



# 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: October 9, 2025 Parks and Wildlife Commission Meeting Regulatory Items  
DATE: September 26, 2025

The regulatory items detailed below are scheduled to be addressed at the Colorado Parks and Wildlife Commission's October 9, 2025 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](mailto:hilary.hernandez@state.co.us).

### FINAL REGULATIONS

#### **Agenda Item 10: Chapter W-17 - "Damage Caused by Wildlife" 2 CCR 406-17 (Step 2 of 2)**

Open for review of regulations pertaining to allowing producers acting under the direction of a licensed veterinarian to receive reimbursement for labor expenses for the treatment of livestock and livestock guard and herding animals injured by gray wolves.

### ISSUES IDENTIFICATION

#### **Agenda Item 11: Chapter W-11 - "Wildlife Parks and Unregulated Wildlife" 2 CCR 406-11, and those related provisions of Chapter W-0 ("General Provisions" 2 CCR 406-0), Chapter W-2 ("Big Game" 2 CCR 406-2), and Chapter W-17 ("Damage Caused by Wildlife" 2 CCR 406-17) necessary to accommodate changes to or ensure consistency with Chapter W-11 (Step 1 of 2)**

Open for review of regulatory changes to implement SB 25-053 (Concerning the classification of bison as wildlife unless classified as livestock), including rules differentiating between wild bison as big game and domestic bison, the future regulated hunting of wild bison, and the payment of compensation for damage caused by wild bison.

### CONSENT AGENDA

#### FINAL REGULATIONS

#### **Agenda Item 3.1: Chapter W-3 - ("Furbearers and Small Game, Except Migratory Birds" 2 CCR 406-3 (Step 1 of 1)**

Open for a cleanup of a clerical error to regulation #304 with the regulatory filings between the January and March 2025 commission meetings to remove the ability to hunt coyotes on an unfilled big game license.



**Agenda Item 3.2: Chapter W-9 - "Wildlife Properties" 2 CCR 406-9 (Step 1 of 1)**

Open for final consideration to remove Aldrich Gulch State Trust Lands from the State Trust Land Hunting and Fishing Access Program, and three minor administrative cleanups to correct errors on other properties.

## FINAL REGULATIONS - CHAPTER 17 - DAMAGE CAUSED BY WILDLIFE

**Note:** Amendments to the Rules are added in red text and deletions are in red text with strikethrough.

## ARTICLE XVI – Damage Caused By Gray Wolves

## #17162 – Overview of Gray Wolf Damage Claims, \$15,000 Limitations and Filing

## A. Overview

1. Section 33-2-105.8, CRS, requires the Commission to oversee the distribution of state funds that are made available to “[p]ay fair compensation to owners of livestock for any losses of livestock caused by gray wolves. . . .” § 33-2-105.8(2)(e)(2), CRS. This Article XVI implements this requirement through the codification of Base Compensation Claims and two Optional Claims, referred to as Ratio Claims and Itemized Claims.
2. Regardless of what claim or claims agricultural producers rely on to seek compensation for damage caused by gray wolves, eligibility for compensation is limited to the fair market value of the animals at issue in the claim, up to \$15,000 per head of livestock, and up to \$15,000 per livestock guard or herding animal.
3. In addition to damages associated with injury or death, livestock producers are eligible to receive reimbursement for expenses paid to a licensed veterinarian for the treatment of livestock, livestock guard animals and livestock herding animals injured by gray wolves, including professional fees and medical supplies, and hourly labor expenses and medical supply expenses incurred while carrying out a treatment plan prepared by a licensed veterinarian. ~~compensation for veterinarian expenses and medical supplies. Only expenses from licensed veterinarians are eligible for reimbursement.~~ Such expenses are limited to \$15,000 or the fair market value of the animal, whichever is lower.
4. Base Compensation Claims make owners of livestock eligible to receive state funds for the injury or death of such animals caused by gray wolves. Although not required by statute, such claims also make claimants eligible to receive state funds for livestock guard and herding animals injured or killed by gray wolves. Base Compensation Claims require claimants to, among other things, present physical evidence demonstrating that gray wolves were the actual cause of injury or death to each animal identified in the claim, such as evidence regarding the type and location of wounds on a carcass.
5. These rules also codify two additional, optional claims for claimants to seek compensation for damage caused by gray wolves (Optional Claims). Optional Claims are only available where the claimant experienced a prior Confirmed Wolf Depredation to sheep or domestic cattle. Optional Claims do not require claimants to prove gray wolves were the actual cause of injury or death to each and every animal identified in the claim, and one of the optional claims makes claimants eligible to receive compensation for Indirect Losses.
6. A Ratio Claim under #17169 is an Optional Claim. Ratio Claims enable claimants to seek compensation for multiple missing calves, yearlings or sheep relative to each Confirmed Wolf Depredation experienced by the claimant. Different ratios apply depending on whether the claimant practiced Nonlethal Conflict Minimization prior to the loss. Indirect Losses are not compensable under a Ratio Claim.
7. An Itemized Claim under #17170 is the other Optional Claim. Itemized Claims enable claimants to seek compensation for all missing calves, yearlings or sheep that the claimant reasonably believes were taken by gray wolves, but only to the extent the number of documented missing calves, yearlings or sheep claimed exceeds the average

number of such animals the claimant lost due to causes other than gray wolf depredation in the three years preceding the first Confirmed Wolf Depredation experienced by the claimant. Additionally, Itemized Claims enable claimants to seek compensation for Indirect Losses.

8. Claimants may choose to pursue only Base Compensation Claims. Or claimants may pursue a Base Compensation Claim and, in their discretion, may also pursue either a Ratio Claim or an Itemized Claim, but not both of these Optional Claims.
9. Itemized Claims accrue over the course of a calendar year, require claimants to provide additional paperwork in support of such claims, and require additional analysis by the Division. Therefore, these rules establish the deadline for claimants to file Itemized Claim forms on or before the last day of December of the calendar year when the losses at issue were sustained. Doing so allows Itemized Claims to accrue and enables claimants to gather the documents and information necessary to support such claims. Claimants may only file one Itemized Claim annually. However, claimants may file multiple Base Compensation Claims and Ratio Claims throughout the year and must do so within the ninety (90) day deadline codified in § 33-3-107(2), CRS, *i.e.*, within 90 days of the Division's receipt of claimant's last Notice of Loss. Provided, however, the claimant may elect to delay filing a Proof of Loss form for a base compensation claim or a ratio claim up to and including December 31 for the year when the losses were sustained by signing a Notice of Election to File Annual Claim for Gray Wolf Depredation form provided by the Division.

#### B. Filing

These rules require claimants to file notices, claim forms, and supporting documents with the Division by providing such documents to the "relevant CPW Area Office" in paper or electronic form. The relevant CPW Area Office means the office having administrative responsibility over some or all of the lands where the damage at issue occurred as shown on the Areas, Districts and Office Locations map on the CPW website, available at [https://cpw.state.co.us/learn/Maps/CPW\\_Districts.pdf](https://cpw.state.co.us/learn/Maps/CPW_Districts.pdf). If the lands where the damage at issue occurred span more than one such area, the claimant should file all papers with the CPW Area Office having authority over the lands where the majority of or the most severe damage occurred. Claimants shall only file papers with one area office.

#### **#17171 – Valuation of Gray Wolf Damage Claims; Supporting Documents**

- A. Payment of gray wolf damage claims will be based on sales receipts or sales contracts when copies of such documents are filed with the Proof of Loss for Base Compensation Claims, or with the Ratio or Itemized Claim forms for Optional Claims. Expenses such as transportation, yardage, feed costs at sales yards, and sales commissions are not eligible for payment.
- B. Where such receipts or contracts are not submitted to the Division, the following methods shall be used:
  1. Payment of adult range sheep claims for each age class, other than running age ewes, will be based on the prices in the USDA Agricultural Marketing Service reports from the September preceding the date of the loss or damage. Payment for running-age ewes (ewes between the ages of 2 and 5 years old) will be determined by the following formula: The value shall equal the price received for lambs based on contracts or the average weekly sale price from the USDA Agricultural Marketing Service report from the last week of September plus 50% of the above value. (Example: Fall lambs at \$90 Plus 50% = \$90 + \$45 or \$135, total value of each running-age ewe.)

2. Payment of lamb claims will be based on the average sale price shown in the weekly USDA Agricultural Marketing Service report for the last week of the September preceding the date of the loss or damage.
  3. Payment of calf claims will be based on the average sale price shown in the monthly update published by the USDA Agricultural Marketing Service for the month of the October preceding the date of the loss.
  4. Payment of claims for decreased weights of sheep or domestic cattle shall be measured by the difference between the average weight of such animals in the claim year at the time of sale versus the average weight of such animals at the time of sale in the three years preceding the confirmed wolf depredation.
  5. Payment of claims for decreased conception rates of sheep shall be measured by the difference between an unbred sheep and a bred sheep based on the average sale price shown in the weekly USDA Agricultural Marketing Service report for the last week of the September preceding the date of the loss.
  6. Payment of claims for decreased conception rates of domestic cattle shall be measured by the difference between an unbred cow and a bred cow based on the average sale price shown in the weekly USDA Agricultural Marketing Service report for the last week of the October preceding the date of the loss.
  7. Payment of all other claims will be based on the fair market value at the time of the loss for the type, age and weight of the animal involved.
- C. For good cause shown, a claimant may establish the value of losses of livestock and, where compensable, livestock guard and herding animals, by reliable means other than those shown above. The claimant shall be required to establish by a preponderance of evidence that the valuation methods listed above are inappropriate for the claim submitted and that the method of valuation requested represents the fair market value of claimant's loss.
- D. In addition to damages associated with injury or death, livestock producers are eligible to receive reimbursement for expenses paid to a licensed veterinarian for the treatment of livestock, livestock guard animals and livestock herding animals injured by gray wolves, including professional fees and medical supplies, and hourly labor expenses and medical supply expenses incurred while carrying out a treatment plan prepared by a licensed veterinarian. Claims for hourly labor expenses and medical supply expenses incurred while carrying out a treatment plan prepared by a licensed veterinarian shall be accompanied by veterinarian directions, documented hours spent complying with the directions, and receipts for medical supplies. Hourly labor expenses are limited to \$20 an hour. Claims for veterinarian expenses shall be accompanied by invoices and/or evidence of payment. Reimbursement authorized by this rule shall not exceed \$15,000 or the fair market value of the animal, whichever is lower. ~~compensation for veterinarian expenses and medical supplies. Claims for veterinarian expenses and medical supplies shall be accompanied by invoices and/or evidence of payment. Only expenses from licensed veterinarians are eligible for reimbursement. Such expenses are limited to \$15,000 or the fair market value of the animal, whichever is lower.~~

**Basis and Purpose:**

Colorado voters approved Ballot Initiative 114 in the November 2020 state election. The measure is now codified § 33-2-105.8, CRS, as amended by HB 21-1243. The law directs the Commission to restore the gray wolf (*Canis lupus*) to the state and, among other things, oversee the distribution of state funds that are made available to “[p]ay fair compensation to owners of livestock for any losses of livestock caused by gray wolves....” § 33-2-105.8(2)(e), CRS.

In May 2023, the Commission adopted regulations concerning payment of compensation for livestock damage caused by wolves, including a rule making livestock producers eligible to receive reimbursement for expenses paid to licensed veterinarians for the treatment of livestock and related medical supplies. Livestock producers were eligible to be reimbursed for such expenses only if they were paid to a licensed veterinarian.

During the May, 2025 Commission meeting, a producer brought a claim for veterinarian expenses incurred because of confirmed gray wolf damage that included a request for reimbursement for his own time spent implementing the directions for care provided by a veterinarian. He argued that it would have been wasteful and burdensome for him to bring his injured animal to the veterinarian rather than to care for it himself at the direction of a veterinarian, and that his decision to take the less burdensome and more cost-effective route should not be punished through the denial of his claim. However, the original regulation specified, “Only expenses from licensed veterinarians are eligible for reimbursement.” 2 CCR 406-17:17171(D). As this situation illustrates, this incentivizes producers to bring their injured animal to a veterinarian, or to call a veterinarian to their ranch, where doing so would be more costly than caring for the animal themselves at the direction of a veterinarian. An amendment allowing reimbursement for labor incurred for the purpose of implementing the instructions of a licensed veterinarian would address this issue.

The issue of labor expenses incurred to care for animals wounded by gray wolves at the direction of a veterinarian was not considered by the Commission at the time the original rule was adopted, thus, the omission appears to be an oversight for which a corrective amendment is proper. Importantly, this amendment will benefit both producers, by allowing them to receive reimbursement for labor expenses, and the Division by incentivizing producers to choose the most cost-effective means to care for wounded animals. However, reimbursement for producer labor should be limited to this one issue. This rule amendment does not extend to mileage, meals or travel costs.

The statements of basis and purpose for these regulations can be viewed and copies obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager, Policy and Planning Unit, 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 DECEMBER 1, 2025 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 9TH DAY OF OCTOBER 2025.**

**Approved:  
Richard Reading  
Chair**

**Attest:  
Eden Vardy  
Secretary**