Updating CPW's Herpetofauna Regulations

Herp Regulation Team:

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Parks and Wildlife Commission
Pueblo, August 2025

Photo: H. Johnson

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Current Herp Regulations

Where are CPW's current regulations pertaining to Herpetofauna found?

- Chapter 0 – Possession of aquatic wildlife, live capture of snapping turtles
- Chapter 1 – Use as bait
- Chapter 2 - Consumptive use (snapping turtles)
- Chapter 10 – Nongame wildlife, collection
- Chapter 11 – Commercial use, controlled
- Chapter 13 – Live possession under Scientific Collection permit
- Chapter 14 - Rehabilitation

Photo: D. Neubaum

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Current Herp Regulations

Chapter 10 allows up to 4 individuals of each of the following 17 species of reptiles and amphibians to be taken annually and held in captivity, provided that no more than 12 in the aggregate are possessed at any time.

- Plains spadefoot
- Woodhouse's toad
- Boreal chorus frog
- Painted turtle
- Ornate box turtle
- Common sagebrush lizard
- Ornate tree lizard
- Common side-blotched lizard
- Prairie lizard
- Plateau fence lizard
- Gopher snake
- Terrestrial gartersnake
- Plains gartersnake
- Common lesser earless lizard
- Tiger whiptail
- North American racer
- Plains hog-nosed snake

Photo: H. Johnson

Current Herp Regulations

Currently allow:

- Anyone to collect native herps from Chap 10 list, resident or otherwise, including noncommercial breeding
- Possess variations of venomous snakes (rear fanged)
- Native herps can be released back into the wild
- Some amphibians can be used as fish bait
- Animals can be exported out of CO
- Chapter 11 allows commercial wildlife parks & captive bred herps (not from wild)

SWAP Reptile list

8 Tier 2 Species:

- Colorado checkered whiptail
- Desert massasauga
- Eastern hog-nosed snake
- Ornate box turtle
- Round-tailed horned lizard
- Hernandez's short-horned lizard
- Long-nosed leopard lizard
- Plains hog-nosed snake

Photo: D. Neubaum

11 SGIN:

- Common garter snake
- Black-necked garter snake
- Midget-faded rattlesnake
- Texas horned lizard
- Lesser earless lizard
- Smooth softshell turtle
- Yellow mud turtle
- Common checkered whiptail
- Texas blind snake
- Smith's blind snake
- Mesa Verde night snake

SWAP Amphibian list

2 Tier 1 Species:
- Boreal toad
- Northern leopard frog

1 Tier 2 Species:
- Western narrow-mouthed toad

3 SGIN:
- Canyon tree frog
- Great basin spadefoot
- Wood frog

Photos: D. Neubaum

Recent Petitions

Requests to:

- Deregulate popular species
- Breed and sell captive bred native species
- Possess variations of venomous snakes (rear fanged)
- Ensure safe husbandry of captive animals

Plains hog-nosed snake

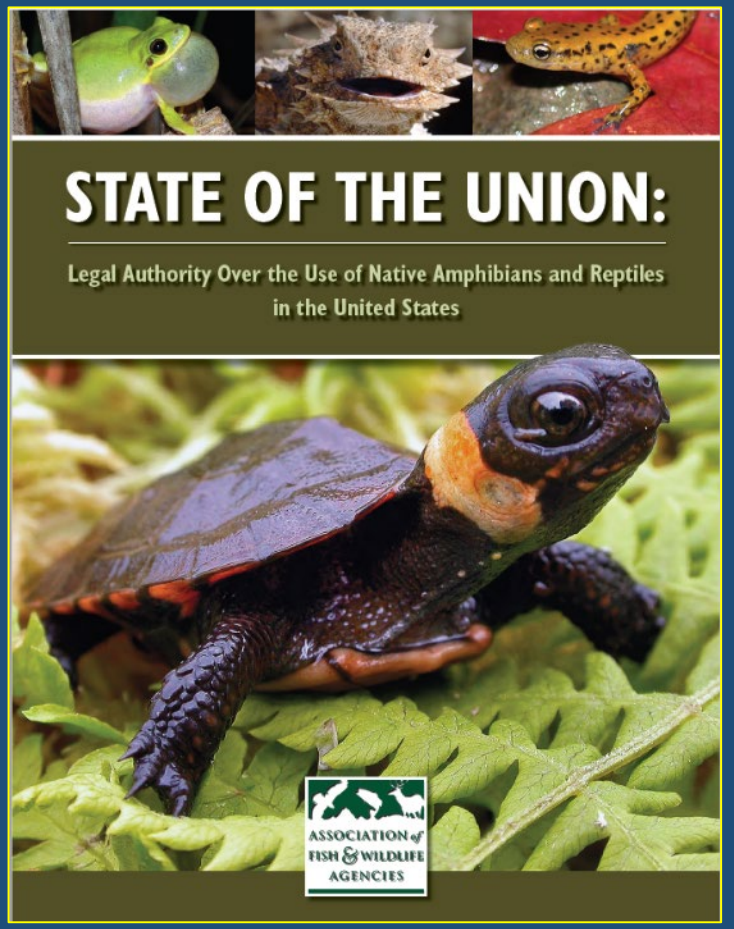
What are other states doing?

Association of Fish & Wildlife Agency summary:

- 96% of states allow collections
- Recent trend has been to tighten collection restrictions based on concerns over growth in Herpetofauna trade and trafficking

Western States:

- Range from no collections of native species (WA) to broad collection of species with high numbers (AZ)



Herpetofauna Issues

Illegal Trafficking of Herps:

- Ornate box turtles, hognose snakes

Over collection of popular or trendy species:

- Social media changed the playing field (e.g. unusual leucistic color morph of hognose snake led to a collection frenzy).
- Unknown how many native herps are collected each year, currently no way of tracking

Herpetofauna Issues

Invasive Species

- Defining invasive herps such as bullfrogs and red-eared sliders

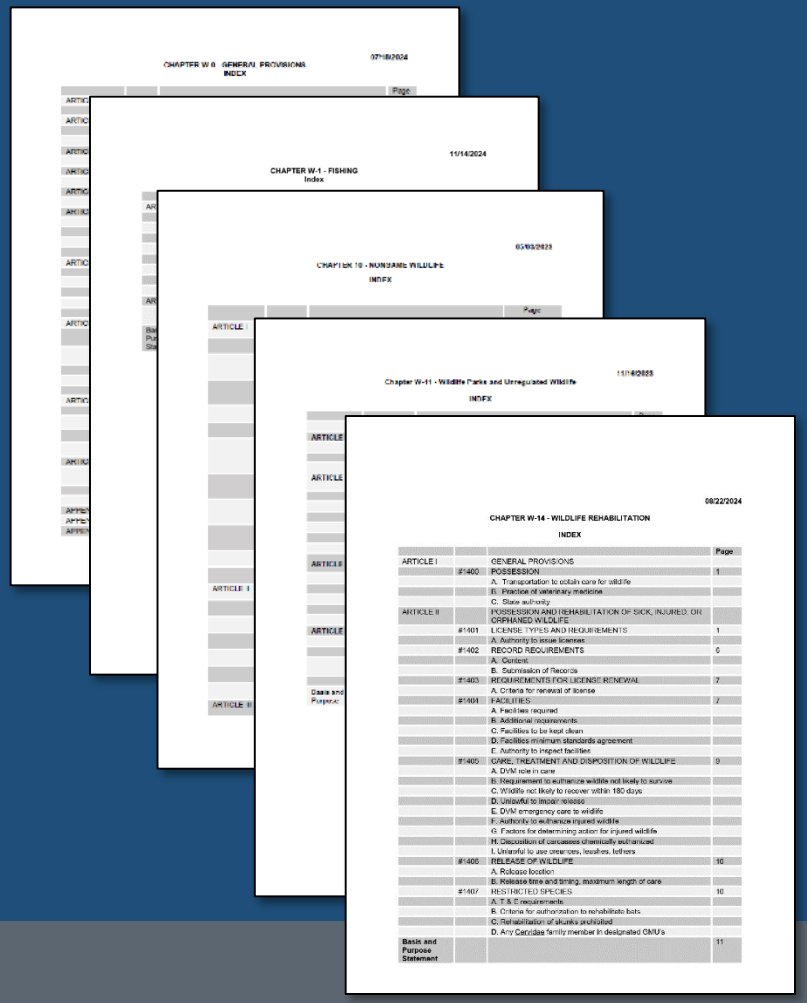
Disease

- Multiple diseases tied to amphibians and reptiles spreading in N.A. (e.g., Chytrid fungus, Ranaviruses)

Problems with Existing Regulations

Confusing regulations that are hard to find by public and can be contradictory

- Occur in 7 different Chapters
- Terminology is confusing
  - Venomous, does this include rear fanged species?
  - Unregulated vs. regulated?



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Problems with Existing Regulations

Regulations currently hard to enforce by officers

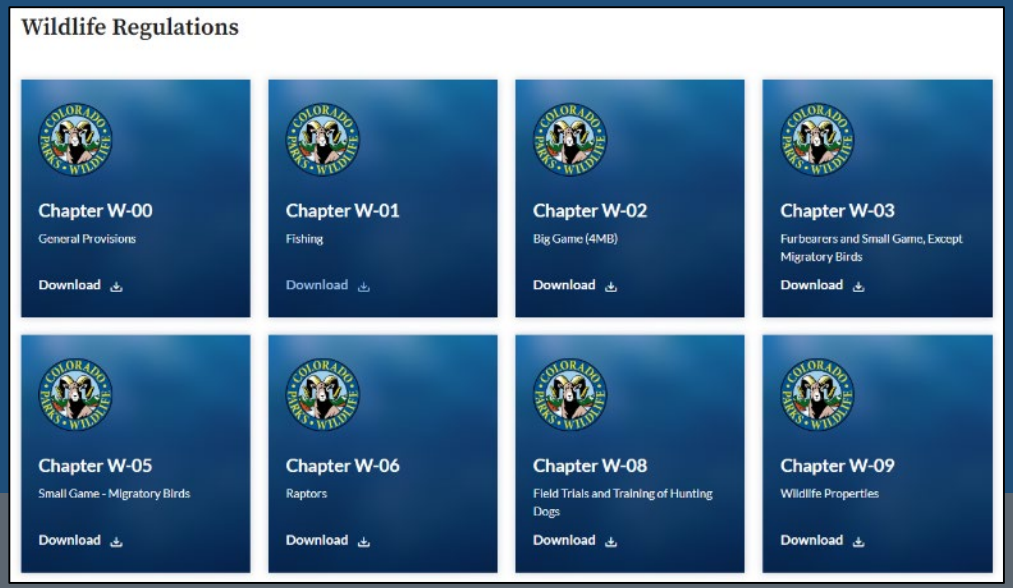
- E.g. Corn, milk, and king snakes sold in pet stores despite being regulated native species to CO

Photo: K. Young

Potential Recommendations

A number of changes to be considered regardless of where we land with permits and reporting options

- Create a new stand alone Herpetofauna Chapter
  - Other than small numbers of birds collected for falconry, herps are the only native taxa allowed for live collection from the wild
  - Putting as many of the regulations in one place as possible will make it easier to get the correct information to staff and public



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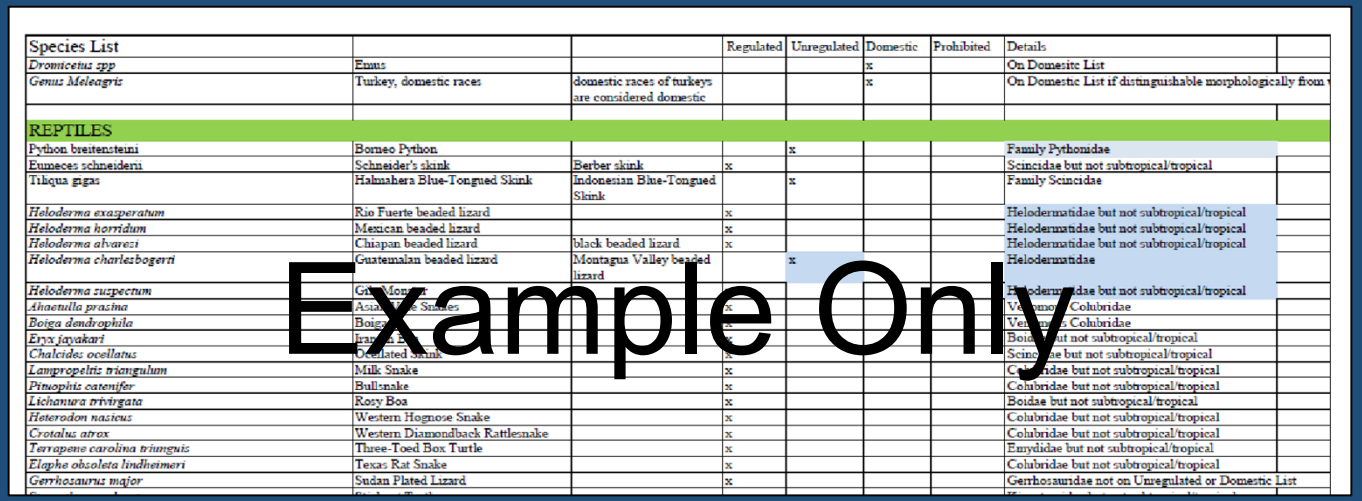
Potential Recommendations

Improve access to regulations by adding resources to the CPW webpage:

- Provide basic summary of herp regulations and terminology on webpage for public, link to detailed regulations
- List regulated & unregulated species clearly, periodically update list



Species List			Regulated	Unregulated	Domestic	Prohibited	Details	
Dromiceus spp	Emus				x		On Domesitc List	
Genus Meleagris	Turkey, domestic races	domestic races of turkeys are considered domestic			x		On Domestic List if distinguishable morphologically from	
REPTILES								
Python breitensteini	Borneo Python			x			Family Pythonidae	
Eumeces schneideri	Schneider's skink	Berber skink	x				Scincidae but not subtropical/tropical	
Tiliqua gigas	Halmahera Blue-Tongued Skink	Indonesian Blue-Tongued Skink		x			Family Scincidae	
Heloderma exasperatum	Rio Fuerte beaded lizard		x				Helodermatidae but not subtropical/tropical	
Heloderma horridum	Mexican beaded lizard		x				Helodermatidae but not subtropical/tropical	
Heloderma alvarezi	Chiapan beaded lizard	black beaded lizard	x				Helodermatidae but not subtropical/tropical	
Heloderma charlesbogerti	Guatemalan beaded lizard	Montagua Valley beaded lizard		x			Helodermatidae	
Heloderma suzpectum	Gila Monster						Helodermatidae but not subtropical/tropical	
Ahaetulla prasina	Asian [illegible] Snakes		x				Ve[illegible] Colubridae	
Boiga dendrophila	Boiga [illegible]						Ve[illegible] Colubridae	
Eryx jayakari	Jra[illegible]						Boi[illegible]ut not subtropical/tropical	
Chalcides ocellatus	Ocellated Skink						Scinc[illegible]e but not subtropical/tropical	
Lampropeltis triangulum	Milk Snake		x				C[illegible]ridae but not subtropical/tropical	
Pituophis catenifer	Bullsnake		x				Colubridae but not subtropical/tropical	
Lichanura trivirgata	Rosy Boa		x				Boidae but not subtropical/tropical	
Heterodon nasicus	Western Hognose Snake		x				Colubridae but not subtropical/tropical	
Crotalus atrox	Western Diamondback Rattlesnake		x				Colubridae but not subtropical/tropical	
Terrapene carolina triunguis	Three-Toed Box Turtle		x				Emydidae but not subtropical/tropical	
Elaphe obsoleta lindheimeri	Texas Rat Snake		x				Colubridae but not subtropical/tropical	
Gerrhosaurus major	Sudan Plated Lizard		x				Gerrhosauridae not on Unregulated or Domestic List	

Example Only

Potential Recommendations

Regs could be changed to allow for a **limited subset of native** species already bred and sold in pet stores for decades to be done legally.

- Corn, milk, and king snakes
- Citizens that currently possess one of these snakes would be required to register the animal "legacy permit" in case investigators need verification of acquisition in the future. New purchases will require a receipt or donation certificate if gifted.
- These species would not be allowed for wild collection.

Photo: Petco

Photo: K. Urbanek

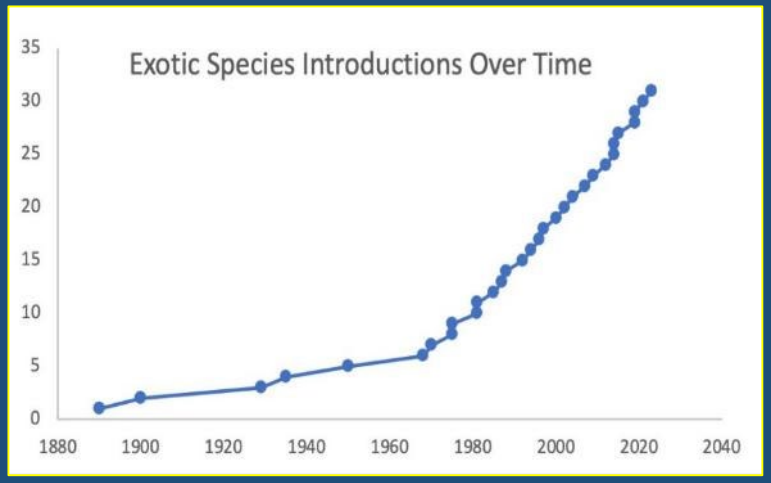
Photo: M. Pingleton

Potential Recommendations

No release of any captive herpetofauna (native or exotic)

- Addresses growing concerns over herp diseases
- Concerns tied to dilution of unique genetics
- Reduces invasive species or native species being placed in incorrect ranges

Photo: Tri County Wildlife Care, CA



Hansen & Shedd 2025

Photo: H. Johnson

Potential Recommendations

Rehoming:

- Work with pet stores and shelters to temporarily house confiscated animals or those turned in for rehoming when the owner can no longer care for the animal.
- Grants can be secured to help cover costs of care by participating facilities
- E.g. RescueMe.org
- Permit required for new owner

Photo: H. Glass

Collection & Reporting Alternatives

Alternative 1

- Limited Native Herp Collection: No permit required - ”As Is”, but includes modifications suggested above (e.g., new chapter, “No release”, website materials)

Alternative 2

- Limited Native Herp Collection with Permit, and Fee: $10 Online permit required, reporting requirement, and includes modifications suggested above

Alternative 3

- No Native Herp Collection: Includes some modifications suggested above

Alternative 1: Limited Herp Collection - No permit or reporting required to collect from the wild ("As is")

Still some changes:

- Only CO residents can collect native CO herpetofauna
- Clarity on pet trade species vs. native herps
- No release policy helps with disease concerns

❑ Pros:

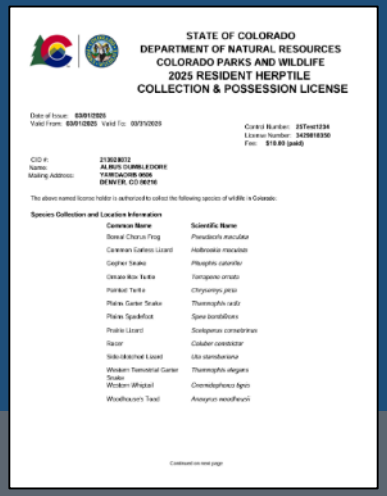
- Administratively easy
- Simple for public

❑ Cons:

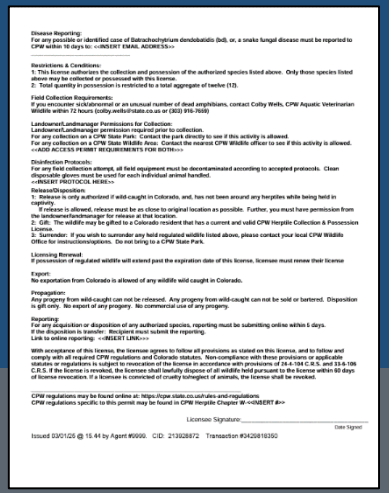
- Tougher to enforce
- No data, unknown if collection pressures are a problem
- No requirement mechanism for education of herp issues so public participation is likely to be lower
- Legacy reporting needed

Alternative 2: Limited Herp Collection - Requires an education course, annual collection permit, and mandatory reporting of native animals taken from the wild

- ❑ Pros:
  - Only CO residents can collect native CO herpetofauna
  - Allows for numbers of animals collected each year to be tracked
  - Provides information on species occurrence
  - Mandatory education course
  - Encourages “herping” as an alternative
- ❑ Cons:
  - Fee required ($10)
  - Time commitment of public
  - Agency resources required
  - Legacy reporting needed



STATE OF COLORADO
DEPARTMENT OF NATURAL RESOURCES
COLORADO PARKS AND WILDLIFE
2025 RESIDENT HERPTILE
COLLECTION & POSSESSION LICENSE



Disease Reporting:
For any possible or identified case of Batrachochytrium dendobatidis (bd), or, a snake fungal disease must be reported to CPW within 10 days to: <<INSERT EMAIL ADDRESS>>

Restrictions & Conditions:
1: This license authorizes the collection and possession of the authorized species listed above. Only those species listed above may be collected or possessed with this license.
2: Total quantity in possession is restricted to a total aggregate of twelve (12).

Field Collection Requirements:
If you encounter sick/abnormal or an unusual number of dead amphibians, contact Colby Wells, CPW Aquatic Veterinarian Wildlife within 72 hours (colby.wells@state.co.us or (303) 916-7699)

Landowner/Landmanager Permissions for Collection:
Landowner/Landmanger permission required prior to collection.
For any collection on a CPW State Park: Contact the park directly to see if this activity is allowed.
For any collection on a CPW State Wildlife Area: Contact the nearest CPW Wildlife officer to see if this activity is allowed.
<<ADD ACCESS PERMIT REQUIREMENTS FOR BOTH>>

Disinfection Protocols:
For any field collection attempt, all field equipment must be decontaminated according to accepted protocols. Clean disposable gloves must be used for each individual animal handled.
<<INSERT PROTOCOL HERE>>

Release/Disposition:
1: Release is only authorized if wild-caught in Colorado, and, has not been around any herptiles while being held in captivity.
If release is allowed, release must be as close to original location as possible. Further, you must have permission from the landowner/landmanger for release at that location.
2: Gift: The wildlife may be gifted to a Colorado resident that has a current and valid CPW Herptile Collection & Possession License.
3: Surrender: If you wish to surrender any held regulated wildlife listed above, please contact your local CPW Wildlife Office for instructions/options. Do not bring to a CPW State Park.

Licensing Renewal:
If possession of regulated wildlife will extend past the expiration date of this license, licensee must renew their license

Export:
No exportation from Colorado is allowed of any wildlife wild caught in Colorado.

Propagation:
Any progeny from wild-caught can not be released. Any progeny from wild-caught can not be sold or bartered. Disposition is gift only. No export of any progeny. No commercial use of any progeny.

Reporting:
For any acquisition or disposition of any authorized species, reporting must be submitting online within 5 days.
If the disposition is transfer: Recipient must submit the reporting.
Link to online reporting: <<INSERT LINK>>

With acceptance of this license, the licensee agrees to follow all provisions as stated on this license, and to follow and comply with all required CPW regulations and Colorado statutes. Non-compliance with these provisions or applicable statutes or regulations is subject to revocation of the license in accordance with provisions of 24-4-104 C.R.S. and 33-6-106 C.R.S. If the license is revoked, the licensee shall lawfully dispose of all wildlife held pursuant to the license within 60 days of license revocation. If a licensee is convicted of cruelty to/neglect of animals, the license shall be revoked.

CPW regulations may be found online at: https://cpw.state.co.us/rules-and-regulations
CPW regulations specific to this permit may be found in CPW Herptile Chapter W-<<INSERT #>>

License Signature:_____
Date Signed

Issued 03/01/25 @ 15:44 by Agent #9999. CID: 213928872 Transaction #3428818392

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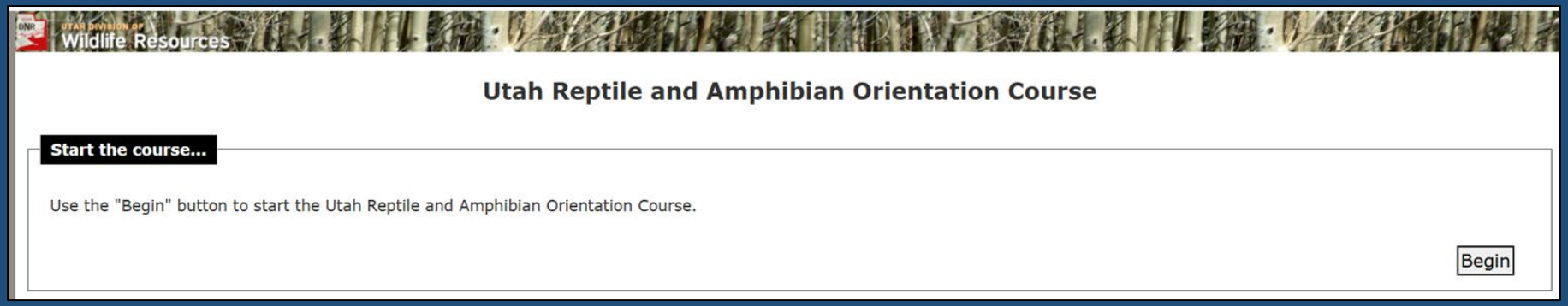
Educational Component

Short but mandatory online training course to get a collection permit.

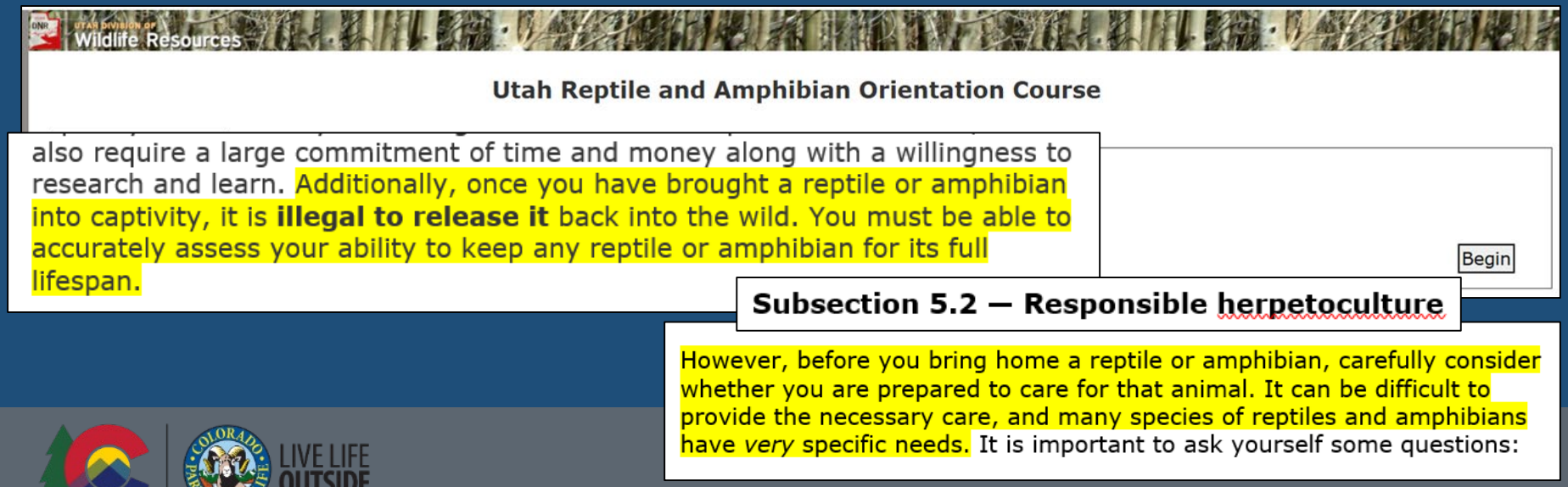
- UT DWR uses a similar approach and it does a nice job of reinforcing educational material & regulations to make expectations clear.
- Takes user 30 minutes to complete and get permit.



Educational Component

Online Training:

- Provides opportunity to reinforce the **No Release** policy which makes collector think about the long-term commitment they are making
- Offers opportunity to clarify terminology
- Reinforces which species can or can't be collected
  - Which species pet stores can legally sell



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Educational Component

- Explains rehoming options
- Encourages “Herping” as an alternative to collection
- Provides good practices for “Herping” to minimize negative impacts to the habitat and animals
- Prevents disease spread by sharing information & decontamination protocols. Public can help identify disease outbreaks by reporting to wildlife agency or parcplace.org!

Utah DWR Herp Reporting form

Amphibian & Reptile Capture Report

A valid Utah Amphibian/Reptile Capture Permit is required to collect and possess any protected amphibian or reptile.

For more information please read the Amphibian & Reptile CIP Administrative Rule.

You may report up to three capture events* for either amphibian species **OR** reptile species. If you need to report both amphibian and reptile, or more than three of each, you may need to complete this form multiple times.

*A capture event is the capture of the same species, in the same county on the same date. Example:

You capture five Tiger Salamanders in Weber County on July 1, then you may report that as one capture event

You capture three Tiger Salamanders in Weber County on July 1 and three more in Weber County on July 2, then you would report that as two separate capture events.

You capture five Tiger Salamanders in Weber County and three more in Davis County all on July 1, then you would report that as two separate capture events.

DWR customer ID number*

Required field

This can be found just below your name on any license or permit issued by the DWR

Email*

Herpetology license number*

This can be found on your herpetology collection license on the line labeled "CODE/LICENSE"

I am reporting:*

○ Amphibian capture ○ Reptile capture

Submit

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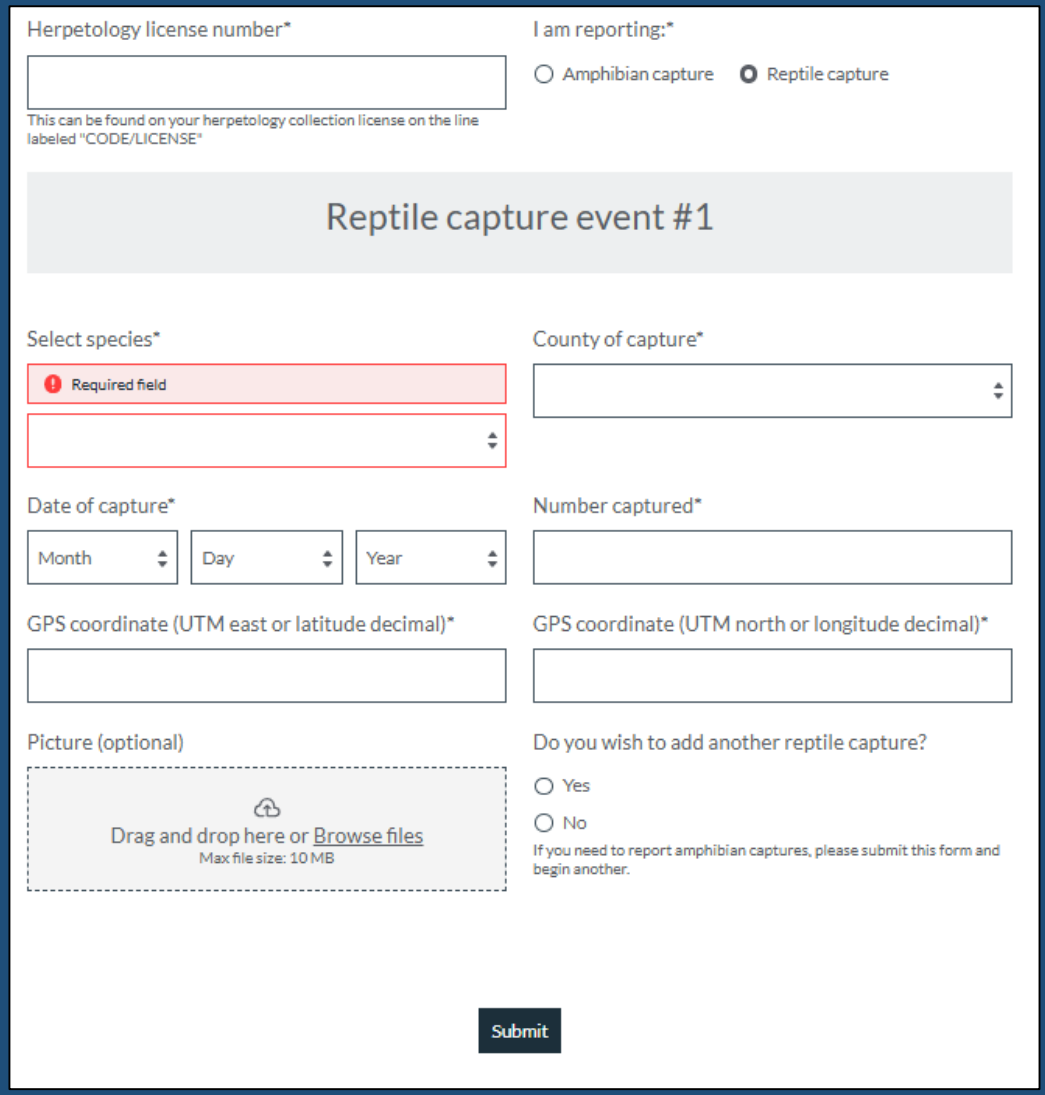
https://utahdwr.formstack.com/forms/herp_capture_report

Reporting a capture/collection is easy

- Drop down with species list (if they don't see their species, its not allowed)
- Picture provides species verification and acts as a voucher
- Add a map that lets the reporter zoom in to collection location and upon selecting spot, coordinates populate (eliminates mistakes)



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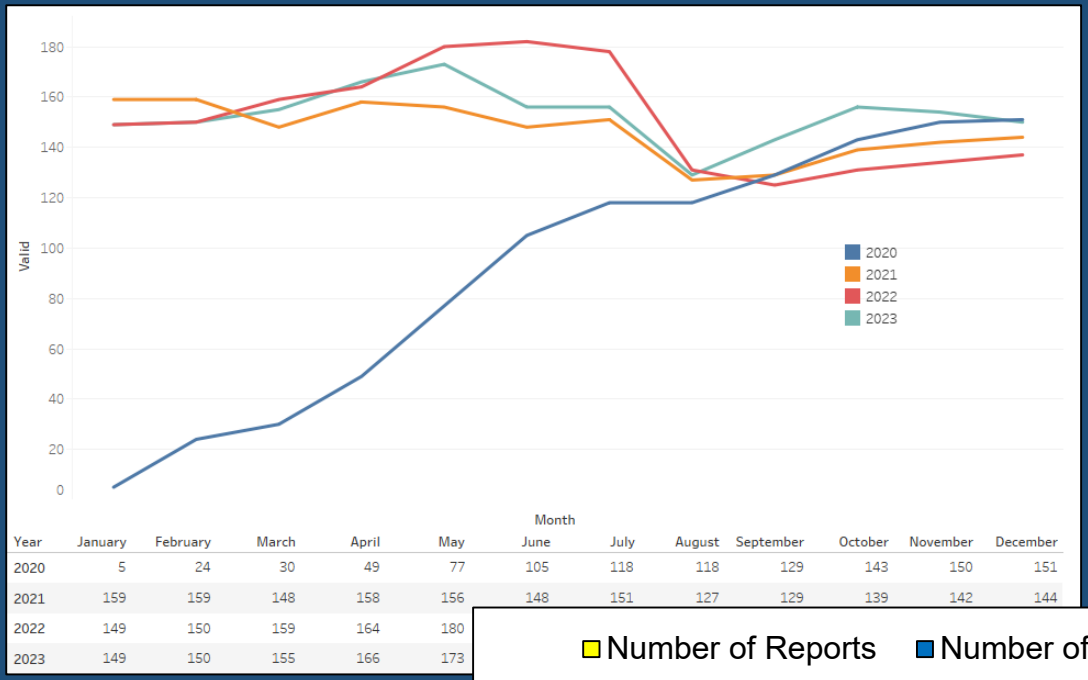
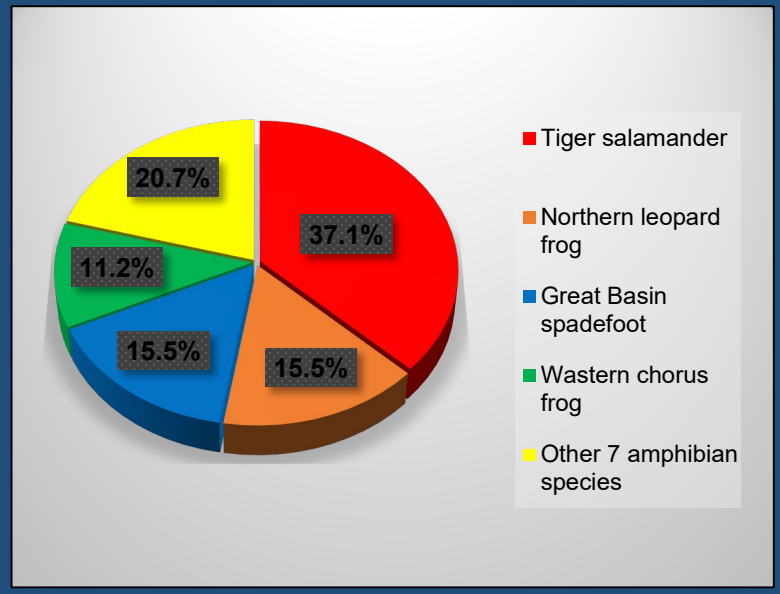
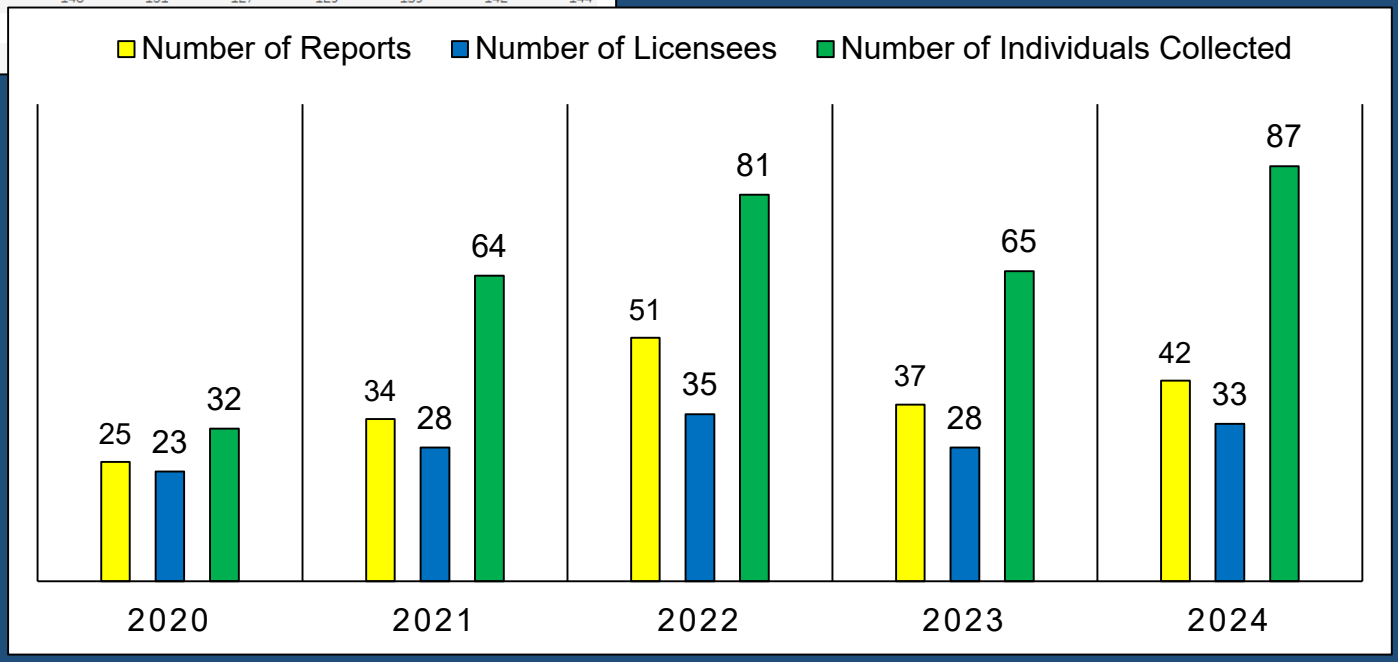


Year	January	February	March	April	May	June	July	August	September	October	November	December
2020	5	24	30	49	77	105	118	118	129	143	150	151
2021	159	159	148	158	156	148	151	127	129	139	142	144
2022	149	150	159	164	180							
2023	149	150	155	166	173							



Data!



Alternative 3: No native herp collection

❑ Pros:

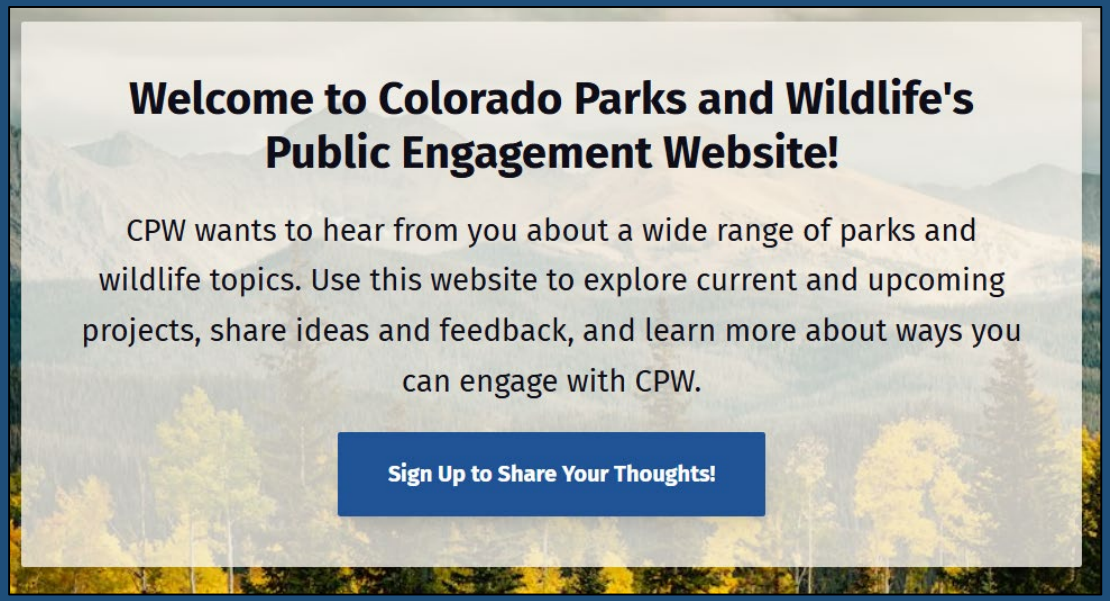
- Administratively easy
- Reduced disease spread
- Encourages “herping” as an alternative
- Reduces law enforcement ambiguity

❑ Cons:

- Constituents upset about no collections/stifles public curiosity
- Does not provide collection data
- No requirement mechanism for education of herp issues so public participation is likely to be lower
- Legacy reporting still required

Public Engagement

Start formal process to reach out to constituents and broader public in early fall using “CPW Engage” to get feedback on Recommendations and Alternatives



Questions?

Photo by Hunter Johnson

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