



COLORADO

Parks and Wildlife

Department of Natural Resources
Policy and Planning
6060 Broadway
Denver, CO 80216

TO: Members of the Colorado Parks and Wildlife Commission
FROM: Hilary Hernandez, Regulations Manager
RE: November 16-17, 2023 Parks and Wildlife Commission Meeting Regulatory Items
DATE: November 3, 2023

The regulatory items detailed below are scheduled to be addressed at the Colorado Parks and Wildlife Commission's November 16-17, 2023 meeting. If there are questions about any of the agenda items below, or if additional information is needed, please feel free to contact Hilary Hernandez at hilary.hernandez@state.co.us.

FINAL REGULATIONS

Agenda Item 11: Chapter W-0 - "General Provisions" 2 CCR 406-0, and those related provisions of Chapter W-2 ("Big Game" 2 CCR 406-2), Chapter W-3 ("Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3), Chapter W-11 ("Wildlife Parks and Unregulated Wildlife" 2 CCR 406-11), Chapter W-15 ("Division Agents" 2 CCR 406-15), and Chapter P-7 ("Passes, Permits and Registrations" - 2 CCR 405-7) necessary to accommodate changes to or ensure consistency with Chapter W-0

Open for final consideration of regulations including, but not limited to:

- Cleanup to a disability accommodation procedure reference.
- Modifications to red swamp crayfish possession and licensing requirements.
- Adjusting license fees and license agent commission rates according to adjustments to the Denver-Aurora-Lakewood Consumer Price Index.

Agenda Item 12: Chapter W-1- "Fishing" 2 CCR 406-1 and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0) and Chapter W-9 ("Wildlife Properties" 2 CCR 406-9) necessary to accommodate changes to or ensure consistency with Chapter W-1

Open for final review of the entire chapter including, but not limited to, consideration of regulations regarding season dates, bag and possession limits, licensing requirements, manner of take provisions and special conditions or restrictions applicable to waters of the state. Specific considerations include, but are not limited to, the following:

- Removing two special fishing restrictions on the Upper Arkansas River.
- Adopting special condition regulations for artificial flies and regulations for trout fishing on the Upper Square Top Lake, Lower Square Top Lake, Duck Creek to Duck Lake, West Fork Clear Creek, and Williams Gulch.
- Modifying regulations on the Blue River, Tenmile Creek and Dillion Reservoir in response to a decline in brown trout.
- Adopting regulations prohibiting fishing around Hermosa Creek Confluence Fish Barrier.
- Cleanup a property that is no longer open to the public and a misspelling in the chapter.



Agenda Item 13: Chapter W-3 - “Furbearers and Small Game, except Migratory Birds” 2 CCR 406-3

Open for final consideration of annual season dates and quotas for turkey hunting and a cleanup to the access permitting process for Higel and Rio Grande State Wildlife Areas.

ISSUES IDENTIFICATION

Agenda Item 19: Chapter W-2 - “Big Game” 2 CCR 406-2 and those related provisions of Chapter W-0 (“General Provisions” 2 CCR 406-0) necessary to accommodate changes to or ensure consistency with Chapter W-2

Open for annual review of the entire chapter, including, but not limited to:

Multiple Species

1. Creating a Disable Veterans Outreach License.
2. Modifying the Game Management Unit (GMU) 43 and creating GMU 431.
3. Modifying the Game Management Unit boundaries for 79 and 791.

Deer

1. Creating a new 4th rifle antlered mule deer hunting season in data analysis Unit D-12.
2. Creating a new 4th rifle antlered deer hunting season in Game Management Units 85, 140 and 851.
3. Creating limited antlerless deer hunt codes in data analysis unit D-35.

Elk

1. Replacing either-sex hunt codes in data analysis unit E-2 with antlered hunt codes.
2. Remove hunt code EF003E1R.
3. Modifying antler point restrictions on Ranching For Wildlife properties located in the Bear’s Ears (E-02) and White River (E-06).
4. Modifying unlimited antlered licenses in the Severe Winter Zone.

Pronghorn

1. Closing pronghorn doe hunting in data analysis unit PH-9 for all methods of take.
2. Creating private land only rifle pronghorn licenses in data analysis unit PH-20.
3. Replacing hunt code AF110L1R with two hunt codes in data analysis unit PH-8.
4. Replacing hunt code AF128P5R with two hunt codes in data analysis unit PH-7.
5. Creating a late pronghorn season in data analysis unit PH-20.

Moose

1. Adding a wilderness only hunt code to data analysis unit M-8.

Bear

1. Limiting hunt codes for private land only in data analysis unit B-7.
2. Modifying game management unit 61 archery, muzzleloader and early October bear licenses to be add-on-over-the-counter licenses.

Bighorn Sheep

1. Opening game management unit S-37 to hunting.

Mountain Lion

1. Removing electronic calls as a legal method of take for mountain lions statewide.

CONSENT AGENDA

FINAL REGULATIONS

Agenda Item 22.1: Chapter P-3 - “River Outfitters” 2 CCR 405-3

Open for final review of a cleanup to a county name that is misspelled in regulation.

Agenda Item 22.2: Chapter W-2 - “Big Game” 2 CCR 406-2

Open for final review of a cleanup to remove regulations that are covered in Chapter W-9 and are no longer needed in W-2 relating to James John State Wildlife Area.

Agenda Item 22.3: Chapter W-15 - “Division Agents” 2 CCR 406-15 and those related provisions of Chapter P-7 (“Passes, Permits and Registrations” 2 CCR 405-7) necessary to accommodate changes to or ensure consistency with Chapter W-15

Open for final review of a cleanup to realign regulations with operating procedures pertaining to the frequency of IPAWS agent bulletins.

ISSUES IDENTIFICATION

Agenda Item 22.4: Chapter W-2 - “Big Game” 2 CCR 406-2 and those related provisions of Chapter W-0 (“General Provisions” 2 CCR 406-0) necessary to accommodate changes to or ensure consistency with Chapter W-2

Open for review of the chapter including:

Deer

- Modifying boundary language for the early season, high country rifle antlered deer hunt in GMU 74.

Elk

- Modifying the private land only antlerless elk licenses in GMU 104 to be list C.
- Remove hunt codes EF851O1M and EF851O3R.

FINAL REGULATIONS - CHAPTER W-0 - GENERAL PROVISIONS

ARTICLE IV - MANNER OF TAKING WILDLIFE

#004 - AIDS IN TAKING WILDLIFE

- A. Aids Used in Taking Big Game, Small Game and Furbearers - Except as expressly authorized by these regulations, the use of baits and other aids in hunting or taking big game, small game and furbearers is prohibited.
1. Baits
 - a. Furbearers may be taken with the aid of baiting. Where permitted, baits shall consist solely of material of animal or plant origin and shall not contain any materials of metal, glass, porcelain, plastic, cardboard or paper. Wildlife used as bait shall be the carcass, or parts thereof, of legally taken furbearers, carp, shad, white and longnose suckers, and nonedible portions of legally obtained game mammals, birds and game fish.
 2. Dogs
 - a. Use of dogs in the taking of wildlife is prohibited except as authorized in Commission Regulations. (See also: §33-4-101.3, C.R.S.)
 1. Dogs may be used to hunt or take mountain lion, small game, waterfowl, and furbearers, only as an aid to pursue, bring to bay, retrieve, flush or point, but not otherwise. Except as provided in (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 only be used as an aid in taking the following species:
 - 1. Furbearers;
 - 2. Starting April 1, 2021, mountain lions during open seasons only and for Game Management Units 43, 44, 45, 60, 61, 70 west of Colo 141, 72, 73, and 444 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 [#0051680](#).
- 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 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.

- . 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 killed, b) location of each kill, and c) number of hours flown.

ARTICLE VII - AQUATIC WILDLIFE

#010 – TRANSPORTATION OF AQUATIC WILDLIFE

- A. Transportation of Approved Aquatic Wildlife: Only the aquatic wildlife approved under #012 of this regulation may be transported within the State of Colorado. It shall be unlawful for any person to transport any live aquatic wildlife not approved under #012 of this regulation.
- B. Requirements for Transportation:
 - 1. All Aquatic Wildlife: All aquatic wildlife being transported within Colorado must at all times be accompanied by, and may only be transported within Colorado pursuant to:
 - a. A personal fishing license (including the regulations pertaining to live fish as bait set forth in other provisions of CPW regulations, including #104.H),
 - b. A commercial fishing license,
 - c. A donation certificate,
 - d. A receipt from a commercial or private lake licensee, permitted aquaculture facility or permitted pet animal facility,
 - e. An aquaculture facility permit,
 - f. A pet animal facility permit,
 - g. An importation ~~permit~~license,
 - h. A scientific collecting license, or
 - i. A bill of lading or other similar documentation evidencing that the wildlife is being transported through Colorado for delivery in another state and containing the name, address and phone number of both the source and receiving person or facility.

Original documentation is only required when transporting aquatic wildlife pursuant to a personal or commercial fishing license, a donation certificate or any kind of receipt. In all other cases, legible copies of the required documents will suffice.

- 2. Unless otherwise specified under these regulation or under Title 33, all live fish transported within Colorado must be accompanied by a copy of the fish health certificate for the source facility evidencing its compliance with #014 Aquatic Wildlife Health Management, unless the bill of lading or other similar documentation shows that the shipment is being transported through Colorado for delivery in another state. At the Division's discretion, the Division may waive the requirement that a fish health certificate accompany live fish transported in Colorado when transportation occurs from one Food Production Facility to another Food Production Facility.

#011 – IMPORTATION OF AQUATIC WILDLIFE

- A. Except as provided in these regulations or authorized by the Division or under Title 33 or Title 35 C.R.S., it shall be unlawful for any person to import any live native or nonnative aquatic wildlife into Colorado.
- B. Importation of Approved Aquatic Wildlife: Only the aquatic wildlife approved under #012 of this regulation may be imported. It shall be unlawful for any person to import any aquatic wildlife not approved under #012 of this regulation.
- C. Requirements for Importation License:

1. A person must obtain an Importation License from the Division prior to importing any live aquatic wildlife into Colorado.
 2. Application for an Importation License shall be made on the form provided by the Division.
 3. Properly completed forms and the license fee must be submitted to the Division at least seven (7) working days prior to the proposed importation date.
 4. Upon receipt of the Importation License, a person may import only those species and only from the facility listed on the license. Additional species may be added to the license upon written application to the Division at least seven (7) working days prior to the proposed importation date.
- D. The Division may inspect any shipment of live crustacean, fish or viable gametes imported into Colorado ~~prior to release into waters of the state or private holding facilities~~.
 - E. Receipt of all wildlife imported must be reported to the Division as specified on the Importation License.
 - F. All importations of ~~fish~~ aquatic wildlife must comply with state fish health management regulations. A copy of a facility's health certification, if applicable, must accompany each shipment of live aquatic wildlife.
 - G. Release of aquatic wildlife must comply with all applicable regulations including but not limited to the restrictions found in #012, # 013 and 014 of these regulations.

#012 – POSSESSION OF AQUATIC WILDLIFE

- A. Except as provided in these regulations or authorized by the Division or under Title 33 or Title 35 C.R.S., it shall be unlawful for any person to possess any live native or nonnative aquatic wildlife in Colorado.
- B. No person shall, at any time, have in possession or under their control any wildlife caught, taken or killed outside of this state which were caught, taken or killed at a time, in a manner, for a purpose, or in any other respect which is prohibited by the laws of the state, territory or country in which the same were caught, taken or killed; or which were shipped out of said state, territory or country in violation of the laws thereof.
- C. The following aquatic wildlife may be possessed by any person in the State of Colorado:
 1. Amphibians
 - a. Bullfrogs. Possession of this species is subject to the restrictions set forth in Chapter W-1, #104.H.4 and #107.A.1.m of these regulations.
 - b. Aquatic ~~Gilled-gilled~~ forms of ~~Tiger-tiger Salamanders~~ salamanders. Possession of this species is subject to the restrictions set forth in Chapter W-1, #104.H.4 and #107.A.1.o of these regulations.
 - c. Any amphibians allowed under Chapter W-10, #1000.A.6 of these regulations.
 - d. Any amphibian designated as unregulated wildlife under Chapter W-11, #1103.B of these regulations.
 2. Crustaceans
 - a. The following crustaceans may be possessed east of the Continental Divide:
 - i. Virile ~~Crayfish~~ crayfish
 - ii. Waternymph ~~Crayfish~~ crayfish
 - iii. Calico ~~Crayfish~~ crayfish
 - iv. Ringed ~~Crayfish~~ crayfish

- v. Southern ~~Plains-plains Crayfish~~ crayfish
 - b. The following crustaceans may be possessed on either side of the Continental Divide:
 - i. Freshwater shrimp
 - ii. Commercially available brine shrimp
 - iii. Commercially available krill
 - iv. Subject to the requirements of #010 and #011, red swamp crayfish (*Procambarus clarkii*) for purposes of importing, transporting, or possessing the species for human consumption, provided the following criteria are satisfied:
 - a. no person may possess an individual of the species alive for more than 72 hours; and
 - b. any person who possesses the species alive must have:
 - i. a copy of an importation license issued under #011 that authorizes the importation of the crayfish in the person's possession; and
 - ii. a receipt or delivery confirmation reflecting the date the person took possession of the crayfish.
3. Fish. Possession of these species is subject to the restrictions set forth in Chapter W-1 of these regulations.
- a. Brown, brook, cutthroat, golden, lake and rainbow trout, and their hybrids
 - b. Arctic char
 - c. Grayling
 - d. Kokanee salmon
 - e. Whitefish
 - f. Sculpin
 - g. Smallmouth, largemouth, spotted, striped, and white bass
 - h. Wipers
 - i. Common ~~C~~ carp
 - j. Triploid grass carp
 - k. Bullhead, blue, channel, and flathead catfish
 - l. Black and white crappie
 - m. Drum
 - n. Northern pike
 - o. Tiger muskie
 - p. Sacramento and yellow perch, and their hybrids
 - q. Sauger and saugeye
 - r. Speckled dace
 - s. Rainbow smelt-
 - t. Tench
 - u. Walleye
 - v. Bluegill and bluegill hybrids
 - w. Green, redear and pumpkin-seed sunfish
 - x. Gizzard shad
 - y. Longnose and white suckers
 - z. Fathead minnow
 - aa. Families of fish classified Cyprinidae except for bighead carp, black carp, and silver carp.
 - bb. Any fish designated as unregulated wildlife under Chapter W-11, #1103.B of these regulations.
- D. In addition to those species identified in Chapter W-0, #012.C, any Food Production Facility may possess the following aquatic wildlife in the State of Colorado:
- 1. Fish
 - a. Blue tilapia and their hybrids
 - b. Mozambique tilapia and their hybrids

- c. Nile tilapia and their hybrids
 - d. Barramundi
 - e. Any other fish that the Division, after consultation with the Colorado Fish Health Board determines can securely be kept within a Food Production Facility and which does not present a risk to native species, their habitat, the aquatic environment, or other Food Production Facilities.
- 2. Crustacea
 - a. Redclaw crayfish
- E. The possession of any aquatic wildlife in the State of Colorado not listed in this section #012 is unlawful unless otherwise authorized by the provisions of Chapter W-11 of these regulations pertaining to unregulated wildlife, or Chapter W-13 of these regulations (“Possession of Wildlife, Scientific Collecting and Special Licenses”). Any person who takes any fish species from the wild in Colorado not listed in this section may take and possess them year round and in any quantity for personal use, provided that the fish are not listed as nongame, threatened, or endangered under Chapter W-10 and provided that the fish are killed prior to transportation from the point of take.
- F. No person shall import, transport, possess, or release any aquatic nuisance species (ANS) except as authorized by the Division or permit issued under Title 35 C.R.S.

#013 - RELEASE OF AQUATIC WILDLIFE

- A. Except as provided herein, it shall be unlawful for any person to release any native or nonnative aquatic wildlife in Colorado.
- B. Except as otherwise restricted by these regulations, and provided a person possesses the appropriate stocking permit, letter of authorization or commercial or private lake license, the following species are authorized for release in the drainages indicated:
 - 1. All drainages statewide – rainbow, brook, brown, and cutthroat trout (and their hybrids), fathead minnow and certified triploid grass carp.
 - 2. All drainages east of the continental divide – crappie, bluegill, channel catfish, largemouth and smallmouth bass, and green sunfish.
 - 3. All drainages east of the continental divide and outside of salmonid habitat - tiger muskie, walleye, gizzard shad, yellow perch, and wipers.
- C. Owners or lessees of property may release or otherwise provide for or allow the release of any of the above species of fish into waters of the state (flowing or standing) located on property they own or lease provided they have obtained a stocking permit, or a commercial or private lake license from the Division, or if such activities are performed by a Colorado permitted aquaculture facility or licensed aquatic wildlife importer, unless the person is exempt under Chapter 12, to release such fish. Stocking permits and lake licenses will be approved or denied based on compliance with all other applicable regulations and a determination by the Division that such stocking will not otherwise negatively impact management of the state’s wildlife resources.
- D. Licensed aquaculturists may release any species listed in #013.C of these regulations into waters of the state (flowing or standing), upon receipt of an annual letter of authorization from the Division to be sent upon issuance or renewal of the aquaculture license, provided that such release is in accordance with the provisions of regulations #011, #012, #013 and #014, and provided that aquaculturists submit an annual report on a form provided by the Division, containing information regarding the facility of origin, date, species, size, number and stocking location of all non-salmonid fish, other than certified triploid grass carp and fathead minnow, released into waters west of the Continental Divide by the aquaculturist in the

previous calendar year. Provided further, however, that the stocking of the following species is allowed only if the owner or lessee of the property first obtains a stocking permit, or private or commercial lake license, for that purpose from the Division:

1. Non-salmonid species, in the Upper Colorado River Basin, except for fathead minnow and certified triploid grass carp into ponds, lakes or reservoirs outside of critical habitat.
2. Northern pike, or tiger muskies, or prohibited species, anywhere in the state.
3. Salmonid species in the mainstem of the Colorado River below Windy Gap Reservoir downstream to the confluence with the Williams Fork River.
4. Any fish in native cutthroat waters.

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

E. Except as otherwise provided in these regulations for the Upper Colorado River Basin, certified triploid grass carp may be released into waters of the state in accordance with the following restrictions:

1. All shipments of certified triploid grass carp must be accompanied by a copy of the original certificate of triploidy issued by the U S Fish and Wildlife Service for that lot of fish.
 - i. Diploid grass carp may be transported through Colorado only when the destination is another state.
2. Certified triploid grass carp may only be released into standing water or irrigation ditches east of the Continental Divide, except in the Rio Grande Basin.
3. West of the Continental Divide and in the Rio Grande Basin:
 - a. Only certified triploid grass carp may be released into standing waters and must be at least eight inches in length at the time they are released.
 - b. Such waters must be screened prior to stocking to prevent escape of fish. All screens shall be maintained so as to prevent such escape, and at least one measurement of the gap size shall not exceed one & one-quarter (1 1/4) inch. All such screens may be inspected on an annual basis by the Division or its designated representative.
 - c. Certified triploid grass carp to be held in aquaculture facilities west of the Continental Divide and in the Rio Grande Basin must be a minimum of 8" in length at the time they are placed in the facility. Any undersized fish that are inadvertently present in a shipment must be removed or handled in a manner to ensure that such fish cannot escape from the facility.

F. Upper Colorado River Basin

1. Except as provided herein, no person shall release any species or subspecies of fish within the Upper Colorado River Basin.
 - a. Rainbow, brook, brown, and cutthroat trout (and their hybrids) may be released within the Upper Colorado River Basin pursuant to a licensed aquaculturist's letter of authorization, except in those river reaches defined as critical habitat.
 - b. Fathead minnow or triploid grass carp may be released into ponds, lakes or reservoirs outside of critical habitat pursuant to a licensed aquaculturist's letter of authorization as described in #013.D of these regulations.

- c. Except as provided in #013.F.1.b of this regulation, stocking of nonnative, nonsalmonid fishes in private waters must be approved by the Division on a case-by-case basis after receipt of a stocking permit application to evaluate potential negative impacts to the state's wildlife resources. Stocking permit applications must include, at a minimum:
 - 1. Location of the proposed stocking.
 - 2. Species, sizes, numbers, and rationale for selecting the desired species.
 - 3. Specific measures to be implemented to reduce the risk of escapement.

- d. Except as provided below, stocking of nonnative, nonsalmonid fish species within critical habitat or in a body of water having direct connection to critical habitat of the Upper Colorado basin is not allowed.
 - 1. The stocking of nonnative, nonsalmonid fish species into private waters is allowed if the water is bermed and the outlet is screened according to the specifications of these regulations prior to stocking. Provided further that stocking of fathead minnows within critical habitat is only allowed if the entire perimeter of the water is bermed according to the specifications of these regulations, with no inlet or outlet of any type. A screen or berm is not required when stocking fathead minnows outside of critical habitat.
 - 2. No screening or berming is required to stock trout.
 - 3. Where berms and/or screens are required, private waters must be screened and bermed according to the following standards, and must be approved by the Division prior to stocking.
 - a. When screens are required, at least one measurement of the gap size shall not exceed one-quarter (1/4) inch, except as provided above.
 - b. Minimum berm standards are as follows:
 - i. The berm must be designed and constructed in accordance with recognized and accepted engineering practices.
 - ii. The berm must be capable of withstanding the hydrodynamic and hydrostatic forces and the effects of buoyancy associated with a 100-year flood.
 - iii. The berm must be 5.5 vertical feet above the ordinary high water line.
 - iv. Prior to stocking, the Division may require that all berms be certified in writing as meeting these standards by a licensed engineer. The report shall be submitted to the Division and shall include a consideration of depth and duration of flooding, floodplain elevation, berm geometry, berm and foundation materials, berm compaction, penetrations, and other factors affecting penetrations, localized river channel constrictions and conditions, and any other factors which may affect the ability of the berm to withstand flood events.
 - 4. Except for the annual inspection that may be required by these regulations, stocking of a previously-approved species in a previously-approved water may continue under its initial authorization with no subsequent approval provided all berms and screening continue to prevent escapement of fish. If failure of the berm(s) or screen(s) to prevent escapement occurs, stocking of that water will

require Division review and new Division approval prior to additional stocking.

5. Nonnative, nonsalmonid fish species may be released into receiving waters located above existing reservoirs where populations of that species exist and the reservoir is managed according to a management plan approved by the Division, and the management plan allows for the species to be released.
2. Smallmouth bass and northern pike may be released within the Upper Colorado River Basin, except in critical habitat, and then only if:
 - a. The fish are acquired within the basin from an existing population within critical habitat; and
 - b. The receiving water already contains the species and is isolated or its outlets are screened to prevent the escape of the fish or their progeny.
All such relocations of fish must be authorized in advance and in writing by the Division.
3. All ponds, lakes or reservoirs within the Upper Colorado River Basin which require, or rely upon, berms or screens to prevent the escape of stocked fish and their progeny may be inspected on an annual basis by the Division or its designated representative. All berms and screens shall be maintained to prevent the escape of fish and their progeny.
4. Except as otherwise prohibited by these regulations, isolated private waters having no direct connection to critical habitat and that are above the 100-year floodplain can be stocked under the authority of a licensed aquaculturist's letter of authorization as described in #013.D of these regulations.
- G. Release of aquatic wildlife must comply with all applicable regulations including but not limited to the restrictions in #011, #012, and #014 of these regulations.

#014 – AQUATIC WILDLIFE HEALTH MANAGEMENT

A. Inspection and Certification for Prohibited and Regulated Fish Diseases

1. Annual fish health inspections and certifications are required for all in-state fish production or holding facilities, which sell or stock live fish, and out of state facilities importing live fish into Colorado. A fish health certification will terminate one year from the effective date of certification or upon discovery of a prohibited or regulated disease, whichever occurs first. However, provided the facility requests its annual fish health inspection within 12 months of the effective date of its last certification, its fish health certification shall be valid for fifteen months or whenever its subsequent inspection report is available, whichever occurs first. In the absence of a timely written request for an annual fish health inspection the fish health certification shall terminate 12 months from the effective date of its last certification. A copy of such certification must accompany each fish shipment within or into Colorado.
2. All such facilities shall be annually inspected by a qualified fish pathologist for both prohibited and regulated diseases as applicable.
 - a. Prohibited diseases
 1. All salmonid facilities must be certified to be free of the following diseases:
Infectious Hematopoietic Necrosis Virus (IHNV)
Viral Hemorrhagic Septicemia Virus (VHSV)
Oncorhynchus masou Virus (OMV)

2. All non-salmonid fish production or holding facilities, and any non-salmonid fish being exported from or imported to Colorado, must be certified free of Viral Hemorrhagic Septicemia Virus (VHSV).
3. Inspection and Certification for Other Diseases of Concern: susceptible or potentially susceptible species from all importing facilities within the applicable endemic disease areas, including both salmonid and nonsalmonid fish production or holding facilities, must also be annually certified by a qualified fish pathologist to be free of the following diseases:

Ceratomyxa shasta (Ceratomyxosis)
 Epizootic Epitheliotropic Disease (EEV)
 Infectious Salmon Anemia Virus (ISAV)
Piscirickettsia salmonis
Tetracapsula bryosalmo (Proliferative Kidney Disease – PKD)
 Spring Viremia of Carp Virus (SVCV)

- b. Regulated diseases – all salmonid facilities must be certified for the presence or absence of the following diseases:

Myxobolus cerebralis (Whirling Disease – WD)
Renibacterium salmoninarum (Bacterial Kidney Disease - BKD)
Aeromonas salmonicida (Furunculosis)
 Infectious Pancreatic Necrosis Virus (IPNV)

3. Testing procedures.

- a. Except for Viral Hemorrhagic Septicemia Virus (VHSV) and as otherwise provided in these regulations, all inspections and testing procedures must be conducted as set forth in AFS-FHS (American Fisheries Society-Fish Health Section). 2014. FHS blue book: suggested procedures for the detection and identification of certain finfish and shellfish pathogens, 2020 edition. Accessible at: <https://units.fisheries.org/fhs/fish-health-section-blue-book-2020/>. This document can be viewed and copies obtained at the Division as set forth in the “Incorporated References” section of Chapter 0 of these regulations.
- b. Testing for Viral Hemorrhagic Septicemia Virus (VHSV) shall be conducted by the protocols and procedures of:
 - 1 AFS-FHS (American Fisheries Society-Fish Health Section). 2014. FHS blue book: suggested procedures for the detection and identification of certain finfish and shellfish pathogens, 2020 edition. Accessible at: <https://units.fisheries.org/fhs/fish-health-section-blue-book-2020/>. or
 2. The Manual of diagnostics for aquatic animals 2021 edition. of the OIE - World Organisation for Animal Health, 12 rue de Prony 75017 Paris, France.

These documents can be viewed and copies obtained at the Division as set forth in the “Incorporated References” section of Chapter 0 of these regulations.

4. Authority to exempt applicants from specific pathogen testing is granted to the Director, upon consultation with, review, and recommendation from the Fish Health Board, when the following criteria are met:
 - a. Compliance with testing requirements would result in an unacceptable impact on the sample population.
 - b. There is minimal risk of introducing an exotic pathogen into the state.

- c. There is minimal risk of exposing free-flowing waters to any specific pathogen.
- d. Adequate provisions for management and disposition of the fish and adequate disinfection of the water as necessary are made and incorporated as conditions of the importation permit.

Application for such an exemption shall be submitted to the Division at least fourteen (14) working days prior to the proposed importation date. The Director shall have fourteen (14) working days to approve or disapprove the application. The Fish Health Board shall review and submit its recommendation to the Director within seven (7) working days after receipt from the Division.

B. Reportable Diseases: the presence of any prohibited or regulated disease at an in-state or importing facility shall be immediately reported to the Division.

C. Management of Prohibited and Regulated Fish Diseases.

1. Prohibited Disease agents.

a. No fish or gametes (eggs and sperm) with, or exhibiting clinical signs of, any Prohibited Disease, or any other infectious agents determined by the Director to pose a significant threat to Colorado's aquatic resources, may be imported or placed in waters of this state without written approval of the Director. Written approval may be granted only after the following conditions have been met:

1. The Director has determined that no damage or undesirable effects to existing fish populations and their habitat will occur.

2. The nature of any disease(s) must be positively determined and documented.

b. If fish are found with Prohibited Diseases or any diseased wildlife, which would have a significant detrimental effect on Colorado's wildlife resource as determined by the Director, are found at any fish production or holding facility they may be destroyed or held in quarantine at the owner's expense, in accordance with 33-5.5-102 C.R.S. Possession, transfer or any other act relative to such wildlife contrary to the Director's determination of disposition is prohibited.

c. The Director shall determine when destruction of wildlife, a quarantine or disinfection is required at any federal, state, private or commercial fish or wildlife production facility. If the Director determines that either destruction, quarantine or disinfection is required, he shall issue a written order to the owner or operator of the facility setting forth the steps for destruction and/or disinfection. Required disinfection of holding facilities will be completed at the owner's expense. If the owner disagrees with the Division's determination he shall have the right to appeal the decision to the Wildlife Commission provided notice of such appeal is given to the Director within seventy-two (72) hours of receipt of the order.

2. Regulated Disease Agents

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

1. *Myxobolus cerebralis* testing

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

1. Spore Concentration Technique: The facility shall provide at least one lot of live salmonids (minimum lot size of 260 fish) for whirling disease testing. As a screening procedure, fish shall be tested for the presence of *Myxobolus cerebralis* using a spore concentration technique ("SCT"). Minimum sample size of lots in aggregate shall be determined at the assumed prevalence level of 5% with 95% confidence.
 - a. Any negative finding will be conclusive for the absence of *Myxobolus cerebralis*.
 - b. Any positive finding will be presumptive for the presence of *Myxobolus cerebralis*. All presumptive SCT findings shall be confirmed by PCR. PCR results shall be conclusive as to the presence or absence of *Myxobolus cerebralis*.

2. Polymerase Chain Reaction (PCR) Technique: As an alternative to SCT, susceptible salmonids held at least 4 months in the water supply may be tested by PCR. A positive finding in such instance shall be considered presumptive for the presence of *Myxobolus cerebralis*. Confirmation shall be determined by a second PCR conducted by a different laboratory.
 - b. Sample size – for the purpose of annual inspections for *Myxobolus cerebralis*, the minimum sample size for determination of prevalence shall be sixty susceptible fish per water supply in a fish production facility.
 - c. Stocking from facilities which are presumptive for *Myxobolus cerebralis* shall comply with the provisions of release of *Myxobolus cerebralis* positive fish during confirmatory testing. PCR tests for presumptive positives will be the highest priority for testing and every effort will be made to complete the test within 21 days.
 - d. For the purpose of conducting confirmatory testing, should it become necessary, at least 100 fish from each lot tested, with at least 200 total fish from tested lots, shall be held at the facility for up to 3 weeks after the initial inspection date.
 - e. Diagnostic or incidental observations of *Myxobolus cerebralis* by histology (presence of morphologically correct organisms within salmonid skeletal tissues) shall be presumed positive for the organism. Presumptive findings by histology shall be confirmed by PCR.

2. WD Negative Recertification: In order for the *Myxobolus cerebralis* status of a salmonid fish production facility to change from positive to negative, the owner and/or operator of the facility must complete all of the requirements of either aa or bb below:
 - a. Method 1 - Facility modifications and testing for *Myxobolus cerebralis*:
 1. Render all originating water sources at the facility free of all fish and enclosed so as to prevent outside contamination by *Myxobolus cerebralis*.
 2. Construct all rearing spaces and water conveyances of concrete, fiberglass, steel, or other manufactured impermeable materials that are not conducive to colonization by the alternate oligochaete host(s) of *Myxobolus cerebralis*.

3. Completely purge all sediments from rearing spaces and water conveyances at least once every two months.
4. After completion of steps 1 through 3, have the facility tested and found negative for *Myxobolus cerebralis* according to the following procedures and schedule:
 - a. A minimum of three hundred rainbow trout at least four months of age shall be designated as the sentinel lot and must be individually marked by a state fish pathologist. These fish will then be placed in approved rearing spaces selected for optimal exposure, at which time the exposure period shall begin.
 - b. Fish shall be collected and tested for *Myxobolus cerebralis* by a qualified fish pathologist during two inspections. A minimum of sixty fish from the sentinel lot, still bearing the previously placed tags, shall be included in each sample. The inspections shall occur at least ten months and at least fourteen months after the exposure period begins if a Spore Concentration Technique (SCT) is used. The testing shall occur at least 8 months and at least 12 months after the exposure period begins if Polymerase Chain Reaction (PCR) is used as the testing technique. The time frame for such testing by PCR may be shortened further if it is determined by the Director after consultation with the Fish Health Board that an additional reduction of the time frame for testing would present a negligible risk of not detecting the presence of *Myxobolus cerebralis*, after consideration of the following criteria:
 1. Water supply(s).
 2. Distance between water supply(s) and rearing spaces.
 3. Nature of connecting pipes and conveyances.
 4. Possibility of fish entering and exiting in water supply lines.
 5. Nature and construction of rearing spaces.
- b. Method 2 - Testing for *Myxobolus cerebralis* with partial or no facility modification.
 1. A minimum of three hundred rainbow trout at least four months of age shall be designated as a sentinel lot, and must be individually marked by a qualified fish pathologist. These fish will then be placed in approved rearing spaces selected for optimal exposure to *Myxobolus cerebralis*, at which time the exposure period shall begin.
 2. Fish shall be collected and tested for *Myxobolus cerebralis* by a qualified fish pathologist during four inspections. A minimum of sixty fish from the sentinel lots, still bearing the previously placed tags, shall be included in each sample. The inspections shall occur at least ten, fourteen, twenty-four, and twenty-eight months if SCT is used, or at least eight, twelve, twenty, and twenty-four months if a PCR is used as the testing technique after the exposure period begins. A second sentinel lot will be placed in the same rearing spaces after collection of the fourteen month sample for SCT or twelve month sample for PCR. The time frame for testing by PCR may be shortened further if it is determined by the Director that an

additional reduction of the time frame for testing would present a negligible risk of not detecting the presence of *Myxobolus cerebralis* after consideration of the following criteria:

- a. Water supply(s).
 - b. Distance between water supply(s) and rearing spaces.
 - c. Nature of connecting pipes and conveyances.
 - d. Possibility of fish entering and exiting in water supply lines.
 - e. Nature and construction of rearing spaces.
 - f. Nature and reliability of treatment technology.
 - g. System redundancy and back-up power supply.
3. Sampling in these inspections will be conducted at a minimum assumed prevalence level of five percent at the ninety-five percent level of confidence per lot at least eight months old; and at a minimum assumed prevalence level of two percent at the ninety five percent level of confidence for the facility as a whole.
- c. Upon satisfactory completion of the requirements under either Method I or Method II, the State Fish Pathologist shall provide certification of negative *Myxobolus cerebralis* status.
3. Operation of *Myxobolus cerebralis* Positive Fish Production Facility.
- a. No person shall operate a fish production facility which has been diagnosed positive for *Myxobolus cerebralis* in salmonid habitat unless an exemption allowing such operation has been granted by the Director after consultation with the Fish Health Board.
 1. Applications for such exemptions shall be evaluated based on the following factors:
 - a. The ability of the facility to remediate and regain *Myxobolus cerebralis* negative status, and any Whirling Disease Clean-up Plan (WDCP) submitted by the applicant;
 - b. The risk to native cutthroat trout management habitats;
 - c. The risk to any other salmonid habitats;
 - d. The risk to any recreationally valuable salmonid fishery;
 - e. Social and economic impacts to private and public entities, and
 - f. The Whirling Disease Management Plan (WDMP) submitted by the applicant.
 - b. Applications for exemptions to operate a *Myxobolus cerebralis* positive facility within salmonid habitat shall be submitted to the Director within 60 days of notification that the facility has tested positive for *Myxobolus cerebralis*. Persons that submit timely applications for exemptions shall be

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

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

- f. Exemptions granted by the Director shall be valid unless the applicant fails to comply with the terms of the exemption, fails to submit an annual report, or new and significant information regarding the risks associated with continued operation of the *Myxobolus cerebralis* positive facility, or the availability of BMPs which would improve management of the infection, supports modification of the WDMP and the exemption or revocation of the exemption.
4. Release of *Myxobolus cerebralis* Positive Fish
- a. No live salmonid originating from a facility which has been diagnosed positive or presumptive for *Myxobolus cerebralis* may be released into salmonid habitat unless an exemption allowing such stocking has been granted by the Director after consultation with the Fish Health Board.
 - b. Applications for exemptions shall be submitted to the Director at least 60 days prior to any proposed stocking.
 - c. Applications for stocking exemptions shall be evaluated based on the following factors:
 - 1. The risk to native cutthroat trout management habitats, any other salmonid habitats or any recreationally valuable salmonid fishery, including consideration of:
 - a. M.c. status of free-ranging fish in the water proposed for stocking;
 - b. Proximity to native cutthroat trout waters or planned cutthroat trout recovery areas;
 - c. Size and species of salmonids to be stocked;
 - d. The prevalence or intensity of *Myxobolus cerebralis* infection in and the total number of salmonids to be stocked;
 - e. Connection of the water proposed for stocking to other public or private water at any time during the year;
 - f. The presence of naturally reproducing salmonid species in connected waters;
 - g. The prevalence or intensity of *Myxobolus cerebralis* infection, if any, in naturally reproducing salmonid populations present in connected waters;
 - h. The presence and *Myxobolus cerebralis* status of fish production or distribution facilities in connected waters;
 - i. The physical and operational, if an impoundment, characteristics of the water to be stocked;
 - j. Any other factor which determined by the Director to be important in determining the risk to fish or fish habitat.
 - 2. Social and economic impacts to private and public entities, and;
 - 3. The Whirling Disease Management Plan (WDMP) submitted by the applicant.

- d. All applications for stocking exemptions shall include a Whirling Disease Management Plan (WDMP). The WDMP shall include the best management practices (BMP's) to be used to minimize the discharge of spores and TAMS to waters of the state due to the stocking of the fish. BMP's for fish stocking shall, at a minimum, specifically describe or address the following factors:
 - 1. Size of *Myxobolus cerebralis*_positive fish to be stocked;
 - 2. Species of *Myxobolus cerebralis*_positive fish to be stocked;
 - 3. Facility construction and operation;
 - 4. Disinfection procedures;
 - 5. Disposition of mortalities;
 - 6. Treatment of effluent;
 - 7. Exposure of vulnerable-sized fish to temperatures optimum for TAM production;
 - 8. Monitoring effluent for spore/TAM levels, and;
 - 9. Any other site specific or disease considerations.
 - e. Persons granted a stocking exemption shall:
 - 1. Comply at all times with the terms and conditions of any exemption granted by the Director, including, but not limited to, compliance with WDMP and the BMPs approved for the stocking.
 - 2. Submit an annual report to the Division on the anniversary date of the exemption. The annual report shall address compliance with terms and conditions of the exemption. An annual site inspection may be conducted to determine compliance with the terms and conditions of the exemption.
 - f. Exemptions granted by the Director shall be valid unless the applicant fails to comply with the terms of the exemption, fails to submit an annual report, or new and significant information regarding the risks associated with the stocking of *Myxobolus cerebralis*_positive fish, or the availability of BMPs which would improve management of the infection, supports modification of the WDMP and the exemption, or revocation of the exemption.
- b. *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD)
- 1. Bacterial Kidney Disease Management Plans: No later than 60 days of finding and notification that an in-state fish production facility is positive for *Renibacterium salmoninarum*, the owner shall submit a written management plan to the Fish Health Board and to the Director. The plan shall address possible sources of infection, species of fish, types of rearing containers, disinfection, eradication and avoidance of recurrence of the pathogen, and the proposed disposition of positive fish. Within 30 days after submittal, the Fish Health Board shall review the plan and submit it with a recommendation for approval, rejection or modification to the Director. The Director shall then have 15 days to approve, reject, or modify the plan. Before making a final decision, the Director will

consider the recommendation of the Fish Health Board and the effectiveness of the plan in controlling and managing the pathogen in the fish production facility.

2. Re-establishment of Negative Status for BKD: In order for the *Renibacterium salmoninarum* status of a fish production facility or free-ranging fish population to change from positive to negative, the owner and/or operator of the facility must complete all of the requirements of either a or b below:

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

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

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

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

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

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

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

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

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

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

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

D. Egg Disinfection

1. The operator and employees of any fish production facility must use the following procedures when disinfecting salmonid eggs received from any source:
 - a. Eggs shall be disinfected by soaking them in a solution containing one hundred parts

per million iodine, in the form of povidone iodine, for a minimum of ten minutes before such eggs are allowed to come in contact with other eggs, fish, incubators, rearing spaces, or water supplies on a fish culture facility.

- b. Hands, gloves, shipping containers and any implements or objects that contact such eggs before disinfection must not come into contact with other eggs, fish, incubators, rearing spaces, or water supplies on a fish culture facility until they have been disinfected using a commercially available disinfectant as directed on the product label.

Appendix F - Wildlife License and Pass Prices

(1) Resident and nonresident licenses

License	Residency	Fees
3-year possession/hunting raptor license	Resident	\$ <u>172.55182.19</u> ***
Annual possession/hunting raptor license	Nonresident	\$ <u>92.0397.17</u> ***
Peregrine falcon capture license	Resident	\$ <u>345.11364.38</u> ***
Extra rod stamp	Resident	\$ <u>10.3510.93</u> **
Extra rod stamp	Nonresident	\$ <u>10.3510.93</u> **
Fishing - 1 day	Resident	\$ <u>13.8014.58</u> **
Fishing - 1 day	Nonresident	\$ <u>17.2618.22</u> **
Fishing - additional day	Resident	\$ <u>5.756.07</u> **
Fishing - additional day	Nonresident	\$ <u>5.756.07</u> **
Fishing - 5 day	Nonresident	\$ <u>34.5136.44</u> **
Fishing- annual	Resident	\$ <u>37.9640.08</u> **
Fishing - annual	Nonresident	\$ <u>109.28115.39</u> **
Youth (ages 16-17) annual fishing	Resident	\$ <u>9.209.72</u> **
Senior annual fishing	Resident	\$ <u>9.209.72</u> **
Small game hunting	Resident	\$ <u>32.2134.01</u> **
Senior lifetime fishing upgrade to annual combination fishing and small game hunting^	Resident	\$ <u>22.5923.85</u> **
Small game hunting	Nonresident	\$ <u>92.0397.17</u> **
Small game - 1 day	Resident	\$ <u>13.8014.58</u> **
Small game - 1 day	Nonresident	\$ <u>17.2618.22</u> **
Small game - additional day	Resident	\$ <u>5.756.07</u> **
Small game - additional day	Nonresident	\$ <u>5.756.07</u> **
Furbearer license	Resident	\$ <u>32.2134.01</u> **
Furbearer license	Nonresident	\$ <u>92.0397.17</u> **
Turkey, fall	Resident	\$ <u>26.4627.94</u> **
Turkey, fall	Nonresident	\$ <u>172.55182.19</u> **
Turkey, spring	Resident	\$ <u>32.2134.01</u> **
Turkey, spring	Nonresident	\$ <u>172.55182.19</u> **
Turkey (youth)	Resident	\$ <u>16.1117.00</u> **
Turkey (youth)	Nonresident	\$ <u>115.04121.46</u> **
Combination fishing and small game hunting	Resident	\$ <u>55.2258.30</u> **
Senior (ages 65 and older) combination fishing and small game hunting	Resident	\$ <u>31.7933.57</u> **
Pronghorn	Resident	\$ <u>43.7146.16</u> **
Pronghorn	Nonresident	\$ <u>454.39479.77</u> **
Bear, fall	Resident	\$ <u>42.0344.37</u> **
Bear, fall	Nonresident	\$ <u>110.59250.00</u> **
Bear, fall (youth)	Resident	\$ <u>15.4816.35</u> *
Bear, fall (youth)	Nonresident	\$ <u>55.3058.39</u> *
Deer	Resident	\$ <u>43.7146.16</u> **
Deer	Nonresident	\$ <u>454.39479.77</u> **

Elk	Resident	\$60.9764.37**
Elk (antlered or either sex)	Nonresident	\$759.24801.64**
Elk (antlerless)	Nonresident	\$759.24801.64**
Mountain goat	Resident	\$345.11364.38**
Mountain goat	Nonresident	\$2,542.292684.29**
Moose	Resident	\$345.11364.38**
Moose	Nonresident	\$2,542.292684.29**
Mountain lion	Resident	\$55.2258.30**
Mountain lion	Nonresident	\$387.08408.70**
Rocky mountain bighorn sheep	Resident	\$345.11364.38**
Rocky mountain bighorn sheep	Nonresident	\$2,542.292684.29**
Desert bighorn sheep	Resident	\$345.11364.38**
Desert bighorn sheep	Nonresident	\$2,542.292684.29**
Resident low-income senior lifetime fishing	Resident	\$8.969.46**
Youth big game (deer, elk, pronghorn)	Resident	\$16.0716.95 each *
Youth big game (deer, elk, pronghorn)	Nonresident	\$115.00121.41 each*
Youth small game hunting	Resident	\$1.401.46
Youth small game hunting	Nonresident	\$1.401.46
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Resident	\$11.5012.15
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Nonresident	\$11.5012.15
"Lifetime" Colorado wildlife habitat stamp	Resident	\$345.11364.38***
"Lifetime" Colorado wildlife habitat stamp	Nonresident	\$345.11364.38***

*Plus additional surcharge of \$1.50 for the Wildlife Management Public Education Fund.

**Plus additional surcharge of \$1.50 for the Wildlife Management Public Education Fund and \$0.25 for the Search and Rescue Fund.

***Plus additional surcharge of \$0.25 for the Search and Rescue Fund.

^Valid only for resident senior Lifetime Disability and Low Income Fishing license holders.

License prices established in this table are the actual license price. Some license prices have discounts applied from the statutory maximum price as provided for in Chapters W-2 and W-3.

(2) Special licenses

License	Fees
Scientific collecting license	\$32.2134.01
Importation license	\$86.2891.10
Field trial license	\$26.4627.94
Commercial lake license	\$230.07242.92
Private lake license	\$46.1117.00
Commercial wildlife park license	\$172.55182.19
Noncommercial park license	\$32.2134.01
Wildlife sanctuary license	\$172.55182.19
Zoological park license	\$172.55182.19

(3) The fee for each migratory waterfowl stamp is \$11.5012.15.

(4) The fee for each Federal Waterfowl Stamp is \$31.00.

(5) The nonrefundable application-processing fee for each limited license is \$8.00 for resident applications and \$10.00 for nonresident applications.

(6) Colorado State Wildlife Area passes

Pass	Fees
Colorado State Wildlife Area Pass - annual	\$ 38.21 40.33**
Colorado State Wildlife Area Pass - 1 day	\$8.50*
Youth (ages 16-17) annual Colorado State Wildlife Area Pass	\$ 9.45 9.97*
Senior (ages 65 and older) annual Colorado State Wildlife Area Pass	\$ 9.45 9.97*
Low-income annual Colorado State Wildlife Area Pass	\$ 9.45 9.97*

*Plus a surcharge of \$1.50 for the wildlife management public education fund.

**Plus a surcharge of \$1.50 for the wildlife management public education fund and a fee of \$~~11.50~~12.15 for a Colorado wildlife habitat stamp.

In order to qualify for an annual low-income Colorado State Wildlife Area Pass an individual must show a photo identification card and:

Provide written proof, in the form of a federal or state income tax return from the immediately preceding calendar year, that the federal taxable income of such individual is at or below one hundred percent of the official poverty line for an individual or a family, as appropriate to the applicant. If said tax return is not available, a return for the year immediately preceding such year shall suffice. Or,

If an individual's income is at a level where such individual is not required to file an income tax return, such individual shall sign a statement under penalty of perjury in the second degree to such effect. No such affidavit shall be required to be notarized. Or,

A Colorado resident may provide documentation in the form of a card or other verifiable written materials that the resident is currently enrolled in any one of the following programs: TANF (Temporary Assistance to Needy Families), WIC (Special Supplemental Nutrition Program for Women, Infants and Children), Health First Colorado (Colorado's Medicaid program), SNAP (Supplemental Nutrition Assistance Program), FDPIR (Food Distribution Program on Indian Reservations), or LEAP (Low-income Energy Assistance Program).

The federal taxable income amounts, based on the number of people in the family/household, cannot be greater than the applicable guideline set forth in the Annual Update of the HHS Poverty Guidelines, 88 Fed. Reg. 3424 (January 19, 2023) issued by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201. This federal guideline, but not later amendments to or editions thereof, has been incorporated by reference. Information regarding how and where the incorporated materials may be examined, or copies obtained, is available from:

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

MAILING 11/03/2023
Basis and Purpose
Chapter W-0 - General Provisions

Basis and Purpose:

CPI adjustments

Following the passage of the Hunting, Fishing, and Parks for Future Generations Act (SB 18-143), the Colorado Parks and Wildlife Commission has the authority to adjust most wildlife licenses annually with the Consumer Price Index (CPI).

Consumer Price Indices for the Denver-Aurora-Lakewood metropolitan statistical area (successor to the Denver-Boulder-Greeley statistical area) are compiled by the United States Bureau of Labor Statistics. CPI figures are reported bimonthly, in addition to the average CPI for the first half of the calendar year, the average CPI for the second half of the calendar year, and the average CPI for the entire calendar year. The chart below shows the average CPI for the first half of each year.

Consumer Price Index - All Urban Consumers	
Denver-Aurora-Lakewood Metropolitan Area	
First Half 2018	260.790
First Half 2019	264.147
First Half 2020	271.264
First Half 2021	276.290
First Half 2022	300.002
First Half 2023	316.758
Annual Percentage Change (2023 Base Year)	5.6%
Cumulative Percentage Change (Rounded) (2018 Base Year)	21.5%

The CPI calculation above yields the following fees as adjusted in regulation. The fees shown in the highlighted column are the statutory caps for each license fee. The Parks and Wildlife Commission may reduce these as appropriate through the rule-making process.

License Type	Residency	2023	2023	2023	2024	2024	2024
		CPI Adjusted Statutory Lid**	With annual increase in CPI only	Actual Price*	CPI Adjusted Statutory Lid**	With annual increase in CPI only	Proposed Price*
3-year possession/hunting raptor license	Resident	\$172.55	\$172.55	\$172.55	\$182.19	\$182.19	\$182.19
Annual possession/hunting raptor license	Nonresident	\$92.03	\$92.03	\$92.03	\$97.17	\$97.17	\$97.17
Peregrine falcon capture license	Resident	\$345.11	\$345.11	\$345.11	\$364.38	\$364.38	\$364.38
Extra rod stamp	Resident	\$10.35	\$10.35	\$10.35	\$10.93	\$10.93	\$10.93
Extra rod stamp	Nonresident	\$10.35	\$10.35	\$10.35	\$10.93	\$10.93	\$10.93
Fishing - 1 day	Resident	\$13.80	\$13.80	\$13.80	\$14.58	\$14.58	\$14.58
Fishing - 1 day	Nonresident	\$17.26	\$17.26	\$17.26	\$18.22	\$18.22	\$18.22
Fishing - additional day	Resident	\$5.75	\$5.75	\$5.75	\$6.07	\$6.07	\$ 6.07
Fishing - additional day	Nonresident	\$5.75	\$5.75	\$5.75	\$6.07	\$6.07	\$ 6.07
Fishing - 5 day	Nonresident	\$34.51	\$34.51	\$34.51	\$36.44	\$36.44	\$36.44
Fishing- annual	Resident	\$37.96	\$37.96	\$37.96	\$40.08	\$40.08	\$40.08
Fishing - annual	Nonresident	\$109.28	\$109.28	\$109.28	\$115.39	\$115.39	\$115.39
Youth (ages 16-17) annual fishing	Resident	\$9.20	\$9.20	\$9.20	\$9.72	\$9.72	\$9.72

Senior annual fishing	Resident	\$9.20	\$9.20	\$9.20	\$9.72	\$9.72	\$9.72
Small game hunting	Resident	\$32.21	\$32.21	\$32.21	\$34.01	\$34.01	\$ 34.01
License Type	Residency	2023	2023	2023	2024	2024	2024
		CPI Adjusted Statutory Lid**	With annual increase in CPI only	Actual Price*	CPI Adjusted Statutory Lid**	With annual increase in CPI only	Proposed Price*
Senior lifetime fishing upgrade to annual combination fishing and small game hunting^	Resident	-	\$22.59	\$22.59	-	\$23.86	\$23.85
Small game	Nonresident	\$92.03	\$92.03	\$92.03	\$97.17	\$97.17	\$97.17
Small game - 1 day	Resident	\$13.80	\$13.80	\$13.80	\$14.58	\$ 14.58	\$14.58
Small game - 1 day	Nonresident	\$17.26	\$17.26	\$17.26	\$18.22	\$18.22	\$18.22
Small game - additional day	Resident	\$5.75	\$5.75	\$5.75	\$6.07	\$6.07	\$6.07
Small game - additional day	Nonresident	\$5.75	\$5.75	\$5.75	\$6.07	\$6.07	\$6.07
Furbearer license	Resident	\$32.21	\$32.21	\$32.21	\$34.01	\$34.01	\$34.01
Furbearer license	Nonresident	\$287.59	\$92.03	\$92.03	\$303.65	\$97.17	\$97.17
Turkey, fall	Resident	\$26.46	\$26.46	\$26.46	\$27.94	\$27.94	\$27.94
Turkey, fall	Nonresident	\$172.55	\$172.55	\$172.55	\$182.19	\$182.19	\$182.19
Turkey, spring	Resident	\$32.21	\$32.21	\$32.21	\$34.01	\$34.01	\$34.01
Turkey, spring	Nonresident	\$172.55	\$172.55	\$172.55	\$182.19	\$182.19	\$182.19
Turkey (youth)	Resident	\$16.11	\$16.11	\$16.11	\$17.00	\$17.00	\$17.00
Turkey (youth)	Nonresident	\$115.04	\$115.04	\$115.04	\$121.46	\$121.46	\$121.46
Combination fishing and small game hunting	Resident	\$55.22	\$55.22	\$55.22	\$58.30	\$58.30	\$58.30
Senior (ages 65 and older) combination fishing and small game hunting	Resident	-	\$31.79	\$31.79	-	\$33.57	\$33.57
Pronghorn	Resident	\$43.71	\$43.71	\$43.71	\$46.16	\$46.16	\$46.16
Pronghorn	Nonresident	\$454.39	\$454.39	\$454.39	\$479.77	\$479.77	\$479.77
Bear, fall	Resident	\$55.22	\$42.03	\$42.03	\$58.30	\$44.37	\$44.37
Bear, fall	Nonresident	\$759.24	\$110.59	\$110.59	\$801.64	\$116.77	\$250.00
Bear (youth)	Resident	-	\$15.48	\$15.48	-	\$16.35	\$16.35
Bear (youth)	Nonresident	-	\$55.30	\$55.30	-	\$58.39	\$58.39
Deer	Resident	\$43.71	\$43.71	\$43.71	\$46.16	\$46.16	\$46.16
Deer	Nonresident	\$454.39	\$454.39	\$454.39	\$479.77	\$479.77	\$479.77
Elk	Resident	\$60.97	\$60.97	\$60.97	\$64.37	\$ 64.37	\$64.37
Elk (either sex)	Nonresident	\$759.24	\$759.24	\$759.24	\$801.64	\$801.64	\$801.64
Elk (antlerless)	Nonresident	\$759.24	\$569.43	\$759.24	\$801.64	\$801.65	\$801.65
Mountain goat	Resident	\$345.11	\$345.11	\$345.11	\$364.38	\$364.38	\$364.38
Mountain goat	Nonresident	\$2,542.29	\$2,542.29	\$2,542.29	\$2,684.29	\$2,684.29	\$2,684.29
Moose	Resident	\$345.11	\$345.11	\$345.11	\$364.38	\$364.38	\$364.38
Moose	Nonresident	\$2,542.29	\$2,542.29	\$2,542.29	\$2,684.29	\$2,684.29	\$2,684.29
Mountain lion	Resident	\$55.22	\$55.22	\$55.22	\$58.30	\$58.30	\$58.30
Mountain lion	Nonresident	\$759.24	\$387.08	\$387.08	\$801.64	\$408.70	\$408.70
Rocky mountain bighorn sheep	Resident	\$345.11	\$345.11	\$345.11	\$364.38	\$364.38	\$364.38
Rocky mountain bighorn sheep	Nonresident	\$2,542.29	\$2,542.29	\$2,542.29	\$2,684.29	\$2,684.29	\$2,684.29
Desert bighorn sheep	Resident	\$345.11	\$345.11	\$345.11	\$364.38	\$364.38	\$364.38
Desert bighorn sheep	Nonresident	\$2,542.29	\$2,542.29	\$2,542.29	\$2,684.29	\$2,684.29	\$2,684.29
Resident low-income senior lifetime fishing	Resident	\$9.20	\$8.96	\$8.96	\$9.72	\$9.46	\$9.46
Youth big game (deer, elk, pronghorn)***	Resident	\$15.82	\$15.82	\$15.82	\$16.70	\$16.70	\$16.70
Youth big game (deer, elk, pronghorn)***	Nonresident	\$114.75	\$114.75	\$114.75	\$121.16	\$121.16	\$121.16
Youth small game hunting***	Resident	\$1.15	\$1.15	\$1.15	\$1.21	\$1.21	\$1.21

Youth small game hunting***	Nonresident	\$1.15	\$1.15	\$1.15	\$1.21	\$1.21	\$1.21
License Type	Residency	2023	2023	2023	2024	2024	2024
		CPI Adjusted Statutory Lid**	With annual increase in CPI only	Actual Price*	CPI Adjusted Statutory Lid**	With annual increase in CPI only	Proposed Price*
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Resident	\$11.50	\$11.50	\$11.50	\$12.15	\$12.15	\$12.15
Colorado wildlife habitat stamp, purchased in conjunction with the purchase of a hunting or fishing license	Nonresident	\$11.50	\$11.50	\$11.50	\$12.15	\$12.15	\$12.15
"Lifetime" Colorado wildlife habitat stamp	Resident	\$345.11	\$345.11	\$345.11	\$364.38	\$364.38	\$364.38
"Lifetime" Colorado wildlife habitat stamp	Nonresident	\$345.11	\$345.11	\$345.11	\$364.38	\$364.38	\$364.38

*excludes additional surcharges and fees

**2018 base year

***Plus \$0.25 for S&R which is built into the statutory fee and for which CPI adjustments should not be made.

License Type	Residency	2023	2023	2024	2024
		CPI Adjusted Statutory Lid	Actual Price*	CPI Adjusted Statutory Lid**	Proposed Price*
Scientific collecting license	N/A	\$32.21	\$32.21	\$34.01	\$34.01
Importation license	N/A	\$86.28	\$86.28	\$91.10	\$91.10
Field trial license	N/A	\$26.46	\$26.46	\$27.94	\$27.94
Commercial lake license	N/A	\$230.07	\$230.07	\$242.92	\$242.92
Private lake license	N/A	\$16.11	\$16.11	\$ 17.00	\$17.00
Commercial wildlife park license	N/A	\$172.55	\$172.55	\$182.19	\$182.19
Noncommercial park license	N/A	\$32.21	\$32.21	\$34.01	\$34.01
Wildlife sanctuary license	N/A	\$172.55	\$172.55	\$182.19	\$182.19
Zoological park license	N/A	\$172.55	\$172.55	\$182.19	\$182.19

*excludes additional surcharges and fees

**2018 base year

License Type	Residency	2023	2023	2024	2024
		CPI Adjusted Statutory Lid	Actual Price*	CPI Adjusted Statutory Lid**	Proposed Price*
Migratory waterfowl stamp	N/A	\$11.50	\$11.50	\$12.15	\$12.15

*excludes additional surcharges and fees

**2018 base year

License Type	Residency	2023	2023	2023	2024	2024	2024
		CPI Adjusted Statutory Lid	With annual increase in CPI	Actual Price*	CPI Adjusted Statutory Lid**	With annual increase in CPI only	Proposed Price*
Non-refundable application-processing fee	Resident	\$8.05	\$7.26	\$8.00	\$8.50	\$8.45	\$8.00
Non-refundable application-processing fee	Nonresident	\$10.35	\$9.34	\$10.00	\$10.93	\$10.56	\$10.00

*excludes additional surcharges and fees

**2018 base year

Colorado State Wildlife Area Passes	Residency	2023	2023	2024	2024
		CPI Adjusted Statutory Lid	Proposed Price*	CPI Adjusted Statutory Lid**	Proposed Price*
Colorado State Wildlife Area Pass - annual	N/A	N/A	\$38.21	N/A	\$40.33
Colorado State Wildlife Area Pass - 1 day	N/A	N/A	\$8.50	N/A	\$8.50
Youth (ages 16-17) annual Colorado State Wildlife Area Pass	N/A	N/A	\$9.45	N/A	\$9.97
Senior (ages 65 and older) annual Colorado State Wildlife Area Pass	N/A	N/A	\$9.45	N/A	\$9.97
Low-income annual Colorado State Wildlife Area Pass	N/A	N/A	\$9.45	N/A	\$9.97

*excludes additional surcharges and fees

New and amended rules regarding the importation, transportation, and possession of red swamp crayfish (*Procambarus clarkia*) for purposes of human consumption

Colorado law prohibits the importation, transportation, or possession of live nonnative wildlife unless authorized by commission rule. See §§ 33-6-109(4); 33-6-114(1), (2), CRS. The red swamp crayfish is not native to Colorado and, before this rulemaking, no rule allowed people to import, transport, or possess it. But people have long brought the species into Colorado for human consumption, and CPW has no evidence the species has become established in the state. These new and amended rules allow the importation, transportation, and possession of live red swamp crayfish, but only for human consumption. The release of the species into the wild remains illegal and the new and amended rules impose numerous safeguards to protect against the species being released into the wild.

The Fish Health Board approved these new and amended rules on August 14, 2023. The Fish Health Board has the responsibility to “review or initiate and consider, prior to presentation to the [parks and wildlife] commission for adoption, every rule which is to regulate or control, or otherwise relates to, fish health, the spread of aquatic disease within private aquaculture facilities or cultured aquatic stock, or the importation into the state or the distribution of any exotic aquatic species.” § 33-5.5-102(1), CRS.

The primary statutory authority for the new and amended rules is § 33-1-106(1)(c), CRS (“In order to provide an adequate, flexible, and coordinated statewide system of wildlife management and to maintain adequate and proper populations of wildlife species, the commission shall have authority in this state, by appropriate rules and regulations, to: ... (c) Control the exportation, importation, transportation, release, possession, sale, transfer, and donation of wildlife;”).

Correcting a reference for the disability accommodation procedures

When regulations of the disability accommodation procedures were moved into Chapter W-16 – Parks and Wildlife Procedural Rules there was a reference in the W-0 regulations that was not updated. This reference has been corrected.

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 statutory authority for these regulations includes, but is not limited to:

- § 24-4-103, C.R.S.
- § 33-1-105(1)(c), C.R.S. (Commission has the power to “Construct or otherwise establish public facilities and conveniences at any site or on any land in which the commission holds an interest ... and, when appropriate, make reasonable fees or charges for their use....”).

- §§ 33-1-101 to 33-6-209, C.R.S., particularly §§ 33-1-105, -106, -107, and 33-4-102, C.R.S.
- § 33-9-102, C.R.S.

EFFECTIVE DATE – THE REGULATIONS HEREIN SHALL BECOME EFFECTIVE JANUARY 1, 2024 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 16TH DAY OF NOVEMBER 2023.

**APPROVED:
Dallas May
Chair**

**ATTEST:
Karen Bailey
Secretary**

FINAL REGULATIONS - CHAPTER W-2 - BIG GAME**ARTICLE I - GENERAL PROVISIONS****#201 - LICENSE FEES****A. Big Game License Fees****1. License Fee Reduction:**

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

License Type	2022-2024 License Fee	2023 License Fee
Resident Bear	\$38.70 <u>44.37</u>	\$42.03
Nonresident Bear	\$101.85 <u>250.00</u>	\$110.59
Resident Bear (Youth)	\$14.26 <u>16.35</u>	\$15.48
Nonresident Bear (Youth)	\$50.93 <u>58.39</u>	\$55.30
Nonresident Mountain Lion	\$356.48 <u>408.70</u>	\$387.08

B. Combination Big Game/Annual Fishing Licenses for Nonresidents

- Big game licenses issued to non-residents shall be issued as combination Big Game/Annual Fishing licenses, and for each such combination license purchased each year by a nonresident \$10 of the above license fee shall be allocated to the fishing portion of such combination license.

Basis and Purpose:

Differential pricing for nonresident black bear, resident black bear, youth black bear, and nonresident mountain lion

Following the passage of the Hunting, Fishing, and Parks for Future Generations Act (SB 18-143), the Colorado Parks and Wildlife Commission has the authority to adjust most wildlife licenses annually with the Consumer Price Index (CPI). While most resident and nonresident wildlife license fees may now be adjusted based on CPI, differential pricing has been retained for nonresident black bear, resident black bear, youth black bear, and nonresident mountain lion licenses to continue incentivizing the purchase of these licenses. However, all of these licenses prices have increased in accordance with the CPI. In addition the nonresident black bear license was further increased to make the license price closer to the average nonresident black bear license price of other western states.

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 JANUARY 1, 2024 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 16TH DAY OF NOVEMBER 2023.

**APPROVED:
Dallas May
Chair**

**ATTEST:
Karen Bailey
Secretary**

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

ARTICLE I - GENERAL PROVISIONS

#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
Nonresident Furbearer	\$92.03 <u>97.17</u>

B. Resident senior combination fishing and small game hunting license fee

1. Resident senior combination fishing and small game hunting license fee reduction:

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

License Type	License Fee
Resident senior combination fishing and small game hunting license	\$34.79 <u>33.57</u>
Resident senior lifetime fishing upgrade to annual combination fishing and small game hunting license*	\$22.59 <u>23.85</u>

*Valid only for resident senior Lifetime Disability and Low Income Fishing license holders.

Basis and Purpose:

Differential pricing for the nonresident furbearer license, the resident senior combination fishing and small game hunting license, and the resident senior lifetime fishing upgrade to annual combination fishing and small game hunting license

Following the passage of the Hunting, Fishing, and Parks for Future Generations Act (SB 18-143), the Colorado Parks and Wildlife Commission has the authority to adjust most wildlife licenses annually with the Consumer Price Index (CPI). While most resident and nonresident wildlife license fees may now be adjusted based on CPI, differential pricing has been retained for certain licenses, including the nonresident furbearer license, in order keep the fee equitable with similar license types, such as the small game license. Differential pricing has also been retained for the resident senior combination fishing and small game hunting license and the resident senior lifetime fishing upgrade to annual combination fishing and small game hunting license. However, all of these licenses prices have increased in accordance with the CPI.

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 JANUARY 1, 2024, 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 ON THIS 16TH DAY OF NOVEMBER 2023.

**APPROVED:
Dallas May
Chair**

**ATTEST:
Karen Bailey
Secretary**

FINAL REGULATIONS - CHAPTER W-11 - WILDLIFE PARKS AND UNREGULATED WILDLIFE

ARTICLE II - LICENSE REQUIREMENTS, LICENSE EXEMPTIONS, LICENSE TYPES, APPLICATION AND RECORD REQUIREMENTS, AND LICENSE RENEWAL

#1104 - LICENSE TYPES

A. Commercial Wildlife Park License

Commercial Wildlife Park Licenses are issued to a person or persons for the operation of privately owned wildlife parks and for the related commercial use of such wildlife including: buying, selling, propagating, brokering or trading of lawfully acquired captive wildlife; charging customers to hunt on such a park; or, exhibiting wildlife for educational or promotional purposes.

1. Big Game Hunting Park - Issued for hunting privately owned big game animals on private property. No new big game hunting park licenses shall be issued after July 1, 1996, except when a change of ownership occurs on an existing Big Game Hunting Park. The new applicant(s) must comply with all regulations in place at the time of the change of ownership when applying for the new license.
 - a. Big Game Hunting Park Carcass tags will be provided by the Division at no cost. No hunting license is required for hunting captive wildlife within the park. Hunting can occur year-round. All wildlife removed from the park must be accompanied by a carcass tag, properly attached, showing number, sex, age, species, date taken, park number, hunter's name and address and, if available, eartag and/or tattoo number of each animal taken.
 - b. All wildlife released into the park must be marked with a USDA official identification device pursuant to 9 C.F.R. § 77.33 (effective July 29, 2014) and/or eartags provided or approved by the Division. All alternative livestock (fallow deer and elk) released into the park must be identified as provided by State Board of Livestock Inspection Commission regulations. CPW incorporates 9 C.F.R. § 77.33 (effective July 29, 2014) by reference, but not later amendments or editions. Such document can be viewed, and copies obtained from the Division as set forth in the "Incorporated References" section of Chapter 0 of these regulations or from the USDA at 4700 River Road, Riverdale, MD 20737.
 - c. No live wildlife may be removed from the park.
 - d. All big game killed on Big Game Hunting Parks will be subject to the "Slaughter Surveillance Program" for bovine tuberculosis testing as provided for in regulation #008, and to CWD testing requirements in #1110.
2. Wildlife Exhibitors Park - Issued for the exhibition of live wildlife (except birds) for educational or promotional activities.
 - a. Exhibition of animals in the families *Canidae Felidae*, or *Ursidae* outside the licensed Wildlife Exhibitors Park premises is prohibited except under the following conditions:
 1. Animals must be caged at all times, except as provided in 1104(A)(2)(a)(2). Cages must be made from a minimum of 9 gauge wire, completely enclosed, including a top and a bottom; and shall be large enough to allow the animal being caged to stand up and turn around.
 2. Animals may be exhibited out of cage only when the exhibitor is covered by a current and in-force insurance policy in the face amount of no less than \$500,000

coverage for general liability. Copies of the liability insurance policy shall be forwarded to the Special License Unit of the Division prior to the scheduled event.

3. Animals must remain caged during any exhibition in any educational institution.
4. All incidents involving exhibited wildlife where injury to wildlife or people occurs must be reported to the Special Licensing Unit within 24 hours.
- b. Exhibition of any wildlife for educational purposes is permitted under the following conditions:
 1. A copy of the authorization from the educational institution, if exhibited at an educational institution, must be submitted to the Special Licensing Unit prior to presentation.
 2. A copy of the lesson plan must be submitted on an annual basis to the Division Education Unit.
- c. Wildlife Exhibitors Parks must be AZA accredited prior to and maintain such accreditation as a condition of the issuance of a license. Facilities previously licensed by the Division prior to January 1, 2006 may continue to operate under wildlife parks requirements without obtaining AZA certification.
3. Non-Resident Temporary Exhibitors License - Issued for the importation and exhibition of live regulated wildlife for educational, training or entertainment purposes from a facility outside Colorado that is properly licensed by the state of origin.
 - a. Each Non-Resident Temporary Exhibitors license shall be valid for no more than 30 days within a calendar year.
 - b. All animals must be housed, transported, and displayed in a safe and humane manner. Any applicant who has been convicted of animal cruelty shall not be issued a license.
4. Wildlife Producers Park - Issued for trading, selling, propagating, bartering, shooting, brokering, and transporting, live wildlife (except birds) and wildlife parts.
5. Upland Bird and Waterfowl Hunting and Producers Park -Issued for the propagation and release of commercially raised upland game birds and waterfowl for preserve shooting.
 - a. Boundaries of licensed areas shall be clearly identified with fencing or other distinguishing features and shall be signed at intervals of not more than 400 yards. All hunting shall be limited to the area identified on the license.
 - b. Total harvest of any bird species released on a commercial wildlife park shall be limited to no more than the number of flight capable birds released in a calendar year.
 - c. Only the following wildlife species may be released and hunted under the authority of this license: Ring-necked pheasant, Gambel's, scaled, and bobwhite quail, chukar, gray partridge, and mallard ducks. Exceptions to this list may occur with the approval of the Director of the Division.
 - d. Wildlife taken under an Upland and Waterfowl Hunting and Producers Park may be taken within the licensed park without a hunting license, unless otherwise restricted

by Federal law and may be taken from January 1 through December 31. A receipt must be issued to any hunter leaving the park with wildlife stating numbers of wildlife taken, sex, species, park number and date.

6. Zoological Park License - Issued for the operation of facilities, other than AZA-accredited zoos, open to the public for wildlife exhibition. Zoological Park License ~~costs~~ \$172-55 fees found in Chapter W-0 General Provisions Appendix F as provided in 33-4-102 C.R.S.

- a. Zoological Parks must meet all criteria of 33-4-102(13)(a) C.R.S. as amended.

B. Non-commercial Wildlife Park License

Non-commercial Wildlife Park licenses are issued to a person or persons for the purpose of keeping birds other than raptors, or for species acquired in accordance with section 2 below.

1. A licensee may only buy, propagate, give, trade, exchange, release, import or export any lawfully acquired birds or eggs in accordance with Parks and Wildlife Commission regulations. Such license activity may not be engaged in for the purpose of generating a profit.
2. Persons in possession of a private non-commercial wildlife park license or in lawful non-commercial possession of exotic mammals prior to January 1, 1983 may continue to possess only those individual mammals and their progeny born after January 1, 1982, under a non-commercial wildlife park license.
3. Non-commercial Wildlife Park licenses are nontransferable and shall be valid for the life of the licensee. Any change in the location of the facilities for a noncommercial park must be approved as a license amendment, in advance, by the Division.

C. Wildlife Sanctuary Licenses

As provided in § 33-1-106, C.R.S., Wildlife Sanctuary licenses are issued to wildlife sanctuaries as defined in § 33-1-102, C.R.S.

1. Types of Licenses

a. Provisional Wildlife Sanctuary

1. Issued to nonprofit entities for the conditional operation of a wildlife sanctuary as defined in 33-1-102, C.R.S. Provisional wildlife sanctuary licenses expire December 31st of the year issued and may be renewed for up to one additional year after which time the facility must meet the requirements to obtain and be issued a wildlife sanctuary license. In the event that a facility fails to meet this requirement, all wildlife in possession must be transferred from the facility according to the approved contingency plan and the facility must wait a minimum of 5 years before re-applying for a new provisional wildlife sanctuary license.
2. Except for the provisions of Reg # 1105.A.8, the Division shall determine that the applicant has met the following requirements prior to the issuance of a provisional wildlife sanctuary license:
 - aa. Documentation demonstrating experience in the care and handling of the type of wildlife for which the applicant is seeking authorization to possess on their license.

- bb. Letter of recommendation from a currently licensed Colorado wildlife sanctuary acknowledging the applicant's qualifications in the care and handling of captive wildlife.

b. Wildlife Sanctuary

1. Prior to the annual issuance or renewal of a wildlife sanctuary license, the Division shall determine that the applicant possesses a current provisional wildlife sanctuary license or a current wildlife sanctuary license issued by the Division.
2. All Wildlife Sanctuary licenses may be issued only to nonprofit entities.
3. Wildlife sanctuaries must comply with all requirements of § 33-1-102(52) and § 33-4-102(14), C.R.S.
4. Except as provided herein, wildlife sanctuaries must be an accredited or certified "related facility" by the AZA or accredited or verified by the GFAS prior to and maintain such certification as a condition of the issuance of a wildlife sanctuary license. Facilities previously licensed by the Division as a commercial wildlife park prior to January 1, 2001, and incorporated as a 501(c)(3) non-profit which functioned as wildlife sanctuaries may continue to operate as wildlife sanctuaries under the wildlife parks facility requirements set forth in Regulation No. 1108. In addition, these existing facilities may expand operation onto contiguous property owned by them under those same facilities requirements and without AZA certification. Provided further that, when one of these existing facilities is impacted by an act of nature (e.g. fire or flood) that prevents it from reasonably continuing its operation at the present location, the facility may, with the approval of the Director, move to a new location and continue its operation without being subject to the generally applicable AZA certification requirement, provided the relocated facility complies with the wildlife parks facility requirements set forth in #1108 of these regulations, and all wildlife sanctuary operations at the present locations cease.
5. Wildlife possessed by a wildlife sanctuary shall be surgically sterilized within thirty days of arrival, except that pregnant animals shall be surgically sterilized immediately following weaning and animals eligible for participation in the AZA's Species Survival Plan ("SSP") need not be sterilized. However, documents supporting such SSP eligibility must be provided to the Division within 30 days of arrival at the wildlife sanctuary.

Any nonprofit sanctuary facility previously licensed by the Division as a commercial wildlife park prior to January 1, 2001, shall submit a sterilization plan for wildlife possessed by such facility for approval by the Division. Such plan shall be submitted to the Division by January 1, 2006 and shall provide for surgical sterilization of all wildlife possessed at such facility as of November 1, 2005, in an expeditious manner, but in no event later than May 1, 2007. Wildlife brought onto such a facility after November 1, 2005, shall be surgically sterilized within thirty days of arrival, except that pregnant animals shall be surgically sterilized immediately following weaning.

In lieu of surgical sterilization, wildlife sanctuaries may submit a birth control plan for animals located on the facility for approval by the Division. Such plans may be approved if they provide sufficient assurances against propagation of animals at the facility.

- D. Except as provided herein, no wildlife taken from the wild shall be possessed by any commercial wildlife park, noncommercial wildlife park or wildlife sanctuary in Colorado. Wildlife taken from the wild outside of Colorado may be possessed by a wildlife sanctuary provided:

1. The wildlife has been determined by the wildlife management agency of the source state or country to be habituated and non-releasable and has otherwise authorized the export of the wildlife, and
2. The wildlife has been held in captivity in the source state or country for no less than 24 months. However, the Director may authorize the importation of wildlife that does not meet the captivity period requirement if he/she determines it is proper for management of the Division and otherwise beneficial to the management, preservation or conservation of wildlife resources. In making such determination, the Director shall consider:
 - a. other placement or wildlife management options available to the exporting state or country,
 - b. capacity and resources of the importing wildlife sanctuary,
 - c. impact to state wildlife management programs, and
 - d. any other wildlife management criteria.

Provided however, that no more than one such importation per calendar year (based on a three-year rolling average) may be approved for any wildlife sanctuary.

For the purposes of this regulation, wildlife born in captivity, even if born to wildlife taken from the wild, are not considered "taken from the wild."

Chapter W-11 - Wildlife Parks and Unregulated Wildlife

Basis and Purpose:

Following the passage of the Hunting, Fishing, and Parks for Future Generations Act (SB 18-143), the Colorado Parks and Wildlife Commission has the authority to adjust most wildlife licenses annually with the Consumer Price Index (CPI).

Consumer Price Indices for the Denver-Aurora-Lakewood metropolitan statistical area (successor to the Denver-Boulder-Greeley statistical area) are compiled by the United States Bureau of Labor Statistics. CPI figures are reported bimonthly, in addition to the average CPI for the first half of the calendar year, the average CPI for the second half of the calendar year, and the average CPI for the entire calendar year. The chart below shows the average CPI for the first half of each year.

Consumer Price Index - All Urban Consumers	
Denver-Aurora-Lakewood Metropolitan Area	
First Half 2018	260.790
First Half 2019	264.147
First Half 2020	271.264
First Half 2021	276.290
First Half 2022	300.002
First Half 2023	316.758
Annual Percentage Change (2023 Base Year)	5.6%
Cumulative Percentage Change (Rounded) (2018 Base Year)	21.5%

The CPI calculation above yields the following fees as adjusted in regulation. The fees shown in the highlighted column are the statutory caps for each license fee. The Parks and Wildlife Commission may reduce these as appropriate through the rule-making process.

License Type	Residency	2023	2023	2024	2024
		CPI Adjusted Statutory Lid	Actual Price*	CPI Adjusted Statutory Lid	Actual Price*
Zoological park license	N/A	\$172.55	\$172.55	\$182.19	\$182.19

*excludes additional surcharges and fees

**2018 base year

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 JANUARY 1, 2024, 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 ON THIS 16TH DAY OF NOVEMBER 2023.

**APPROVED:
Dallas May
Chair**

**ATTEST:
Karen Bailey
Secretary**

FINAL REGULATIONS - CHAPTER W-15 - DIVISION AGENTS

ARTICLE IV - DIVISION AGENT OPERATION AND PERFORMANCE STANDARDS

ARTICLE VI - AGENT COMMISSION RATES

#1510 - Agent Commission Rates

See also §33-4-101 C.R.S. relative to Division agents and §33-4-102(1.6)(b) C.R.S. for price indexing information for nonresident big game licenses.

- A. Commission Rates for Retail Agents:
 - 1. Division agents shall be paid a 4.75% commission for each license sold electronically, except for those licenses with commissions as shown below in Table A.4.
 - 2. Division agents shall be paid a 5% commission for each pass sold electronically.
 - 3. Division agents who sell registrations shall be paid a flat rate of \$1.00 per registration issued.
 - 4. Other Commission Rates:

Table A.4: Division Product Type	20222024 Commission	% of license price in 2022-2024	2023 Commission	% of license price in 2023
Second Rod Stamp	\$0. 64 73	6.7%	\$0.69	6.7%
Resident Fishing - 1 day	\$0. 85 98	6.7%	\$0.92	6.7%
Nonresident Fishing – 1 day	\$1.06 1.22	6.7%	\$1.16	6.7%
Fishing - 5 day	\$2.13 2.44	6.7%	\$2.31	6.7%
Resident Small Game - 1 day	\$0. 85 98	6.7%	\$0.92	6.7%
Nonresident Small Game – 1 day	\$1.06 1.22	6.7%	\$1.16	6.7%
Nonresident Deer	\$15.07 17.27	3.6%	\$16.36	3.6%
Nonresident Pronghorn	\$15.07 17.27	3.6%	\$16.36	3.6%
Nonresident Bear	\$3.67 9.00	3.6%	\$3.98	3.6%
Nonresident Mountain Lion	\$12.83 14.71	3.6%	\$13.93	3.6%
Nonresident Antlerless Elk	\$18.88 28.86	3.6%	\$27.33	3.6%
Nonresident Either-sex Elk	\$25.17 28.86	3.6%	\$27.33	3.6%
Nonresident Antlered Elk	\$25.17 28.86	3.6%	\$27.33	3.6%
Nonresident Rocky Mtn Bighorn Sheep	\$84.29 96.63	3.6%	\$91.52	3.6%
Nonresident Desert Bighorn Sheep	\$84.29 96.63	3.6%	\$91.52	3.6%
Nonresident Goat	\$84.29 96.63	3.6%	\$91.52	3.6%
Nonresident Moose	\$84.29 96.63	3.6%	\$91.52	3.6%

All ~~2022-2023~~ licenses sold through March ~~2023-2024~~ shall be sold at the ~~2022-2023~~ license fee and commission rates.

B. Commission Rates for the System Agent: The system agent shall be paid the commissions shown in the Table B.1 below for each license sold through the system:

1. Commission pricing for any CPW Commissionable Product sold through IPAWS

Table B.1: Commission Rates	IPAWS Products
a. Contractor Commission Fee percent commission rate to cover AWO System operation and maintenance cost for those products less than \$100 and not listed below in c.	3.7%
b. Contractor Commission Fee flat fee commission rate to cover AWO System operation and maintenance cost for those products \$100 or greater and not listed below in c.	\$4.25
c.1. All Wildlife Applications, regardless of Product Cost.	\$4.25
c.2. Parks variable cost products, regardless of actual Product Cost.	3.7%
Breakout Costs	
Contractor credit card fee	2.2%
Contractor fulfillment fee	\$1.45

MAILING 11/03/2023
Basis and Purpose
Chapter W-15 - Division Agents

Basis and Purpose Statement:

Updating retail agent commission rates according to inflationary increase in license prices

Previously adopted regulations set the retail agent commission at 4.75% of the license fee, except for those commissions that are fixed, as described below. Statutorily, the Commission may set these rates wherever feasible. Historically, the year-to-year Consumer Price Index (CPI) change has been used as a guideline for setting these rates. However, in 2019 CPW proposed fixed commission rates for different types of licenses (6.7% for fishing/small game, and 3.6% for nonresident big game). The fixed rates approved in 2019 yield the following retail agent commissions for the 2024 license year:

Division Product Type	2023	2023	2024	2024
	Actual Price	Commission	Proposed Price	Proposed Commission
Second Rod Stamp	\$ 10.35	\$ 0.69	\$ 10.93	\$ 0.73
Resident Fishing - 1 day	\$ 13.80	\$ 0.92	\$ 14.58	\$ 0.98
Nonresident Fishing - 1 day	\$ 17.26	\$ 1.16	\$ 18.22	\$ 1.22
Fishing - 5 day	\$ 34.51	\$ 2.31	\$ 36.44	\$ 2.44
Resident Small Game - 1 day	\$ 13.80	\$ 0.92	\$ 14.58	\$ 0.98
Nonresident Small Game - 1 day	\$ 17.26	\$ 1.16	\$ 18.22	\$ 1.22
Nonresident Deer	\$ 454.39	\$ 16.36	\$ 479.77	\$ 17.27
Nonresident Pronghorn	\$ 454.39	\$ 16.36	\$ 479.77	\$ 17.27
Nonresident Bear	\$ 110.59	\$ 3.98	\$ 250.00	\$ 9.00
Nonresident Mountain Lion	\$ 387.08	\$ 13.93	\$ 408.70	\$ 14.71
Nonresident Antlerless Elk	\$ 759.24	\$ 27.33	\$ 801.65	\$ 28.86
Nonresident Either-sex Elk	\$ 759.24	\$ 27.33	\$ 801.64	\$ 28.86
Nonresident Antlered Elk	\$ 759.24	\$ 27.33	\$ 801.64	\$ 28.86
Nonresident Rocky Mtn Bighorn Sheep	\$ 2,542.29	\$ 91.52	\$ 2,684.29	\$ 96.63
Nonresident Desert Bighorn Sheep	\$ 2,542.29	\$ 91.52	\$ 2,684.29	\$ 96.63
Nonresident Goat	\$ 2,542.29	\$ 91.52	\$ 2,684.29	\$ 96.63
Nonresident Moose	\$ 2,542.29	\$ 91.52	\$ 2,684.29	\$ 96.63

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 JANUARY 1, 2024, 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 ON THIS 16TH DAY OF NOVEMBER 2023.

APPROVED:
Dallas May
Chair

ATTEST:
Karen Bailey
Secretary

FINAL REGULATIONS - CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS**ARTICLE II - DIVISION AGENTS****#720 – AGENT COMMISSION RATES**

See also §33-4-101 C.R.S. relative to CPW agents and §33-4-102(1.6)(b) C.R.S. for price indexing information for nonresident big game licenses.

- A. Commission Rates for Retail Agents:
1. Division agents shall be paid a 4.75% commission for each license sold electronically, except for those licenses with commissions as shown below in Table A.4.
 2. Division agents shall be paid a 5% commission for each pass sold electronically.
 3. Division agents who sell registrations shall be paid a flat rate of \$1.00 per registration issued.
 4. Other Commission Rates:

Table A.4: Division Product Type	20222024 Commission	% of license price in 2022 2024	2023 Commission	% of license price in 2023
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Nonresident Desert Bighorn Sheep	\$96.63 84.29	3.6%	\$91.52	3.6%
Nonresident Goat	\$96.63 84.29	3.6%	\$91.52	3.6%

Nonresident Moose	\$96.6384.29	3.6%	\$91.52	3.6%
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All 2022 licenses sold through March 2023 shall be sold at the 2022 license fee and commission rates.

B. Commission Rates for the System Agent: The system agent shall be paid the commissions shown in the Table B.1 below for each license sold through the system:

1. Commission pricing for any CPW Commissionable Product sold through IPAWS

Table B.1: Commission Rates	IPAWS Products
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c.1. All Wildlife Applications, regardless of Product Cost.	\$4.25
c.2. Parks variable cost products, regardless of actual Product Cost.	3.7%
Breakout Costs	
Contractor credit card fee	2.2%
Contractor fulfillment fee	\$1.45

MAILING 11/03/2023
Basis and Purpose
Chapter P-7 - Passes, Permits and Registrations

Basis and Purpose:

Updating retail agent commission rates according to inflationary increase in license prices

Previously adopted regulations set the retail agent commission at 4.75% of the license fee, except for those commissions that are fixed, as described below. Statutorily, the Commission may set these rates wherever feasible. Historically, the year-to-year Consumer Price Index (CPI) change has been used as a guideline for setting these rates. However, in 2019 CPW proposed fixed commission rates for different types of licenses (6.7% for fishing/small game, and 3.6% for nonresident big game). The fixed rates approved in 2019 yield the following retail agent commissions for the 2024 license year:

Division Product Type	2023 Actual Price	2023 Commission	2024 Proposed Price	2024 Proposed Commission
Second Rod Stamp	\$ 10.35	\$ 0.69	\$ 10.93	\$ 0.73
Resident Fishing - 1 day	\$ 13.80	\$ 0.92	\$ 14.58	\$ 0.98
Nonresident Fishing - 1 day	\$ 17.26	\$ 1.16	\$ 18.22	\$ 1.22
Fishing - 5 day	\$ 34.51	\$ 2.31	\$ 36.44	\$ 2.44
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Nonresident Goat	\$ 2,542.29	\$ 91.52	\$ 2,684.29	\$ 96.63
Nonresident Moose	\$ 2,542.29	\$ 91.52	\$ 2,684.29	\$ 96.63

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 Parks Act, §§ 33-10-101 to 33-33-113, C.R.S., and specifically including, but not limited to: §§ 33-10-106 and 33-10-107, C.R.S.

EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE JANUARY 1, 2024 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 16th DAY OF NOVEMBER 2023.

APPROVED:
Dallas May
Chair

ATTEST:
Karen Bailey
Secretary

Mountain States License Fee Comparison

The following analysis compares big game license fees and opportunities for mountain states. Although general license stipulations and hunting opportunities vary by state and species, every effort has been made to compare licenses that address similar nonresident hunting opportunities. This analysis is not intended to be a comprehensive summary of all hunting opportunities in all states. For example, several states have programs closely comparable to Ranching for Wildlife, and most states issue special licenses, including disease management, auction/raffle and landowner licenses. This analysis is intended to compare licenses generally available to average non-residents on an over-the-counter or draw basis.

Fee Chart

	Colorado (2023)	*Average	Arizona	Idaho	Montana	Nevada	N.Mex.	Wyoming	Utah
Elk (Bull)	\$760.99	\$723.63	\$650.00	\$651.75	□\$1,023.00	\$1,200.00	\$535.00	\$692.00	\$613.00
Elk (Cow)	\$760.99	\$464.25	\$650.00	\$651.75	\$275.00	\$500.00	\$535.00	\$288.00	\$350.00
Deer (Buck)	\$ 456.14	\$325.63	\$300.00	\$351.75	□\$709.00	\$240.00	\$270.00	\$374.00	\$418.00
Deer (Doe)	\$ 456.14	\$199.11	\$300.00	\$351.75	\$80.00	\$240.00	\$270.00	\$34.00	\$118.00
Pronghorn (Buck)	\$456.14	\$337.82	\$550.00	\$342.75	\$205.00	\$300.00	\$270.00	\$326.00	\$371.00
Pronghorn (Doe)	\$456.14	\$259.96	\$550.00	\$342.75	\$205.00	\$300.00	\$270.00	\$34.00	\$118.00
Moose (Bull)	\$2,544.04	\$2,025.69	N/A	\$2,626.75	\$1,250.00	N/A	N/A	\$1,982.00	\$2244.00
Moose (Cow)	\$2,544.04	\$1,739.69	N/A	\$2,626.75	\$1,250.00	N/A	N/A	\$1,982.00	\$1100.00
Black Bear	\$250.00	\$293.39	\$150.00	\$231.75	\$350.00	\$300.00	\$260.00	\$373.00	\$389.00
Mountain Lion	\$388.83	\$227.75	\$75.00	\$204.50	\$320.00	\$104.00	\$290.00	\$373.00	°NA
Bighorn Sheep (Ram)	\$2,544.04	\$2,085.82	\$1,800.00	\$2,626.75	\$1,250.00	\$1,200.00	\$3,160.00	\$2,320.00	\$2244.00
Bighorn Sheep (Ewe)	\$2,544.04	\$1,618.11	\$1,800.00	\$2,626.75	\$1,250.00	\$1,200.00	\$3,160.00	\$240.00	\$1050.00
Mountain Goat	\$2,544.04	\$1,896.55	N/A	\$2,626.75	\$1,250.00	\$1,200.00	N/A	\$2,162.00	\$2244.00
Hunting License	†\$95.53	\$96.25	□\$160.00	\$185.00	\$15.00	□\$155.00	\$65.00	N/A	\$120.00
Application Fee	\$10.00	\$14.75	\$15.00	**\$18.00	**\$5.00	***\$13.00	\$13.00	\$15.00	\$16.00

License prices that exceed Colorado's price.

* Average does not include Colorado

** Application fee for Goat, Sheep and Moose is more than other species (\$45.75 for Idaho; \$50 for Montana).

*** Application fee for Elk is \$18.00 (includes \$5 elk damage fee). Application fee for all other species is \$13.

□ Hunt/fish combo license

† Colorado hunting license equals small game license (cheapest qualifying license) and \$1.75 fees (Search/Rescue & Wildlife Council)

° Utah mountain lions may be hunted with a valid hunting license.

Special Licenses	Colorado	Arizona	Idaho	Montana	Nevada	N.Mex.	Wyoming	Utah
Super Tag			\$6.00/ species	\$5.00/ chance	\$10 + \$5.00/ chance			
Superhunt Combo			\$20.00					
Elk (Quality)						\$773.00		
Limited Entry Bull Elk								\$1050.00
Elk (Special)							\$1,268.00	
Deer/Elk Combo				\$1,208				
Deer (Quality)						\$368.00		
Premium Limited Entry Buck Deer								\$670.00
Deer (Special)							\$662.00	
Pronghorn (Special)							\$614.00	
Reduced bear tag			\$41.75					
Reduced lion tag			\$41.75				\$92.00	
Habitat/Conservation/Access Stamp	\$11.50		\$10.00	\$10.00		\$14.00	\$21.50	