – WD)

1. *Myxobolus cerebralis* testing

- aa. At the time of the annual inspection for whirling disease certification, all facilities in Colorado or facilities importing fish into Colorado shall be tested using either of the two methodologies listed below.

1. Spore Concentration Technique: The facility shall provide at least one lot of live salmonids (minimum lot size of 260 fish) for whirling disease testing that has been in the facility's water supply for at least 10 months. As a screening procedure, fish shall be tested for the presence of *Myxobolus cerebralis* using a spore concentration technique ("SCT"). Minimum sample size of lots in aggregate shall be determined at the assumed prevalence level of 5% with 95% confidence.
 - aaa. Any negative finding will be conclusive for the absence of *Myxobolus cerebralis*.
 - bbb. Any positive finding will be presumptive for the presence of *Myxobolus cerebralis*. All presumptive SCT findings shall be confirmed by PCR. PCR results shall be conclusive as to the presence or absence of *Myxobolus cerebralis*.
2. Polymerase Chain Reaction (PCR) Technique: As an alternative to SCT, susceptible salmonids held at least 4 months in the water supply may be tested by PCR. A positive finding in such instance shall be considered presumptive for the presence of *Myxobolus cerebralis*. Confirmation shall be determined by a second PCR conducted by a different laboratory.
 - bb. Sample size – for the purpose of annual inspections for *Myxobolus cerebralis*~~M.e.~~, the minimum sample size for determination of prevalence shall be sixty susceptible fish per water supply in a salmonid fish production facility.
 - cc. Stocking from facilities which are presumptive for *Myxobolus cerebralis*.-shall comply with the provisions of release of *Myxobolus cerebralis* positive fish during confirmatory testing. PCR tests for presumptive positives will be the highest priority for testing and every effort will be made to complete the test within 21 days.
 - dd. For the purpose of conducting confirmatory testing, should it become necessary, at least 100 fish from each lot tested, with at least 200 total fish from tested lots, shall be held at the facility for up to 3 weeks after the initial inspection date.
 - ee. Diagnostic or incidental observations of *Myxobolus cerebralis* by histology (presence of morphologically correct organisms within salmonid skeletal tissues) shall be presumed positive for the organism. Presumptive findings by histology shall be confirmed by PCR.
2. WD Negative Recertification: In order for the *Myxobolus cerebralis* status of a salmonid fish production facility to change from positive to negative, the owner and/or operator of the facility must complete all of the requirements of either aa or bb below:
 - aa. Method 1 - Facility modifications and testing for *Myxobolus cerebralis*:
 1. Render all originating water sources at the facility free of all fish and enclosed so as to prevent outside contamination by *Myxobolus cerebralis*.
 2. Construct all rearing spaces and water conveyances of concrete, fiberglass, steel, or other manufactured impermeable materials that are not conducive to colonization by the alternate oligochaete host(s) of

Myxobolus cerebralis.

3. Completely purge all sediments from rearing spaces and water conveyances at least once every two months.
4. After completion of steps 1 through 3, have the facility tested and found negative for *Myxobolus cerebralis* according to the following procedures and schedule:

aaa. A minimum of three hundred rainbow trout at least four months of age shall be designated as the sentinel lot and must be individually marked by a state fish pathologist. These fish will then be placed in approved rearing spaces selected for optimal exposure, at which time the exposure period shall begin.

bbb. Fish shall be collected and tested for *Myxobolus cerebralis* by a qualified state fish pathologist during two inspections. A minimum of sixty fish from the sentinel lot, still bearing the previously placed tags, shall be included in each sample. The inspections shall occur at least ten months and at least fourteen months after the exposure period begins if a Spore Concentration Technique (SCT) is used. The testing shall occur at least 8 months and at least 12 months after the exposure period begins if Polymerase Chain Reaction (PCR) is used as the testing technique. The time frame for such testing by PCR may be shortened further if it is determined by the Director after consultation with the Fish Health Board that an additional reduction of the time frame for testing would present a negligible risk of not detecting the presence of *Myxobolus cerebralis*, after consideration of the following criteria:

1. Water supply(s).
2. Distance between water supply(s) and rearing spaces.
3. Nature of connecting pipes and conveyances.
4. Possibility of fish entering and exiting in water supply lines.
5. Nature and construction of rearing spaces.

bb. Method 2 - Testing for *Myxobolus cerebralis* with partial or no facility modification.

1. A minimum of three hundred rainbow trout at least four months of age shall be designated as a sentinel lot, and must be individually marked by a qualified state fish pathologist. These fish will then be placed in approved rearing spaces selected for optimal exposure to *Myxobolus cerebralis*, at which time the exposure period shall begin.
2. Fish shall be collected and tested for *Myxobolus cerebralis* by a qualified state fish pathologist during four inspections. A minimum of sixty fish from the sentinel lots, still bearing the previously placed tags, shall be included in each sample. The inspections shall occur at least ten, fourteen, twenty-four, and twenty-eight months if SCT is used, or at least eight, twelve, twenty, and twenty-four months if a PCR is used as the testing technique after the exposure period begins. A second sentinel lot will be placed in the same rearing spaces after collection of the fourteen month sample for SCT or twelve month sample for PCR. The time frame

for testing by PCR may be shortened further if it is determined by the Director that an additional reduction of the time frame for testing would present a negligible risk of not detecting the presence of *Myxobolus cerebralis* after consideration of the following criteria:

aaa. Water supply(s).

bbb. Distance between water supply(s) and rearing spaces.

ccc. Nature of connecting pipes and conveyances.

ddd. Possibility of fish entering and exiting in water supply lines.

eee. Nature and construction of rearing spaces.

fff. Nature and reliability of treatment technology.

ggg. System redundancy and back-up power supply.

3. Sampling in these inspections will be conducted at a minimum assumed prevalence level of five percent at the ninety-five percent level of confidence per lot at least eight months old; and at a minimum assumed prevalence level of two percent at the ninety five percent level of confidence for the facility as a whole.

cc. Upon satisfactory completion of the requirements under either Method I or Method II, the State Fish Pathologist shall provide certification of negative *Myxobolus cerebralis* status.

3. Operation of *Myxobolus cerebralis* Positive Salmonid Fish Production Facility.

aa. No person shall operate a salmonid fish production facility which has been diagnosed positive for *Myxobolus cerebralis* in salmonid habitat unless an exemption allowing such operation has been granted by the Director after consultation with the Fish Health Board.

1. Applications for such exemptions shall be evaluated based on the following factors:

aaa. The ability of the facility to remediate and regain *Myxobolus cerebralis* negative status, and any Whirling Disease Clean-up Plan (WDCP) submitted by the applicant;

bbb. The risk to native cutthroat trout management habitats;

ccc. The risk to any other salmonid habitats;

ddd. The risk to any recreationally valuable salmonid fishery;

eee. Social and economic impacts to private and public entities, and

fff. The Whirling Disease Management Plan (WDMP) submitted by the applicant.

bb. Applications for exemptions to operate a *Myxobolus cerebralis* positive facility within salmonid habitat shall be submitted to the Director within 60 days of notification that the facility has tested positive for *Myxobolus cerebralis*. Persons that submit timely applications for exemptions shall be allowed to

continue operation, subject to all other applicable regulations, pending the Director's decision. Persons that fail to submit a timely application or have their application for exemption denied shall cease all salmonid fish production operations and shall dispose of the fish located on the facility within 180 days or, if the 60 day notice period runs or the application is denied after April 1st, by October 1st of the following year.

- cc. All applications shall include a Whirling Disease Management Plan (WDMP) and, if the applicant intends to undertake facility remediation, a Whirling Disease Clean-up Plan.
- dd. The WDMP shall include the best management practices (BMP) to be used to minimize the discharge of spores and TAMS into waters of the state should the facility be allowed to continue operation while positive for *Myxobolus cerebralis*, including any temporary operation while the applicant undertakes clean-up of the facility.
 - 1. BMP's for fish production facilities shall, at a minimum, specifically describe or address the following factors:
 - aaa. The *Myxobolus cerebralis* status of fish brought onto the facility;
 - bbb. The size of fish brought onto the facility;
 - ccc. The size of fish introduced into earthen ponds;
 - ddd. Facility construction and operation;
 - eee. Disinfection procedures;
 - fff. Disposition of mortalities;
 - ggg. Species to be reared;
 - hhh. Treatment of effluent;
 - iii. Exposure of vulnerable-sized fish to temperatures optimum for TAM production;
 - jjj. Monitoring of effluent for spore/TAM levels, and;
 - kkk. Any other site specific or disease considerations.
- ee. Persons granted an exemption to operate a *Myxobolus cerebralis* positive facility within salmonid habitat shall:
 - 1. Comply at all times with the terms and conditions of any exemption granted by the Director, including, but not limited to, compliance with WDMP and the BMPs approved for the facility;
 - 2. Submit an annual report to the Division by the anniversary date of the exemption. The annual report shall address operation of the facility and compliance with terms and conditions of the exemption. An annual site inspection may be conducted to determine compliance with the terms and conditions of the exemption.
- ff. Exemptions granted by the Director shall be valid unless the applicant fails to comply with the terms of the exemption, fails to submit an annual report, or

new and significant information regarding the risks associated with continued operation of the *Myxobolus cerebralis* positive facility, or the availability of BMPs which would improve management of the infection, supports modification of the WDMP and the exemption or revocation of the exemption.

4. Release of *Myxobolus cerebralis* Positive Fish

aa. No live salmonid originating from a facility which has been diagnosed positive or presumptive for *Myxobolus cerebralis* may be released into salmonid habitat unless an exemption allowing such stocking has been granted by the Director after consultation with the Fish Health Board.

bb. Applications for exemptions shall be submitted to the Director at least 60 days prior to any proposed stocking.

cc. Applications for stocking exemptions shall be evaluated based on the following factors:

1. The risk to native cutthroat trout management habitats, any other salmonid habitats or any recreationally valuable salmonid fishery, including consideration of:

aaa. M.c. status of free-ranging fish in the water proposed for stocking;

bbb. Proximity to native cutthroat trout waters or planned cutthroat trout recovery areas;

ccc. Size and species of salmonids to be stocked;

ddd. The prevalence or intensity of *Myxobolus cerebralis* infection in and the total number of salmonids to be stocked;

eee. Connection of the water proposed for stocking to other public or private water at any time during the year;

fff. The presence of naturally reproducing salmonid species in connected waters;

ggg. The prevalence or intensity of *Myxobolus cerebralis* infection, if any, in naturally reproducing salmonid populations present in connected waters;

hhh. The presence and *Myxobolus cerebralis* status of fish production or distribution facilities in connected waters;

iii. The physical and operational, if an impoundment, characteristics of the water to be stocked;

jjj. Any other factor which determined by the Director to be important in determining the risk to fish or fish habitat.

2. Social and economic impacts to private and public entities, and;

3. The Whirling Disease Management Plan (WDMP) submitted by the applicant.

dd. All applications for stocking exemptions shall include a Whirling Disease Management Plan (WDMP). The WDMP shall include the best management

practices (BMP's) to be used to minimize the discharge of spores and TAMS to waters of the state due to the stocking of the fish. BMP's for fish stocking shall, at a minimum, specifically describe or address the following factors:

1. Size of *Myxobolus cerebralis* positive fish to be stocked;
2. Species of *Myxobolus cerebralis* positive fish to be stocked;
3. Facility construction and operation;
4. Disinfection procedures;
5. Disposition of mortalities;
6. Treatment of effluent;
7. Exposure of vulnerable-sized fish to temperatures optimum for TAM production;
8. Monitoring effluent for spore/TAM levels, and;
9. Any other site specific or disease considerations.

ee. Persons granted a stocking exemption shall:

1. Comply at all times with the terms and conditions of any exemption granted by the Director, including, but not limited to, compliance with WDMP and the BMPs approved for the stocking.
2. Submit an annual report to the Division on the anniversary date of the exemption. The annual report shall address compliance with terms and conditions of the exemption. An annual site inspection may be conducted to determine compliance with the terms and conditions of the exemption.

ff. Exemptions granted by the Director shall be valid unless the applicant fails to comply with the terms of the exemption, fails to submit an annual report, or new and significant information regarding the risks associated with the stocking of *Myxobolus cerebralis* positive fish, or the availability of BMPs which would improve management of the infection, supports modification of the WDMP and the exemption, or revocation of the exemption.

b. *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD)

1. Bacterial Kidney Disease Management Plans: Within 30 days of finding and notification that an in-state fish production facility is positive for *Renibacterium salmoninarum*, the owner shall submit a written management plan to the Fish Health Board and to the Director. The plan shall address possible sources of infection, species of fish, types of rearing containers, disinfection, eradication and avoidance of recurrence of the pathogen, and the proposed disposition of positive fish. Within 30 days after submittal, the Fish Health Board shall review the plan and submit it with a recommendation for approval, rejection or modification to the Director. The Director shall then have 15 days to approve, reject, or modify the plan. Before making a final decision, the Director will consider the recommendation of the Fish Health Board and the effectiveness of the plan in controlling and managing the pathogen in the fish production facility.
2. Re-establishment of Negative Status for BKD: In order for the *Renibacterium salmoninarum* status of a fish production facility or free-ranging fish population to

change from positive to negative, the owner and/or operator of the facility must complete all of the requirements of either a or b below:

aa. Method 1 - Testing for *Renibacterium salmoninarum* without depopulation:

After twelve months and the completion of three consecutive negative inspections at least three months apart, ~~at the qualified State Fish~~ ~~Pathologist~~ shall provide notification that the facility or population is considered negative for *Renibacterium salmoninarum*.

bb. Method 2 - De-population of lots testing positive and testing for *Renibacterium salmoninarum*:

After de-population of lots testing positive and the completion of two consecutive negative inspections at least three months apart, the ~~qualified State Fish~~ ~~Pathologist~~ shall provide notification that the facility or population is considered negative for *Renibacterium salmoninarum*.

3. No person shall release into any fish production facility or into any waters of this state live salmonid fish or gametes from a free-ranging fish population or fish production facility which is positive for *Renibacterium salmoninarum*, (the causative agent of Bacterial Kidney Disease) except as allowed herein.

aa. Release is limited to waters and fish production facilities approved by the Director. Waters will not be approved if such stocking is determined to be a significant threat to:

1. any other federal, state, or permitted fish production facility; or
2. stocking restricted cutthroat trout waters identified in Appendix C; or
3. any other free-ranging salmonid fish populations determined to be of special importance to Colorado's fishery resources, considering the uniqueness of the resource, use and/or potential for use as a source of brood fish or gametes.

A list of approved waters and fish production facilities and the maps indicating the location of stocking restricted cutthroat trout waters are available from the manager of the Aquatic Resources Section of the Division, 6060 Broadway, Denver, CO 80216.

bb. The owner and/or operator of a fish production facility receiving gametes from a free-ranging fish population or fish production facility which is positive for *Renibacterium salmoninarum* shall have the progeny tested for *Renibacterium salmoninarum* prior to movement of the progeny from the facility.

c. *Aeromonas salmonicida* (Furunculosis): No live salmonid fish originating from a facility which has been diagnosed positive for *Aeromonas salmonicida* (Furunculosis) may be stocked within stocking restricted cutthroat trout waters identified in Appendix C.

1. A state, federal or licensed aquaculture facility shall be considered negative upon the completion of a negative inspection at least 60 days after a positive diagnosis of *Aeromonas salmonicida* (Furunculosis).

2. Eggs originating from a facility which has been diagnosed positive for *Aeromonas salmonicida* (Furunculosis) shall be disinfected both at the point of origin and at their destination, using the method as set forth in #014 Aquatic Wildlife Health Management of these regulations.
- d. Infectious Pancreatic Necrosis Virus (IPNV): Any aquaculture facility found positive for Infectious Pancreatic Necrosis Virus (IPNV) shall be subject to virus eradication efforts approved by the Director at the owner's expense within one calendar year of the positive finding.
1. No person shall import into Colorado or release into any waters of this state live salmonid fish or gametes (eggs or sperm) from a water or facility in which Infectious Pancreatic Necrosis Virus (IPNV) has been identified without a plan for the eradication of the virus and disposition of affected fish approved by the Director. Upon a positive finding of Infectious Pancreatic Necrosis Virus (IPNV) in an aquaculture facility in Colorado, the owner shall have 60 days to submit a written plan to the Fish Health Board for the eradication of the pathogen and disposition of the fish. The Fish Health Board shall have 30 days to review the plan and submit it with a recommendation for approval, rejection or modification to the Director. Before making a final decision, the Director will consider the recommendation of the Fish Health Board and the effectiveness of the process outlined in the plan to eradicate the pathogen from the aquaculture facility. No salmonid fish or gametes (eggs or sperm) from a water or facility in which Infectious Pancreatic Necrosis Virus (IPNV) has been identified shall be released into any water of this state without an approved plan. In addition, no live salmonid fish or gametes (eggs or sperm) originating from an aquaculture facility or free-ranging fish population which has been diagnosed positive for Infectious Pancreatic Necrosis Virus (IPNV) may be stocked if determined by the Director to be a threat to: (A) any other federal, state or permitted aquaculture facilities or (B) stocking restricted cutthroat trout waters identified in Appendix C or (C) free-ranging salmonid populations used or intended for use as gamete (eggs or sperm) sources for state, federal or permitted aquaculture facilities or (D) any other free-ranging salmonid fish populations determined by the Director to be of special importance to Colorado's fishery resources. Criteria for D will include uniqueness of the resource and potential for use as a source of brood fish or gametes.
 2. Aquaculture facilities that have undergone adequate efforts to eradicate IPNV may again be considered negative 90 days after the reintroduction of sentinel fish and upon the completion of two negative inspections on all lots present at least eight weeks apart. For these purposes, sentinel fish shall consist of either rainbow trout or brook trout fry between one day and 42 days old.
 3. Free-ranging fish populations found positive for IPNV may again be considered negative upon the completion of at least three consecutive negative inspections at least four (4) months apart over a period of at least 24 months.

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

African clawed frog	<i>Xenopus laevis</i>
Boreal (Western) toad	<i>Anaxyrus boreas boreas</i>
Boreal chorus frog	<i>Pseudacris maculata</i>
Bullfrog	<i>Lithobates catesbeiana</i>
Canyon treefrog	<i>Hyla arenicolor</i>
Couch's spadefoot	<i>Scaphiopus couchii</i>
Great Basin spadefoot	<i>Spea intermontana</i>
Great Plains toad	<i>Anaxyrus cognatus</i>
Green frog	<i>Lithobates clamitans</i>
Green toad	<i>Anaxyrus debilis</i>
Marine toad	<i>Rhinella marina</i> us
Mexican spadefoot	<i>Spea multiplicata</i>
Northern cricket frog	<i>Acris crepitans</i>
Northern leopard frog	<i>Lithobates pipiens</i>
Plains leopard frog	<i>Lithobates blairi</i>
Plains spadefoot	<i>Spea bombifrons</i>
Red-spotted toad	<i>Anaxyrus punctatus</i>
Tiger salamander	<i>Ambystoma spp.</i>
Western narrow-mouthed toad	<i>Gastrophryne olivacea</i>
Wood frog	<i>Lithobates sylvatica</i>
Woodhouse's toad	<i>Anaxyrus woodhousii</i>

3. Crustaceans

Killer Shrimp	<i>Dikerogammarus villosus</i>
Ponto-Caspian echinogammarid	<i>Echinogammarus ischnurichiatus</i>
amphipod	
Rusty crayfish	<i>Orconectes rusticus</i>

4. Fish

Alewife	<i>Alosa pseudoharengus</i>
Arctic char	<i>Salvelinus alpinus</i>
Arkansas darter	<i>Etheostoma cragini</i>
Asian swamp eel	<i>Monopterus albus</i>
Bighead carp	<i>Hypophthalmichthys nobilis</i>
Bitterling	<i>Rhodeus sericeus</i>
Black carp	<i>Mylopharyngodon piceus</i>
Black crappie	<i>Pomoxis nigromaculatus</i>
Blue catfish	<i>Ictalurus furcatus</i>
Blue tilapia	<i>Oreochromis aureus</i>
Bluegill	<i>Lepomis macrochirus</i>
Bluehead sucker	<i>Catostomus discobolus</i>
Bonytail	<i>Gila elegans</i>
Brassy minnow	<i>Hybognathus hankinsoni</i>
Brook trout	<i>Salvelinus fontinalis</i>
Brown trout	<i>Salmo trutta</i>
Bullhead catfish	<i>Ameiurus melas</i>
Burbot	<i>Lota lota</i>
Butterfly peacock bass	<i>Cichla ocellaris</i>
Catla	<i>Catla catla</i>
Chain pickerel	<i>Esox niger</i>
Channel catfish	<i>Ictalurus punctatus</i>

Chinese fine-scaled loach	<i>Misgurnus mizolepis</i>
Colorado roundtail chub	<i>Gila robusta</i>
Colorado squawfish	<i>Ptychocheilus lucius</i>
Common shiner	<i>Luxilus cornutus</i>
Cutbow	<i>Oncorhynchus clarkii</i> X <i>Oncorhynchus mykiss</i>
Cutthroat trout	<i>Oncorhynchus clarkii</i>
Drum	<i>Aplodinotus grunniens</i>
Eurasian ruffe	<i>Gymnocephalus cernuus</i>
Eurasian weatherfish	<i>Misgurnus fossilis</i>
Fathead minnow	<i>Pimephales promelas</i>
Flannelmouth sucker	<i>catostomus platyrhynchus</i>
Flathead catfish	<i>Pylodictis olivaris</i>
Flathead Chub	<i>Platygobio gracilus</i>
Giant barb	<i>Catlocarpio siamensis</i>
Gizzard shad	<i>dorosoma cepedianum</i>
Golden trout	<i>Oncorhynchus aguabonita</i>
Goldfish	<i>Carassius auratus</i>
Grass carp	<i>Ctenopharyngodon idella</i>
Grayling	<i>Thymallus arcticus</i>
Green sunfish	<i>Lepomis cyanellus</i>
Greenback cutthroat trout	<i>Oncorhynchus clarki stomias</i>
Humpback chub	<i>Gila cypha</i>
Ide	<i>Leuciscus idus</i>
Iowa darter	<i>Etheostoma exile</i>
Koi	<i>Cyprinus carpio carpio</i>
Kokanee salmon	<i>Oncorhynchus nerka</i>
Lake chub	<i>Couesius plumbeus</i>
Lake trout (Mackinaw)	<i>Salvelinus namaycush</i>
Largemouth bass	<i>Micropterus salmoides</i>
Largescale silver carp	<i>Hypophthalmichthys harmandi</i>
Longnose sucker	<i>Catostomus catostomus</i>
Mosquitofish	<i>Gambusia affinis</i>
Mountain whitefish	<i>Prosopium williamsoni</i>
Mozambique tilapia	<i>Oreochromis mossambicus</i>
Mrigal	<i>Cirrhinus cirrhosis</i>
Nile perch	<i>Lates niloticus</i>
Nile tilapia	<i>Oreochromis-Tilapia</i> <i>niloticusa</i>
Northern pike	<i>Esox lucius</i>
Northern redbelly dace	<i>Phoxinus eos</i>
Oriental weatherfish	<i>Misgurnus anguillicaudatus</i>
Plains minnow	<i>Hybognathus placitus</i>
Plains orangethroat darter	<i>Etheostoma spectabile</i>
Plains topminnow	<i>Fundulus sciadicus</i>
Pumpkinseed sunfish	<i>Lepomis gibbosus</i>
Rainbow smelt	<i>Osmerus mordax</i>
Rainbow trout	<i>Oncorhynchus mykiss</i>
Razorback sucker	<i>Xyrauchen texanus</i>
Redear sunfish	<i>Lepomis microlophus</i>
Rio Grande chub	<i>Gila pandora</i>
Rio Grande sucker	<i>Catostomus plebeius</i>
River shiner	<i>Notropis blennioides</i>
Rohu	<i>Labeo rohita</i>
Rudd	<i>Scardinius erythrophthalmus</i>
Sacramento perch	<i>Archoplites interruptus</i>
Sauger	<i>Sander canadensis</i>
Saugeye	<i>Sander vitreum</i> X <i>Sander canadensis</i>
Silver carp	<i>Hypophthalmichthys molitrix</i>

Smallmouth bass	<i>Micropterus dolomieu</i>
Southern redbelly dace	<i>Phoxinus erythrogaster</i>
Speckled dace	<i>Rhinichthys osculus</i>
Splake	<i>Salvelinus namaycush</i> X <i>Salvelinus fontinalis</i>
Spotted bass	<i>Micropterus punctulatus</i>
Stonecat	<i>Noturus flavus</i>
Striped bass	<i>Morone saxatilis</i>
Suckermouth minnow	<i>Phenacobius mirabilis</i>
Tench	<i>Tinca tinca</i>
Tiger muskie	<i>Esox lucius</i> X <i>Esox masquinongy</i>
Tiger trout	<i>Salmo trutta</i> X <i>Salvelinus fontinalis</i>
Trahira	<i>Hoplias malabaricus</i>
Walking catfish	<i>Clarias batrachus</i>
Walleye	<i>Sander vitreus</i>
White bass	<i>Morone chrysops</i>
White crappie	<i>Pomoxis annularis</i>
White perch	<i>Morone americana</i>
White sucker	<i>Catostomus commersonii</i>
Wiper	<i>Morone chrysops</i> X <i>Morone saxatilis</i>
Yellow perch	<i>Perca flavescens</i>
Zander	<i>Sander lucioperca</i>
Alewife	<i>Alosa pseudoharengus</i>
Arctic char	<i>Salvelinus alpinus</i>
Arkansas darter	<i>Etheostoma cragini</i>
Asian swamp eel	<i>Monopterus albus</i>
Bighead carp	<i>Hypophthalmichthys nobilis</i>
Bitterling	<i>Rhodeus sericeus</i>
Black carp	<i>Mylopharyngodon piceus</i>
Black crappie	<i>Pomoxis nigromaculatus</i>
Blue catfish	<i>Ictalurus furcatus</i>
Blue tilapia	<i>Oreochromis aureus</i>
Bluegill	<i>Lepomis macrochirus</i>
Bluehead sucker	<i>Catostomus discobolus</i>
Bonytail	<i>Gila elegans</i>
Brassy minnow	<i>Hybognathus hankinsoni</i>
Brook trout	<i>Salvelinus fontinalis</i>
Brown trout	<i>Salmo trutta</i>
Bullhead catfish	<i>Ameiurus melas</i>
Burbot	<i>Lota lota</i>
Butterfly peacock bass	<i>Cichla ocellaris</i>
Catla	<i>Catla catla</i>
Chain pickerel	<i>Esox niger</i>
Channel catfish	<i>Ictalurus punctatus</i>
Chinese fine scaled loach	<i>Misgurnus mizolepis</i>
Colorado roundtail chub	<i>Gila robusta</i>
Colorado squawfish	<i>Ptychocheilus lucius</i>
Common shiner	<i>Luxilus cornutus</i>
Cutbow	<i>Oncorhynchus clarkii</i> X <i>Oncorhynchus mykiss</i>
Cutthroat trout	<i>Oncorhynchus clarkii</i>
Drum	<i>Aplodinotus grunniens</i>
Eurasian ruffe	<i>Gymnocyphalus cornuus</i>
Eurasian weatherfish	<i>Misgurnus fossilis</i>
Fathead minnow	<i>Pimephales promelas</i>
Flannelmouth sucker	<i>Catostomus platyrhynchus</i>
Flathead catfish	<i>Pylodictis olivaris</i>
Flathead Chub	<i>Platygobio gracilis</i>
Giant barb	<i>Catlocarpio siamensis</i>

Gizzard shad	<i>dorosoma cepedianum</i>
Golden trout	<i>Oncorhynchus aguabonita</i>
Goldfish	<i>Carassius auratus</i>
Grass carp	<i>Ctenopharyngodon idella</i>
Grayling	<i>Thymallus arcticus</i>
Green sunfish	<i>Lepomis cyanellus</i>
Greenback cutthroat trout	<i>Oncorhynchus clarki stomias</i>
Humpback chub	<i>Gila cypha</i>
Ide	<i>Leuciscus idus</i>
Iowa darter	<i>Etheostoma oxile</i>
Koi	<i>Cyprinus carpio carpio</i>
Kokanee salmon	<i>Oncorhynchus nerka</i>
Lake chub	<i>Couesius plumbeus</i>
Lake trout (Mackinaw)	<i>Salvelinus namaycush</i>
Largemouth bass	<i>Micropterus salmoides</i>
Largescale silver carp	<i>Hypophthalmichthys harmandi</i>
Longnose sucker	<i>Catostomus catostomus</i>
Mosquitofish	<i>Gambusia affinis</i>
Mountain whitefish	<i>Prosopium williamsoni</i>
Mozambique tilapia	<i>Oreochromis mossambicus</i>
Mrigal	<i>Cirrhinus cirrhosis</i>
Nile perch	<i>Lates niloticus</i>
Nile tilapia	<i>Tilapia nilotica</i>
Northern pike	<i>Esox lucius</i>
Northern redbelly dace	<i>Phoxinus eos</i>
Oriental weatherfish	<i>Misgurnus anguillicaudatus</i>
Plains minnow	<i>Hybognathus placitus</i>
Plains orangethroat darter	<i>Etheostoma spectabile</i>
Plains topminnow	<i>Fundulus sciadicus</i>
Pumpkinseed sunfish	<i>Lepomis gibbosus</i>
Rainbow smelt	<i>Osmerus mordax</i>
Rainbow trout	<i>Oncorhynchus mykiss</i>
Razorback sucker	<i>Xyrauchen texanus</i>
Redear sunfish	<i>Lepomis microlophus</i>
Rio Grande chub	<i>Gila pandora</i>
Rio Grande sucker	<i>Catostomus plebeius</i>
River shiner	<i>Notropis blennioides</i>
Rohu	<i>Labeo rohita</i>
Rudd	<i>Scardinius erythrophthalmus</i>
Sacramento perch	<i>Archoplites interruptus</i>
Sauger	<i>Sander canadensis</i>
Saugeye	<i>Sander vitreum X Sander canadensis</i>
Silver carp	<i>Hypophthalmichthys molitrix</i>
Smallmouth bass	<i>Micropterus dolomieu</i>
Southern redbelly dace	<i>Phoxinus erythrogaster</i>
Speckled dace	<i>Rhinichthys osculus</i>
Splake	<i>Salvelinus namaycush X Salvelinus fontinalis</i>
Spotted bass	<i>Micropterus punctulatus</i>
Stonecat	<i>Noturus flavus</i>
Striped bass	<i>Morone saxatilis</i>
Suckermouth minnow	<i>Phenacobius mirabilis</i>
Tench	<i>Tinca tinca</i>
Tiger muskie	<i>Esox lucius X Esox masquinongy</i>
Tiger trout	<i>Salmo trutta X Salvelinus fontinalis</i>
Trahira	<i>Hoplias malabaricus</i>
Walking catfish	<i>Clarias batrachus</i>
Walleye	<i>Sander vitreus</i>

White bass
White crappie
White perch
White sucker
Wiper
Yellow perch
Zander
Alewife
Arctic char
Arkansas darter
Asian swamp eel
Bighead carp
Bitterling
Black carp
Black crappie
Blue catfish
Blue tilapia
Bluegill
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Flathead Chub
Giant barb
Gizzard shad
Golden trout
Goldfish
Grass carp
Grayling
Green sunfish
Greenback cutthroat trout
Humpback chub
Ide
Iowa darter
Kei
Kokanee salmon
Lake chub
Lake trout (Mackinaw)
Largemouth bass

~~Morone chrysops~~
~~Pomoxis annularis~~
~~Morone Americana~~
~~Catostomus commersonii~~
~~Morone chrysops X Morone saxatilis~~
~~Perca flavescens~~
~~Sander lucioperca~~
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~~Leuciscus idus~~
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~~Cyprinus carpio carpio~~
~~Oncorhynchus nerka~~
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Largescale silver carp	<i>Hypophthalmichthys harmandi</i>
Longnose sucker	<i>Catostomus catostomus</i>
Mosquitofish	<i>Gambusia affinis</i>
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Walleye	<i>Sander vitreus</i>
White bass	<i>Morone chrysops</i>
White crappie	<i>Pomoxis annularis</i>
White perch	<i>Morone Americana</i>
White sucker	<i>Catostomus commersonii</i>
Wiper	<i>Morone chrysops X Morone saxatilis</i>
Yellow perch	<i>Perca flavescens</i>
Zander	<i>Sander lucioperca</i>

Basis and Purpose:

The statements of basis and purpose for these regulations can be viewed and copies obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager, Policy and Planning Unit, 1313 Sherman Street, Denver, CO 80203.

Importation of Seropositive Ungulates for Research Purposes or Immediate Slaughter

The previous importation regulation (#007-D-1-b) required without exception that all captive ungulates imported into Colorado, test negative for bovine tuberculosis and brucellosis using USDA-approved testing procedures. However, in rare circumstances there may be a legitimate need to allow importation of a small number of test-positive individuals in order to facilitate bona fide scientific investigations or for immediate slaughter. Such flexibility was previously not included in import regulations on disease testing.

This regulation allows the Director to make this determination on a case-by-case basis, but only for the purposes of scientific research or immediate slaughter.

Removal of Reporting Requirement for Stocking Salmonids or Non-native Fish on the East Slope

The reporting requirement was originally put into place due to concerns about tracking non-native fish species stocked into private waters that may negatively impact the federally listed fish species in some of Colorado's west slope waters. However, the final regulation wording didn't make that distinction and thus the private aquaculture reporting requirement became a state-wide reporting requirement.

The CPW state-wide reporting requirement for private aquaculture programs stocking data is no longer necessary. However, tracking any private stocking of warm-water fish species into west slope waters is still desirable to assist in ongoing management and recovery efforts for the federally listed fish species.

Clean-up to Fish Health Regulations

Administrative clean-ups were made to the fish health sections of this chapter, primarily correcting scientific names for species within the chapter.

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, 2015 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 14TH DAY OF JANUARY, 2015.

APPROVED:
Robert W. Bray
Chairman

ATTEST:
Jeanne Horne
Secretary