

CITIZEN PETITION FORM

Date: 1-5-2024

Issue: Allowing ownership of captive bred native species

Which rule are you seeking to create or revise? Please include a copy of the rule you are proposing to create or change, preferably with the change made in redline format.

Chapter 10, article 1, protected species. Seeking to remove protected species successfully being bred in captivity from being illegal to purchase or own. (captive bred)
Regulations on amount of animals owned could remain if CDOW believes it necessary to protect native populations.

Why are you seeking to create or revise this rule? Please include a general statement of the reasons for the requested rule or revision and any relevant information related to the request.

- Allowing people to legally purchase captive bred specimens would actually decrease the amount of ~~total~~ wild caught specimens because there is a legal alternative.
- Stop illegal collection of reptiles (over legal limits) due to captive-bred alternatives
- Captive bred animals are hardier + healthier than wild caught animals allowing lower mortality rates. This is over all better for the animals.
- These animals are already native to this area - no threat of them becoming invasive + affecting other populations

Species inclu

- Painted turtle
- Western Box turtle
- Side-blotched lizard
- Bullsnakes
- Racer
- West. Hognose snakes

Petitioner's name:

Samantha Wallace



Policy and Planning
6060 Broadway
Denver, CO 80216

TO: Members of the Colorado Parks and Wildlife Commission
FROM: Jeff Davis, Director Colorado Division of Parks and Wildlife
RE: Division's recommendation to deny a citizen petition for rulemaking regarding private ownership of captive bred native species.
DATE: August 8, 2025

On January 5, 2024, an individual filed a citizen petition for rulemaking pursuant to Commission Rule #1606 captioned "Allowing ownership of captive bred native species."

I recommend the Commission deny the petition.

The Commission's citizen petition policy states "If the Division opposes the petition, Division staff will recommend placing the petition on the consent agenda for denial with a memo from the Director or Division personnel explaining such opposition."

If the Commission adopts this recommendation, this memo will evidence its rationale.

Overview of the Petition

The petition seeks to amend Chapter W-10 (Nongame Wildlife) by liberalizing CPW's current regulations governing the possession and sale of certain nongame reptiles. No redline of the proposed changes was provided.

The petition seeks to remove current prohibitions on the possession and sale of the following nongame reptiles:

1. Painted Turtles
2. Ornate Box Turtles (referred to in the petition as Western Box Turtles)
3. Common Side-Blotched Lizards
4. Gopher Snakes (referred to in the petition as Bull Snakes, which are a subspecies of Gopher Snakes)
5. North American Racer Snakes
6. Plains Hog-Nose Snakes (referred to in the petition as Western Hognose Snakes).

(collectively, the "Six Species").



Overview of CPW's Current Regulations

Sale - Current laws prohibit the sale of the Six Species, regardless of whether they are taken from the wild or captive bred. See § 33-2-104(3), CRS ("Except as provided in regulations issued by the commission, it is unlawful for any person to take, possess, transport, export, process, sell or offer for sale, or ship nongame wildlife deemed by the commission to be in need of management pursuant to this section [regarding nongame wildlife]."), and Rule #1004.A. ("Nongame species ... are protected and their harassment, taking or possession is prohibited...").

The petition seeks a rule amendment that would allow the purchase and sale of captive-bred specimens of the Six Species.

Possession - CPW's current regulations allow individuals to take up to four of each of the Six Species from the wild annually, provided no person may possess more than twelve of each of species at any given time.

The petition appears to seek a rule amendment that would remove any limit on the number of captive bred specimens of the Six Species an individual may possess at any given time.

Reasons to Deny the Petition

As will be explained at the August Commission meeting, the Division has formed an internal work group to consider regulatory changes concerning reptile collections. This work group has considered some of the issues raised in the petition. At the August Commission meeting the Division will explain its preliminary schedule and course of action for potential regulatory changes, including stakeholder outreach. This process will likely occur over the next 8 or 9 months and it would be premature to make any of the regulatory changes requested in the petition.

CPW's current Chapter W-10 regulations authorize individuals to possess a limited number of certain nongame reptile species taken from the wild. Such regulations should remain in place until the reptile collection process described above yields a comprehensive suite of recommendations for the Commission to consider.

Very truly yours,



Jeff Davis, Director