

CHAPTER 10 - NONGAME WILDLIFE

INDEX

			Page
ARTICLE I		GENERAL PROVISIONS	
	#1000	PROTECTED SPECIES	1
		A. Nongame species and subspecies, including threatened or endangered wildlife are protected	1
		B. Take of Nongame, Threatened or Endangered Species	3
		C. Intentionally Luring Gray Wolves	3
		D. Definitions	3
	#1001	AUTHORIZATION FOR REMOVAL, CAPTURE OR DESTRUCTION OF ENDANGERED, THREATENED, OR NONGAME GRAY WOLVES	4
		A. Colorado Division of Parks and Wildlife Employees and Agents	4
		B. Injurious and Lethal Take of Wolves In the Act of Attacking Livestock or Working Dogs	4
		C. Injurious and Lethal Take of Chronically Depredating Gray Wolves	5
		D. Wolf Specimen Disposition	6
		E. Chapter W-16 Codification	6
ARTICLE II		ENDANGERED WILDLIFE	
	#1002	DESIGNATION OF SPECIES	6
		A. Endangered wildlife	6
		1. Fish	6
		2. Birds	7
		3. Mammals	7
		4. Amphibians	7
ARTICLE III		THREATENED WILDLIFE	

	#1003	DESIGNATION OF SPECIES	8
		A. Threatened wildlife	8
		1. Fish	8
		2. Birds	8
		3. Mammals	8
ARTICLE IV		NONGAME WILDLIFE	
	#1004	DESIGNATION OF SPECIES	8
		A. Nongame wildlife	8
		1. Fish	8
		2. Amphibians	9
		3. Reptiles	10
		4. Mollusks	11
		5. Birds	14
		6. Mammals	26
Basis and Purpose			30

CHAPTER 10 - NONGAME WILDLIFE

ARTICLE I - GENERAL PROVISIONS

#1000 - PROTECTED SPECIES

A. Nongame species and subspecies, including threatened or endangered wildlife are protected and their harassment, taking or possession is prohibited except as follows:

1. Under a scientific collecting license.
2. Under a rehabilitation license.
3. Under a license for zoological, educational, propagation or other special purposes.
4. Allowed species of raptors under a falconry license.
5. Bats, mice except Preble's meadow jumping mouse (*Zapus hudsonius preblei*), voles, rats, porcupines, and ground squirrels may be captured or killed when creating a nuisance or causing property damage.
6. Except as provided in #020.A. of these regulations, up to four individuals of each of the following species and/or subspecies of reptiles and amphibians may be taken annually and held in captivity, provided that no more than twelve in the aggregate may be 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

Gophersnake

Terrestrial gartersnake

Plains gartersnake

Common lesser earless lizard

Tiger whiptail

North American racer

Plains hog-nosed snake

- a. Such reptiles and amphibians and their progeny may only be disposed of by gift or as authorized by the Division of Wildlife. Further, such reptiles and amphibians may be released back into the wild provided they have not come into contact with reptiles and amphibians from other geographic areas and they are released as close as possible to, but in no event further than ten miles from, their place of origin.
 - b. Any other species of native reptiles or amphibians taken from the wild and lawfully possessed prior to July 1, 1998, may continue to be held in captivity provided that written notification of the numbers and species being held is given to the Division prior to July 1, 1998. Such notification shall be sent to the special licensing unit at 6060 Broadway, Denver, CO 80216.
7. Threatened or endangered wildlife may be possessed if legally taken in and transported from another state or country and legally imported into the United States and Colorado.
8. Any peregrine falcon legally held in captivity which is:
 - a. Possessed and banded in compliance with the terms of a valid permit issued by the U.S. Fish and Wildlife Service; or
 - b. Identified in the earliest applicable annual report required to be filed by a permittee under Title 50, Code of Federal Regulations, as in a permittee's possession on November 10, 1978, or as the progeny of such raptor.
 - c. Provided, however, if a peregrine falcon otherwise excepted under this paragraph 8 is intentionally returned to the wild, it shall thereafter be deemed to be wild and subject to protection as a threatened or endangered species, as if it had never been reduced to lawful possession.
9. Greenback cutthroat trout may be taken under catch and release regulations in certain drainages within Rocky Mountain National Park, in the Cache la Poudre drainage, or in accordance with restrictions for individual waters found in #108 A.
10. Livestock owners and their agents are authorized to use non-injurious hazing techniques when necessary to prevent or reduce injury or damages to livestock and guard animals caused by gray wolves (*Canis lupus*). For purposes of this rule, "livestock" is defined in § 35-1-102(6), CRS.
 - a. "Non-injurious hazing techniques" means the use of:
 - (i) Livestock herding or guard animals,
 - (ii) Fladry or electrified fladry,
 - (iii) Cracker shells,
 - (iv) Scare devices or tactics including propane cannons, vehicles, ATVs, range riders, noisemakers, fox lights and motion- and radio-activated guard devices.
 - b. Hazing must be consistent with federal law. If gray wolves are on the list of federally endangered or threatened species, hazing that creates a likelihood of

injury or actually injures or kills wolves is prohibited unless authorized by the Division or by the U.S. Fish and Wildlife Service or its agents.

11. The Division may issue permits to livestock owners for intentionally injurious, non-lethal hazing of gray wolves after confirming gray wolf activity on a specific parcel of private land owned by the applicant or private or public land leased by the applicant for livestock production. The permit authorizing such activities is valid for not longer than one year and will contain additional terms and conditions, including a description of where such activities may occur. Any person who injures or kills a gray wolf must report the injury or death to the Division within 24 hours, unless impracticable, but in no event later than 72 hours. Fatal injury to wolves resulting from non-lethal hazing is prohibited.

B. Take of Nongame, Threatened or Endangered Species

1. Any person may take nongame, threatened or endangered wildlife in defense of their life or the life of other people. Any person who takes such action must report the same to the Division within 24 hours, unless impracticable, but in no event later than 72 hours.
2. All threatened or endangered fish taken by any means shall be returned unharmed to the water immediately.
3. While conducting an otherwise lawful activity, including, but not limited to, live trapping or hunting bobcat, taking action pursuant to 33-6-207, C.R.S., to protect livestock, protection of livestock through the use of guard dogs, or taking action pursuant to 33-3-106, C.R.S., to prevent death or injury to human life or livestock, a Canada lynx is:
 - a. accidentally captured, but not injured, it shall be released immediately and the capture shall be reported to the Division within 24 hours;
 - b. accidentally injured, but not in the possession of the person, the injury shall be reported to the Division within 24 hours;
 - c. accidentally injured and in the possession of the person, the Canada lynx shall be immediately delivered to the Division or taken to a licensed veterinarian for appropriate care and reported to the Division within 24 hours;
 - d. accidentally killed, then it shall be reported to the Division within 24 hours and the carcass shall be delivered to the Division within 3 (three) days of the report.

Any failure to provide the required notice to the Division or to deliver the injured or dead Canada lynx to the Division within the time periods allowed shall be prima facie evidence of unlawful take and possession of Canada lynx.

For the purposes of this subsection, "accidental" specifically excludes any intentional, knowing or negligent action on behalf of any person or a person's agent or employee.

4. The Division may capture, remove, transport, release, or destroy gray wolves where necessary to protect human health or safety.

C. Intentionally Luring Gray Wolves

Unless permitted by the Division, it is unlawful for any person to use an electronic call device or place any olfactory attractant with the intent to lure gray wolves (*Canis lupus*).

D. As used in this Chapter, the following definitions apply unless the context requires otherwise:

1. Conflict minimization measures means lawful, nonlethal materials and techniques used by owners of livestock for purposes of avoiding, minimizing, or mitigating gray wolf damage to livestock. Conflict minimization measures include hazing techniques authorized in this Chapter.
2. In the act of attacking means the actual biting, wounding, grasping, or killing of livestock or working dogs, or chasing, molesting or harassing by wolves that would indicate to a reasonable person that such biting, wounding, grasping, or killing of livestock is likely to occur at any moment.
3. Livestock means cattle, horses, mules, burros, sheep, lambs, swine, llama, alpaca, and goats.
4. Livestock owner means owners of livestock, their immediate family members, agents, employees, contractors, or volunteers. A livestock owner may be an owner or lessee of private land where livestock are legally grazed or a lessee of or permittee on public land for the purposes of grazing and raising livestock.
5. Working dogs means dogs regularly used for herding or guarding livestock.

#1001 - AUTHORIZATION FOR REMOVAL, CAPTURE OR DESTRUCTION OF ENDANGERED, THREATENED, OR NONGAME GRAY WOLVES

- A. Colorado Division of Parks and Wildlife Employees and Agents
 1. Capture and relocation of nongame, endangered, or threatened gray wolves is prohibited except as carried out by the Division or its agents or by the U.S. Fish and Wildlife Service or its agents.
- B. Injurious and Lethal Take of Wolves In the Act of Attacking Livestock or Working Dogs
 1. Injurious and lethal take of gray wolves by livestock owners is permitted when a wolf is observed in the act of attacking livestock or working dogs, but only in accordance with these regulations.
 2. A permit is required for livestock owners to engage in injurious or lethal control of gray wolves caught in the act of attacking livestock or working dogs. ("In The Act Permits"). Take of wolves attacking a pet or hunting dog is not authorized.
 3. The Division will issue a permit to a livestock owner (Permit Applicant) retroactively authorizing take of gray wolves observed in the act of attacking livestock or working dogs, provided the following conditions are met.
 - a. The attack on livestock or working dogs must have taken place on the Permit Applicant's private property or on private, state, or federal lands leased for livestock grazing or production under a valid lease held by the Permit Applicant.
 - b. The Permit Applicant must preserve and provide evidence that the gray wolves were in the act of attacking livestock or working dogs at the time the wolves were injured or killed.
 - i. The carcass of the wolf or wolves and of any animals the wolves were attacking, as well as the surrounding area, must not be disturbed in order to preserve the requisite physical evidence. Where no carcass is

present, acceptable physical evidence includes but is not limited to photographs or video with GPS coordinates attached.

4. In order to obtain a retroactive permit from the Division, the Permit Applicant must notify the Division of injury or death to gray wolves within 24 hours of such injury or death unless impracticable, but in no event later than 72 hours after such injury or death. Wolves injured or killed under these permits will remain the property of the state.
5. The Division shall not issue any permit under this subsection #1001.B (In The Act Permits) unless the U.S. Fish and Wildlife Service has adopted a rule under section 10(j) of the Endangered Species Act designating and providing management flexibility for a non-essential experimental population of wolves in Colorado *and* that rule is effective at the time of the issuance of any In The Act Permit. Further, the Division shall not issue an In the Act Permit for any act that injured or killed a wolf in violation of the Endangered Species Act and its regulations in place at the time of the act.

C. Injurious and Lethal Take of Chronically Depredating Gray Wolves

1. The Division will make the determination as to whether a situation qualifies for a Chronic Depredation Permit after considering the following factors:
 - a. Documented repeated depredation and harassment of the Permit Applicant's livestock or working dogs caused by the wolf, wolves, or pack targeted;
 - b. Use of a variety of nonlethal conflict minimization materials and techniques;
 - c. Likelihood that additional and continued wolf-related depredation would continue if lethal control is or is not implemented;
 - d. Unintentional or intentional use of attractants that may be luring or baiting wolves to the location.
2. Consistent with state and federal law, injurious or lethal control of wolves that have engaged in confirmed depredation(s) of livestock will be conducted by state or federal agents if the Division determines lethal control of the identified wolves is appropriate under the circumstances.
3. If state and federal agencies do not have the capacity to carry out the timely implementation of the necessary lethal control measures, the Division may issue a Chronic Depredation Permit for the lethal take of wolves to a livestock owner (Permit Applicant), consistent with the conditions below. A Chronic Depredation Permit authorizes a holder to injure or kill wolves in the permit area, regardless of whether they are in the act of attacking livestock or working dogs.
 - a. The Permit Applicant must have suffered at least one wolf depredation of their own livestock or working dogs, and the Division must have confirmed the depredation within 30 days prior to requesting a Chronic Depredation Permit.
 - i. If the Permit Applicant's livestock are part of a herd comprised of livestock owned by multiple owners, any owner of livestock in the same herd may also qualify for a Chronic Depredation Permit.
 - b. The Division must determine that the Permit Applicant employed reasonable conflict minimization techniques prior to receiving a Chronic Depredation Permit.

- c. The permit may authorize lethal take of wolves only on the Permit Applicant's private property or on private, state, or federal lands leased for livestock production under a valid lease held by the Permit Applicant.
 - d. The permit authorizing such activities will contain additional terms and conditions, including a limitation on how many wolves may be taken under the Permit.
 - e. A Chronic Depredation Permit is valid for a maximum of 45 days. The Division may terminate the Permit at any time once threats to livestock or working dogs have been resolved or minimized. After the initial 45 days, the Permit may be renewed at the Division's discretion.
 - f. Death or injury to wolves must be reported to the Division within 24 hours unless impracticable, but in no event later than 72 hours after such death or injury.
4. The Division shall not issue any Chronic Depredation Permit under this subsection #1001.C unless the U.S. Fish and Wildlife Service has adopted a rule under section 10(j) of the Endangered Species Act designating and providing management flexibility for a non-essential experimental population of wolves in Colorado *and* that rule is effective at the time of the issuance of any Chronic Depredation Permit.
- D. Wolf specimen disposition
- 1. The entire carcass of wolves killed by private individuals for any purpose, legal or illegal will be returned to CPW and remain state property, regardless of whether the incident occurred on public or private land.
- E. Chapter W-16 of these rules codifies the procedures applicable to securing authorization from the Division to injuriously or lethally take gray wolves, including retroactive authorization for take of wolves caught in the act of attacking livestock or working dogs.

ARTICLE II - ENDANGERED WILDLIFE

#1002 - DESIGNATION OF SPECIES

- A. Endangered Species Designation: The following wildlife are hereby declared endangered.
- 1. Fish
 - Bonytail ¹
 - Razorback Sucker ¹
 - Rio Grande Sucker
 - Northern Redbelly Dace
 - Southern Redbelly Dace
 - Plains Minnow
 - Suckermouth Minnow
 - Lake Chub

- 2. Birds
 - Plains Sharp-tailed Grouse
 - Whooping Crane ¹
 - Least Tern ¹
 - Southwestern Willow Flycatcher ¹

- 3. Mammals
 - Kit Fox
 - Gray Wolf ¹
 - Grizzly Bear ²
 - Black-footed Ferret ¹
 - Wolverine
 - Lynx ²

- 4. Amphibians
 - Boreal (Western) Toad

¹ Appears on Federal List as Endangered.

² Appears on Federal List as Threatened.

ARTICLE III - THREATENED WILDLIFE

#1003 - DESIGNATION OF SPECIES

A. The following wildlife are hereby declared threatened. Any threatened fish taken by any means shall be returned unharmed to the water immediately.

1. Fish
 - Colorado pikeminnow ¹
 - Humpback Chub ¹
 - Greenback Cutthroat Trout
 - Arkansas Darter
 - Brassy Minnow
 - Common Shiner

2. Birds
 - Mexican Spotted Owl ²
 - Burrowing Owl
 - Lesser Prairie Chicken
 - Piping Plover ²

3. Mammals
 - Northern River Otter
 - Preble's meadow jumping mouse

¹ Appears on Federal List as Endangered

² Appears on Federal List as Threatened

ARTICLE IV - NONGAME WILDLIFE

#1004 - DESIGNATION OF SPECIES

A. The following wildlife are hereby declared nongame wildlife.

1. Fish:

Greenback Cutthroat Trout
Colorado pikeminnow
Humpback Chub
Bonytail
Colorado Roundtail Chub
Lake Chub
Flathead Chub
Rio Grande Chub
Plains Minnow
Suckermouth Minnow
River Shiner
Northern Redbelly Dace
Southern Redbelly Dace
Razorback Sucker
Rio Grande Sucker
Bluehead Sucker
Flannelmouth Sucker
Mountain Sucker
Arkansas Darter
Plains Orangethroat Darter
Iowa Darter
Stonecat
Plains Topminnow

2. Amphibians:
Plains Spadefoot Couch's Spadefoot
Great Basin Spadefoot
Mexican Spadefoot
Boreal (Western) Toad
Great Plains Toad
Green Toad

Red-spotted Toad
Woodhouse's Toad
Northern Cricket Frog
Canyon Treefrog
Boreal Chorus Frog
Plains Leopard Frog
Northern Leopard Frog
Wood Frog
Western Narrow-mouthed Toad

3. Reptiles:
- Yellow Mud Turtle
 - Painted Turtle
 - Ornate Box Turtle
 - Spiny Softshell
 - Eastern Collared Lizard
 - Long-nosed Leopard Lizard
 - Common Lesser Earless Lizard
 - Texas Horned Lizard
 - Hernandez's Short-horned Lizard
 - Round-tailed horned Lizard
 - Common Sagebrush Lizard
 - Desert Spiny Lizard
 - Prairie Lizard
 - Plateau Fence Lizard
 - Ornate Tree Lizard
 - Common Side-blotched Lizard
 - Many-lined Skink
 - Great Plains Skink
 - Six-lined Racerunner
 - Common Checkered Whiptail

Colorado Checkered Whiptail
Tiger Whiptail
Plateau Striped Whiptail
Texas Threadsnake
Glossy Snake
North American Racer
Ring-necked Snake
Great Plains Ratsnake Plains Hog-nosed Snake
Chihuahuan Nightsnake
Desert Nightsnake
Common Kingsnake
Milksnake
Coachwhip
Striped Whipsnake
Northern Watersnake
Smooth Greensnake
Gophersnake
Long-nosed Snake
Western Groundsnake
Plains Black-headed Snake
Smith's Black-headed Snake
Western Ribbonsnake
Black-necked Gartersnake
Terrestrial Gartersnake
Plains Gartersnake
Common Gartersnake
Lined Snake
Midget Faded (Western) Rattlesnake
Massasauga

4. Mollusks:

Mossy Valvata
Quilted Melania
Prairie Fossaria
Cockerell Lymnaea
Carib Fossaria
Wrinkled Marshsnail
Marsh Pondsnaill
Rock Fossaria
Golden Fossaria
Pygmy Fossaria
Swamp Lymnaea
Lance Aplexa
Pewter Physa
Ashy Physa
Glass Physa
Utah Physa
Tadpole Physa
Protean Physa
Mimic Lymnaea
Disc Gyro
Ash Gyro
Mesa Rams-horn
Marsh Rams-horn
Two-ridge Rams-horn
Sharp Sprite
Umbilicate Sprite
Rocky Mountain Capshell
Fragile Ancylicid
Creeping Ancylicid
Cloche Ancylicid
Giant Floater

Cylindrical Papershell
Pondhorn
Lake Fingernailclam
Long Fingernailclam
Striated Fingernailclam
Ubiquitous Peaclam
Ridgebeak Peaclam
Quadrangular Pillclam
Shiny Peaclam
Triangular Peaclam
Glossy Pillar
Costate Vallonia
Multirib Vallonia
Lovely Vallonia
Rocky Mountain Column
Widespread Column
White-lip Dagger
Rocky Mountain Dagger
Armed Snaggletooth
Erie Snaggletooth
Lambda Snaggletooth
Slim Snaggletooth
Comb Snaggletooth
White Snaggletooth
Variable Vertigo
Cross Vertigo
Ovate Vertigo
Five-tooth Vertigo
Toothless Column
Suboval Ambersnail
Niobrara Ambersnail

Blunt Ambersnail
(NCN) Ambersnail
Forest Disc
Compound Coil
Smooth Coil
Meadow Slug
One-ridge Fieldslug
Amber Glass
Wild Hive
Brown Hive
Quick Gloss
Spruce Snail
Rocky Mountainsnail
Lyrate Mountainsnail

5. Birds:

Red-throated Loon
Pacific Loon
Common Loon
Yellow-billed Loon
Pied-billed Grebe
Horned Grebe
Red-necked Grebe
Eared Grebe
Western Grebe
Clark's Grebe
American White Pelican
Brown Pelican
Double-crested Cormorant
Neotropic Cormorant
American Bittern

Least Bittern
White Ibis
Glossy Ibis
Great Blue Heron
Great Egret
Snowy Egret
Little Blue Heron
Tricolored Heron
Cattle Egret
Green Heron
Black-crowned Night-Heron
Yellow-crowned Night-Heron
White-faced Ibis
Tundra Swan
Trumpeter Swan
Turkey Vulture
Osprey
Mississippi Kite
Bald Eagle
Northern Harrier
Sharp-shinned Hawk
Cooper's Hawk
Northern Goshawk
Red-shouldered Hawk
Broad-winged Hawk
Swainson's Hawk
Red-tailed Hawk
Ferruginous Hawk
Rough-legged Hawk
Golden Eagle
American Kestrel

Merlin
American Peregrine Falcon
Gyrfalcon
Prairie Falcon
Arctic Peregrine Falcon
Lesser Prairie-Chicken
Plains Sharp-tailed Grouse
Whooping Crane
Black-bellied Plover
American Golden-Plover
Western Snowy Plover
Semipalmated Plover
Piping Plover
Killdeer
Mountain Plover
Black-necked Stilt
American Avocet
Greater Yellowlegs
Lesser Yellowlegs
Solitary Sandpiper
Willet
Spotted Sandpiper
Upland Sandpiper
Whimbrel
Long-billed Curlew
Hudsonian Godwit
Marbled Godwit
Ruddy Turnstone
Red Knot
Sanderling
Semipalmated Sandpiper

Western Sandpiper
Least Sandpiper
White-rumped Sandpiper
Baird's Sandpiper
Pectoral Sandpiper
Sharp-tailed Sandpiper
Dunlin
Stilt Sandpiper
Buff-breasted Sandpiper
Ruff
Short-billed Dowitcher
Long-billed Dowitcher
Wilson's Phalarope
Red-necked Phalarope
Red Phalarope
Pomarine Jaeger
Parasitic Jaeger
Long-tailed Jaeger
Laughing Gull
Franklin's Gull
Little Gull
Bonaparte's Gull
Mew Gull
Ring-billed Gull
California Gull
Herring Gull
Thayer's Gull
Lesser Black-backed Gull
Glaucous-winged Gull
Glaucous Gull
Great Black-backed Gull

Black-legged Kittiwake
Sabine's Gull
Caspian Tern
Common Tern
Arctic Tern
Forster's Tern
Least Tern
Black Tern
Marbled Murrelet
Ancient Murrelet
Black-billed Cuckoo
Western Yellow-billed Cuckoo
Greater Roadrunner
Groove-billed Ani
Barn Owl
Flammulated Owl
Eastern Screech-owl
Western Screech-owl
Great Horned Owl
Snowy Owl
Northern Pygmy-Owl
Burrowing Owl
Mexican Spotted Owl
Long-eared Owl
Short-eared Owl
Boreal Owl
Northern Saw-whet Owl
Lesser Nighthawk
Common Nighthawk
Common Poorwill
Whip-poor-will

Black Swift
Chimney Swift
White-throated Swift
Blue-throated Hummingbird
Magnificent Hummingbird
Black-chinned Hummingbird
Anna's Hummingbird
Calliope Hummingbird
Broad-tailed Hummingbird
Rufous Hummingbird
Belted Kingfisher
Lewis's Woodpecker
Red-headed Woodpecker
Red-bellied Woodpecker
Red-naped Sapsucker
Yellow-bellied Sapsucker
Williamson's Sapsucker
Ladder-backed Woodpecker
Downy Woodpecker
Hairy Woodpecker
American Three-toed Woodpecker
Northern Flicker
Olive-sided Flycatcher
Western Wood-Pewee
Eastern Wood-Pewee
Alder Flycatcher
Willow Flycatcher
Least Flycatcher
Hammond's Flycatcher
Dusky Flycatcher
Gray Flycatcher

Cordilleran Flycatcher
Black Phoebe
Eastern Phoebe
Say's Phoebe
Vermilion Flycatcher
Ash-throated Flycatcher
Great Crested Flycatcher
Cassin's Kingbird
Western Kingbird
Eastern Kingbird
Scissor-tailed Flycatcher
Horned Lark
Purple Martin
Tree Swallow
Violet-green Swallow
Northern Rough-winged Swallow
Bank Swallow
Cliff Swallow
Barn Swallow
Gray Jay
Steller's Jay
Blue Jay
Western Scrub-Jay
Pinyon Jay
Clark's Nutcracker
Chihuahuan Raven
Common Raven
Black-capped Chickadee
Mountain Chickadee
Juniper Titmouse
Bushtit

Red-breasted Nuthatch
White-breasted Nuthatch
Pygmy Nuthatch
Brown Creeper
Rock Wren
Canyon Wren
Carolina Wren
Bewick's Wren
House Wren
Winter Wren
Sedge Wren
Marsh Wren
American Dipper
Golden-crowned Kinglet
Ruby-crowned Kinglet
Blue-gray Gnatcatcher
Eastern Bluebird
Western Bluebird
Mountain Bluebird
Townsend's Solitaire
Veery
Gray-cheeked Thrush
Swainson's Thrush
Hermit Thrush
Wood Thrush
American Robin
Varied Thrush
Gray Catbird
Northern Mockingbird Sage Thrasher
Brown Thrasher
Bendire's Thrasher

Curve-billed Thrasher
American Pipit
Sprague's Pipit
Bohemian Waxwing
Cedar Waxwing
Phainopepla
Northern Shrike
Loggerhead Shrike
White-eyed Vireo
Bell's Vireo
Gray Vireo
Plumbeous Vireo
Yellow-throated Vireo
Warbling Vireo
Philadelphia Vireo
Red-eyed Vireo
Blue-winged Warbler
Golden-winged Warbler
Tennessee Warbler
Orange-crowned Warbler
Nashville Warbler
Virginia's Warbler
Lucy's Warbler
Northern Parula
Yellow Warbler
Chestnut-sided Warbler
Magnolia Warbler
Cape May Warbler
Black-throated Blue Warbler
Yellow-rumped Warbler
Black-throated Gray Warbler

Townsend's Warbler
Hermit Warbler
Black-throated Green Warbler
Blackburnian Warbler
Yellow-throated Warbler
Grace's Warbler
Pine Warbler
Prairie Warbler
Palm Warbler
Bay-breasted Warbler
Blackpoll Warbler
Black-and-white Warbler
American Redstart
Prothonotary Warbler
Worm-eating Warbler
Swainson's Warbler
Ovenbird
Northern Waterthrush
Louisiana Waterthrush
Kentucky Warbler
Connecticut Warbler
Mourning Warbler
MacGillivray's Warbler
Common Yellowthroat
Hooded Warbler
Wilson's Warbler
Canada Warbler
Painted Redstart
Yellow-breasted Chat
Hepatic Tanager
Summer Tanager

Scarlet Tanager
Western Tanager
Northern Cardinal
Rose-breasted Grosbeak
Black-headed Grosbeak
Blue Grosbeak
Lazuli Bunting
Indigo Bunting
Painted Bunting
Dickcissel
Green-tailed Towhee
Eastern Towhee
Spotted Towhee
Canyon Towhee
Cassin's Sparrow
Rufous-crowned Sparrow
American Tree Sparrow
Chipping Sparrow
Clay-colored Sparrow
Brewer's Sparrow
Field Sparrow
Vesper Sparrow
Lark Sparrow
Black-throated Sparrow
Sage Sparrow
Lark Bunting
Savannah Sparrow
Baird's Sparrow
Grasshopper Sparrow
Henslow's Sparrow
Le Conte's Sparrow

Nelson's Sharp-tailed Sparrow
Fox Sparrow
Song Sparrow
Lincoln's Sparrow
Swamp Sparrow
White-throated Sparrow
Golden-crowned Sparrow
White-crowned Sparrow
Harris's Sparrow
Dark-eyed Junco
McCown's Longspur
Lapland Longspur
Chestnut-collared Longspur
Snow Bunting
Bobolink
Red-winged Blackbird
Eastern Meadowlark
Western Meadowlark
Yellow-headed Blackbird
Rusty Blackbird
Brewer's Blackbird
Great-tailed Grackle
Common Grackle
Brown-headed Cowbird
Orchard Oriole
Baltimore Oriole
Bullock's Oriole
Scott's Oriole
Gray -crowned Rosy-Finch
Black Rosy-Finch
Brown-capped Rosy-Finch

Brambling
Pine Grosbeak
Purple Finch
Cassin's Finch
House Finch
Red Crossbill
White-winged Crossbill
Common Redpoll
Pine Siskin
Lesser Goldfinch
American Goldfinch
Evening Grosbeak

6. Mammals:

Masked Shrew
Montane Shrew
Dwarf Shrew
Water Shrew
Merriam's Shrew
Pygmy Shrew
Elliot's Short-tailed Shrew
Least Shrew
Crawford's Desert Shrew
Eastern Mole
California Myotis
Western small-footed Myotis
Long-eared Myotis
Little Brown Myotis
Fringed Myotis
Long-legged Myotis
Yuma Myotis

Eastern Red Bat
Hoary Bat
Silver-haired Bat
Western Pipistrelle
Big Brown Bat
Spotted Bat
Townsend's Big-eared Bat
Eastern Pipistrelle
Pallid Bat
Brazilian Free-tailed Bat
Big Free-tailed Bat
Nine-Banded Armadillo
American Pika
Least Chipmunk
Cliff Chipmunk
Colorado Chipmunk
Uinta Chipmunk
White-tailed Antelope Squirrel
Spotted Ground Squirrel
Golden-mantled Ground Squirrel
Botta's pocket gopher
Northern pocket gopher
Olive-backed Pocket Mouse
Plains Pocket Mouse
Silky Pocket Mouse
Great Basin Pocket Mouse
Hispid Pocket Mouse
Ord's Kangaroo Rat
Plains Harvest Mouse
Western Harvest Mouse
Deer Mouse

White-footed Mouse
Canyon Mouse
Brush Mouse
Pinyon Mouse
Northern Rock Mouse
Northern Grasshopper Mouse
Hispid Cotton Rat
Eastern Woodrat
Southern Plains Woodrat
Western White-throated Woodrat
Eastern White-throated Woodrat
Desert Woodrat
Mexican Woodrat
Bushy-tailed Woodrat
Southern Red-backed Vole
Western Heather Vole
Meadow Vole
Montane Vole
Long-tailed Vole
Mogollon Vole
Prairie Vole
Sagebrush Vole
Preble's Meadow Jumping Mouse
Meadow Jumping Mouse
Western Jumping Mouse
North American Porcupine
Gray Wolf
Kit Fox
Grizzly Bear
Black-footed Ferret
Wolverine

Eastern Spotted Skunk

Common Hog-nosed Skunk

Northern River Otter

Lynx

Basis and Purpose:

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, Public Involvement 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 JULY 1, 2023 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED. THE AMENDED EMERGENCY REGULATION #1005.1 RELATED TO WOLF HAZING SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION AND SHALL REMAIN IN EFFECT FOR NO MORE THAN 120 DAYS OR UNTIL PERMANENT REGULATIONS TAKE EFFECT, WHICHEVER OCCURS FIRST, OR THE EMERGENCY REGULATIONS ARE OTHERWISE REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 3RD DAY OF MAY, 2023.

**APPROVED:
Carrie Besnette Hauser
Chair**

**ATTEST:
Marie Haskett
Secretary**