

FINAL REGULATIONS - CHAPTER W-5 - SMALL GAME - MIGRATORY BIRDS

ARTICLE II – REGULAR SEASONS, AREAS, DATES AND LIMITS

#505 – SORA AND VIRGINIA RAIL

- A. Statewide:
 - 1. Dates: September 1 - November 9 annually.
 - 2. Daily Bag Limit: Twenty-five (25) soras or Virginia rails singly or in the aggregate.
 - 3. Possession Limit: Three (3) daily bag limits.

#506 – SANDHILL CRANE

- A. All areas east of the Continental Divide except North Park (Jackson County) and the San Luis Valley.
 - 1. Dates: ~~October 1 – November 27, 2022~~ September 30 – November 26, 2023.
 - 2. Daily Bag Limit: Three (3).
 - 3. Possession Limit: Three (3) daily bag limits.

#507 – WILSON’S SNIPE

- A. Statewide
 - 1. Dates: September 1 - December 16 annually.
 - 2. Daily Bag Limit: Eight (8).
 - 3. Possession Limit: Three (3) daily bag limits.

#508 – MOURNING DOVE AND WHITE-WINGED DOVE

- A. Statewide.
 - 1. Dates: September 1 - November 29 annually.
 - 2. Daily Bag Limit:
 - a. Fifteen (15) mourning doves or white-winged doves singly or in the aggregate.
 - 3. Possession Limit:
 - a. Three (3) daily bag limits.
 - 4. Special Conditions and Restrictions
 - a. While in the field or during transport, all dressed (not fully feathered) doves shall be counted against the daily bag or possession limit for mourning and white-winged doves.

#509 – BAND-TAILED PIGEON

- A. Statewide.
 - 1. Dates: September 1 - 14 annually.
 - 2. Daily Bag Limit: Two (2).
 - 3. Possession Limit: Three (3) daily bag limits.

#510 – CROW

- A. Statewide.

1. Dates: November 1, 2022 – February 28, 2023.
2. Daily Bag Limit: Unlimited.
3. Possession Limit: Unlimited.
4. Special Conditions and Restrictions - Recorded or electronically amplified calls may be used during this season.

#511 – DUCK AND COOT

- A. Central Flyway Northeast Zone – All areas east of Interstate 25 and north of Interstate 70.
 1. Dates:
 - a. First season: October ~~8-14~~ – November ~~27, 2022~~26, 2023.
 - b. Second season: December ~~18, 2022~~11 – January 31, ~~2023~~2024.
 2. Daily Bag Limit:
 - a. Ducks and Mergansers: Six (6) in the aggregate. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1) scaup.
 - b. Coots: Fifteen (15).
 3. Possession limit: Three (3) daily bag limits.
- B. Central Flyway Southeast Zone – All areas east of Interstate 25 and south of Interstate 70, and all of El Paso, Pueblo, Huerfano and Las Animas Counties.
 1. Dates:
 - a. October 28, ~~2022-2023~~ – January 31, ~~2023~~2024.
 2. Daily Bag Limit:
 - a. Ducks and Mergansers: Six (6) in the aggregate. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1) scaup.
 - b. Coots: Fifteen (15).
 3. Possession limit: Three (3) daily bag limits.
- C. Central Flyway Mountain/Foothills Zone – All areas west of Interstate 25 and east of the Continental Divide, except El Paso, Pueblo, Huerfano and Las Animas Counties.
 1. Dates:
 - a. First season: ~~October 1 – November 27, 2022~~September 30 – November 26, 2023.
 - b. Second season: December 25, ~~2022-2023~~ – January 31, ~~2023~~2024.
 2. Daily Bag Limit:
 - a. Ducks and Mergansers: Six (6) in the aggregate. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1) scaup.
 - b. Coots: Fifteen (15).
 3. Possession limit: Three (3) daily bag limits.
- D. Pacific Flyway Western Zone – All areas west of the Continental Divide not included in the Eastern Zone.
 1. Dates:
 - a. First season: ~~October 1 – October 18, 2022~~September 30 – October 17, 2023.
 - b. Second season: November 6, ~~2022-2023~~ - January 31, ~~2023~~2024.
 2. Daily Bag Limit:
 - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) scaup. No scaup may be taken after January 12, ~~2023~~2024.
 - b. Coots: Twenty-five (25).
 3. Possession limit:

- a. Three (3) daily bag limits.
- E. Pacific Flyway Eastern Zone - All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
- 1. Dates:
 - a. First season: ~~October 1, 2022 – January 13, 2023~~ September 30, 2023 – January 12, 2024.
 - 2. Daily Bag Limit:
 - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) scaup. No scaup may be taken after December ~~25, 2022~~ 24, 2023.
 - b. Coots: Twenty-five (25).
 - 3. Possession limit:
 - a. Three (3) daily bag limits.

#512 – GOOSE

- A. North Park – Jackson County
- 1. Dates:
 - a. Dark goose:
 - 1. First season: ~~October 1, 2022 – January 13, 2023~~ September 30, 2023 – January 12, 2024.
 - b. Light goose: October ~~29, 2022~~ 28, 2023 – February ~~12, 2023~~ 11, 2024.
 - 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Fifty (50).
 - 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.
- B. South Park – All of Chafee, Custer, Fremont, Lake, Park, and Teller Counties..
- 1. Dates:
 - a. Dark goose:
 - 1. First season: September 30, 2023 – January 12, 2024 ~~October 1, 2022 – January 13, 2023.~~
 - b. Light goose: October ~~29, 2022~~ 28, 2023 – February ~~12, 2023~~ 11, 2024.
 - 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Fifty (50).
 - 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.
- C. San Luis Valley - All of Alamosa, Conejos, Costilla, and Rio Grande counties, and those portions of Archuleta, San Juan, Saguache, Mineral, and Hinsdale counties east of the Continental Divide.
- 1. Dates:
 - a. Dark goose:

1. First Season: ~~October 1 – October 19, 2022~~ September 30 – October 18, 2023.
 2. Second Season: November ~~4, 2022~~ 18, 2023 – February ~~12, 2023~~ 11, 2024.
 - b. Light goose: October ~~29, 2022~~ 28, 2023 – February ~~12, 2023~~ 11, 2024.
 2. Daily bag limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Fifty (50).
 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.
- D. Balance of Central Flyway - All areas east of the Continental Divide, except North Park, South Park and San Luis Valley.
1. Dates:
 - a. Dark goose: October ~~31, 2022~~ 30, 2023 – February ~~12, 2023~~ 11, 2024.
 - b. Light goose: October ~~29, 2022~~ 28, 2023 – February ~~12, 2023~~ 11, 2024.
 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose Fifty (50).
 3. Possession limit:
 - a. Dark goose: Three (3) daily bag limits.
 - b. Light goose: Unlimited.
- E. Pacific Flyway Western Zone - All areas west of the Continental Divide not included in the Eastern Zone.
1. Dates:
 - a. First season: ~~October 1 – October 9, 2022~~ September 30, - October 8, 2023.
 - b. Second season: November 6, ~~2022-2023~~ – January 31, ~~2023~~ 2024.
 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Ten (10).
 3. Possession Limit: Three (3) daily bag limits.
- F. Pacific Flyway Eastern Zone - All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).
1. Dates:
 - a. First season: ~~October 1, 2022 – January 4, 2023~~ September 30, 2023 – January 3, 2024.
 2. Daily Bag Limit:
 - a. Dark goose: Five (5).
 - b. Light goose: Ten (10).
 3. Possession Limit: Three (3) daily bag limits.

ARTICLE III - SPECIAL SEASONS, AREAS, DATES AND LIMITS

#513 - YOUTH, VETERAN AND ACTIVE MILITARY PERSONNEL WATERFOWL HUNTING DAYS

- A. Central Flyway Northeast Zone – All areas east of Interstate 25 and north of Interstate 70.
1. Dates: October ~~4-7~~ – October ~~2, 2022~~~~8~~, 2023.
 2. Daily bag limit:
 - a. Ducks and Mergansers: Six (6) in the aggregate. Of the 6 (six), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1) scaup.
 - b. Coots: Fifteen (15).
 - c. Dark Goose: Five (5).
 3. Possession limit: Three (3) daily bag limits.
- B. Central Flyway Southeast Zone – All areas east of Interstate 25 and south of Interstate 70, and all of El Paso, Pueblo, Huerfano and Las Animas Counties.
1. Dates: October ~~22-21~~ – October ~~23, 2022~~~~22~~, 2023.
 2. Daily bag limit:
 - a. Ducks and Mergansers: Six (6) in the aggregate. Of the 6 (six), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1) scaup.
 - b. Coots: Fifteen (15).
 - c. Dark Goose: Five (5).
 3. Possession limit: Three (3) daily bag limits.
- C. Central Flyway Mountain/Foothills Zone – All areas west of Interstate 25 and east of the Continental Divide, except El Paso, Pueblo, Huerfano and Las Animas Counties.
1. Dates: September ~~24-23~~ – September ~~25, 2022~~~~24~~, 2023.
 2. Daily Bag Limit:
 - a. Ducks and Mergansers: Six (6) in the aggregate. Of the six (6), no more than five (5) mallards, of which no more than two (2) can be female, one (1) pintail, two (2) canvasback, two (2) redheads, three (3) wood ducks, and one (1) scaup.
 - b. Coots: Fifteen (15).
 - c. Dark Goose: Five (5).
 3. Possession limit: Three (3) daily bag limits.
- D. Pacific Flyway Western Zone – All areas west of the Continental Divide not included in the Eastern Zone.
1. Dates: October ~~22-21~~ – October ~~23, 2022~~~~22~~, 2023.
 2. Daily bag limit:
 - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) scaup.
 - b. Coots: Twenty-five (25).
 - c. Dark Goose: Five (5).
 - d. Light Goose: Ten (10).
 3. Possession limit:
 - a. Three (3) daily bag limits.
- E. Pacific Flyway Eastern Zone – All of Routt, Grand, Summit, Eagle, and Pitkin counties, those portions of Saguache, San Juan, Hinsdale, and Mineral counties west of the Continental Divide, and those portions of Gunnison County except the North Fork of the Gunnison River Valley (GMUs 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Rd 29 with the Moffat-Routt County line, south along Moffat

County Rd 29 to the intersection of Moffat County Rd 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).

1. Dates: September ~~24-23~~ – September ~~25, 2022~~24, 2023.
2. Daily bag limit:
 - a. Ducks and Mergansers: Seven (7) in the aggregate. Of the 7 (seven), no more than two (2) female mallards, one (1) pintail, two (2) canvasback, two (2) redheads, and two (2) scaup.
 - b. Coots: Twenty-five (25).
 - c. Dark Goose: Five (5).
 - d. Light Goose: Ten (10).
3. Possession limit:
 - a. Three (3) daily bag limits.

F. Youth seasons are restricted to hunting by youth 17 years of age and younger accompanied by a mentor. A mentor must be 18 years of age or older and hold a valid hunter education certificate or be born before January 1, 1949, and must accompany the youth while in the act of hunting. Mentors are not authorized to hunt ducks, geese, mergansers, or coots during this season.

G. Veteran and active military personnel seasons are restricted to hunting by veterans and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than training). For the purposes of this rule, the term “veteran” means a person who served in the active military, naval or air service, and who was discharged or released therefrom under conditions other than dishonorable. Acceptable forms of military identification include:

1. DD214;
2. DD Form 2;
3. DD Form 2765;
4. Active, retired or veteran military identification cards;
5. A current Colorado Driver’s License or state issued identification card with the word ‘Veteran’ printed on it as specified in 42-2-303 (5)(a), C.R.S.;
6. VA medical card; or
7. For members of the National Guard and Reserves, current military orders for active duty other than training.

#514 – SEPTEMBER TEAL

A. Lake and Chaffee counties and all areas east of I-25.

1. Dates: September ~~10-9~~ – September ~~18, 2022~~17, 2023.
2. Daily bag limit: Six (6).
3. Possession Limit: Three (3) daily bag limits.

#515 – EARLY CANADA GOOSE

A. Pacific Flyway - All areas west of the Continental Divide.

1. Dates: September 1 - 9 annually.
2. Daily bag limit: Five (5).
3. Possession limit: Three (3) daily bag limits.

ARTICLE IV – CONSERVATION ORDER SEASONS, AREAS, DATES AND LIMITS

#516 – LIGHT GOOSE

A. Central Flyway – All areas east of I-25.

1. Dates:
 - a. February ~~13-12~~ – April 30, ~~2023~~2024.
2. Daily bag limit: Unlimited.
3. Possession limit: Unlimited.
4. Special Conditions and Restrictions
 - a. Recorded or electronically amplified calls may be used to take light geese during the conservation order season.
 - b. Hunting of light geese is allowed from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.
 - c. A Federal Migratory Bird Hunting and Conservation Stamp is not required to take light geese during the conservation order season.
 - d. Shotguns capable of holding more than three rounds in the magazine and chamber combined may be used to take light geese during the conservation order season.
 - e. All other regulations applicable to hunting migratory waterfowl in Colorado apply to taking light geese during the conservation order season.

AS APPROVED 03/15/2023
Basis and Purpose
Chapter W-5 - Migratory Birds

Basis and Purpose:

These proposed regulations reflect the upcoming 2023-2024 migratory bird seasons and are the result of an annual review of the entire chapter related to migratory birds. The established seasons are necessary to manage migratory bird populations in Colorado in accordance with federal laws regulating migratory birds. These regulations allow migratory birds to be harvested in a manner, which helps maintain the biological integrity of the migratory bird population while at the same time providing a recreational opportunity for hunters and wildlife viewers. The regulations are also consistent with Federal guidelines provided by the U.S. Fish and Wildlife Service and the Migratory Bird Treaty Act.

The proposed dates for the Northeast Duck Zone will be changed from the 2022-2023 dates, to shorten the length of the split (closed portion) of the season in December by a week, which is made possible by delaying the opening of the season in October by a week. The dates for the Northeast Youth/Military weekend have also been moved one week later than in 2022-2023.

The statements of basis and purpose for these regulations can be obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing dnr_cpw_planning@state.co.us or by visiting the Division of Parks and Wildlife headquarters at 6060 Broadway, Denver, CO, 80216.

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 MAY 1, 2023 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 15TH DAY OF MARCH, 2023.

APPROVED:
Carrie Besnette Hauser
Chair

ATTEST:
Marie Haskett
Secretary

Philip J. Weiser
Attorney General

Natalie Hanlon Leh
Chief Deputy Attorney General

Eric R. Olson
Solicitor General



STATE OF COLORADO
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Tracking Number: **2023-00071**

**OPINION OF THE ATTORNEY GENERAL RENDERED IN
CONNECTION WITH THE RULES ADOPTED BY THE
Colorado Parks and Wildlife (406 Series, Wildlife)
ON 03/15/2023**

**2 CCR 406-5
CHAPTER W-5 - MIGRATORY BIRDS**

The above-referenced rules were submitted to this office on 03/16/2023 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

March 27, 2023 11:14:03 MST

Philip J. Weiser
Attorney General
by Eric R. Olson
Solicitor General