

DRAFT CHAPTER 17 - DAMAGE CAUSED BY WILDLIFE

ARTICLE I - GENERAL PROVISIONS

#1702 - PERMIT TO TAKE BIG GAME CAUSING DAMAGE

- A. No hunting license is required for any person authorized to take big game under any permit issued under provisions of 33-3-106 C.R.S. Big game killed under this permit remain the property of the state.
- B. All bear and mountain lion taken or destroyed under this subsection or 33-3-106 (3) C.R.S. shall remain the property of the state and ~~shall be reported to~~~~will be delivered to an officer of~~ the Division within 5 days. ~~In addition, a report shall be given to an officer of the Division within 5 days of the killing.~~ Such report shall contain:
 - 1. Name(s) of person(s) who killed the animal(s).
 - 2. The county and the specific location of the kill.
 - 3. The species and number of animals killed.
 - 4. The reason for such action.

The Division has the responsibility to recover or dispose of the carcass or to allow it to decay. Voluntary delivery of said carcass or parts to the Division is also allowed.

- C. Without regard to harvest limit quotas, unit boundaries or season dates, the Director or his designee may authorize the taking of any problem lion or bear by any lawful means designated, including but not limited to methods permitted under Article XVIII, Section 12b, of the Colorado Constitution, when such lion or bear is causing damage to livestock or property or are frequenting areas of incompatibility with other users as may be necessary to protect public health, safety and welfare. The taking of lion or bear under this section shall be by licensed hunters, houndsmen, or trappers who shall be bound by all other statutes and regulations regarding the taking and possession of bear and mountain lion. (Reference 8 CCR 1201-12 of Colorado Department of Agriculture regulations regarding control of depredating animals).
- D. The Director shall establish a statewide list of hunters, houndsmen, and trappers to take problem bears or lions taking into consideration the ability to respond, skill, experience, location, and the ability of the hunters, houndsmen, or trappers who have applied to participate in removal operations; and, in selecting participants from that list for any particular removal operation shall further take into consideration the urgency dictated by the situation and the environment in which the removal will occur.
- E. When any permit to take a big game causing excessive damage to private, real or personal property, is issued to members of the public other than the landowner or his designee, any hunting under such permit shall be directed by the Division in cooperation with the landowner.

ARTICLE XII- DAMAGE CAUSED BY SMALL GAME AND FURBEARERS

#17121- DEFINITIONS FOR ARTICLES XII - XV

- A. **“Body Grip Device”** means a mechanical device designed to kill an animal quickly upon capture.
- B. **“Bona fide scientific research”** means any research project conducted by the Division or

authorized by a scientific collection permit issued by the Division.

- C. **“Cable Device Trap”** means any powered or non-powered device made of stranded steel cable set in a manner that a loop of cable encircles the animal’s body or limb.
- D. **“Canada Lynx Recovery Area”** means the area of the San Juan and Rio Grande National Forests and associated lands above 9,000 feet extending west from a north-south line passing through Del Norte and east from a north-south line passing through Dolores and from the New Mexico state line north to the Gunnison basin (including Taylor Park east to the Collegiate Range). The GMUs included in the area are: 55, 65, 66, 67, 68, 70, 71, 74, 75, 76, 77, 78, 79, 80, 81, 551, 681, 711 and 751.
- E. **“Designated and marked trails”** means any trail on public property or a public trail easement across private lands that has signs to indicate that it is a public trail; is maintained; and has a trail number or designation on a map or brochure published by the government entity who has jurisdiction over the trail.
- F. **“Drag”** means an object attached to a trap to retard the movement of a trap and to detain an animal.
- G. **“Enclosed Foothold Trap”** means any mechanical device designed to encapsulate and hold the animal's foot. These foot encapsulating devices are highly species-selective by design.
- H. **“Foothold Trap”** means any mechanical device with jaws designed to catch an animal by the foot.
- I. **“Lethal cable device trap”** means a cable device trap designed to kill an animal upon capture.
- ~~I.~~ **“Live Trap (Cage or Box)”** means a mechanical device designed in such a manner that the animal enters the trap through an opening that prevents the animal from exiting.
- K. **“Nonlethal cable device trap”** means a cable device trap with a stopping device designed to prevent strangulation of the species for which the cable device trap is set, or a mechanical or spring powered cable device trap designed to catch the animal by the foot or leg.
- ~~J.~~ **“Pan Tension”** means the amount of pressure required to activate a trap, as measured at the center of the pan.
- ~~K.~~ **“Relocation”** means movement of live wildlife captured by a person to another site which is not contiguous to the capture site.
- ~~L.~~ **“Traps specifically designed not to kill”** means padded, laminated, or off-set steel jawed foothold traps, enclosed foothold, box traps, and cage traps, as conditioned elsewhere in these regulations.

#17122 – MANNER OF TAKE

- A. The following are legal methods of take for all small game and furbearers listed in this chapter, except as otherwise noted. Any method of take not listed herein shall be prohibited, except as provided by statute or these regulations.
 - 1. Any rifle or handgun.
 - 2. Any shotgun.

3. Handheld bows and crossbows.
4. Any air gun, except that for coyote or bobcat the air gun must be a pre-charged pneumatic air gun .25 caliber or larger.
5. Slingshots only for small game mammals listed herein.
6. Live traps (limited to cage or box traps) for live capture and relocation.

B. Live Capture and Relocation

1. Unless relocation has been authorized, small game and furbearers captured in live traps (limited to cage or box traps) cannot be moved from the capture site and must be killed or released on site when the trap is checked.
2. Except as provided herein, a relocation permit is required to relocate all small game and furbearers.
 - a. Tree squirrels, cottontail rabbits, and raccoons trapped in cage or box traps may be relocated without a permit provided the Division has been notified in advance; the relocation site is appropriate habitat for the species; permission has been obtained from the private landowner; and relocation occurs within 10 miles of the capture site for squirrels and rabbits, and within two miles of the capture site for raccoons.
 - b. Relocation permit applications must be submitted to and approved by the Division prior to relocation. Permit approval or denial shall be based on the following: size of the relocation site; proximity of the site to public lands; habitat suitability and potential to support the relocated species; escape control, including buffer zones and active control if necessary; wildlife health and zoonotic disease concerns, and any other appropriate wildlife management concerns. In addition, applications must be submitted for all requests to move prairie dogs including modifications and extensions for wild to wild relocation permits. Permits authorizing movement of prairie dogs shall cost forty dollars (\$40.00). Original applications shall also include a management plan specifically addressing the applicant's long term plans for the maintenance or control of the prairie dog population on the property. For any species which, in accordance with the provisions of § 35-7-203, C.R.S., requires approval of the county commissioners, the applicant shall also submit a copy of the resolution as approved by the county commissioners.
 - c. Labeling of traps – All live traps (limited to cage or box traps) placed on public lands must be labeled permanently and legibly with the trapper's Customer Identification Number (CID) in a location that is visible without having to manipulate the live trap in any way. If the trapper does not have a CID, all live traps placed on public lands must be labeled with the trapper's name. Live traps not properly labeled may be confiscated by any Wildlife Officer.

d. Capture of Non-Target Wildlife:

- i. In the event of live capture of non-target wildlife that is not a state or federally identified threatened, endangered, or otherwise protected species, the non-injured wildlife shall be immediately released. Injured wildlife shall be dispatched in accordance with the provisions of regulation #303.E.4 or transported to a current CPW-licensed wildlife rehabilitator. If the wildlife cannot be released without human endangerment, the wildlife shall be dispatched in accordance with the provisions of regulation #303.E.4. In the event of mortality resulting from such accidental capture, the carcass of such wildlife shall be delivered to a Division wildlife officer or office within five (5) days. Failure to deliver the carcass shall be prima facie evidence of unlawful possession of such wildlife. Provided further

that any individual who complies with this provision shall not be charged with illegal possession of such accidentally captured wildlife.

e. If the non-target wildlife is a state or federally identified threatened, endangered, or otherwise protected species, the following provisions apply:

i. If the non-target wildlife is uninjured and can be released without human endangerment, the wildlife shall be immediately released.

ii. If the non-target wildlife cannot be released without human endangerment or is injured refer to applicable state and/or federal law pertaining to other disposition, reporting requirements and penalties.

f. Live Capture of Target Wildlife:

If the target depredating wildlife is taken alive, the wildlife shall be dispatched in accordance with the provisions of regulation #303.E.4, or the wildlife may be relocated if prior approval has been granted by the Division as provided in regulation #17122.B.

- C. Except as prohibited by federal, state, and local statutes or regulations, toxicants or handheld devices designed to deliver into burrows and then ignite a mixture of propane and oxygen, or similar combination of explosive gases, may be used by a person, or a person's agent, to take Richardson's ground squirrel, rock squirrel, thirteen-lined ground squirrel, pocket gopher, marmots, black-tailed, white-tailed, and Gunnison prairie dogs where necessary to control damage on land owned by them.
- D. Furbearers may be taken using foothold traps, any body-grip device, and cable device traps, when trapping is done in accordance with the provisions of 33-6-204, C.R.S. (General Exemptions); 33-6-205, C.R.S. (Exemption for Departments of Health); 33-6-206, C.R.S. (Nonlethal Methods Exemptions); or 33-6-207, C.R.S. (Exemptions for Protection of Crops and Livestock); all of which are exemptions authorized by Article XVIII, Section 12, of the Colorado Constitution; conditioned as follows:
1. All foothold traps set on land must be equipped with: a) padded, laminated or offset jaws; b) anchor chains attached to the center of the base plate of the trap; such chain shall have a double swivel mechanism to prevent tangling of the chain; c) a spring device which serves as a shock absorber; d) when anchored by a stake, a chain of 30 inches or less must be utilized; e) when anchored by a drag, a chain of six feet or less must be utilized.
 2. All enclosed foothold traps set on land must be equipped with: a) a chain or cable of 15 inches or less when anchored by a stake; b) a center mounted anchor; c) such chain or cable shall have a double swivel mechanism to prevent entanglement; d) when anchored by a drag, a chain or cable of six feet or less must be utilized.
 3. All foothold traps with an inside jaw spread of 5 ½ inches or greater and set on land must be equipped with a pan-tension device set to a minimum release pressure of 3 ½ pounds as tested at the center of the pan.
 4. All pads on padded jaw traps must be maintained in good condition so as to effectively minimize injury to the trapped animal.
 5. Any foothold trap, enclosed foothold trap, or any colony trap designed to be a drowning set, may be used as a drowning set when trapping is done in accordance with the

provisions of the Departments of Health Exemption or the Exemptions for the Protection of Crops and Livestock.

6. Nonlethal cable device traps: ~~when set on land must be equipped with an in line swivel placed at least one (1) foot from the stake and powered and non-powered cable device traps set on land must be equipped~~ with a stop designed to restrain furbearers without suffocation, ~~and must be equipped with an in line swivel, placed at least one (1) foot from the stake, by~~te preventing the cable device trap from closing to a circumference of not less than 10.5 inches, except stops may be set at a circumference of not less than 8.0 inches in areas and at times when red fox are causing damage to livestock. All cable device traps must break away at a maximum of 350 pounds of pull.
7. Lethal cable device traps: passive or non-mechanical foot cable device traps are prohibited, except when trapping is done in accordance with the provisions of the Departments of Health Exemption or the Exemptions for the Protection of Crops and Livestock. Mechanical or spring-powered foot cable device traps are permitted. All cable device traps must break away at a maximum of 350 pounds of pull.
8. Body grip devices with a maximum jaw spread of 8.5 X 8.5 inches or greater may not be used, except in water set, and only when trapping is done in accordance with the provisions of the Departments of Health Exemption or the Exemptions for the Protection of Crops and Livestock.
9. Body grip devices with a maximum jaw spread between 7.0 X 7.0 and 8.5 X 8.5 inches may not be used, except in water sets, when set at least 5 feet above the ground, or when set in devices designed to exclude dogs; and only when trapping is done in accordance with the provisions of the Departments of Health Exemption or the Exemptions for the Protection of Crops and Livestock.
10. Body grip devices used to take muskrat on land must be a double-spring design and have a maximum jaw spread no greater than 4.5 X 4.5 inches. A single-spring design with a maximum jaw spread no greater than 4.5 X 4.5 inches is permitted for muskrat in submersion sets. Provided further that any such use of body grip devices must be in accordance with the provisions of the Departments of Health Exemption or the Exemption for the Protection of Crops and Livestock.
11. ~~To avoid the taking of river otter, t~~rapping in the following areas is prohibited except with: a) padded, laminated, or off-set jaw traps; b) body grip devices with a maximum jaw spread less than 7 X 7 inches in size; or c) land or water set cable device traps with a closure size of 16- inch circumference or larger. Provided further that padded, laminated, or off-set jaw traps and cable device traps may not be used in drowning sets, that padded, laminated, or off-set jaw traps and land set cable device traps may only be set in accordance with the provisions of the Departments of Health Exemption, Nonlethal Methods Exemption, or the Exemption for the Protection of Crops and Livestock; and that water set cable device traps and body grip devices may only be set in accordance with the provisions of the Departments of Health Exemption or the Exemption for the Protection of Crops and Livestock.
 - a. That portion of the Gunnison River and five (5) miles upstream along each of its tributaries in Montrose and Delta Counties from the Black Canyon of the Gunnison National Park downstream to that point where the river meets Highway 92; and all lands within 100 yards of the high water line of this portion of the Gunnison River and all tributaries thereof.
 - b. That portion of the Piedra River upstream from Navajo Reservoir to the headwaters including East Fork and Middle Fork of the Piedra River in Hinsdale and Archuleta

counties and 9 miles upstream on the First Fork. This restriction includes the following tributaries: Sand Creek, Weminuche Creek, Little Sand Creek, Williams Creek and all lands within 100 yards of the high water line of the above waters.

- c. The Dolores River from McPhee Reservoir downstream to Bed Rock is closed within 100 yards of the high water line.
 - d. The San Juan River from Pagosa Springs downstream to the New Mexico state line is closed within 100 yards of the high water line.
12. On all public land or public easement through private land the use of all foothold traps except live traps is prohibited on or within 30 feet of either side of officially designated and marked trails, ~~unless such traps are placed in water or off the ground~~. Provided further that such foothold or cable device traps may only be set in accordance with the provisions of the Departments of Health Exemption or the Nonlethal Methods Exemption.
 13. The use of ground set foothold traps and cable device traps are prohibited within 30 feet of the exposed carcass of any game wildlife or domestic animal. ~~Provided further that~~ Such traps may only be set in accordance with the provisions of the Departments of Health Exemption, the Nonlethal Methods Exemption, or the Exemptions for the Protection of Crops and Livestock.
 - a. For the purpose of regulation #17122.D(13) only, "carcass" means the meat and internal organs of game wildlife and domestic animals and does not include bones, hides or other nonedible parts.
 14. No foothold trap, enclosed foothold trap, body grip device, or cable device trap, except for those lawfully placed on private property, may be set within 50 feet of either side of the traveled portion of any state highway, U.S. or Interstate highway, or any county road. Such traps may be set on public land in accordance with the provisions of the Departments of Health Exemption.
 15. To avoid the taking of kit fox, ~~a~~All foothold traps used within the area designated below must be set with a pan tension device that requires a minimum of 3 ½ pounds of force to activate the trap. Except for water or tree sets, body grip devices are prohibited within the following area: That portion of Delta, Mesa and Montrose counties bounded on the north by the Mesa-Garfield county line from the Utah state line east to U.S. Interstate 70; bounded on the east by U.S. Interstate Highway 70 from the Mesa-Garfield county line to Colorado State Highway 65; from Colorado State Highway 65 to its junction with the northern boundary of the Grand Mesa Forest and following the boundary line west, south and then east to its junction with Colorado State Highway 65, from Colorado State Highway 65 to its junction with the Gunnison River, from the Gunnison River to Colorado State Highway 347, from Colorado State Highway 347 to its junction with U.S. Highway 50; bounded on the south by U.S. Highway 50 from its junction with Colorado State Highway 347 to the Gunnison River, from the Gunnison River to its junction with the Colorado River, from the Colorado River to the Utah state line; and bounded on the west by the Utah state line. Provided further that any such trapping must be done in accordance with the provisions of the Departments of Health Exemption, the Exemptions for the Protection of Crops and Livestock and the Nonlethal Methods Exemption.

E. Thirty (30) Day Trapping Period for Livestock and Crop Protection

1. Landowners and others authorized by statute who are trapping pursuant to 33-6-207, C.R.S. must notify the Division in accordance with 33-6-208, C.R.S. All definitions and other provisions will be in accordance with 33-6-208, C.R.S, and 35-40-100.2-115, C.R.S.

F. Baits

1. 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.

G. Checking Frequencies

1. All live traps (limited to cage or box traps) must be visually checked on site at least once every day, except under the provisions of #17122.G(3) below.
2. All foothold traps, non-lethal cable device traps, lethal cable device traps, body grip devices and drowning sets when used in accordance with the provisions of the General Exemptions, Departments of Health Exemption or the Nonlethal Methods Exemptions must be visually checked on site at least once every day. In the Canada lynx recovery area or on properties known to be occupied by Canada lynx the checking frequency is at least every 24 hours.
3. All live traps (limited to cage or box traps), foothold traps and non-lethal cable device traps set in accordance within the provisions of the Exemptions for Protection of Crops and Livestock, must be visually checked on site at least three times per week; twice, 2 days apart and once, 3 days apart in any seven-day period (any combination of 2-2-3).
4. All lethal cable device traps, body grip devices, and drowning sets set in accordance with the provisions of the Exemptions for Protection of Crops and Livestock must be visually checked on site at least once every 7 days.

H. Artificial light (private land) may be used at night to take beaver, bobcat, coyote, gray fox, raccoon, red fox, striped skunk and swift fox on private land with permission of the landowner, designated agent, lessee, or authorized employee, or with authorization for an identified designee. An identified designee shall not pay, nor shall the property owner, operator, or lessee accept payment from an identified designee for the right to act as an identified designee. Nothing herein prohibits the property owner, operator, or lessee from paying an identified designee for services. Wildlife Services, the Colorado Department of Agriculture, or any other government agency shall not be an identified designee.

I. Artificial light (public land) An owner of livestock, or the employees or designated agents of such owner or lessee, or an identified designee may also use artificial light on public lands when taking depredating wildlife on the public land they have an active lease or on adjacent public lands to that lease where depredation has occurred or is occurring, except as follows:

1. During the 24-hour period prior to and during any regular deer, elk, or pronghorn rifle season and during the 24-hour period prior to and during the opening weekend of any grouse, pheasant, quail, turkey, or waterfowl season, unless prior authorization is obtained from the Division; or
2. In any areas where human safety would be jeopardized.

Written authorization is required for any identified designee. Any such authorization shall contain: the designee's name; the name of the property owner, operator, or lessee; identify the target depredating wildlife; and specify the time period and geographic area in which the identified designee is authorized to take control measures. An identified designee shall not pay, nor shall the property owner, operator, or lessee accept payment from an identified designee for the right to act as an identified designee. Nothing herein prohibits the property owner, operator, or lessee from paying an identified designee for services. Wildlife Services, the Colorado Department of Agriculture, or any other government agency shall not be an identified designee.

#17123 - SPECIAL CONDITIONS

A. Exemption for wildlife in conflict with people

1. In addition to the authority granted in subsection 33-6-107(9) C.R.S. to take wildlife causing damage to real or personal property; any person, members of their family, or their agents may year-round, without securing licenses to do so, take:
 - a. Cottontail rabbits, tree squirrels or opossums on property owned or administered by them, whenever such wildlife is causing damage on such property.

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

ARTICLE XIII – DAMAGE CAUSED BY MIGRATORY BIRDS

#17131 – RESTRICTIONS

- ~~A.~~ **A.** Landowners or their designee may use dogs to haze geese off of their property in order to prevent or alleviate damage, ~~except from March 1 through July 31~~, provided that the dog is controlled such that no geese are injured or killed.
- B.** Crows and magpies may be taken without Federal or State permit at any time of the year or at any time of the day or night when found committing or about to commit depredation upon ornamental or shade trees, agricultural crops, livestock or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance.
- C.** Resident Canada Goose Nest and Egg Depredation Permit. The United States Fish and Wildlife Service (USFWS) requires a person to register with them online, prior to destroying any resident Canada goose nests or eggs.

ARTICLE XIV – DAMAGE CAUSED BY NONGAME WILDLIFE

#17141 – RESTRICTIONS

- A.** Bats, mice (except those federally listed mouse species), voles, rats, porcupines, and ground squirrels may be captured or killed when creating a nuisance or causing property damage.
- B.** Take of Threatened and Endangered Species
 1. Any person may take threatened or endangered wildlife in defense of his life or the life of others.
 2. All threatened or endangered fish taken by any means shall be returned unharmed to the water immediately.
 3. While conducting an otherwise lawful activity, including, but not limited to, live trapping or hunting bobcat, taking action pursuant to 33-6-207, C.R.S., to protect livestock, protection of livestock through the use of guard dogs, decoy dogs, coursing dogs and trailing dogs, or taking action pursuant to 33-3-106, C.R.S., to prevent death or injury to human life or livestock, a Canada lynx is:
 - a. accidentally captured, but not injured, it shall be released immediately and the capture shall be reported to the Division within 24 hours;
 - b. accidentally injured, but not in the possession of the person, the injury shall be reported to the Division within 24 hours;
 - c. accidentally injured and in the possession of the person, the Canada lynx shall be immediately delivered to the Division or taken to a licensed veterinarian for appropriate care and reported to the Division within 24 hours;

- d. accidentally killed, then it shall be reported to the Division within 24 hours and the carcass shall be delivered to the Division within 3 (three) days of the report.

Any failure to provide the required notice to the Division or to deliver the injured or dead Canada lynx to the Division within the time periods allowed shall be prima facie evidence of unlawful take and possession of Canada lynx.

For the purposes of this subsection, "accidental" specifically excludes any intentional, knowing or negligent action on behalf of any person or a person's agent or employee.

ARTICLE XV – DAMAGE CAUSED BY WILDLIFE

#17151 – RESTRICTIONS

A. Motor Vehicles, by permit only.

1. The Division may issue permits to licensed and/or commercial operators, which shall be free of charge, for the taking of nuisance wildlife from within or on a motor vehicle when it is determined by an Area Wildlife Manager or District Wildlife Manager that such a permit is necessary for the protection of property including crops or livestock. Applicants shall fill out applications furnished by the Division and shall give such information thereon as may be required by the Division; including, if requested, a map of the area where control of animal damage is needed.
2. Permits shall not be issued for longer than a sixty (60) day period. A permit may, however, be renewed without submitting a new application unless deemed necessary by the Regional Wildlife Manager. Any such permit may be revoked by the Regional Wildlife Manager at any time. Permittees shall abide by restrictions and conditions set forth on the permit.
3. "**Nuisance Wildlife**" means those wildlife species specifically listed in §33-6-107(9), C.R.S. as well as tree squirrels, cottontail rabbits, marmots, opossums, bats, mice (except federally listed mouse species), voles, rats, and ground squirrels, which are an inconvenience or annoyance by causing damage to real or personal property.

MAILING- 08/23/2019
Basis and Purpose
Chapter W-17 – Damage Caused by Wildlife

Basis and Purpose:

These changes to Chapter W-17 were made to ensure consistency between Colorado Department of Agriculture (CDA) rules and CPW regulations (multiple chapters). CDA rules were last updated in December 2018 to incorporate AFWA best management practices and as a part of a multi-agency Colorado trapping work group effort. Existing Chapter W-3 trapping regulations applicable to exemption trapping were also added to the chapter for ease of reference.

Lastly, resulting from a citizen petition heard by the Commission in November 2018 and subsequent recommendation from the formed Canada Goose Working Group, dogs can now haze geese year-round, as long as they do not injure or kill any geese during the process.

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, Room 111, Denver, CO 80203.

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 JANUARY 1, 2020 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 NOVEMBER, 2019.

Approved:
Michelle Zimmerman
Acting Chair

Attest:
James Vigil
Secretary

DRAFT 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 (3) 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. A leashed dog may be used as an aid in locating and recovering wounded big game wildlife, except for black bears, with the purchase of an annual tracking permit. Tracking permits can be purchased for \$40.00 from any Colorado Parks and Wildlife Office by the dog handler. Prior to using the permit, the dog handler must notify a Colorado Parks and Wildlife Office and provide the following information: the dog handler's name, hunter's name (if different than the handler), hunter's CID number, location of use, species to recover, and time of use. Within five business days of using the permit, the handler must also notify the Division regarding whether they recovered the carcass. A dog may only be used to pursue or locate wounded big game during legal big game hunting hours. Provided however, that such pursuit may continue after legal big game hunting hours if the handler contacts and obtains the permission of a Wildlife Officer prior to continuing such pursuit. In acting on any such request, the Wildlife Officer shall consider the general public safety and may authorize the dispatch of the wounded animal after legal hunting hours. The dog must be leashed at all times and can not be used to kill, chase, or harass wildlife. The properly licensed hunter is required to be present while the dog is tracking and the animal must be dispatched by the hunter using a legal method of take based on their license. The dog handler is required to wear daylight fluorescent orange or fluorescent pink while tracking, unless the handler is tracking an animal shot on an archery license.
 3. 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.
 4. A valid small game license is required for all dog handlers participating in any dog pursuit event involving the hunting of rabbits or hares, in accordance with regulation #004(A)(2)(a)(3).
 3. Other Aids
 - a. Mechanical calls may be used to take all species of wildlife during established seasons.

- b. Except as otherwise provided in these regulations, electronic calls may be used as an aid in taking furbearers only.
 - c. Decoys may be used.
 - d. European ferret may be used as an aid in taking small game only in conjunction with hawking. All ferrets used in this activity must be neutered, permanently tattooed on the left inguinal area and dyed along one-fourth (1/4) of their body length for easy field identification.
 - e. Manner of take accommodations may be issued to persons with disabilities, in accordance with #005.
- B. It shall be unlawful to hunt any game birds, small game mammals or furbearers, with a centerfire rifle larger than .23 caliber during the regular deer and elk seasons west of Interstate 25, unless the hunter holds an unfilled deer or elk license for the season he is hunting.
- C. It shall be unlawful to use a drone to look for, scout, or detect wildlife as an aid in the hunting or taking of wildlife.
- 1. For the purposes of this regulation, drone shall be defined as including, without limitation, any contrivance invented, used or designed for navigation of, or flight in the air that is unmanned or guided remotely. A drone may also be referred to as “Unmanned Aerial Vehicle” (UAV) or “Unmanned Aerial Vehicle System” (UAVS).
- D. Smart Rifles
- 1. All firearms used to take or attempt to take wildlife shall be fired only by humanly controlled, manually-operated mechanical triggers. No person shall use a smart rifle to take or attempt to take wildlife.
 - 2. “**Smart Rifle**” means any firearm that is equipped with one or more of the following:
 - a. A target tracking system;
 - b. An electronically-controlled, electronically-assisted, or computer-linked trigger;
 - c. A ballistics computer.
- E. Live-Action Game Cameras
- 1. No person shall use a live-action camera to locate, surveil, or aid or assist in any attempt to locate or surveil any game wildlife for the purpose of taking or attempting to take said wildlife during the same day or following day.
 - 2. “**Live-Action Game Camera**” means any device capable of recording and transmitting photographic or video data wirelessly to a remote device, such as a computer or smart phone. “Live-action game camera” does not include game cameras that merely record photographic or video data and store such data for later use, as long as the device cannot transmit data wirelessly.
- F. **Aircraft**, by permit only.
- 1. The Division may issue permits for the taking ~~wildlife of coyotes~~ by aircraft when it is determined by the Director that such a permit is necessary for the protection of wildlife populations or for depredation purposes. Applicants shall fill out applications furnished by the Division and shall give such information thereon as may be required by the Division; including, if requested, a map of the area where control of animal damage is needed.
 - 2. Permits shall not be issued for longer than a thirty (30) day period. A permit may, however, be renewed without submitting a new application unless deemed necessary by the Director. Any such permit may be revoked by the Director at any time. Permittees shall abide by restrictions and conditions set forth on the permit.
 - 3. Permits to use aircraft will be issued only upon authority of the Director.
 - 4. Reporting.
 - a. Within ten (10) days after expiration of an aircraft permit the permittee shall file a report on forms provided by the Division. The report shall contain all information the

Division may request, including but not limited to: a) number of wildlife coyotes killed, b) location of each kill, and c) number of hours flown.

**MAILING- 08/23/2019
Basis and Purpose
Chapter W-0 - General Provisions**

Basis and Purpose:

These changes to Chapter W-0 were made to ensure consistency between Colorado Department of Agriculture (CDA) rules and CPW regulations (multiple chapters). CDA rules were last updated in December of 2018 to incorporate AFWA best management practices and as a part of a multi-agency Colorado trapping work group effort. This change will also allow greater agency flexibility to use Director-approved aircraft permits for other species besides coyotes when necessary for protection of wildlife populations or for depredation purposes as also authorized by the CDA.

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, Room 111, Denver, CO 80203.

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 JANUARY 1, 2020 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 NOVEMBER, 2019.

**APPROVED:
Michelle Zimmerman
Acting Chair**

**ATTEST:
James Vigil
Secretary**

DRAFT CHAPTER W-3 - FURBEARERS and SMALL GAME, EXCEPT MIGRATORY BIRDS

ARTICLE I - GENERAL PROVISIONS

#300 - Definitions

- A. **"Canada Lynx Recovery Area"** means the area of the San Juan and Rio Grande National Forests and associated lands above 9,000 feet extending west from a north-south line passing through Del Norte and east from a north-south line passing through Dolores and from the New Mexico state line north to the Gunnison basin (including Taylor Park east to the Collegiate Range). The GMUs included in the area are: 55, 65, 66, 67, 68, 70, 71, 74, 75, 76, 77, 78, 79, 80, 81, 551, 681, 711 and 751.
- B. **"Furbearers"** means those species with fur having commercial value and which provide opportunities for sport harvest including mink, pine marten, badger, red fox, gray fox, swift fox, striped skunk, western spotted skunk, beaver, muskrat, long-tailed weasel, short-tailed weasel, coyote, bobcat, opossum, ring-tailed cat and raccoon.
- C. **"Live Trap (Cage or Box)"** means a mechanical device designed in such a manner that the animal enters the trap through an an opening door that ~~closes~~, prevents sing the animal from exiting.
- D. **"Small game, except migratory birds,"** means:
 - 1. **Game birds**, including dusky grouse, Greater Sage-grouse, Gunnison Sage-grouse, mountain sharp-tailed grouse, white-tailed ptarmigan, pheasant, northern bobwhite, scaled and Gambel's quail, chukar partridge, Greater prairie-chicken and wild turkey; and
 - 2. **Game mammals**, including cottontail rabbit, snowshoe hare, white-tailed and black-tailed jackrabbit, fox squirrel, pine squirrel, marmot, and Abert's squirrel; and
 - 3. **Other small game**, including black-tailed, white-tailed and Gunnison prairie dogs, Wyoming (Richardson's) ground squirrel, prairie rattlesnake, and common snapping turtles.

NOTE: "Migratory Birds" is defined in regulation #500(A).

- E. **"Traps specifically designed not to kill"** means padded, laminated, or off-set steel jawed foothold traps, enclosed foothold, box traps, and cage traps, as conditioned elsewhere in these regulations.

#301 - LICENSE FEES

A. Furbearer License Fee

1. Furbearer License Fee Reduction:

In accordance with the provisions of §33-4-102, C.R.S., the following furbearer license fees shall be reduced to the fee specified herein, from the level set forth in §33-4-102, C.R.S.:

License Type	License Fee
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Nonresident Furbearer	\$80.00
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#302 - Hours

A. Hunting Hours:

1. Small Game - from one-half (1/2) hour before sunrise to sunset.
2. Furbearers - from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. Additionally; beaver, bobcat, coyote, gray fox, raccoon, red fox, striped skunk, and swift fox may be hunted at night in accordance with Regulation #'s 303(E)(7) and (E)(8).

B. Trapping Hours:

1. Small game, except game birds; game reptiles, and furbearers - day or night.
2. All live traps (cage or box) and snares must be visually checked on site at least once every day.; ~~except that traps and snares used in accordance with the provisions of 33-6-204, C.R.S. (General Exemptions); 33-6-205, C.R.S. (Exemption for Departments of Health); 33-6-206, C.R.S. (Nonlethal Methods Exemptions); or 33-6-207, C.R.S. (Exemptions for Protection of Crops and Livestock; all of which are exemptions authorized by Article XVIII, Section 12, of the Colorado Constitution);~~ in the Canada lynx recovery area or on properties known to be occupied by Canada lynx, they must be checked every 24 hours.
 - a. Visual lures, fresh meat baits, fish oil, and anise oil lures meant to attract felids are not permitted in the Canada lynx recovery area or on properties known to be occupied by Canada lynx.

#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.

A. Special Conditions

1. Contests Involving Small Game or Furbearers are allowed, except:
 - a. No person shall advertise, conduct, offer to conduct, promote or participate in any competitive event which involves:
 1. The taking of any small game or furbearer species for which the daily bag or possession is unlimited, including but not limited to coyotes and prairie dogs. Provided, however, that such events are allowed if no more than five (5) of each species are taken by each participant during the entire event.
 2. The taking of marked or tagged small game released as part of such contest and where money or other valuable prizes are awarded for the taking of such small game and game birds. "Valuable prizes" shall not include certificates or other similar tokens of recognition not having any significant monetary value.
 - b. Commercial and noncommercial wildlife parks and field trials licensed by the Division are exempt from these provisions.

2. Live Capture

- a. Furbearers captured in live traps cannot be moved from the capture site and must be killed or released on site when the trap is checked.
3. **Accidental Capture** - Except for Canada lynx, which are subject to the provisions of Chapter 10, any person accidentally trapping any wildlife for which the trapping season is closed or for which trapping is not a legal manner of taking, shall, in the event of live capture of such wildlife, release such wildlife immediately, ~~with or without the assistance of the Division~~. Nothing in this section permits the killing of such accidentally captured wildlife, ~~unless the wildlife cannot be released without human endangerment~~. In the event of mortality resulting from such accidental capture, the carcass of such wildlife shall be delivered to a Division ~~w~~Wildlife officer or office within five (5) days. Failure to deliver the carcass shall be prima facie evidence of unlawful possession of such wildlife. Provided further that any trapper who complies with this provision shall not be charged with illegal possession of such accidentally captured wildlife.
 4. **Non-toxic shot requirements**
 - a. Arapaho National Wildlife Refuge (Jackson County).

No person shall use or possess shot (either in shot-shells or as loose shot for muzzle-loading) other than non-toxic shot while taking or attempting to take any resident small game species with a shotgun. "Non-toxic shot" - means any shot type approved for use to take migratory game birds by the US Fish and Wildlife Service as set forth in #500 of these regulations.
 5. **Labeling of traps** - All live traps (limited to cage or box traps) placed on public lands must be labeled permanently and legibly with the trapper's Customer Identification Number (CID) in a location that is visible without having to manipulate the live trap in any way. If the trapper does not have a CID, all live traps placed on public lands must be labeled with the trapper's name. Live traps not properly labeled may be confiscated by any Wildlife Officer.

B. Game Mammals

1. Any rifle or handgun.
2. Any shotgun not larger than 10 gauge, incapable of holding more than three (3) shells in magazine and chamber combined.
3. Handheld bows and crossbows.
4. Air guns and slingshots.
5. Hawking

C. Game Birds, except Migratory Birds

1. Any rifle or handgun for dusky (blue) grouse, ptarmigan or turkey during the fall and late seasons. Rifles and handguns used for the taking of turkeys shall use bullets of at least seventeen (17) grains in weight, with a manufacturer's energy rating of at least one-hundred ten (110) foot pounds at one-hundred (100) yards from the muzzle.
2. Shotguns not larger than 10 gauge not firing a single slug, and incapable of holding more than three (3) shells in the magazine and chamber combined. No shot (lead or steel)

larger than size #2 shall be used to hunt turkey.

3. Handheld bows and crossbows.
4. Air guns and slingshots for dusky (blue) grouse and ptarmigan.
5. Hawking.
6. Artificial decoys and calls, except recorded or electrically amplified calls or sounds; for turkey.

D. Species listed in #300(D)(3).

1. Any method not otherwise prohibited.

E. Furbearers

1. Any rifle or handgun.
2. Any shotgun.
3. Handheld bows and crossbows.
4. Live traps, limited to cage or box traps. All live-trapped wildlife shall be released immediately or dispatched by any legal method of take for that species. If local ordinances or public safety prohibit all legal methods of take from being used, American Veterinary Medical Association Guidelines for Euthanasia of Free-Ranging Wildlife, as provided in S7.6 of the 2013 edition of the AVMA Guidelines for Euthanasia of Animals, may alternatively be used to the extent allowable by law.
5. Any air gun, except that for coyote or bobcat the air gun must be a pre-charged pneumatic air gun .25 caliber or larger.
6. Electronic call devices, ~~during legal hunting hours.~~
7. **Artificial light** (private land) may be used at night to take beaver, bobcat, coyote, gray fox, raccoon, red fox, striped skunk and swift fox on private land with permission of the landowner, designated agent, lessee, or authorized employee. ~~or his designated agent.~~
8. **Artificial light** (public land) may be used at night to take beaver, bobcat, coyote, 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 pronghorn 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, designated agent, authorized employee, or identified designee with authorization~~agent, designee, or any employee of the person~~ when necessary to protect such person's property. Refer to Chapter W-17, Damage Caused by Wildlife for applicable regulations.

9. 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.

#304 - License Requirements

Except as provided in 33-6-107(9) C.R.S., the following license requirements shall apply:

- A. A small game license is required to take those species defined in #300(D) as small game, except wild turkey.
- B. A small game or a furbearer license is required to take those species defined in #300(A) as furbearers. Coyotes may be taken without a license during any big game season provided that the hunter has an unfilled big game license for that season and unit. Manner of take must be the same as that of the big game license.
- C. A turkey license is required to take wild turkey.
- D. Common snapping turtles may be taken with either a small game license or a fishing license.
- E. Each hunter must call 1-866-COLOHIP (1-866-265-6447) or register online (www.colohip.com) prior to their first hunting trip of the season to register their intent to hunt small game or furbearers. For the purposes of this regulation, "season" means the period September 1 through March 15.

#305 - Evidence of Sex/Species

Refer to General Provisions #003.

MAILING- 08/23/2019
Basis and Purpose
Chapter W-3 - Small Game - Furbearers

Basis and Purpose:

These changes to Chapter W-3 were made to ensure consistency between Colorado Department of Agriculture (CDA) rules and CPW regulations (multiple chapters). CDA rules were last updated in December 2018 to ensure consistency with Association of Fish and Wildlife Agencies' best management practices and as a part of a multi-agency Colorado trapping work group effort.

Previously, live traps were listed as a legal method of take for furbearers (and they continue to be), although no dispatch requirements were provided. These new dispatch regulations provide that all live-trapped wildlife shall be released immediately, or dispatched by any legal method of take for that species. If local ordinances or public safety prohibit all legal methods of take from being used, any method provided for in § S7.6 of the AVMA Guidelines for the Euthanasia of Animals: 2013 Edition may be used.

Pursuant to § 24-4-103(12.5), CRS, the Commission hereby adopts and incorporates by reference § S7.6 of the AVMA Guidelines for the Euthanasia of Animals: 2013 Edition (Methods of Euthanasia by Species and Environment – Free-Ranging Wildlife). As stated in Chapter W-0 # 020(G); 2CCR 406-0, the Commission's incorporation of § S7.6 of the AVMA Guidelines only includes the 2013 edition and no later amendments or editions. § S7.6 of the AVMA Guidelines is available for public inspection at from CPW's Regulations Manager, Policy and Planning Unit, Colorado Division of Parks and Wildlife, 1313 Sherman Street Denver, Colorado 80203. § S7.6 of the AVMA Guidelines is currently available at <https://www.avma.org/KB/Policies/Documents/euthanasia.pdf>.

Individuals are responsible for obtaining all federal, state and local authorization prior to using such methods, such as professional licensing, if any such authorization is required.

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, Room 111, Denver, CO 80203.

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 JANUARY 1, 2020 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 NOVEMBER, 2019.

Approved:
Michelle Zimmerman
Acting Chair

Attest:
James Vigil
Secretary

AVMA Guidelines for the Euthanasia of Animals: 2013 Edition

Members of the Panel on Euthanasia

Steven Leary, DVM, DACLAM (Chair); Washington University, St. Louis, Missouri
Wendy Underwood, DVM (Vice Chair); Eli Lilly and Company, Indianapolis, Indiana
Raymond Anthony, PhD (Ethicist); University of Alaska Anchorage, Anchorage, Alaska
Samuel Cartner, DVM, MPH, PhD, DACLAM (Lead, Laboratory Animals Working Group);
University of Alabama at Birmingham, Birmingham, Alabama
Douglas Corey, DVM (Lead, Equine Working Group); Associated Veterinary Clinic, Walla Walla, Washington
Temple Grandin, PhD (Lead, Physical Methods Working Group); Colorado State University, Fort Collins, Colorado
Cheryl Greenacre, DVM, DABVP (Lead, Avian Working Group); University of Tennessee, Knoxville, Tennessee
Sharon Gwaltney-Brant, DVM, PhD, DABVT, DABT (Lead, Noninhaled Agents Working Group); ASPCA Poison
Control Center, Urbana, Illinois
Mary Ann McCrackin, DVM, PhD, DACVS (Lead, Companion Animals Working Group); Virginia Polytechnic
Institute and State University, Blacksburg, Virginia
Robert Meyer, DVM, DACVA (Lead, Inhaled Agents Working Group);
Mississippi State University, Mississippi State, Mississippi
David Miller, DVM, PhD, DACZM (Lead, Reptiles, Zoo and Wildlife Working Group); Loveland, Colorado
Jan Shearer, DVM, MS, DACAW (Lead, Animals Farmed for Food and Fiber Working Group);
Iowa State University, Ames, Iowa
Roy Yanong, VMD (Lead, Aquatics Working Group); University of Florida, Ruskin, Florida

AVMA Staff Consultants

Gail C. Golab, PhD, DVM, MANZCVS, DACAW; Director, Animal Welfare Division
Emily Patterson-Kane, PhD; Animal Welfare Scientist, Animal Welfare Division

The following individuals contributed substantively through their participation in the Panel's Working Groups and their assistance is sincerely appreciated.

Inhaled Agents—Scott Helms, DVM, DABVP; Lee Niel, PhD; Daniel Weary, PhD
Noninhaled Agents—Virginia Fajt, DVM, PhD, DACVCP; Don Sawyer, DVM, PhD, DACVA, DABVP
Physical Methods—Rose Gillesby, DVM; Jeff Hill, PhD; Jennifer Woods, BSc
Aquatics—Craig Harms, DVM, PhD, DACZM; Helen Roberts, DVM; Nick Saint-Erne, DVM; Michael Stoskopf, DVM, PhD, DACZM
Avian—Laurel Degernes, DVM, MPH, DABVP; Laurie Hess, DVM, DABVP; Kemba Marshall, DVM, DABVP; James Morrissey, DVM, DABVP;
Joanne Paul-Murphy, DVM, DACZM, DACAW
Companion Animals—Kathleen Cooney, MS, DVM; Stacey Frick, DVM; John Mays; Rebecca Rhoades, DVM
Equids—Fairfield Bain, DVM, MBA, DACVIM, DACVP, DACVECC; Midge Leitch, VMD, DACVS; Thomas R. Lenz, DVM, MS, DACT;
Nathaniel Messer, DVM, DABVP; Hayden Sears, DVM; Stuart Shoemaker, DVM, ACVS
Food and Fiber Animals—Eric Benson, PhD; C. Scanlon Daniels, DVM, MBA; John Deen, DVM, PhD, DABVP, DACAW;
Robert Evans, PhD, DVM, DACPV; Jerome Geiger, DVM, MS; Dee Griffin, DVM, MS; Christa Goodell, DVM; Glen Johnson, DVM;
Richard Reynnells, PhD; James Reynolds, DVM, MVP, DACAW; Bruce Webster, PhD
Laboratory Animals—James Artwhol, MS, DVM, DACLAM; Larry Carbone, DVM, PhD, DACLAM;
Paul Flecknell, VetMB, MRCVS, PhD, DECVA, DECLAM, DACLAM, FRCVS; David P. Friedman, PhD;
Kathleen Pritchett-Corning, DVM, DACLAM, MRCVS
Reptiles, Zoo and Wild Animals—Scott Citino, DVM, DACZM; Mark Drew, DVM, MS, DACZM; Julie Goldstein, DVM; Barry Hartup, DVM, PhD;
Gregory Lewbart, MS, VMD, DACZM; Douglas Mader, MS, DVM, DABVP, FRSM; Patrick Morris, DVM, DACZM



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American Veterinary Medical Association
1931 N. Meacham Road
Schaumburg, IL 60173

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monly used to euthanize marine mammals because these animals' ability to breath-hold means that extended periods of physical restraint are necessary for their administration. Extended restraint generally poses unacceptable risks and stress for the animal and for personnel unless the animal is substantially debilitated, sedated, or anesthetized. Use of inhaled agents may be appropriate for small pinnipeds after administration of an injectable sedative or anesthetic under circumstances where acceptable methods are not practical or appropriate for other reasons.

Inhaled agents present some advantages in that they do not require phlebotomy skills and may present minimal concern for tissue residues.¹⁷¹ Disadvantages include that they are expensive, require an extended delivery time with associated risks of distress and injury for animals and personnel, and may be noxious to the animal.

S7.5.2.2 Physical Methods

Physical methods, although used to euthanize free-ranging marine mammals, will generally not be used on captive mammals due to limited efficacy for these species, risk for personnel, and aesthetics.

S7.6 FREE-RANGING WILDLIFE

S7.6.1 General Considerations

Free-ranging wildlife are present in all habitats across North America including fresh and salt water. Wildlife includes representatives of all known animal taxa, but for the purpose of the Guidelines, will be restricted to amphibians, reptiles, birds, and mammals, including some feral and exotic species. Wildlife are enjoyed and used by people in a number of ways including nonconsumptive uses (wildlife viewing, bird watching, bird feeding) and legal harvest (hunting, fishing, commercial take). Varied interests and perspectives can influence what methods are used to terminate the lives of free-ranging wildlife.⁶¹⁴ This section of the Guidelines updates and expands upon previous editions by recognizing an inherent lack of control over free-ranging wildlife, accepting that firearms may be the most appropriate approach to their euthanasia, and acknowledging that the quickest and most humane means of terminating the life of free-ranging wildlife in a given situation may not always meet all criteria established for euthanasia (ie, distinguishes between euthanasia and methods that are more accurately characterized as humane killing).

Because of the variety of situations that may be encountered, it is difficult to strictly classify methods for termination of free-ranging wildlife as acceptable, acceptable with conditions, or unacceptable. Furthermore, classification of a given method as a means of euthanasia or humane killing may vary by circumstances. These acknowledgments are not intended to condone a lower standard for the humane termination of wildlife. The best methods possible under the circumstances must be applied, and new technology and methods demonstrated to be superior to previously used methods must be embraced.

Multiple federal, state, and local regulations apply

to the euthanasia of wildlife. In the United States, management of wildlife is primarily under state jurisdiction. However, some species (eg, migratory birds, endangered species, marine mammals) are protected and managed by federal agencies or through collaboration between state and federal agencies. Within the context of wildlife management, personnel associated with state and federal agencies and Native American tribes may handle or capture individual animals or groups of animals for various purposes, including research. During the course of these management actions, individual animals may become injured or debilitated and may require euthanasia; in other cases, research or collection protocols dictate that some of them be killed. Sometimes population management requires the lethal control of wildlife species. And, the public may identify and/or present individual animals to state or federal personnel because they are orphaned, sick, injured, diseased (eg, rabid), or becoming a nuisance. Another aspect of wildlife management is rehabilitation of orphaned or injured wildlife. For the most part, wildlife rehabilitation is done by private citizens and requirements for handling these animals vary by state and species.

S7.6.2 Special Considerations

The primary factor influencing methods selected for euthanasia of free-ranging wildlife is lack of control over the animal. In addition, some species may be too large to effectively euthanize by conventional means. Marine mammals are of particular concern due to their large size and the lack of standardized equipment and techniques (see Free-Ranging Marine Mammals for more information). Other species, such as reptiles, may be refractory to conventional euthanasia agents. The potential for secondary toxicity and environmental hazards associated with the remains of animals euthanized by chemical means are of substantial concern, as is disposal of large or numerous animal remains. Therefore, while some methods described in the taxonomically based sections for nondomestic animals may be useful for euthanizing free-ranging wildlife, their applicability will vary.

Given that close human contact is stressful and difficult to achieve for most free-ranging animals, these animals may have to be euthanized or immobilized from a distance. In some cases (eg, suburban areas), discharge of a firearm is illegal, is considered a serious threat to human safety, or may be inappropriate for other reasons. Consequently, free-ranging animals may need to be killed quickly and efficiently in ways that may not fulfill the criteria for euthanasia established by the POE.

Remotely delivered chemical immobilization may be required when wildlife cannot be captured. If a free-ranging animal is within an acceptable range, trained individuals may use species and situation-specific anesthetic agents and remote injection equipment to anesthetize that animal to allow handling. Once anesthetized, many wildlife species can be euthanized via methods similar to those applied to domestic or captive wild animals of similar species and size. Other techniques used in wildlife management for trapping or capturing animals may also be applied to allow some

degree of control over the animal.

Care must be taken to prevent secondary intoxication of animals or people during disposal of the remains of free-ranging wildlife that contain residues of euthanasia agents. This is a legal requirement that often requires deep burial, incineration, or rendering. In other situations, however, natural decomposition may be desirable. Use of gunshot can minimize concerns for secondary toxicity, with the exception of lead ballistics. Alternatives to lead ballistics are recommended where possible.

Although not typically a part of wildlife management programs, disease outbreaks or overpopulation may require culling or large-scale killing of animals. In addition to selecting the most appropriate methods for minimizing spread of infectious agent, protecting animal welfare, and protecting the environment, such situations must consider the concerns and perceptions of the general public, as well as impacts upon personnel who are directly involved in culling, killing, or euthanasia. Detailed information about depopulation methods is beyond the scope of this document, but will be made available in the AVMA Guidelines for the Depopulation of Animals.

Research objectives may limit the use of some euthanasia agents or methods for wildlife species. Nevertheless, termination of life still dictates that the most humane, rather than the most convenient, methods be used to meet the study's objectives.

Within the context of wildlife rehabilitation, euthanasia of individual animals must be considered if a fully functional animal cannot be returned to the wild, if the release of such animals would pose a threat to the health of the free-ranging wildlife population, or if no alternatives for care or housing exist. While there are a limited number of nonreleasable animals that can be used for educational or display purposes, most animals that are determined to be unfit for release should be euthanized as soon as possible. Because most animals in rehabilitation facilities are confined, adequate control through physical or chemical restraint can usually be achieved that will allow administration of euthanasia agents as described in the taxonomically based sections for nondomestic animals.

S7.6.3 Methods

Little published information is available regarding appropriate methods for euthanasia of specific species of free-ranging wildlife. Schwartz et al²⁸² evaluated immobilization and euthanasia for white-tailed deer, Hyman⁶¹⁵ and Needham⁶¹⁶ described euthanasia methods for captive or stranded marine mammals, and the euthanasia of waterfowl was described by Gullett⁶¹⁷ and Franson.²⁶⁵ Methods for euthanasia of wildlife in rehabilitation facilities have also been described.⁴¹⁵

While multiple publications describe euthanasia methods for domestic and nondomestic animals,^{52,53,63,132,575} as well as for wildlife under free-ranging conditions,⁶¹⁸⁻⁶²¹ their recommendations are inconsistent. Many conventional euthanasia techniques and methods can be applied to free-ranging wildlife, if the animals are sufficiently under the control of personnel. However, because of the variety of conditions under

which euthanasia of free-ranging wildlife may need to be conducted, choice of the most humane method will vary by species, situation, and individual animal. Conditions specified for use of various methods in previous sections will generally apply to free-ranging wildlife, but may be modified according to circumstances to minimize animal distress and pain, as well as emotional impact and physical risks to personnel.

S7.6.3.1 Acceptable Methods

S7.6.3.1.1 Noninhaled Agents

Chemical methods of euthanasia applicable to free-ranging wildlife include overdoses of injectable anesthetic agents (including barbiturates), T-61, or other agents that are listed as acceptable for domestic animals or captive wildlife. Premedication with an injectable or inhaled agent may reduce animal distress and/or human safety risks, under some circumstances.

S7.6.3.2 Acceptable With Conditions Methods

S7.6.3.2.1 Inhaled Agents

Inhaled anesthetics—Inhaled anesthetics are acceptable with conditions for euthanasia of avian and mammalian wildlife species when these methods are more practical than acceptable methods, and where the limitations of this method are understood and addressed.. Smaller species that can be confined in enclosed containers can be euthanized using open-drop methods of administration.⁶²² Larger species may be restrained for face-mask administration, when animal distress associated with restraint can be minimized. Portable equipment is available that can make these methods practical. Preference should be given to the use of alternate methods for taxa that can breath-hold for extended periods of time.

Carbon dioxide, carbon monoxide, and other inert gases—These agents, which are classified as being acceptable with conditions for domestic animals, are also acceptable with conditions for euthanasia of free-ranging wildlife. Conditions that must be met for using these agents are similar to those for domestic animals.

S7.6.3.2.2 Physical Methods

Gunshot is acceptable with conditions for euthanasia of free-ranging, captured, or confined wildlife, provided that bullet placement is to the head (targeted to destroy the brain).⁵⁷⁵ Gunshot targeted to the heart (chest) or to the neck (vertebrae, with the intent of severing the spinal cord) presents challenges for accurate placement, but may be the best option for free-ranging or other settings where close approach is not possible or where the head must be preserved for disease testing (rabies, Chronic Wasting, or other suspected neurologic diseases). Based on domestic animal models (see section of the Guidelines addressing Farmed Animals Used for Food and Fiber), gunshot to the chest or neck may not result in rapid death and may be considered humane killing, rather than euthanasia. In some environments (eg, urban and suburban areas), discharge of a firearm may present a serious threat to human safety

and may be inappropriate. Refer to ballistics details in the Physical Methods section and experts for more information on selection and use of firearms.

S7.6.3.3 Adjunctive Methods

Potassium chloride—Potassium chloride may be administered IV or intracardially to stop the heart of animals that are deeply anesthetized or unconscious. Administration of potassium chloride can also be preferred for large animals when administered with barbiturates, where volume of administration is a limitation.

Exsanguination—Bleeding may be used as an adjunctive method to ensure the death of animals that are anesthetized or otherwise unconscious. The aesthetics of this procedure and its acceptance by personnel and observers should be considered.

Cervical dislocation or decapitation—Applied to small mammals and birds, this method may be useful as an adjunct or as a first-step method of euthanasia. A paucity of data for wildlife and the potential for interspecies variation create challenges for establishing specific size recommendations. However, based on domestic animals, manual cervical dislocation may be appropriate for birds < 3 kg, rodents < 200 g, and rabbits < 1 kg.⁵⁹⁹ A secondary method such as decapitation or exsanguination should be employed to ensure death when feasible.

Thoracic compression—Thoracic compression may be useful in rare circumstances in animals that are deeply anesthetized or otherwise unconscious, or as a final, confirmatory method to ensure death when the animal's status is uncertain.

S7.6.3.4 Unacceptable Methods

Approaches to euthanasia that ignore recent advances in technology, and that do not minimize risks to animal welfare, personnel safety, and the environment for a particular set of circumstances, are unacceptable.

S7.6.4 Embryos, Fetuses, and Neonates

Methods that are acceptable for euthanasia of domestic or captive wildlife species in developmental or neonatal stages are generally acceptable for euthanasia of similar stages of free-ranging wildlife.

S7.7 FREE-RANGING MARINE MAMMALS

Selecting a method of euthanasia for free-ranging marine mammals can be a substantial challenge because of large body size, environmental constraints, and concerns for the safety of personnel. It can also be difficult to determine when stranded marine mammals are unconscious or dead.⁶²³ Currently available euthanasia methods generally have significant limitations that fail to meet aesthetic or other conventional standards for euthanasia of marine mammals under field conditions, particularly for large animals. Nevertheless, the options available must be evaluated to identify the best option under a given set of circumstances. Further research is warranted to identify improved methods of euthanasia.

S7.7.1 Acceptable Methods

S7.7.1.1 Noninhaled agents

Overdoses of injectable anesthetics can be used to euthanize marine mammals under field conditions. Anesthetics that can be used alone or in combination include tiletamine-zolazepam, ketamine, xylazine, meperidine, fentanyl, midazolam, diazepam, butorphanol, acepromazine, barbiturates, and etorphine.^{613,624,625} Intramuscular administration of anesthetics may be required to achieve restraint of conscious animals before personnel can safely perform euthanasia using injectable agents by an intravascular route. A clear understanding of species anatomy and use of sufficiently long needles are required to ensure that muscle, rather than fat, is the site of injection.

Injectable anesthetics may be administered by multiple routes. Mucocutaneous administration, via the blowhole, can be an effective method that maximizes personnel safety.⁶²⁵ Intravenous administration can be rapid and reliable for small pinnipeds, small odontocetes, and sirinids. For larger animals, safe IV administration is generally limited to animals that are anesthetized or unconscious. In addition, drug dilution in large blood volumes of large odontocetes and mysticetes may limit the effectiveness of IV administered agents. Intraperitoneal administration can be effective for small marine mammals if sufficiently long needles are available to access the peritoneal cavity. However, delayed absorption may limit the efficacy of drugs administered via this route. Intracardiac administration is acceptable only in anesthetized, moribund, or unconscious animals. This approach requires special, strong, and long needles to ensure that the heart can be accessed.

Advantages of injectable anesthetics are that they act rapidly and personnel experienced with these methods are readily available. Their administration is logistically simple and aesthetically acceptable, and public safety is relatively easy to secure. However, voluntary peripheral vasoconstriction by cetaceans or hypovolemic shock may limit access to peripheral veins and fat layers must be bypassed for effective administration. Large quantities of drug may be required to effectively euthanize large animals, and administration of single types of agents, such as α_2 adrenergic receptor agonists, can result in animals passing through aesthetically displeasing and potentially unsafe excitation phases of anesthesia. There is a risk of injury for personnel attempting to access veins if animals are not appropriately restrained, and personnel may also face self-administration risks (especially for ultrapotent opioids). Environmental contamination and scavenger exposure are possible due to residues in the animal's remains.

S7.7.2 Acceptable With Conditions Methods

S7.7.2.1 Physical Methods

Gunshot—Gunshot is acceptable with conditions for euthanizing small marine mammals when injectable methods are not practical; conventional projectile ballistics are not recommended for use in large odontocetes or large mysticetes. References are available to as-

sist in identifying appropriate anatomic landmarks and caliber of ballistics.^{348,626–630}

Advantages of gunshot include a rapid death and equipment that is generally readily available. Gunshot also poses minimal risk for other animals that may scavenge the animal's remains. However, its efficacy is highly dependent on the knowledge, technical expertise, and experience of the operator. Associated noise can distress other animals (especially in the case of mass strandings) and ricochet poses a risk to bystanders. Euthanasia by gunshot may also be aesthetically displeasing and emotionally distressing for personnel and bystanders. Compliance with firearm regulations is also required. Refer to details for ballistics in the Physical Methods section and experts for more information on selection and use of firearms.

Manually applied blunt force trauma—In situations where other options are not available, a concussive blow to the head may be an effective method of euthanasia for small juvenile marine mammals.⁶³¹ The advantages of properly applied manual blunt force trauma are that it results in rapid death, no special equipment is required, and there is limited potential for secondary toxicity for scavengers. However, the efficacy of manually applied blunt force trauma is highly dependent on knowledge and experience of the operator and it is aesthetically displeasing for personnel and observers.

Implosive decerebration—Decerebration of large mysticetes and odontocetes can be effectively accomplished through the detonation of properly placed, shaped, and dimensioned explosive charges.^{632,633} Advantages of this technique include a rapid death, limited potential for exposure of scavengers to toxic residues, and protection of personnel from injury by tail flukes. Its efficacy, however, is highly dependent on the knowledge, skills, and experience of the operator; it is aesthetically displeasing; and personnel and bystanders must be sufficiently distant from the resulting explosion to avoid injury. If these conditions can be met, implosive decerebration is an acceptable method of euthanasia.

S7.7.3 Adjunctive Methods

Potassium chloride or succinylcholine—While unacceptable as sole agents of euthanasia in awake animals, potassium chloride or succinylcholine may be used to ensure the death of animals that are anesthetized or unconscious. Saturated potassium chloride solutions can be mixed inexpensively in large volumes and can be administered IV or intracardially, with a low risk of secondary toxicity for scavengers when preferred methods of disposal of the remains (eg, deep burial, rendering) are not available.^{613,634}

S7.7.4 Unacceptable Methods

Inhaled agents—While acceptable with conditions from an animal welfare standpoint, practical and human and environmental safety constraints generally prevent use of inhaled agents for euthanasia of marine mammals under field conditions.

Exsanguination—Exsanguination is inappropriate

as a sole method of euthanasia because it requires an excessively long time to death, is believed to produce anxiety associated with extreme hypovolemia, and is aesthetically displeasing to bystanders. It can, however, be used as an adjunctive method to ensure the death of unconscious animals.⁶³⁰

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